

**Enforcement order under section 23 of the Pakistan Telecommunication (Re-organization) Act, 1996 against Wide Band Communications (Pvt.) Ltd. for non-commencement licensed services**

PTA/Lic-WrL/Wide Band/559/2014

Date of Show Cause Notice: 14<sup>th</sup> September, 2018  
Venue of Hearing: PTA HQs, Islamabad  
Date of Hearing: 26<sup>th</sup> November, 2018

**DECISION OF THE AUTHORITY**

1. Precisely stated the facts of the case are that the Wide Band Communications (Pvt.) Ltd (the "Licensee") was awarded Local Loop License No. LL/47-2015/HTR&NTR-I dated 7<sup>th</sup> October, 2015 (the "license") issued by the Pakistan Telecommunication Authority (the "Authority") to provide the licensed services on the licensed region (HTR & NTR-I) and to establish, maintain and operate a Telecommunication system, subject to the terms and conditions contained in the license.

2. The licensee under prevailing regulatory laws comprising the Pakistan Telecommunication (Re-organization) Act, 1996 (the "Act"), the Pakistan Telecommunication Rules, 2000, (the "Rules") the Pakistan Telecommunication Authority (Functions & Powers) Regulations, 2006 (the "Regulations") and the terms and conditions of the license. As per clauses (a) of sub-section (4) of Section 21 of the Act, Clause 8.1 of the Appendix B of the Rules and condition 3.1 of the license obliged the Licensee to observe the provision of the Act the Rules and the Regulations.

3. As per license conditions No. 3.2 and 6.11 of the license, the licensee was under an obligation to obtain Commencement Certificate from the Authority and required to commence at least one Network Connection point within 18 months from the date of issuance of the license. PTA vide letter dated 18<sup>th</sup> July, 2017 and 28<sup>th</sup> December, 2017 granted extension of time for obtaining commencement certificate, however, despite extension of time the licensee has failed to comply with the same.

4. Due to failure on the part of the licensee for obtaining commencement certificate a Show Cause Notice (SCN) under section 23 of the Act was issued to the licensee wherein it was required to remedy the aforementioned contravention by Commencement Certificate **within seven (07) days** of the issuance of this show cause notice and also explain in writing, **within thirty 30 days** of the license of the issuance of this notice , as to why the license should not be suspended, terminated or any other enforcement order should not be passed against the licensee under Section 23 of the Act, due to Continued violation of the PTA directions.

5. The licensee through letter dated 28<sup>th</sup> September, 2018 replied the SCN and stated that due to unavoidable circumstances during the last few months they were not able to apply for commencement in due course of time. It is highlighted for your reference that the company has put in considerable large financial investment during the last two

years in purchase/ deployment of hardware, installation of fiber optic cables/ Local Loop access network and hiring of train personal to start service in Peshawar. The main reason of delay occurred due to technical problems faced with interconnect call processing with PTCL POI at Peshawar. However, now successful call testing with PTCL has been completed.

6. It is further stated that the licensee has installed its switching node and RAS access hardware at point of presence at Peshawar which has been fully tested and commissioned. The Local Loop access network primary optical fiber access cable was laid by the Licensee at all the main roads in commercial hubs of Peshawar which were badly damaged due to KPK Government Bus Repaid Transport (BRT) Service Project. The MSAG and GPON equipment had been installed at many sites which are covering large areas of Peshawar.

7. The licensee further stated that it has now completed all the PTA license prerequisites for commencement of its services in Peshawar. It is, therefore, requested that the show cause notice issued to Wide Band Communication Pvt. Ltd. may kindly be taken back and PTA may send its team to our POI at Peshawar for inspection and further issuance of commencement certificate.

8. In order to proceed further in the matter, the case was fixed for hearing on 26<sup>th</sup> November, 2018 before the Authority. Mr. Muhammad Saeed, Chief Executive Officer and Mr. Shahid Latif, Director Technical attended the hearing on said date. During the hearing the representatives reiterated the same as stated in reply. However requested for further time for commencement of licensed services in HTR region.

9. Having gone through the record and hearing the argument of the licensee, it was found that the licensee is ready for commencement in NTR-I region, however, it requires more time for commencement of services in HTR region. Considering the aforementioned factual position and as requested by the licensee, the Authority hereby grants six (06) months from the date of issuance of this enforcement order for commencement of licensed services in HTR region.

10. In case of non-compliance of the order as stated at para 9 above, the license No. LL/47-2015/HTR dated 7<sup>th</sup> October, 2015 shall stand terminated without further notice.

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Muhammad Naveed  
**Chairman**

This enforcement order is signed on 26<sup>th</sup> Dec, 2018 and comprises of two (02) pages only.