



# **BANGLADESH TELECOMMUNICATION REGULATORY COMMISSION**

**IEB Bhaban, Ramna, Dhaka-1000**

No. BTRC/LL/INF-SHARING (304)/2008-447

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## **AMENDED GUIDELINES FOR INFRASTRUCTURE SHARING**



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## BANGLADESH TELECOMMUNICATION REGULATORY COMMISSION

### GUIDELINES FOR INFRASTRUCTURE SHARING

#### 1. INTRODUCTION

- 1.1 Bangladesh Telecommunication Regulatory Commission (the Commission) has the responsibility under the Bangladesh Telecommunication Act 2001 (the Act) to ensure access to reliable, reasonably priced and modern telecommunication services for all the people of Bangladesh. In pursuance of Section 31 (2) (r) of the Act, the Commission is empowered to issue instructions/guidelines to be followed by the licensees and service providers as defined in the Act.
- 1.2 Infrastructure sharing in an approach to ensure optimum utilization of telecommunication resources and Infrastructure, to minimize the operational cost, to achieve higher economies of scale, to promote healthy competition by reducing the entry cost for new entrant and to reduce the wastage of land route to develop telecommunication network and Infrastructure. Sharing infrastructure reduces cost and allows better and efficient network management for the operators. It will also enhance competition amongst telecommunications operators by reducing the entry barriers.
- 1.3 Infrastructure sharing includes requirement to lease out/ rent out / swapping infrastructure on a nondiscriminatory basis to other service providers. These guidelines are to be read along with the Act and any other relevant Laws, Rules, Regulations and in conjunction with the respective operator's license conditions.
- 1.4 The Commission has the right and authority to change, amend, vary or revoke any part of these guidelines and also to incorporate new terms and conditions necessary for the interest of national security, or public interest, or any other reason whatsoever.

#### 2. DEFINITIONS

Unless the context otherwise requires, the different terms and expressions used in these guidelines shall have the following meaning assigned to them. The headings are given for the sake of convenience only and do not carry any special meaning. Definitions and interpretations not listed here shall bear the same meaning as contained in the Act.



- 2.1 **“Active Infrastructure”** means electronic infrastructure & facility which includes sharing of Base Transceiver Station (BTS) / Node B, spectrum, antenna, feeder cable, Radio Access Network (RAN), microwave radio equipment, billing platform, switching centers, router, Base Station Controller (BSC) / Radio Network Controller (RNC), optical fiber / wired access and backbone transmission network, database etc.
- 2.2 **“Infrastructure Provider”** means any telecommunications operator who owns or is in control of facility or infrastructure, access to which another operator desires or into an agreement for the purposes of collocation or infrastructure sharing.
- 2.3 **“Infrastructure Seeker”** means any telecommunications operator desirous or into an agreement with other telecommunication operator(s) who own or in control of telecommunication’s infrastructure and facility for the purpose of collocation or infrastructure sharing.
- 2.4 **“Passive Infrastructure”** means non-electronic infrastructure & facility which includes sharing of physical sites, buildings, shelters, towers / masts, electric power supply and battery backup, grounding / earthing, air conditioning, security arrangement, poles, ducts, trenches, right of way, in-house wiring, sub-loop (Wire/Cable) and local-loop (Wire/Cable) shall also be included in Passive Infrastructure Sharing

### 3. **OBJECTIVES OF THE GUIDELINES**

The objectives of these guidelines are as follows:

- 3.1 To maximize the use of network facilities including but not limited to base station sites, towers, in-house wiring, local-loops etc. to enhance sharing and reduce duplication of investment for network facilities. In this context “Infrastructure Sharing” means the joint use of telecommunication infrastructures and facilities by two or more operators. The term “Infrastructure Sharing” for the purposes of these guidelines refers to the Passive Infrastructure.
- 3.2 To promote the availability of wide range of cost effective and competitive telecommunication networks throughout Bangladesh by ensuring optimum utilization of telecommunication resources.
- 3.3 To minimize the environmental effect, to ensure minimum occupation of land space and maximizing the utilization of existing infrastructure and installations.
- 3.4 To ensure optimum utilization of the operators’ capital expenditure on supporting infrastructure, therefore facilitating the whole sector.

### 4. **GENERAL TERMS AND CONDITIONS FOR INFRASTRUCTURE SHARING**

- 4.1 These guidelines are applicable for sharing of passive infrastructures amongst all telecommunication operators having license from the Commission. The licensees are permitted to share infrastructure within their respective licensing zone/area.



- 4.2 The operators shall Share its Passive infrastructure with other operators on a non-discriminatory “first come, first serve” basis.
- 4.3 Operators shall enter into bilateral agreement for sharing infrastructure. Tariff and charges for Infrastructure Sharing shall be mutually agreed based on the directives issued or to be issued by the Commission. In case of any dispute regarding the tariff and charges the decision of the Commission shall be final and binding upon the parties.
- 4.4 Any agreements to be executed shall be submitted to the Commission within 15 (fifteen) days from the date of agreement.
- 4.5 The Agreements, signed previously for infrastructures sharing shall have to be revised in accordance with these guidelines within 60 (sixty) days of publication of these guidelines.
- 4.6 Operators may jointly develop, build, maintain and operate new passive infrastructure for providing telecommunication services to the subscribers. However, an individual operator can build passive infrastructures with the permission of the Commission.
- 4.7 Operators (except the Nationwide Telecommunication Transmission Network’s Licensee) will not be permitted to build optical/wired backbone transmission network, if such networks of NTTN operators are already available there.
- 4.8 (a) Telecom Operators may jointly or individually develop, maintain and operate optical/wired backbone transmission network with the approval of the Commission if NTTN operators fail to provide them with transmission network facility fulfilling the requirement of the telecom operators.
- (b) The telecom operators may sell/lease the excess capacity/core/fiber of the transmission network to NTTN operators. In such case, the NTTN operators will be entitled to buy/take lease of the excess capacity/core/fiber from telecom operators and shall submit the copy of such agreement to the Commission accordingly.
- 4.9 All operators shall publish detailed information of passive infrastructures available for sharing with other operators in their websites. The list shall be updated on monthly basis.
- 4.10 The operators shall have to fulfill all of their individual obligations including but not limited to rollout obligations as contained in their individual licenses irrespective of infrastructure sharing agreement with other operators.
- 5. PROCEDURE FOR INFRASTRUCTURE SHARING**
- 5.1 Infrastructure Seeker shall submit request to Infrastructure provider expressing the interest of sharing infrastructure. Infrastructure Provider shall enter into negotiation with other operators to share the infrastructure.

- 5.2 Request for Infrastructure Sharing by the Infrastructure Seeker to the Infrastructure Providers and the approval / rejection of the request by the Infrastructure Provider must be in writing according to the Form A and Form B respectively.
- 5.3 Infrastructure Providers may refuse an application for infrastructure sharing on grounds of insufficient capacity.
- 5.4 The period to respond (either acceptance or rejection) by the Infrastructure Provider to any request for Infrastructure Sharing shall be 4 (four) weeks and the timeframe for negotiation of an Infrastructure Sharing Agreement shall be 5 (five) weeks from the date of receiving the request. The infrastructure providers shall not reject any request without the valid grounds (like insufficient capacity etc.) If no response is received within 4 (four) weeks of request or the cause of refusal seems unacceptable, the Infrastructure Seeker shall refer it to the Commission.
- 5.5 The Infrastructure Seekers may sub lease/rent out the shared infrastructures subject to the provision of agreement and copy of such sub lease /rent out agreement shall be submitted to the Commission within 15 (fifteen) days from the date of such agreement.
- 5.6 In the event of any differences or disputes between the Infrastructure Provider and Infrastructure Seeker and failure to resolve the differences or disputes amicably among themselves, aggrieved party shall refer the matter to the Commission for resolution of the same. The decision of the Commission in that regard will be final and binding.



Deputy Director  
Legal and Licensing Division  
BTRC

## INFRASTRUCTURE SHARING FORM A

### Request for Infrastructure Sharing (to be filled by the Infrastructure Seeker)

1. **Details of Infrastructure Seeker:**

a. Name of the Licensee/Company:

b. License Number and Date of Issue/Renewal:

c. Type(s) of Telecommunication Services Provided by the Infrastructure Seeker:

2. **Details of Infrastructure Provider:**

a. Name of the Licensee/Company:

b. License Number and Date of Issue/Renewal:

c. Type(s) of Telecommunication Services Provided by the Infrastructure Provider:

3. **Details of the Infrastructure:**

Sl. No.	Items	Description
1.	Reference Number of the Request	
2.	Type of the Infrastructure (s)	
3.	Location/Address of the Infrastructure	
4.	Purpose of Sharing the Infrastructure	
5.	Duration of Sharing	
6.	Date of Request by the Infrastructure Seeker	
7.	Last date of Approval/Rejection by the Infrastructure Provider	
8.	Last date of Negotiation	
9.	Inspection or Survey to the Infrastructure is Required by the Infrastructure Seeker	Yes / No
10.	Any Other Information	

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Authorized Signature of the Infrastructure Seeker



## INFRASTRUCTURE SHARING FORM B

### Approval / Rejection of Infrastructure Sharing (to be filled by the Infrastructure Provider)

1. **Details of Infrastructure Provider:**

- a. Name of the Licensee/Company:
- b. License Number and Date of Issue/Renewal:
- c. Type (s) of Telecommunication Services Provided by the Infrastructure Seeker:

2. **Details of Infrastructure Seeker:**

- a. Name of the Licensee/Company:
- b. License Number and Date of Issue/Renewal:
- c. Type (s) of Telecommunication Services Provided by the Infrastructure Provider:

3. **Details of Approval by the Infrastructure Provider:**

Sl. No.	Items	Description
1.	Reference Number of the Infrastructure Seeker' Request	
2.	Reference Number of Approval	
3.	Type of the Infrastructure (s)	
4.	Location/Address of the Infrastructure	
5.	Duration of Sharing	
6.	Date of Agreement / Negotiation	
7.	Any Other Information	





4. **Details of Rejection by the Infrastructure Provider**

<b>Sl. No.</b>	<b>Items</b>	<b>Description</b>
1.	Reference Number of the Infrastructure Seeker's Request	
2.	Reference Number of Rejection	
3.	Type of the Infrastructure (s)	
4.	Location/Address of the Infrastructure	
5.	Reasons of Rejection	
6.	Any Other Information	

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Authorized Signature of the Infrastructure Provider

