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Regulation of Mobile Communications Networks in Emergencies

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- Governments and carriers are partners in emergencies, and regulations can promote or detract from effective and efficient response and recovery
- Carriers are highly incentivized to restore service as quickly as possible
- Specific regulatory areas to consider:
 - Minimum service requirements
 - Back-up power rules
 - Technical rules such as maximum power limits
 - VSAT regulation
 - Customs/import rules
 - Tower/mast siting processes
 - Rules related to locating missing persons
- We can work together so regulatory systems advance our common goal – a mobile system that helps people at the time of their greatest need

- A well-conceived and well-executed regulatory approach can support carriers in reestablishing service more rapidly and completely
- There are useful examples of best practices around the world, such as
 - Japanese Ministry of Communications in response to the Tohoku earthquake and tsunami
 - U.S. Federal Communications Commission in response to Hurricane Sandy
 - But even in these examples, the work of restoring service is very difficult and recovery can take time, so we have to work together
- Unfortunately, there are also examples where regulations that were designed outside of the emergency context interfere with response and recovery when a disaster occurs – but we can address this challenge in partnership with regulators

Carriers highly incentivized to restore quickly



- As we work together, it is important to recognize that carriers are highly incentivized to restore service as rapidly as possible
 - Every hour that a service is down, carriers lose money and reputation
 - For these reasons, carriers work as hard as possible to restore service quickly, even apart from any regulations

Carriers highly incentivized to restore quickly



- But disasters make recovery very difficult – so any delay that you see is part of a vigorous effort to overcome challenges, not a lack of effort
 - Disasters render equipment inoperable
 - Disasters make power unreliable
 - Disaster undermine logistics – damaged roads/airports
 - Disasters injure or kill our staff, or prevent them from reaching their posts
 - Disasters put overwhelming loads on networks, causing slow downs – engineering networks to absorb these extreme situations would require more spectrum/towers than allowed under rules; would impose high consumer costs

- The result: even in the absence of regulatory obligations, carriers have and will work as hard as possible to restore service
 - If regulatory obligations do not recognize this, they will lead to misdirected resources or build barriers that cause carriers to act faster or more effectively
 - So the remainder of the presentation explores ways to work together to match regulations to the goal of getting service back on as quickly as possible

■ Government Agencies in Peru

- OSIPTEL Supervisory Agency for Private Investment in Telecoms
- MTC Ministry of Transport and Communications

■ Minimum service requirements

- In general, all operating companies have an obligation to report service interruptions, even when they are caused by natural disasters.
- MNOs must inform the Regulator OSIPTEL within one business day
- If the interruption exceeds 72 hours, operators must submit to OSIPTEL within four business days of the event a schedule and work plan to make repairs and restore service.
- The schedule must be reasonable and proportional.

Summary: Progressive and Reasonable

■ Emergency backup power regulation

- MNOs must have a contingency plan which has all provisions and includes back-up electrical power systems.
- The regulatory framework for service quality is currently under revision and a minimum of four hours of autonomous operation is under debate.

Summary: Progressive and Reasonable

■ Maximum power regulation

- MTC may adopt the necessary measures for the replacement of mobile services in the affected areas, including power limit increase
- If an MNO may increase power beyond its maximum allowed limit, it must make such a request to MTC.

Summary: Progressive but room for speedier changes

■ VSAT regulation

- There are no rules relating to MNOs' use of VSAT. MNOs should report the new infrastructure they install to MTC for possible coordination among operators.

Summary: Progress Required

■ Customs: Equipment importation regulation

- Temporary importation permits may be granted for telecommunications equipment for up to six months, for national testing, exhibitions, shows, and demonstrations of operability.
- Currently, emergency situations are not covered by these regulations, but it would be beneficial to include such

Summary: Progress Required

■ Tower/mast regulation

- Tower Location: is not regulated by MTC. New tower locations require a permit from the municipal authorities of the locality in which the tower is located.
- Mobile Emergency Solutions: it is possible to use mobile transmitting equipment provided that it complies with the general regulation. MTC must be notified

Summary: Progress required

Thank you