

**NIGERIAN COMMUNICATIONS ACT
(No 19 of 2003)**

QUALITY OF SERVICE REGULATIONS, 20~~23~~¹³



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S. I. No. 3 of 2013

NIGERIAN COMMUNICATIONS ACT
(No 19 of 2003)
QUALITY OF SERVICE REGULATIONS,
202313

In exercise of the powers conferred upon it by section 70 of the Nigerian Communications Act, 2003 ("the Act") and all other powers enabling it in that behalf, the Nigerian Communications Commission ("the Commission") make the following Regulations—

[~~22th Day of March, 2013~~]

Commence-
ment.

PART I—INTERPRETATION, OBJECTIVES AND SCOPE

Interpreta-
tions.

1.—(1) In these Regulations and the Schedules thereto, terms used shall have the same meanings as in the Act , and

"*Access Service*" means a service that is provided for communications to or from Network Termination Points that serves end users without making the communications pass through more than one public network ;

"*Act*" means the Nigerian Communications Act, 2003 ;

"*Average*" or "*Mean*" means the result of dividing the sum of the numerical values in a set by the number of values in the set ;

"*Broadband Internet Access Service*" means an Internet Access Service that is not a Voiceband Internet Access Service ;

"*BSC*" means Base Station Controller as defined in Schedule 2 ;

"*BTS*" means Base Transceiver Station as defined in Schedule 2 ;

"*Busy Time*" means the set of the same six hours in each of the same four days in each of twelve weeks of a Reporting Period during which the highest average traffic for a service is measured or expected on the basis of observations conducted in the preceding Reporting Period ;

"*Busy Hour (BH)*" means the continuous 1-hour period lying wholly in the time interval concerned for which the traffic or number of call attempts is greatest ;

"*Call Attempt*" means an attempt to achieve a connection to one or more devices attached to a telecommunication network ;

"*Commercial Launch Date*" means the date when a Licensee commences commercial provision of a service in a Reporting Area ;

"*Commission*" means the Nigerian Communications Commission ;

"*Contravention*" means any failure to comply with the requirements identified in the Regulations ;

"*End User*" means a Customer that is not an Interconnecting Licensee

or a provider of an international route to or from the Federal Republic of Nigeria ;

"*Enforcement Processes Regulations*" means the Nigerian Communications (Enforcement Processes, etc.) Regulations 201905, as may be amended from time to time ;

"*Fixed Telephony Service*" means a Telephony service that is not a Mobile Telephony service ;

"*Fixed Wireless Telephony Service*" means a Fixed Telephony service that requires the use of radio frequencies assigned under individual Licences to achieve communications at the Network Termination Points of the End Users ;

"*Fixed Wireline Telephony Service*" means a Fixed Telephony service that is not a Fixed Wireless Telephony service ;

"*Interconnecting Licensee*" means a Licensee that has an Interconnection with another Licensee at a Network Termination Point ;

"*Internet Access Service*" means an Access service that is an Internet service ;

"*Internet Service*" means a service that is provided substantially for data communications to or from Network Termination Points that have IP addresses that are assigned through delegation from the Internet Assigned Numbers Authority ;

"*IP*" means the Internet Work Protocol that is defined by the Internet Engineering Task Force often known as the Internet Protocol ;

"*KPI*" means Key Performance Indicators ;

"*Licensee*" means a means a person who either holds an individual licence or undertakes activities which are subject to a class licence granted under this Act ~~person or incorporated company granted a communications licence by the Commission to provide fixed or mobile telephony services within Nigeria~~ ;

"*Measurement*" means a numerical value that is obtained by using a Measurement Method ;

"*Measurement Method*" means a method of measuring a Parameter that is identified in sub-regulation (2) of Regulation 5 of these Regulations ;

"*Mobile Communications ~~Telephony~~ Service*" means a ~~Telephony~~ service that requires the use of radio frequencies assigned under individual Licences to achieve communications at the Network Termination Points of the end users and that permits the end users to move between different geographic locations without losing communications ;

" C" means Mobile Switching Centre ;
M "Network Termination Point" means a point at which a customer has
S physical access through customer equipment to a network of a Licensee ;

"*Parameter*" means a measurable characterization of the quality of an aspect of a service ;

"*Published Measurement*" means a Measurement that is intended for publication with content and format that is identified in Regulation 10 of these Regulations ;

"*Quality of service standards*" means—

(a) parameters defining the applicable quality of service standards for specific services ;

(b) the methods of taking measurements that measure service performance against prescribed parameters described as "Measurement Methods" in sub-regulation (2) of Regulation 5 of these Regulations ; and

(c) any applicable targets for the prescribed parameters identified in Schedule 1 to these Regulations.

"*Reporting Area*" means a geographic area for which Measurements are taken and recorded, determined in accordance with Regulation 6 of these Regulations ;

"*Reporting Period*" means the period of time over which Measurements are taken and recorded and against which a fine can be calculated when a Licensee or the Commission performs quality of service measurement, reporting, enforcement and record keeping tasks once for each Reporting Area, parameter and service, determined in accordance with sub-regulation (1) of Regulation 5 or as may be specified in other parts of these Regulations or as determined and communicated by the Commission from time to time ;

"*Service*" means application, content, network or facilities service or any combination of these services, that is provided substantially for communications between Network Termination Points ;

"*Target*" means a value that is reached by a given parameter where the relevant service identified in these Regulations or its Schedules is satisfactory ;

"*Telephony Service*" means a Service that is provided substantially for voice communications to or from Network Termination Points that has telephone numbers that are allocated according to the numbering and electronic addressing plan ; and

"*Voiceband Internet Service*" means any Internet Access service that provides communications from Network Termination Points and that requires the use of a Telephony Access Service to achieve communications.

(2) In these Regulations, particularly, for the purpose of measuring standards indicated, stipulated or specified, whenever there is a difference between the definitions expressed in words and those alternative definitions expressed in mathematical terms, the meanings attributed to the latter definitions shall prevail and Mathematical definitions shall supersede the definitions in words.

(3) The Licensee shall ensure that, where exact counters are not provided in its network or systems, formulas with similar effect are used for each parameter computations.

Objectives.

2. The objectives of these Regulations are to—

(a) ensure the protection and promotion of the interests of consumers against unfair practices including matters relating to tariffs and charges, the availability and quality of communications services, equipment and facilities ;

(b) improve service quality by identifying service deficiencies and by encouraging, enforcing, effecting or requiring appropriate changes and solutions ;

(c) maintain service quality, while recognizing environmental and operating conditions ;

(d) make available information that will help customers make an informed choice of services and service provider ;

(e) improve the operation and performance of interconnected networks ;
and

(f) assist the development of related telecommunications markets.

Scope.

3. These Regulations stipulates the minimum quality and standards of service, associated measurements, reporting and record keeping tasks.

PART II—MEASUREMENT, REPORTING AND RECORD KEEPING

Use of parameters.

4.—(1) The quality of service standards under these Regulations have been developed in accordance with—

(a) measurements required for features of services that are significant, with an emphasis on services that are subject to limited competition ;

(b) measurement methods and related reporting of information to enable the Commission compare the service quality of Licensees fairly which should not unnecessarily restrict the measurement or other quality of service monitoring practices of Licensees ; and

(c) any applicable targets or Key Performance Indicators ('KPIs') and other characteristics of the identified quality of service standards appropriate to the Federal Republic of Nigeria.

(2) A Parameter shall be used to report for a service and measurements and related reporting of the parameters shall be required where it is one of those stated in these Regulations or listed in the Schedule to these Regulations.

Reporting periods.

5.—(1) Unless otherwise stated in these Regulations, the Reporting Periods, which are the periods of time over which measurements are taken and recorded, shall be one month starting from the 1st day of every applicable

calendar month to the last day of the month or as the Commission may, from time to time, determine and communicate to the relevant Licensees.

(2) The Commission shall in carrying out Measurement and Data Acquisition functions use any of the following methods :

(i) Drive test,

(ii) Mobile Station Probes tests,

(iii) Consumer survey,

(iv) Data collection from Operators, the Commission's Network Operating Centers (NOCs) or Network Management Centers (NMCs).

(v) Any other method that may be determined by the Commission

(3) The Commission's NOC or NMC may rely on real-time data acquired from feeds from Operators NOC's or NMC's.

(4) KPI Measurements may be carried out at all network segments including BTS, Cell, BSC or MSc levels.

6.—(1) The Reporting Areas which are the geographic areas for which measurements are taken and recorded, shall be—

(a) a specific geographical area or

driving routes,

(b) the States of the Federal Republic of Nigeria, or

(c) the Federal Capital Territory;

taken separately unless the prior written approval of the Commission has been obtained that two or more Reporting Areas be combined into one Reporting Area for particular Licensees, parameters, services and Reporting Periods.

(2) The reporting areas must be such that performance of different clusters representing different geographic areas in the states as specified by the Commission is easily obtainable.

(3) In considering whether to grant approval that two or more Reporting Areas be combined into one Reporting Area under Regulation 6, the Commission shall take the following factors into account—

(a) the value of information about variations in quality of service between separate Reporting Areas ;

(b) the relationship between the network structure and corporate organisation of the relevant Licensees and the physical boundaries of the Reporting Areas ;

(c) the numbers of consumers using the relevant services in the Reporting Areas ; and

(d) the difference in costs between taking measurements for separate Reporting Areas and taking measurements for combined Reporting Areas.

Combined
Reporting
Areas.

Measurement, reporting and record keeping tasks.

7. For each parameter that is reportable for a service, Reporting Area and for each Reporting Period, a Licensee shall perform the following measurement, reporting and record keeping tasks—

(a) take the measurements according to the stipulated Measurement Method ;

(b) submit the measurements to the Commission within one week after the end of the Reporting Period and ensure availability of real-time performance data from the performance measurement or management systems of the Licensee to the Commission through a mode specified by the Commission ;

(c) submit any additional information requested by the Commission, including details of the times, places, Network segments and other particulars of the measurements, within one month after the end of the Reporting Period or as may be directed by the Commission ;

; and

(d) retain quality of service data, including all measurements and related records, for a minimum of twelve months after the end of the Reporting Period or as may be directed by the Commission.

8.—(1) The Licensee shall resolve any consumer complaint within the resolution-time stated in these Regulations or as may be approved by the Commission from time to time.

Consumer complaint resolution.

(2) Where a Licensee fails to resolve a consumer complaint in accordance with sub-regulation (1) of this Regulation, the Licensee shall compensate the consumer in addition to paying any fines that may be imposed by the Commission.

(3) A Licensee shall be sanctioned by the Commission where the rate of occurrence of a particular complaint exceeds the maximum number stated in Table 2 of Schedule 1 to these Regulations.

PART III—PUBLICATIONS

9.—(1) The Commission may after due analysis, mandate or request of Licensee to make necessary amendments or corrections to the measurements submitted by Licensee under regulation 7 of these Regulations.

Timing of Publication.

(2) The Commission may publish some or all the KPI measurements within two months after the end of each Reporting Period to which the measurements apply with or without additional notes or comments.

10.—(1) For each parameter that is Reportable for a service, Reporting Area, Identified network segments and for each Reporting Period, measurements as published or to be use(d) for enforcement by the Commission under these Regulations shall be set out in tables that contain, for each Licensee—

Contents and format of publication and explanatory remarks.

- (a) the name of the service provided by the Licensee ;
- (b) an identification of the Reporting Area, driving route, or Network segments for which the measurements were taken ;
- (c) the measurements collected from or submitted by the Licensee ;
- (d) an indication of any target for the parameter and the service that has not been achieved by the Licensee ;
- (e) any explanatory remarks by the Licensee, accepted by the Commission, including but not limited to remarks about changes in environmental or operating conditions that could not have been reasonably foreseen by the Licensee ; and
- (f) any other information or comparison of service quality that the Commission determines to be appropriate, including information to help the Commission or subscriber to assess the performance of competing Licensees.

(2) In considering whether to approve explanatory remarks by a Licensee under paragraph (e) of sub-regulation (1) of this Regulation, the Commission may take the following factors into account—

- (a) service deficiencies that arise partly or wholly from the services of another Licensee ;
- (b) changes in environmental or operating conditions that could not have been reasonably foreseen by the Licensee ; and
- (c) expectations about quality of service that are appropriate to the tariffs and other commercial terms for the services of the Licensee.

PART IV—INVESTIGATION

11.—(1) The Commission may audit some or all of the quality of service data acquired from the Licensee under sub-regulation (2) of Regulation 5 or data retained by Licensees.

(2) In carrying out its obligations under sub-regulation (1) of this Regulation, the Commission may vary the frequency of the audits, data-collection, the Licensees services, parameters, Reporting Areas, network segments and Reporting Periods that require audits.

(3) The Commission may also utilize data acquired under Regulation 5(2) and 7(b) in its auditing processes

12.—(1) The Commission may investigate the quality of service measurement, reporting and record keeping procedures of a Licensee pursuant to the provisions of sections 61 and 89 of the Act.

(2) In carrying out its duties under sub-regulation (1) of this Regulation, the Commission may exercise its powers of information gathering pursuant to sections 64 to 68 and section 141 of the Act.

Auditing of Quality of service data.

Investigation of measurement, reporting and record keeping procedures.

PART V—CONTRAVENTIONS AND ENFORCEMENT

Contra-
ventions.

13. For each parameter for a service, Reporting Area, prescribed Network Segment and for each Reporting Period, a Licensee providing the service shall have contravened the provisions of these Regulations; if the Licensee—

(a) fails to perform the measurement, reporting and record keeping tasks set out in Regulation 7 of these Regulations ;

(b) fails to achieve the set target for the parameter and the service :

(i) after the commencement date of these Regulations ; or

(ii) the date when the target was most recently specified ; or

(iii) the date when the target was changed to require a higher standard of quality than was earlier required ;

(c) fails to submit, during a time frame specified by the Commission, information requested by the Commission pursuant to Regulation 7 or Regulation 10 ;

(d) submits or publishes false or misleading information about its quality of service ; or

(e) obstructs or prevents an investigation or real-time collection of performance data by the Commission in respect of quality of service measurement, reporting and record keeping procedures.

Enforcement
Measures.

14. Where a Licensee contravenes any of the parameters set out in these Regulations, the Commission may take one or more of the following enforcement measures :

(a) require the Licensee to submit and or publish additional information about the quality of the relevant service including but not limited to its implementation of a remedial plan within a time frame agreed with the Commission and any information submitted may be cross-checked against the performance data collected by the Commission under Regulation 5(2) and 7(b) of these Regulations ;

(b) issue directions pursuant to section 53 of the Act including but not limited to directing Licensees to compensate subscribers or consumers for poor quality of service ; and

(c) Impose a fine on the contravening Licensee as may be determined under Schedule 3 to these Regulations.

Factors in
applying
Enforcement
Measures.

15. In considering the application of enforcement measures under regulation 14 of these Regulations, the Commission may take into account factors including the—

(a) factors and considerations set out in Regulation 15 of the Enforcement Processes Regulations 2005 or any applicable section of an amendment of the said Regulations ;

(b) time interval between a failure to perform the measurement, reporting and record keeping tasks and due compliance ;

(c) time interval between identification and the resolution of faults or problems inhibiting real-time data acquisition under paragraph (b) of Regulation 7 of these Regulations ;

(d) time taken to achieve targets specified by the Commission in these Regulations ;

(e) numbers and nature of the services, Parameters, Reporting Areas, relevant Network Segment, Reporting Periods and Targets which the Licensee has contravened ;

(f) service credits or rebates as well as public information that have been provided by the Licensee to subscribers who may have been inconvenienced or otherwise affected by the contraventions ; and

(g) factors set out in Table 2 of Schedule 1 to these Regulations where the rate of occurrence of a particular complaint exceeds the maximum number specified.

PART VI—MISCELLANEOUS

16.—(1) The Commission may review or modify these Regulations, including the Schedules, pursuant to section 72 of the Act, from time to time.

Review of these Regulations

(2) In carrying out a review or modification of these Regulations, the Commission may request and receive advice or comments from external advisory groups which advice or comment shall not be binding on the Commission.

17. The Commission may from time to time issue additional rules, directives or guidelines on any aspect of these Regulations which shall be of general application or specific to a Licensee from time to time.

Further Directives.

Citation.

18. (1) The Quality of Service Regulations, S.I. No. 3, 2012 is hereby revoked.

(2) The revocation of the Regulations specified in sub-regulation (1) of this regulation shall not affect anything done or purported to be done under or pursuant to the revoked regulation

19. The Business Rules made or issued by the Commission pursuant to these Regulations shall apply as part and parcel of these Regulations.

20. The Business Rules may be amended separately and will have the same effect on the application of the provisions of these Regulation.

2149. These Regulations may be cited as the Quality of Service Regulations,
20~~23~~13

SCHEDULE 1
THRESHOLD TARGETS AND KPIs

~~1.0. WIRELINE SERVICES KPIs~~

TABLE 1 : Fixed Wireline Telephony Services for End Users

<i>Parameter Name</i>	<i>KPI</i>
Disconnection complaint rate	<0.002% of customers in the Reporting Period
Disconnection complaint resolution time	<1 working day for the mean
Fault report rate	<0.002% of customers in the Reporting Period
Fault repair time	<2 working days for the mean in the Reporting Period
Service supply time	<5 working days for the mean in the Reporting Period
Other Related KPIs which are not stated in this Table	Same as that stated in Section 2.0 of this Schedule

~~2.0. WIRELESS SERVICES KPIs~~

TABLE 2 : Account Complaints KPIs	
<i>Ten complaints to every one million bills/accounts</i>	
<i>2.1. Account Complaint</i>	<i>KPI Target</i>
	<i>Resolution time</i>
1. Charging for line rental at incorrect rate.	≤ 5 days ≤
2. Charging for calls/SMS or MMS messages at incorrect. Rates or more than once for the same call/SMS.	1 Hour ≤ 24 Hours for Roaming
3. Charging for services not rendered.	≤ 24 Hours
4. Charging for uncompleted/unsuccessful calls/SMS, or charging for access not rendered	≤ 1 Hour
5. Charging for calls beyond their durations.	≤ 24 Hours

6.	Failed attempts to load recharge payments.	(a) ≤ 3 Hours for network related faults (NB. Except for exceptional circumstances that have been made public each time within 2 hours of occurrence of the failure in the affected area. Each failure in this category that has taken longer than 48 hours to resolve must formally and specifically be communicated to the Commission) (b) ≤ 1 Hour for software related faults
7.	System failure at Contact Centers inhibiting bill payments.	≤ 30 Minutes
8.	Failed attempts to check/determine the account balance.	≤ 2 Hours
9.	Losing credited amounts from the account.	≤ 1 Hour
10.	Miscellaneous complaint resolution time	≤ 48 Hours
11.	Inability to change tariff plan for qualified subscriber	≤ 24 Hours
12.	Credit deducted but not reflected in the receiving account in case of virtual top up.	≤ 1 Hour
13.	Invalid system response for genuine service request	≤ 2 Hours
14.	Unjustified call barring or restriction (local, national or international)	≤ 2 Hours
15.	Inability to activate offered service	≤ 2 Hours
16.	Inability to access offered service by a qualified customer on an enabled device.	≤ 1 Hour
17.	Inability to load credit from an over scratched card	≤ 1 Hour

18.	Request for blocking of reported lost/stolen SIM card for which subscriber ownership has been confirmed	≤30 minutes Blocking allowed, and further usage should not be chargeable to the consumer from the moment of filing the report.
19.	Request for PUK code	Should be met within 3 Hours
20.	Inability to send or receive SMS (local or international)	≤1 Hour
21.	Inability to send or receive	≤2 Hours
22.	blackberry messages Inability to retrieve or send voice SMS	≤1 Hour
<i>2.2. Miscellaneous Complaints</i>		<i>KPI Target</i>
23.	Unsolicited messages	<i>Resolution time</i> (i) The service provider must provide an option for the subscriber to "opt-out" of receiving such messages where the messages originates from the service provider or its third-party business partners. (ii) The service provider should make reasonable effort to identify and block or filter bulk, unsolicited and offensive messages from other sources.
24.	Time for recharge/bill payments to reflect on the account.	≤10 Seconds recharge from Mobile ≤5 minutes recharge from Bank Automated Teller Machine (ATM) ≤1 Hour over the counter ≤10 Minutes after receipt of payment confirmation, for internet based transaction.

25.	Number of complaints upheld per day related to : (i) wrongly cleared balance (ii) wrong IVR/System response message (iii) failed attempts to determine the account balance (iv) failure to provide agreed content	≤10
26.	Number of complaints per month related to incorrect settings by a licensee leading to inhibition of two-way communication while roaming internationally.	≤10
27.	Meeting advertisement Commitment	There shall be no disparity between advertised rates and that eventually received by the Consumer.
28.	Complaints call ID	Each complaint call must be given a unique reference number that identifies its nature or category, for follow-up and statistical analysis.
29.	Number of complaints per day related to any of the following : (a) One way/two way loss of audio (b) Cross talk (c) Call misdirection to un-intended number (d) Voice quality	≤ 50 per day
30.	Number of complaints per day in respect of Network related blocking of incoming calls	≤5
31.	Number of complaints per day related to inability to meet SMS or MMS end-to-end delivery time threshold	≤10
32.	Voice mail related complaints per day	≤2
33.	Acknowledgement of delivery of all SMS or MMS or IMS messages sent	=100% unless deactivated by subscriber

34.	Cost information for all completed calls or RGE via text to the consumer	= 100% within 5 minutes of hang-up unless deactivated by subscriber or deactivated at his/her behest.
35.	Promotions and games	Rules of participation must be clear and widely published, and promotions shall not lead to breach of any part of these regulations
<i>2.3. Disconnection of Subscribers</i>		
36.	<p>Disconnection resolution time</p> <p>I. POST-PAID</p>	<p>(a) There should be :</p> <p>(i) a text notice after reaching 75% of credit limit,</p> <p>(ii) On reaching 100% of credit limit a constant IVR notice of credit expiry remains ON for the next 1 week, during which the Operator is at liberty to allow/disallow outgoing calls until debt is settled.</p> <p>(b) If there is dispute, resolution time \leq 24 Hours</p> <p>• 1/30th of average monthly spending should be allowed for out-going calls to be used by the customer within the dispute resolution time.</p>
	H. PRE-PAID	A Subscriber line may be deactivated if it has not been used, within six (6) months, for a Revenue Generating Event (RGE). If the situation persists for another 6 months the subscriber may lose his/her number, except for Network related fault inhibiting an RGE

		<p>Monies left in accounts on deactivation can be claimed by subscribers once proof of ownership can be established at any given time within 1 year (less any fee paid by the operator for the number within the 1 year of non-RGE)</p> <p>Deduction of Line rental charge (if any) is regarded as an RGE.</p> <p>A Subscriber with a proof of good reason for absence is at liberty to request for line Parking.</p>
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Table 3: Customer Care Services KPIs

TABLE 3: Customer Care Services KPIs

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TABLE 4 : Network Performance KPIs
4.1. — Network Node Performance

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~~(d) A Licensee must operate within its permitted Frequency band without causing harmful interference to parts of its network or network of other Licensees~~

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n e s e n d i n g (1 9 : 2 0 : 2 1 : 2 2 : 2 3 : 2 4 : 2 4 : 2	<p style="text-align: right;">4)</p> <p>IN trig ger Ta ble De fini tio n</p> <p>Resolution time of BTS faults impacting n t r a f f i e</p> <p>Resolution time of BSC faults impacting n t r a f f i e</p> <p>HLR/STP in-pool Implementation</p> <p>Geographical Location of HLRs/STPs or SDPs or</p>
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		individually or collectively fined in accordance with Schedule 3 of these Regulations. Misleading ringback tone is regarded as breach.
27.	Signaling (SS7) Utilisation	— ≤ 40% HSL; ≤ 30% NBL
	Signaling (SS7) Link Availability	≥ 99.99%
	LinkSet Unavailability	≤ 0.01%
28.	Conversational voice quality on ON-NET Calls	MOS _r ≥ 3.6 on the MOS scale
29.	Speech encoding	SQI _r ≥ 26 Use Full Rate (FR); Enhanced FR, but, specific authorization must be obtained from the Commission for the use of half rate whether manually set or automatic through Adaptive Multi Rate (AMR). For the specific period of use.
30.	BH SMS delivery success rate for enabled handsets that are in working order, fit for purpose, ON and in the service area, assuming sufficient account balance.	≥ 99% of attempts
31.	SMS end-to-end delivery time for enabled handsets that are in working order, fit for purpose, ON and in the service area, assuming sufficient account balance	≤ 8 seconds for MO and MT switched ON and within the service area (ON-NET)
32.	Minimum time for storage of SMS/MMS before deletion by the operator i.e. for SMS/MMS that are sent to mobile stations that cannot be reached.	≤ 10 seconds for OFF-NET 30 Days
33.	Maximum time allowed for B-Number or Routing Table to be out of date or Problem Resolution and inclusion of omitted numbers	≤ 24 hrs

4.2. <i>Transmission Path</i>		
1.	Maximum time for transmission or physical link outage	≤ 2 Hours
2.	Percentage of Microwave links with space as well as Frequency diversity	≥ 60%
3.	BH Congestion on trunks	≤ 0.2%
4.	Redundancy on transmission links	Must conveniently handle 100% of the primary link BH traffic. There should be redundancy on all critical links
5.	Compression ratio on transmission system	≤ 1 : 1, but for any other compression ratio a specific authorization must be obtained from the Commission for the specific transmission route and for a particular period of use.
6.	Error Second Ratio (ESR)	≤ 0.01 (< 1 x 10 ⁻⁴ for IP Traffic)
7.	Background Block Error Ratio (BBER)	≤ 0.00005 (< 1 x 10 ⁻⁶ for IP Traffic)
8.	Severely Error Seconds (SESR)	≤ 0.02 (< 1 x 10 ⁻⁵ for IP Traffic)
9.	Availability	≥ 99.99%
10.	Delay	≤ 50ms
11.	Average delay	≤ 20ms
12.	Delay Variation	≤ 5ms
13.	Packet Loss	≤ 2%
14.	Slip	≤ 5%
4.3. <i>Synchronisation Network (Node Output)</i>		
1.	Primary Reference Clock (PRC)	MTIE = 25 + 0.275T ns (T = 900s) TDEV ≤ 3 ns
2.	Synchronization Supply Unit (SSU)	MTIE = 2000 ns TDEV ≤ 3 ns
3.	SDH Equipment Clock (SEC)	MTIE = 250 ns TDEV ≤ 12 ns

4.	PDH Synchronization Interface	MTIE = 2000 ns TDEV ≤ 34 ns	
TABLE 5 : Data Services KPIs			
1.	Circuit Switched Data Services (CDS)	Upstream data rate ≥ 95% of the data rate agreed with consumer, at BH Downstream data rate ≥ 95% of the data rate agreed with consumer, at BH	
2.	Packet Switched Data Services (PDS)	Upstream data rate ≥ 95% of the data rate agreed with consumer, at BH Downstream data rate ≥ 95% of the data rate agreed with consumer, at BH	
3.	GPRS Attach Success Rate	≥ 98%	
	PDP Context Activation Success Rate	≥ 98%	
	Data Service Login success or Availability	≥ 98%	
	Latency	GPRS < 500ms, EDGE < 100ms	
	Uplink or Downlink Throughput for Various evolution of Mobile Technology Standards	Must meet the Minimum speed specified in the 3GPP/ International Mobile Telecommunication (IMT) Standards	
4.	Meeting Advertisement Commitments	There shall be no disparity between advertised rates and that eventually received by the Consumer	
5.	Compensation for hours of data services not rendered	At least 100% of loss in supply time	
6.	Contention Ratio	Committed Rate	Must be specified in the contract
		Maximum Data Rate	Must be specified in the contract
7.	End to End Throughput	Must be specified in the contract	

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8.	Data Rate of each link from end-to-end	Must be specified in the contract, and should make provision to enable measurement.
9.	Data rate of slowest link (bottleneck)	Must be specified in the contract
10.	Permissible Download data size per billing period without additional charge on the plan	Must be specified in the contract
11.	Response time in case of Major Faults	Must be specified in the contract
12.	Customer details including address and log files	Must be available for NCC verification if required
<i>Additional Thresholds for 3G Network</i>		
13.	RRC_CSSR	$\geq 98\%$
14.	RAB_SR	$\geq 98\%$
15.	RTWP	$\geq -85\text{dBm} \geq$
16.	RSCP	-9dBm
17.	E _c /I ₀	$\leq 2\%$
18.	Sub Congestion	$\leq 2\%$
19.	CS_IRAT HHO Failure	$\leq 2\%$
20.	PS_IRAT HHO Failure	

Definitions of these parameters can be found in Schedule 2 to these Regulations.

SCHEDULE 2

DEFINITION OF TERMS AND PARAMETERS

The following terms shall convey the meanings ascribed to them hereunder in the context of these Regulations. Formula-based definitions can be implemented using the formula stipulated hereunder or formula *with similar effect* (should the counters stipulated not be directly available) All KPIs must be achieved by pre and post paid services.

1. *Call* : A generic term related to the establishment, utilization and release of connection.

2. *Call Attempt* : An attempt to achieve a connection to one or more devices attached to a telecommunication network.

3. *Successful Call* : A call that has reached the desired number and allows conversation to proceed.

4. *Busy Hour (BH)* : The continuous 1 hour period lying wholly in the time interval concerned (usually 24hrs) for which the traffic or number of call attempts is greatest.

5. *Call Setup Success Rate (CSSR)* = $((1 - (\text{SDCCH Congestion})) * (1 - (\text{SDCCH Drop Rate}) * (\text{TCH Assignment Success Rate})))$

OR

$100 * ((1 - ((\text{CCONGS} + \text{CCONGSSUB}) / (\text{CCALLS} + \text{CCALLSSUB}))) * (1 - ((\text{CNDROP} - (\text{CNRELCONG} + \text{CNRELCONGSUB})) / (\text{CMSESTAB}))) * ((\text{TFCASSALL} + \text{TFCASSALLSUB} + \text{THCASSALL} + \text{THCASSALLSUB}) / \text{TASSALL}))$ [%]

6. *Call Completion Rate* = $\text{CSSR} * (1 - \text{TCH Drop Rate})$

Where $\text{TCH Drop Rate} = (\text{TFNDROP} + \text{TFNDROPSUB} + \text{THNDROP} + \text{THNDROPSUB}) / (\text{TFCASSALL} + \text{TFCASSALLSUB} + \text{THCASSALL} + \text{THCASSALLSUB} + (\text{SUMIHOSUCC} - \text{SUMIAWSUCC} - \text{SUMIABSUCC}) - (\text{SUMOHOSUCC} - \text{SUMOAWSUCC} - \text{SUMOABSUCC})) * 100$ [%]

7. *Handover Success Rate* = $\text{Successful internal and External Outgoing Handovers} / \text{Total Number of Internal and External Handover Attempts}$

OR

$(\text{SUMOHOSUCC} + \text{SUMEHOHOSUCC}) / (\text{SUMOHOATT} + \text{SUMEHOHATT}) * 100$ [%]

8. *Location Update Success Rate (Registered and non-registered subscribers)* = $(\text{NLOCNRGSUCC} + \text{NLOCOLDSUCC} + \text{NLOCNRG2SUCC} + \text{NLOCOLD2SUCC}) / (\text{NLOCNRGTOT} + \text{NLOCOLDTOT} + \text{NLOCNRG2TOT} + \text{NLOCOLD2TOT}) * 100$ [%]

9. Paging Success Rate = $(NPAG1RESUC + NPAG2RESUC) / (NPAG1LATOT + NPAG1GLTOT) * 100 \%$

10. SDCCH Drop Rate = Dropped SDCCH Connections of the Total Number of SDCCH Connections without TCH Congestion

OR

$(CNDROP - (CNRELCONG + CNRELCONGSUB) / CMSESTAB) * 100 \%$

11. SDCCH Congestion = SDCCH Congestion of Total Number of SDCCH Seizure Attempts OR $(CCONGS + CCONGSSUB) / (CCALLS + CCALLSSUB) * 100 \%$

12. TCH Assignment Success Rate = Successful TCH Assignments of Total Number of Assignment Attempts

OR

$((TFCASSALL + TFCASSALLSUB) / (TFCASSALL + TFCASSALLSUB + THCASSALL + THCASSALLSUB) / TASSALL) * 100 \%$

13. *Call Setup Time (Post Dialing Delay)*: Time interval between the end of dialing by the user and the reception by him of the appropriate ring-back tone or recorded announcement, or the abandonment of the call without a tone.

14. *Call Drop Rate*: The Call Drop Rate is the number of dropped calls divided by the total number of call attempts at busy hour expressed as a %.

Note: A dropped call is a call that is prematurely terminated before being released normally by either the caller or called party.

$\frac{\text{Number of dropped calls}}{\text{Number of Successfully Completed Call Setups}} * 100$

OR $((TFNDROP + TFNDROPSUB + THNDROP + THNDROPSUB) / (TFCASSALL + TFCASSALLSUB + THCASSALL + THCASSALLSUB)) * 100$

15. *Traffic Channel Congestion (TCH Cong)*: This is the percentage congestion of the traffic channel measured at busy hour.

$\frac{\text{Number of unavailable (blocked) TCH requests at all stages}}{\text{Total Number of TCH Requests}} * 100$

16. *Handover*: In a mobile system, a system-driven change of the current association between an established connection and a channel (mobile to base station and/or base station to mobile channel) in the radio segment spanned by one cell. The change may result in an association between the connection and a new channel either in the same cell or in a different cell. The handover request may be issued due to deteriorated transmission quality of the channel as determined on the basis of a quality criterion (signal strength, carrier to interference ratio, etc.).

17. *Interconnect Circuit (Po-I) Congestion* : This is the percentage congestion of the Interconnect Circuits measured at busy hour.

$$\frac{\text{Total Number of unavailable PoI circuit requests}}{\text{Total Number of available PoI circuits}} \times 100$$

18. *Processor Load* : This is the percentage of MSC Processor Workload measured at busy hour.

I. *BH HLR, VLR, MSC Utilization*: % Capacity Utilization of HLR, VLR and MSC at busy hour.

H. *Transceiver Unit (TRX) Utilization*: % Capacity Utilization of TRX at busy hour.

19. *No. of Interconnect points per zone* : Is the existence of at least one interconnection point per zone.

20. *Interference Protection Ratio* : Is the interference protection due to Co-Channel and Adjacent Channels.

21. *Resolution Time of CIC mismatch* : Is the time taken to resolve a CIC mismatch.

22. *Resolution time of BTS faults impacting on traffic* : This is the time taken to resolve faults that hinder traffic flow in the BTS.

23. *Resolution time of BSC faults impacting on traffic* : This is the time taken to resolve faults that hinder traffic flow in the BSC.

24. *Resolution time of MSC faults impacting on traffic* : This is the time taken to resolve faults that hinder traffic flow in the MSC.

25. *Time to repair other failures that affect traffic* : Time taken to repair other failures (not specifically captured in other parts of this document) that affect traffic.

26. *Maximum time for Transmission/Physical link outages* : Is the Maximum time allowed for transmission/Physical link to remain in a failed state or state of operation that negatively affects services to consumers.

27. *Service Coverage in cities/towns* : Is the measured Radio Signal Level in urban and sub-urban areas, in door and out door and in moving vehicles in (dBm).

28. *Percentage of Radio Links with Space and Frequency Diversity* : Is the percentage of Microwave Transmission Links employing Space and Frequency diversity in the entire transmission network.

29. *Conversational Voice Quality* : Is the Mean Opinion Score (MOS) of the speech quality perceived by Caller or Called party in accordance with ITU-T P.862.

30. *Compression Ratio* : Is the compression ratio on the transmission network.

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31. *Voice Encoding* : Is the type of voice encoding that is used on the radio network.

32. *SMS Delivery Success Rate* : Is the ratio of the failed SMS to the total number of delivered SMS at busy hour if the recipient is active and in coverage area.

Number of SMS received by recipient x 100
Total Number of SMS sent to the recipient

33. *SMS End-to-End Delivery time* : Is the maximum End-to-End delivery time of SMS if the recipient is active and in the coverage area.

34. Number of Complaints per day related to:-

(i) *One way or both way loss of audio* : A situation whereby either caller or called party cannot hear the audio message or both could not hear each other.

(ii) *Cross Talk* : A situation whereby unintended conversation interferes with that of caller or called party or both.

(iii) *Call Misdirection to unintended number* : A situation whereby a call is terminated at unintended destination.

(iv) *Voice Quality* : Conversation with bad speech quality.

35. *Number of complaints per day in respect of Network blocking of incoming calls* : Number of complaints received per day in respect of blocking of incoming calls in the network.

36. *Number of complaints per day related to inability to meet SMS/*

MMS End-to-End Delivery Time Threshold : Complaints per day received on the network related to inability to meet SMS/MMS delivery time.

37. *SMS Delivery Failure Rate* : This is the ratio of SMS undelivered to recipient to the total number of SMS received at the Service Center for the recipient.

Number of SMS to recipient undelivered ——— x 100

Total Number of SMS received at Service Center

38. *Voice Mail related complaints per day* : The complaints related to voice mail received per day.

39. *Acknowledgement of delivery of SMS/MMS/IMS messages sent* :

Successful delivery acknowledgement of SMS/MMS/IMS messages sent must be received by the sender for all messages delivered.

40. *Cost information for all completed calls or Revenue Generative Events (RGE) via text to consumer* : Charging information must be communicated to the consumer for all calls and RGEs on the network.

41. *Circuit Switched Data Services (CDS)*: Upstream/Downstream throughput of Circuit Switched Data Services. Greater or equal to 95% of the agreed data rate must be delivered to customer at busy hour.

42. *Packet Switched Data Services (PDS)*: Upstream/Downstream throughput of Packet Switched Data Services. Greater or equal to 95% of the agreed data rate must be delivered to customer at busy hour.

43. *CIC*: Circuit Identification Code.

44. *RGE*: Revenue Generating Event (RGE) is any action by one or more subscribers that leads to Revenue being derived directly or indirectly by one or more operators. Examples include but not limited to Sending or

Receiving Calls/SMS/ MMS/ data Down load/ Line rental Payment etc

45. *MSC/VLR, MSS System Availability/Down Time*: Amount of time the MSC and MSC-S were in/out of service during a given period excluding planned outage. Obtainable from system logs.

46. *Signaling (SS7) Link Availability*: Availability for ETSI SS7 signaling network, evaluated as:

$$(\text{ASLDUR}/(\text{ASLDUR} + \text{UNAVAILDUR})) * 100$$

47. *Signaling (SS7) LinkSet Unavailability*: Duration of unavailability of signaling link set in seconds, evaluated from: STUNADURAT

48. *Answer Seizure Ratio (ASR)*: Answer/Seizure ratio (ASR) is the number of successfully answered calls divided by the total number of calls

attempted (seizures) multiplied by 100. It is evaluated as follows:

Number of B answers in the Incoming route

$$\text{ASR_IN} = (\text{NANSWERSI}/\text{NCALLSI}) * 100$$

Number of B answers in the Outgoing route

$$\text{ASR_OUT} = (\text{NANSWERSO}/\text{NCALLSO}) * 100$$

Number of calls answered (B-answer) for both outgoing and Incoming calls

$$\text{ASR_TOT} = ((\text{NANSWERSI} + \text{NANSWERSO}) / (\text{NCALLSI} + \text{NCALLSO})) * 100$$

49. *Background Block Error Ratio (BBER)*: The ratio of Background Block Errors (BBE) to total blocks in available time during a fixed measurement interval. The count of total blocks excludes all blocks during Severely Error Seconds (SEs). It is expressed as:

$$\text{BBER} = \text{BBE} / (\text{TT} - \text{UAS} - \text{SES}) \quad \text{TT} = \text{Total Measurement Time}$$

UAS = Unavailable Second

50. *Error Second Ratio (ESR)*: The ratio of Error Second (ES) to total seconds in available time during a fixed measurement interval. It is

expressed as:

$$\text{ESR} = [\text{ES} / (\text{TT} - \text{UAS})]$$

51. Severely Error Seconds (SESR): SESR is a one-second period that contains over 30 percent error blocks or at least one defect. SES is a subset of ES. It is expressed as:

$$SESR = \{SES / (TT \cdot UAS)\}$$

WHERE:

CCONGS—Congestion counter for underlaid subcell. Stepped per congested allocation attempt. The counter for overlaid subcell is CCONGSSUB

CCALLS—Channel allocation attempt counter (on SDCCH). The Counter for overlaid subcell is CCALLSSUB

CNDROP—The total number of dropped SDCCH channels in a cell

CNRELCONG—Number of released connection on SDCCH due to TCH and transcoder congestion in underlaid and overlaid subcell. The subset for overlaid subcells is CNRELCONGSSUB. Note That CNDROP is stepped at the same time.

CMSESTAB—Successful MS channel establishments on SDCCH. This counter is a sum of both overlaid and underlaid subcells.

TFNDROP—The total number of dropped full rate TCH in underlaid subcell. The identical counter for overlaid subcells, TFNDROPSUB. The corresponding counters for half rate, THNDROP and THNDROPSUB, respectively.

TFCASSALL—Number of assignment complete messages for all MS power classes in underlaid subcell, full rate. The identical counter for overlaid subcells, TFCASSALLSUB. The corresponding counters for half rate, THCASSALL and THCASSALLSUB, respectively.

TCASSALL—Successful assignment attempts

TASSALL—Assignment attempts for all MS power classes.

SUMOHOSUCC—Sum of Successful Internal Handovers (Outgoing Handover)

SUMOABSUCC—Sum of Successful Internal Assignment Handovers to Better Cell (Outgoing Handover)

SUMOAWSUCC—Sum of Successful Internal Assignment Handovers to Worse Cell (Outgoing Handover)

SUMIHOSUCC—Sum of Successful Internal Handovers (Incoming Handover)

SUMIABSUCC—Sum of Successful Internal Assignment Handovers to Better Cell (Incoming Handover)

SUMIAWSUCC—Sum of Successful Internal Assignment Handovers to Worse Cell (Incoming Handover)

~~SUMOHOATT—Sum of Internal Handover Attempts (Outgoing Handover)~~
~~SUMEHOATT—Sum of External handover Attempts (Outgoing Handover)~~
~~NPAG1LOTOT—Number of first global page attempts over A-Interface~~
~~NPAG2LOTOT—Number of repeated page attempts to a location area over A-Interface~~
~~NPAG2GLTOT—Number of repeated global page attempts over A-Interface~~
~~NPAG1RESUCC—Number of page responses to first page over A-interface~~
~~NPAG2RESUCC—Number of page responses to repeated page over A-interface~~
~~NLOCOLDTOT—Total number of location updating attempts for already registered subscribers over A-interface and Iu-interface~~
~~NLOCNRGTOT—Total number of location updating attempts from non-registered subscribers (IMSI attach, normal LU or periodic LU) over A-interface and Iu-interface~~
~~NLOCOLDSUCC—Number of successful location updating for already registered subscribers over A-interface and Iu-interface~~
~~NLOCNRGSUCC—Number of successful location updating for non-registered subscribers over A-interface and Iu-interface~~
~~NLOCNRG2TOT—Number of location updating attempts from non-registered subscribers (IMSI attach, normal location updating, or periodic updating) over Gs-Interface~~
~~NLOCNRG2SUCC—Number of successful location updates for non-registered subscribers over Gs-Interface~~
~~NLOCOLD2TOT—Number of location updating attempts for already registered subscribers over Gs-Interface~~
~~NLOCOLD2SUCC—Number of successful location updates for already registered subscribers over Gs-Interface.~~
~~ASLDUR—Accumulated duration in seconds the link is in in-service state incremented by the duration in seconds the link is in in-service state.~~
~~UNAVAILDUR—Accumulated duration in seconds a link is unavailable because of any reason incremented by the duration in seconds a link is unavailable because of any reason.~~
~~STUNADURAT—Duration of unavailability of signaling link set, in seconds.~~
~~NANSWERSI—Number of B-answers in the incoming route.~~
~~NANSWERSO—Number of B-answers in the outgoing route.~~

NCALLSI—Number of detected seizures, (incoming route). The counter is stepped up when an accepted seizure is received.

NCALLSO—Number of seizure attempts (bids), outgoing route.

GPRS_ATTACH_SUC—The number of successfully performed GPRS Attach procedures within this SGSN of total number of attempts of attach procedures.

SUCC_PDP_CONTEXT_ACT—Successful GPRS attaches is considered to be successful when 'PDP activation accept' is send from SGSN to MS.

TDEV—Time Deviation.

MTIE—Maximum Time Interval Error.

RRC_CSSR—Radio Resource Call Setup Success Rate which depends on CE(Channel Element) or Transmission Resources

RAB_SR—Radio Access Bearer Success Rate which depends on CE(Channel Element) or Transmission Resources

RTWP—Received Total Wideband Power

RSCP—Received Signal Code Power

Iub—Transmission Interface

E_{c/I_o}—Chip Energy per Interference Spectral Density

CS_IRAT_HHO Failure—Circuit Switch Inter Radio Access Technology Hard Handover Failure

PS_IRAT_HHO Failure—Packet Switch Inter Radio Access Technology Hard Handover Failure

Cell—Emission coverage area of a cell site

A cell site is a term used to describe a site where antennas and electronic communications equipment are placed, usually on a radio mast, tower or

other high place, to create a cell in a cellular network

Base Transceiver Station (BTS) also referred to as the radio base station (RBS), node B (in 3G Networks), eNB (in LTE Standard) or, simply, the base station (BS) is a piece of equipment that facilitates wireless communication between user equipment (UE) and a network.

Base station controller (BSC) is equipment that provides the intelligence behind the BTSs. It has tens or even hundreds of BTSs under its control. The BSC handles allocation of radio channels, receives measurements from the mobile phones, and controls handovers from BTS to BTS.

The Mobile Switching Center (MSC) is the primary service delivery node for GSM/CDMA, responsible for routing voice calls and SMS as well as other services. It has a number of BSCs under its control. The MSC sets up and releases the end-to-end connection, handles mobility and hand-over

requirements during the call and takes care of charging and real time pre-paid account monitoring.

3G refers to Third Generation

LTE refers to Long Term Evolution

Pol: Point of Interconnect

General packet radio service (GPRS) : is a packet-oriented mobile data service on the 2G and 3G cellular communication systems.

Enhanced Data rates for GSM Evolution (EDGE) (also known as

Enhanced GPRS (EGPRS) : is a digital mobile phone technology that allows improved data transmission rates as a backward-compatible extension of (Global System for Mobile Communications (GSM).

Network Segment : is an identifiable part of a Telecommunications Network such as BTS, BSC, MSC, Interfaces, etc

High Speed Packet Access (HSPA) is an amalgamation of two mobile telephony protocols, High Speed Downlink Packet Access (HSDPA) and High Speed Uplink Packet Access (HSUPA) that extends and improves the performance of existing Wideband CDMA (WCDMA) protocols.

SCHEDULE 13
FINES FOR CONTRAVENTION

Fines will be calculated on the basis of the provisions of Regulation 13 of these Regulations for each Parameter and Key performance indicator for a service, for each Reporting Area, for each identified network segment or node and for each Reporting Period a Licensee shall have contravened these Regulations as follows:

<i>Offences</i>	<i>Maximum fine per Contravention</i>
(1) Failure by a Licensee to perform measurement, reporting and record keeping tasks set out in Part II of these Regulations.	→ ₦15,000,000 for each act of contravention and ₦2,500,000 for each day that the contravention continues to occur.
(2) Failure by a Licensee to meet and maintain a Target for the Parameter and the Service.	→ ₦15,000,000 for each act of contravention and ₦2,500,000 for each day that the contravention continues to occur.
(3) Failure by a Licensee to submit, during a time period specified by the Commission, information requested by the Commission pursuant to Regulation 7 (c) or Regulation 12 of these Regulations.	→ ₦15,000,000 for each act of contravention and ₦2,500,000 for each day that the contravention continues to occur.
4) Submission or publication of false or misleading information about quality of service by Licensee.	→ ₦15,000,000 for each act of contravention and ₦2,500,000 for each day that the contravention persists.
5) Obstructing or preventing an investigation by the Commission in respect of the quality of service measurement, reporting, data collection and record keeping procedures by a Licensee, its officers, agents, servants, privies etc.	→ ₦15,000,000 for each act of contravention and ₦2,500,000 for each day that the contravention persists.

In imposing a fine for each Contravention, pursuant to the applicable provisions of the Enforcement Processes Regulations, 2005 or any amendment thereof, or in accordance with the provisions of these Regulations, where there is any difference or conflict between the fines specified in the Nigerian Communications (Enforcement Processes etc.) Regulations, 2005 or any other

Regulation and those specified in these Regulations, the fines specified in the most recent of the Regulations shall prevail.

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MADE at Abuja this ~~22nd day of March, 2013~~.

Prof. Umar Garba Danbatta FNSE, FRAES, FAEng, FNIEEE
EXECUTIVE VICE CHAIRMAN/CEO

~~DR EUGENE JUWAH~~
Executive Vice Chairman
Nigerian Communications Commission

EXPLANATORY NOTE

(This note does not form part of these Regulations but is intended to explain its purport)

These Regulations revokes the Quality of service Regulations, 201~~32~~ and seeks to ensure the protection and promotion of the interests of consumers against unfair practices including matters relating to tariffs and charges, the availability and quality of communications services, equipment and facilities. It also stipulates the minimum quality and standards of service, associated measurements, reporting and record keeping tasks.