



Case T-083

Telecoms Market Review

Information Note – Call for Information
Responses and Next Steps

Document No: JCRA 24/45

Date: 6 August 2024

Jersey Competition Regulatory Authority
2nd Floor Salisbury House, 1-9 Union Street, St Helier, Jersey, JE2 3RF
Tel 01534 514990
Web: www.jcra.je

1 Overview

- 1.1 This Information Note provides an overview of responses to the Jersey Competition Regulatory Authority (**the Authority**)’s Call for Information for the Telecoms Market Review (**the Review**), and an update on next steps.¹ The aim of the Review is, on a forward-looking basis, to develop a robust and enduring regulatory framework, enabling the effective regulation of telecoms. This document is structured as follows:
- Section 2 sets out the background;
 - Section 3 summarises the Call for Information responses; and
 - Section 4 provides an update on next steps.

2 Background

- 2.1 The Review is being carried out within the context of the Telecommunications (Jersey) Law 2002 (**the Law**). This empowers the Authority to license the provision of telecommunications systems in Jersey, and the Authority’s primary duty is to ensure that telecommunications services are provided, so as to satisfy all current and prospective demand. In the telecoms sector, the Authority carries out its activities with the goal of maintaining well-functioning markets, supporting both competition and investment in connectivity.²
- 2.2 In November 2023 the Authority issued the Call for Information for the Review. This did not contain policy proposals but sought views on the three main themes for the Review:
- Theme 1: Government telecoms policy framework and action plan
 - Theme 2: Regulatory and economic policy; and
 - Theme 3: Consumer policy
- 2.3 Responses were sought on specific consultation questions and the consultation period closed in February 2024. Five responses were received, from Clear Mobitel (Jersey) Limited (**Clear Mobitel**), Jersey Airtel Ltd (**Airtel**), JT Jersey Ltd (**JT**), Newtel Ltd (**Newtel**) and Sure (Jersey) Limited (**Sure**). The responses are summarised in the next section and non-confidential versions of these have been published on the Authority’s website.³
- 2.4 Following the receipt of responses, extensive engagement was also undertaken with stakeholders to help further inform the Review. This took the form of structured sessions covering the approach, the Call for Information and related matters.
- 2.5 Building on this engagement, and to ensure the Authority has a thorough understanding of the telecoms market, the Authority also issued a formal Request for Information, covering key areas linked to the Review. This Information was received in July and is currently being analysed.
- 2.6 Alongside this, further work has been undertaken by the Authority into regulatory practice and precedent, and an initial assessment of relevant markets and significant market power (**SMP**) carried out.

¹ All case documents can be found at: [T-083 Telecoms Market Review](#)

² Further background information on the regulatory and legal framework was included in the Call for Information (see Chapter 2).

³ See: [T-083 Telecoms Market Review – Call for Information](#)

3 The Call for Information responses

3.1 Table 1 below contains a high-level summary of stakeholder responses. This is an outline summary that is not intended to be a definitive or comprehensive representation of each stakeholder’s response, or intended to be representative of the outputs from the stakeholder engagement sessions.

Table 1: Overview of the Call for Information responses by question

Question 1: Do you agree that a holistic review of the telecoms sector is timely and an appropriate way to frame current and future regulation?	
Airtel	Airtel disagreed with the Authority’s approach and suggested a more tailored approach on specific issues.
Clear Mobitel	Clear Mobitel supported the approach to the Review, suggesting that continued wholesale and access regulation is required to sustain competition.
JT	JT welcomed the Review but queried the Authority’s holistic approach to the Review.
Newtel	Newtel commented on the themes of the Review, arguing for greater alignment between regulatory principles and practice.
Sure	Sure supported the Review and the holistic approach, suggesting the Review is an opportunity to raise a series of related matters.
Question 2: Do you agree with the proposed scope of the Review as set out in the Call for Information?	
Airtel	Airtel disagreed with the proposed scope and set out a critique of the Authority’s regulatory approach in several policy areas.
Clear Mobitel	Clear Mobitel broadly agreed with the scope, while advocating for a focus on cost-based wholesale regulation (as a means of further supporting consumer outcomes).
JT	JT suggested the Authority should focus the Review on markets not recently assessed - i.e., not business connectivity and wholesale broadband.
Newtel	Newtel broadly agreed with the scope of the Review, and raised specific points of policy, e.g., physical infrastructure access and number portability.
Sure	Sure welcomed the broad scope of the Review, while stating that it should minimise disruption to operators (and investments).
Question 3: Do you think the phased approach, and indicative timeline for the Review, is appropriate?	
Airtel	Airtel did not support the broad scope or timescales for the Review, advocating for more immediate intervention on specific areas like cost-based wholesale pricing.
Clear Mobitel	Clear Mobitel commented on the proposed timescales and planning, requesting also that more information and clarity is required.
JT	JT acknowledged the project phasing but requested further clarity on planning and timescales. JT commented that the Review should be scaled to the Jersey market.
Newtel	Newtel did not comment directly on the proposed timescales and phasing of the Review. Newtel suggested that some issues require more immediate resolution.
Sure	Sure considered the Authority’s timescales ambitious, and suggested a further six to twelve months will likely be necessary to complete the Review.

- 3.2 While respondents were broadly supportive of the Review and the Authority's proposed approach, they also commented on the scope and timeline of the Review, alongside highlighting specific commercial and regulatory issues. These factors have been taken into account by the Authority, both within the analysis carried out to date and when determining next steps.
- 3.3 Further consideration on the Call for Information responses will be provided in the relevant Draft Decisions.

4 Next steps

- 4.1 The Authority is adopting a phased approach to the Review. This will see a Draft Decision issued on market definition and SMP by the end of 2024. This will cover both fixed and mobile markets but not contain a detailed discussion of proposed remedies.
- 4.2 Work on remedies will continue to be developed with a view to publishing a further Draft Decision in early 2025. The Authority recognises that the scope of remedies will likely require further separate follow-up projects for implementation. For example, the Authority expects to launch the price review for wholesale broadband access services in 2025 (as the current control expires in October 2026).
- 4.3 With respect to consumer policy, this is broader than the market definition, SMP and remedies framework of a market review. Therefore, it will likely be taken forward as a separate, standalone project. This will enable full consideration of all the potential issues, and allow time for broader stakeholder engagement on the appropriate areas of focus. The Authority expects this project to be included in its future Business Plan.
- 4.4 The Authority will continue to provide periodic updates on progressing the Review and looks forward to ongoing engagement with stakeholders through to completion.