

BELIZE:

ORDER made by the Public Utilities Commission (hereinafter referred to as “the Commission”) in exercise of the powers conferred upon it by Sections 3, 6, 7, 21, 22, 23 and 24 of the Belize Telecommunications Act, No. 16 of 2002, Sections 32 and 48 of the Public Utilities Commission Act, Chapter 223 of the Laws of Belize, and all other powers thereunto the Commission enabling.

Short title. 1. This Order may be cited as the:

**BELIZE TELECOMMUNICATIONS GENERAL ORDER
(INTERCONNECTION, INFRASTRUCTURE SHARING, INTERNATIONAL
ACCESS) (AMENDED) No. 1 OF 2010**

Interpretation. 2. (1) In this Order, unless the context otherwise requires:

“written direction” means any written instructions given to or any written obligation placed on or written thing required of licensees

(2) A word or phrase not defined in this Order but defined in the Public Utilities Commission Act or the Belize Telecommunications Act shall have the meaning assigned to it in such Acts.

Determinations. 3. The Commission hereby deems it to be in the public interest for all telecommunication service licensees to interconnect networks and facilities, upon reasonable request, where it is necessary for the provision of services by any such licensees.

4. The Commission hereby deems it to be in the public interest for all telecommunication service licensees to share infrastructure, networks or facilities with other licensees for the provision of telecommunications services, upon reasonable request, where any such licensees possess or operate infrastructure, networks or facilities that can adequately satisfy the demands or requirements of such licensees and any other licensee who may request that such infrastructure, network or facility be shared.

Directives. 5. Subject to the provisions of the Public Utilities Act, the Telecommunications Act, any Orders or Regulations made and issued by the Commission, and any telecommunication service licences granted by the Commission, the Commission hereby directs all telecommunication service licensees to interconnect networks and facilities, upon reasonable request, where it is necessary for the provision of services by any such licensees.

6. Subject to the provisions of the Public Utilities Act, the Telecommunications Act, any Orders or Regulations made and issued by the Commission, and any telecommunication service licences granted by the Commission, the Commission hereby directs all telecommunication service licensees to share infrastructure, networks or facilities with other licensees for the provision of telecommunications services, on reasonable and non-discriminatory terms upon reasonable request, where any such licensees possess or operate infrastructure, networks or facilities that can adequately satisfy the demands or requirements of such licensees and any other licensee who may request that such infrastructure, network or facility be shared.

**Access to
foreign
service
providers.**

7. Subject to the provisions of the Telecommunications Act, any Orders or Regulations made and issued by the Commission, and any telecommunication service licences granted by the Commission, telecommunication service licensees and other persons shall be allowed access to foreign public telecommunication service licensees under the following general terms and conditions:

- (a) telecommunication service licensees may procure international telecommunications services directly from, and enter into commercial arrangements directly with, foreign public telecommunication service licensees;
- (b) no telecommunication service licensee shall be allowed unrestricted access to any foreign telecommunications network or facility, and the responsibility to restrict such access is vested in the Public Utilities Commission, which shall prescribe the terms and conditions by which such access shall be restricted;
- (c) persons, institutions, organizations, companies or other entities not granted a telecommunication service licence by the Commission may not procure international telecommunication service directly from foreign public telecommunication service licensees. However, the following classes of persons, institutions, organizations, companies or other entities may request and be provided with telecommunication service under conditions not offered generally to the public, with the approval of the Commission:
 - i) customer care or enquiry call service centres provided by international or foreign services providers authorized to establish such centres in Belize;
 - ii) diplomatic missions to Belize;
 - iii) accredited educational and medical institutions;
 - iv) any other class of persons, institutions, organizations, companies or other entities that the Commission may approve from time to time;

provided that any licensee who receives a request under this paragraph shall notify the Commission within seven (7) days of the receipt of such request for its consideration prior to the provision of such services;

- (d) where telecommunication service licensees are unable to satisfy the Commission that such licensees can adequately prevent the provision of any telecommunication service in Belize by any foreign public telecommunication service licensees unless in accordance with any licence granted by the Commission, such licensees shall be allowed to procure international telecommunication service only through telecommunication service licensees approved by the Commission;
- (e) telecommunication service licensees authorized to provide voice telephony service by licenses granted by the Commission shall offer international voice telephony service via any arrangements such licensees may have with any foreign public telecommunication service licensees subject to (a) and (b) above and, when and where required by the Commission, international voice telephony service offered by other licensees by configuring their networks and by programming their switches or routers to enable carrier selection or pre-selection where applicable.

Shared facilities designation.

8. The Commission hereby designates, in the public interest, the following infrastructure or facility for shared use by all telecommunication service licensees where applicable:

- (a) the Landing Station for the ARCOS-1 Submarine Cable for which the Landing Party under the ARCOS Consortium agreement is Belize Telemedia Limited (BTL), and which is used to access international telecommunications services from foreign public telecommunication service licensees;

and directs that all licensees not currently the owner or operator of the infrastructure or facility, or other infrastructure or facility currently deployed for a similar purpose, shall be restricted from deploying such or other infrastructure or facilities for a similar purpose unless in accordance with any licence granted by the Commission or the Minister responsible for Public Utilities.

9. The Commission may, by Order made by the Commission upon reasonable request from telecommunication service licensees, designate other suitable or appropriate infrastructure or facilities as such infrastructure or facility for shared use by all telecommunication service licensees where applicable.

Rates, fees and charges.

10. Rates, fees or charges for the sharing of infrastructure or facilities designated in Section 8 or pursuant to Section 9 shall be determined according to any methodology prescribed in any relevant Order or Regulations made and issued by the Commission.

Written direction. 11. Telecommunication service licensees shall comply with any written direction given to him by the Commission in relation to the exercise of his rights and obligations under this Order.

Effective date. 12. This Order shall come into effect on the date of its making.

MADE by the Public Utilities Commission this 18th Day of August, 2010.

(JOHN P. AVERY)
Chairman, Public Utilities Commission