

Reference Offer for Direct Wholesale Roaming Access

Offer valid as from 15/06/2017

VERSION 2.0



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1. Introduction

1.1. Purpose

POST Luxembourg publishes the present reference offer for accessing the provision of regulated Direct Wholesale Roaming Access as provided in:

- Regulation (EU) No 531/2012 of the European Parliament and the Council of 13 June 2012 on roaming public mobile communications networks within the Union with effects on 1 July 2012 ("Regulation"), and particularly its premise No 27 and its article No 3 "Wholesale roaming access".
- BEREC Guidelines on the application of article 3 of the Regulation on Direct Wholesale roaming access published on 27 September 2012.

On this basis, European Mobile Network Operators ("MNOs") shall meet all reasonable requests to provide direct wholesale roaming access to any undertaking ("Access Seeker"), which is entitled under the Law of the Member State in question to provide roaming services to roaming customers in that Member State. This reference offer shall serve as a basis for negotiations of a Direct Wholesale Roaming Access Agreement.

1.2. Services covered

The present document constitutes the reference offer for the wholesale roaming access ("Direct Wholesale Roaming Access") from the POST Luxembourg network to EU/EEA geographical destinations. POST Luxembourg currently offers all regulated roaming voice, SMS and data services according to regulated Inter-Operator Tariff (IOT), as detailed in the pricing section of this offer.

POST Luxembourg also offers non-regulated roaming services based on our standard wholesale offer for other MNO`s as detailed in AA14-IOT:

- Mobile originated calls from POST Luxembourg network to non-EU/EEA geographical destinations
- Mobile originated calls, SMS and data to value-added services or non-geographical services

POST Luxembourg will, under the same technical terms and conditions, offer the same services than those offered to other Access Seekers or Mobile Network Operators of POST Luxembourg. The availability of services may depend on the availability of the appropriate functionality enabling roaming.

1.3. Term

This Reference Offer for Direct Wholesale Roaming Access is valid from 15 June 2017 unless a material change occurs in the laws or regulations, governing telecommunications in Luxembourg.

1.4. Amendments

The content of this Reference offer for Direct Wholesale Roaming Access may be timely reviewed and amended in order to comply with applicable rules and regulations.

1.5. Interpretation rules

Unless expressly defined otherwise hereafter (in particular in article 2 – Definitions below), the terms used in this Reference offer for Direct Wholesale Roaming Access shall be construed and interpreted in accordance with the provisions of the Regulation (EU) No 531/2012 of the European Parliament and the Council of 13 June 2012 on roaming public mobile communications networks within the Union with effects on 1 July 2012 Prices, as modified by the Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015.

All prices mentioned in this Reference offer for Direct Wholesale Roaming Access, including those specified (in the Appendices attached hereto), are in EURO (€) and exclusive of Value-Added Tax (VAT) or any other legal taxes, which will be added where applicable.

2. Definitions

(in the event of doubt, the description in the relevant text prevails to the definition given here)

Defined Terms	Meaning
Agreement	The Direct Wholesale Roaming Access Agreement together with its annexes
Applicable Law	The National Law applicable in Luxembourg.
Direct Wholesale Roaming Access	The making available of facilities and/or services by a mobile network operator to another undertaking, under defined conditions, for the purpose of that other undertaking providing regulated roaming services to roaming customers.
GSM association	Association of mobile operators and related companies devoted to supporting the standardising and deployment, also representing the interests of mobile operators.
International roaming	The services in which access is granted by roaming customer of the MVNO through POST Luxembourg's PMN.
MNO	Mobile networks operator
MVNO	Mobile virtual networks operator
PMN	Public mobile network as in GSMA AA.16.
Roaming provider	The MNO who offers its roaming services to the Access Seeker.
Services	The services specified in the agreement.
Access Seeker	A mobile network operator or a MVNO or a reseller that has placed a reasonable request to POST Luxembourg for Direct Wholesale Roaming Access.

3. Direct Wholesale Roaming Access

3.1. General

POST Luxembourg offers wholesale roaming services which are necessary for an MVNO to offer retail roaming services upon receipt of reasonable request.

Access Seeker of Direct Wholesale Roaming Access shall be an MVNO. A request shall be considered as reasonable if it contains the following data:

- permission for use of individually assigned scarce resource/s;
- monthly traffic forecast for all roaming services applicable to the first 12 (twelve) months from the commercial launch;
- forecast for the capacity connections needed;
- technical information (interfaces and protocols) that proves compatibility with the services offered by POST Luxembourg as described in this Reference Offer.

In addition to the data enclosed to the reasonable request the Access Seeker shall enclose the following documents:

- written documents evidencing the capacity of the Access Seeker to act as a personal data administrator;
- declaration by the legal representatives of the Access Seeker for the readiness of the Access Seeker to establish a bank guarantee;
- a reference from the servicing bank of the Access Seeker confirming the Access Seeker's reputable bank record;
- written documents evidencing the lack of pending tax payments to the state;
- written documents evidencing the lack of pending payment to the insurance funds;
- description of the current business of the Access Seeker.

3.2. Implementation Process for International Roaming

The implementation proceeds along the following order of sequence consistently applicable to all Access Seekers or Mobile Network Operators of POST Luxembourg:

- The Access Seeker shall provide the relevant test documents based on the GSMA IREG standard and in case of specific CAMEL service test requests of the Access Seeker any applicable individual test document.
- After IREG test finalisation, POST Luxembourg will provide the Access Seeker with the TADIG test files containing all TAP billing records generated for the test cases along with the IREG Completion Certificate (ICC).
- The Access Seeker shall review the test files and shall approve the test results in due course by issuing a TADIG Completion Certificate (TCC). The issuance of the TCC completes the testing phase.
- The same procedure applies to each test program: 2G/Voice Services (+SMS), GPRS/Data, CAMEL (if needed).

After test completion and before further preparation of both networks/IT for the upcoming launch, both Parties shall agree on a binding launch date by signature of a commercial launch letter (CLL).

3.3. Documents to be provided by POST Luxembourg

- Direct Wholesale Roaming Access Agreement, based on GSMA PRDs AA.100
- Individual Annexes to the Direct Wholesale Roaming Access Agreement, based on GSMA AA.14
- Annex to the Direct Wholesale Roaming Access Agreement, based on GSMA IR.21.

3.4. Documents to be provided by Access Seeker

- Individual Annexes to the Direct Wholesale Roaming Access Agreement, based on GSMA AA.14 (as far as applicable for uni-directional roaming)
- Annex to the Direct Wholesale Roaming Access Agreement, based on GSMA IR.21
- 12-month roaming traffic forecast for voice (MOC/MTC), Data and SMS traffic for the initial contract year
- Test documents for each requested test program (e.g. 2G/Voice Services (+SMS), GPRS/Data, CAMEL).

4. Bank guarantee

POST Luxembourg may require the Access Seeker, prior to commercial launch, to provide a bank guarantee based on the traffic forecast for the upcoming twelve months.

A separated bank guarantee may be requested for services outside of the European Union.

5. Refusal of request

Request of access may be refused for clear justified reasons. POST Luxembourg is entitled to refuse requests that are not compliant with the requests mentioned in this Reference Offer.

6. Prices

Charges for regulated roaming services are as follows:

From:	15/06/2017	01/01/2018	01/01/2019	01/01/2020	01/01/2021	01/01/2022
Outgoing calls *	0.032€/min	0.032€/min	0.032€/min	0.032€/min	0.032€/min	0.032€/min
Outgoing calls to non-EU/EEA destinations	Tariffs upon request					
Outgoing SMS*	0.01€/min	0.01€/min	0.01€/min	0.01€/min	0.01€/min	0.01€/min
Outgoing SMS to non-EU/EEA destinations	Tariffs upon request					
Data roaming services including MMS*	7.7€/GB	6.0€/GB	4.5€/GB	3.5€/GB	3.0€/GB	2.5€/GB

* to EU/EEA area.

Non-regulated roaming services such as mobile originated calls from POST Luxembourg network to outside the EU/EEA are subject to bilateral negotiations and are based on the GSMA Roaming Agreement document AA.14 (RAEX IOT).

Outgoing calls are billed per second after a first initial minimum charging period of 30 seconds. Data roaming services are billed by initial minimum and subsequent unitisation of 1 KB.

When appropriate, charges are subject to currency exchanges rules as mentioned in Article 1 of the Regulation

7. Procedure for reaching a Direct Wholesale Roaming Access Agreement

Direct Wholesale Roaming Access Agreements will be negotiated and entered into force, based on the standard terms and conditions approved by EU Regulation, pursuant to and in compliance with the applicable legislation.

These standard terms and conditions will be made available after signature of a non-disclosure agreement.

All notices, information and communications required under this Agreement shall be given in writing and shall be sent either by mail, or preferably secure email to the addresses indicated here:

Postal and delivery address:

POST Luxembourg
Département Commutation, Radio & Satellite
Service Core & Interconnections
Section Roaming Development and Operations
2, rue Emile Bian
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