

Pakistan Telecommunication Authority

Licensing Division

20th September, 2016

Standard Operating Procedure (SOP)
Establishing Cross Border Bilateral/Transit Communication Links
with Neighboring Countries

1. Introduction

1.1. Pursuant to clause 5.9.2.2 of Telecommunication Policy, 2015, Pakistan Telecommunication Authority (PTA) has been mandated to facilitate the process for approval/issuance of NOC for establishment of cross border links.

2. Scope and Purpose

2.1. The purpose of this SOP is to streamline the procedure for establishing cross border bilateral/transit communication links with neighboring countries of Pakistan via terrestrial fixed wireline/wireless or satellite technology.

3. Eligibility

3.1. All Long Distance & International (LDI) licensees, Pakistan Telecommunication Company Ltd. (PTCL) and National Telecommunication Corporation (NTC) are allowed to establish cross border bilateral/transit communication links with neighboring countries of Pakistan via terrestrial fixed wireline/fixed wireless or satellite, under their respective licenses, **provided they are in good standing with respect to their license terms and conditions, Act, Rules, Regulations and PTA's Determinations.**

3.2. Every eligible licensee intending to establish cross border bilateral/transit communication links with neighboring countries of Pakistan via terrestrial fixed wireline/wireless or satellite shall require prior approval from PTA.

4. **Application Submission**

- 4.1. Every application for establishing cross border bilateral/transit communication link with neighboring countries of Pakistan via terrestrial fixed wireline/wireless or satellite technology shall be made to PTA.
- 4.2. Separate applications shall be made if a licensee intends to establish multiple communication links with a country at different locations or via different media.
- 4.3. Every application for cross border link shall include but not limited to the following:
 - a. Valid Agreement/Memorandum of Understanding (*MoU*) with counterpart in other country
 - b. Capacity and physical route of the link
 - c. Type of traffic
 - d. Expected volume of traffic
 - e. Technical plan along with layouts
 - f. Location of peering point
 - g. **Financial plan including expected revenue for the next 5 years**

5. **Application Processing**

- 5.1. **Outstanding dues status of the licensee shall be checked. If there are any outstanding dues against the applicant licensee then the application shall not be processed further until the dues have been cleared.**
- 5.2. The six weeks time as mentioned in clause 5.9.2.2 of Telecommunications Policy, 2015 shall start after fulfillment of above mentioned requirements and completion of application in all aspects.
- 5.3. Upon the fulfillment of aforementioned requirements, the proposal will be forwarded to Inter-Ministerial Committee (*IMC*) members for evaluation with the approval of the Authority.

6. **Inter-Ministerial Committee (*IMC*)**

6.1. Ministry of Information Technology & Telecommunication (*MoIT&T*), Government of Pakistan has constituted an Inter-Ministerial Committee (*IMC*) that consist of following members for evaluation to grant approval/NOC or denial of every application/request for establishing cross border bilateral/transit communication links with neighboring countries of Pakistan via terrestrial fixed wireline/fixed wireless or satellite:

- | | | |
|----|---|----------|
| a. | Chairman, PTA | Convener |
| b. | A Representative from Cabinet Division
{Secretary NTISB} | Member |
| c. | A Representative from Ministry of IT
{Member (Telecom)} | Member |
| d. | A Representative from IB
{Director General or Director (Tech)} | Member |
| e. | A Representative from ISI
{Director (ISI)} | Member |
| f. | A Representative from Ministry of Interior
{Deputy Secretary (Security)} | Member |

6.2. The members of IMC may grant approval/NOC or reject the application and/or provide their input on the proposal or if required a meeting may also be convened by PTA on the proposal, within four weeks after fulfillment of above mentioned requirements and completion of application in all aspects.

6.3. All processing of the proposals after the approval from IMC will be carried out by the office of Director General (Licensing), PTA unless there is any change in the proposal in which case approval of the Authority may be required.

7. **Permit in Principle (PiP)**

7.1. On the receipt of approval/NOC from the IMC members, PTA will initially grant Permit in Principle (*PiP*) with certain conditions as required by IMC members. The PiP shall also contain the following conditions:

- a. **For Wireless Link**

- (i). The licensee shall apply for assignment of radio frequency spectrum to Frequency Allocation Board (*FAB*) through PTA within a period of one month starting from the issuance of the PiP.
 - (ii). The licensee shall establish the link(s) within three months from the assignment of radio frequency spectrum by FAB.
 - (iii). Provision of facility under the national security provisions shall be ensured by the licensee before the commencement of operation.
- b. **For Wireline Link**
 - (i). The licensee shall establish the link within a period of three months starting from the issuance of the PiP.
 - (ii). Provision of facility under the provisions of national security provisions shall be ensured by the licensee before the commencement of operation and within a period of one year starting from date of issuance of the PiP.
- c. The link shall be terminated at a legally established peering point in Pakistan.
- d. If on the onward route, the communications link is to be part of any international cable system, the details and legal arrangements of such participation will be made available to PTA by the licensee. In such a case, a clear roadmap for establishing connectivity with a credible International Partner Consortium at a well-established Point of Presence at the far end will be provided by the applicant to PTA.
- e. Failure to comply with any of the above conditions may result into cancelation of the PiP.
- f. Upon fulfilling the above requirements the licensee shall apply for Final Approval.

8. Frequency Assignment

- 8.1. For terrestrial wireless links, the licensee shall apply for assignment of radio frequency spectrum to FAB through PTA after getting PiP for the said link.
- 8.2. The site clearance and other necessary regulatory requirements shall be fulfilled by the licensee before applying for final/formal approval.

9. Final Approval

- 9.1. Upon fulfilling the conditions mentioned in the PiP, the licensee shall apply for final/formal approval to PTA along with following documents:
 - a. Valid Agreement with counterpart in other country
 - b. Installed capacity and physical route of the link
 - c. Technical details along with layouts and equipments.
 - d. Location of peering point
- 9.2. Final/Formal approval shall be granted by PTA on following conditions:
 - a. Obtaining satisfactory report from the concerned agencies regarding provision of national security.
 - b. Clearance report from Finance, Commercial Affairs, Licensing and Technical Services Divisions regarding clearance of all outstanding dues.
 - c. Satisfactory inspection report from Enforcement Division, PTA regarding fulfillment of other conditions as contained in PiP.
 - d. Fulfillment of requirements of any new policy for the time being enforced.