



REPORT OF THE PUBLIC INQUIRY ON THE GUIDELINES ON TECHNICAL SPECIFICATIONS FOR THE DEPLOYMENT OF INFRASTRUCTURE IN THE COMMUNICATIONS SECTOR IN NIGERIA

1.0 INTRODUCTION

The Nigerian Communications Commission (the Commission) pursuant to its powers under Section 70 of the Nigerian Communications Act 2003 (the Act), developed the Draft Guidelines on Technical Specifications for the Deployment of Infrastructure in the Communications Sector in Nigeria.

Based on the Commission's policy of participatory rule-making, the Draft Guidelines was published on its website for comments from the general public, particularly its licensees and other stakeholders.

Further to this, the Commission received submissions from MTN Nigeria Communications Plc.

As required by Section 58 of the Act, a Public Inquiry on the Draft Guidelines was scheduled for August 10, 2022 and a Notice of the Public Inquiry was published in the Guardian and Daily Trust Newspapers on Friday, July 8, 2022.

2.0 THE PUBLIC INQUIRY

The Public Inquiry held both physically and virtually as scheduled. It commenced 11:18am and was chaired by the Executive Commissioner, Technical Services (EC-TS), Engr. Ubale Ahmed Maska. Attendees at the Public inquiry included Staff of the Commission, representatives of telecommunications companies and other interested stakeholders.

The EC-TS welcomed everyone present, noting that the event was key to the rule-making process of the Commission. He urged everyone to apply themselves maximally to the event for the benefit of the industry.

Dr Lawal Bello (Senior Manager, Technical Standards and Network Integrity Department) gave an overview of the amendments made in the Draft Guidelines on Technical Specifications for the Deployment of Infrastructure in the Communications Sector in Nigeria. He noted that the first Guidelines was produced in 2009 as the Guidelines on Technical Specifications for the Installation of Masts and Towers. Mr Santos Bobai (Senior Officer, Technical Standards and Network Integrity Department) made a presentation on the comments received prior to the Public Inquiry.

A. GENERAL OVERVIEW OF THE DRAFT GUIDELINES ON TECHNICAL SPECIFICATIONS FOR THE DEPLOYMENT OF INFRASTRUCTURE IN THE COMMUNICATIONS SECTOR IN NIGERIA

The Guidelines on Technical Specifications for the Deployment of Infrastructure in the Communications Sector in Nigeria (the Guidelines) provides standards to be adhered to by Telecoms Services Providers, designers, fabricators and installers of Telecommunications infrastructure towards ensuring environmental safety and sound engineering practices, in consonance with global standards and international best practices. It also recognises the need for strategic collaboration with other regulatory agencies in promoting environmental safety.

The Guidelines provides minimum installation standards and technical specifications for Fibre Optic installations at the backbone Fibre networks, Metro Fibre network, Access points and In-building Physical Plant Installations in Nigeria. It also applies to all Fibre Optic installations in new developments and provides guidance on the mostly used materials specifications for Fibre Optic networks.

B. REVIEW OF COMMENTS RECEIVED BEFORE THE PUBLIC INQUIRY

1.1 Comment

Regulation 3(1) (5) – MTN recommended that the Commission should adopt a minimum setback of 7.5 metres which is considered adequate by health and safety professionals, rather than 10 metres, especially for densely populated areas and built-up environments where the possibility of securing sites for telecommunications towers which allow for the proposed setback is not guaranteed due to space constraints. It stated that this would align with the resolutions of the Federal Government Inter-Ministerial Committee on Telecommunications Infrastructure Localization in Nigeria which reached a shared understanding on setback in areas where the specified 10metres is impossible.

MTN also recommended that the Commission should empower itself to issue the required approval within a period of one month from the date of application.

Response

The Commission notes that this provision aligns with the Memorandum of Understanding (MOU) entered into in 2013 with critical stakeholders and will harmonise the prescriptions.

1.2 Comment

Duct Standards – Paragraph 8 (6) (a) – (b) – MTN stated that while it is not opposed to the Commission’s proposal for the use of the Corrugated Optic Duct (hereafter called “COD”) as the standard duct, it strongly recommends the Commission should refrain from requiring specific duct to accommodate the need for flexibility in standards in view of the economic realities of the operating environment.

MTN stated that based on its experience in fibre deployment within the country, the High Density Polyethylene (HDPE) 40mm has proven to be fit for purpose, accessible to all Operators and affordable in line with the economic climate and current business realities.

MTN further advised that should the Commission insist on specifications, it recommends the HDPE 40mm for consideration as an alternative to the COD Fibre duct specified in the proposed Guidelines.

MTN further recommended that the HDPE 40mm should be allowed for Enterprise last mile in favour of reasonable Total Cost of Ownership (TCO) for enterprise customer connectivity.

Response

The comments are noted and will be considered in the further review of the Guidelines.

1.3 Comment

Paragraph 14 (1) – As Built Documentation Configuration Documentation

MTN stated that based on its experience, As-Built documentation is always a major point of contention due to the need for its confidentiality. It therefore recommended that the Commission should include a proviso to this paragraph which states that As-Built documentation should be made available to Regulatory authorities as well as potential commercial partners only on a need-to-know basis and upon execution of an Non-Disclosure Agreement (NDA), due to the sensitivity of the information.

Response

The Commission’s processes and procedures are in line with international best practices and these comments are declined.

1.4 Comment

MTN proposed that the Commission should go beyond the issuance of these Guidelines to find a lasting solution to the technical challenges in Fibre Deployment. MTN opined that the Commission should continue to advocate for the declaration of telecommunications/fibre infrastructure as critical National Infrastructure and also partner with law enforcement agencies and judicial authorities to consistently enforce disciplinary and legal actions against persons who engage in wilful and/or negligent destruction of fibre infrastructure during road constructions.

Response

These are policy issues that the Commission is already handling.

1.5 Comment

MTN urged the Commission to note the following fiscal challenges that have impaired fibre deployment:

- i. Regulation and implementation of a cost-based Lease Pricing Model.
- ii. Harmonization and Modernisation of the Framework for Infrastructure-related Taxes and Duties.

MTN recommended that the Commission should regulate fibre lease pricing and Fibre Service Providers should not be made to pay arbitrary prices, but should be incentivized to facilitate the faster deployment of fibre nationwide, taking into account the cost of production and provision for reasonable profit to be made on the standard pricing mechanisms.

Response

The comments are noted and will be considered in the further review of the Guidelines.

C. REVIEW OF COMMENTS RECEIVED AT THE PUBLIC INQUIRY

1. IHS Nigeria Limited

Comment

- 1.1 The repeated mention of the Nigerian Airspace Management Authority (NAMA) has been a sore point in the Guidelines for some time because all approvals/permits are obtained from the Nigerian Civil Aviation Authority (NCAA) and the two associations exist side by side. IHS suggested NAMA should be changed to NCAA in the Guidelines.

Response

IHS was requested to forward its comments in writing to the Commission.

Comment

- 1.2 **Cap 4 (1)(a)(x):** IHS suggested the name plate should be placed on only 1 tower leg instead of all 4, in view of the attendant expenses for providing same for several thousands of sites.

Response

The comment is noted and will be considered in the further review of the Guidelines.

Comment

- 1.3 **10metre Setback:** IHS noted that the 10m setback is not achievable in urban and built-up areas and in view of the upcoming deployment of 5G. It therefore appealed to the Commission to revert to the 5 metres setback.

Response

The comment is noted and will be considered in the further review of the Guidelines.

2.0 StartPreneurs

Comment

- 2.1 StartPreneurs stated that it is working on a project with the Federal Capital Territory Administration (FCTA) which involves the deployment of Base Transceiver Stations (BTS) on existing infrastructure, and it has begun with street lights. The company requested to know if the Guidelines captured this kind of project especially in view of setback requirements and other parameters.

Response

The comments are noted and will be considered in the further review of the Guidelines.

3.0 ATC Nigeria Nigeria Infrastructure Wireless Limited

Comment

- 3.1 **Tower Members' sizes:** ATC noted regarding the Federal Government's rural roll-out penetration project, that it is actually financially challenging to deploy BTS in rural areas and operators actively seek ways to maximise the cost of production in this regard. It therefore requested the Commission to review the Tower Members' sizes provided for in the draft guidelines of 50 x 50 x 6 proposing 40 x 40 x 4 instead, without compromising on the safety, quality, and integrity of the structure at any time. It noted that this would help achieve the Government's project.

Response

The comment is noted and will be considered in the further review of the Guidelines.

Comment

- 3.2 **Fall Arrest System:** ATC noted that only one type of fall arrest is mentioned in the Guidelines – the Rail and Trolley. It suggested the Commission should allow flexibility and include other types of Fall Arrest such as the Rigid Line Anchor which is used by ATC.

Response

The comments is noted and will be considered in the further review of the Guidelines.

Comments

- 3.3 **Climbing Ladder for safety:** ATC stated that there are other safety devices that could be deployed such as the Fall Arrest ATC uses as an alternative to Ladder cages. It requested that these be represented in the Guidelines.

Response

The comments is noted and will be considered in the further review of the Guidelines.

Comments

- 3.4 **Wind Speed:** ATC noted that this provision is a critical parameter in a tower design and is missing in the draft Guidelines.

Response

The comment is noted and will be considered in the further review of the Guidelines.

4.0 Global Independent Connect Limited, (a subsidiary of IHS)

Comment

- 4.1 **Optic Fibre Standards and Specifications:** Manholes/Handholes should be precast. He requested an additional specification for *in situ* manholes for situations where pre-cast cannot be installed.

The Guidelines states that Manholes/Handholes should be made of cement or reinforced plastic but it was not clear on the lid. He noted that the Lid could be made of cement, especially for areas within the setback, which are not on the road.

Response

The Comment is noted and will be considered in the further review of the Guidelines.

Comment

- 4.2 **Dr Babagana Adam (Director, Department of Outdoor Advertisement and Signage, Representing the Permanent Secretary, FCTA)**

He clarified with reference to StartPreneur, that on the deployment of BTS in the FCT, the FCTA is not yet working with any private sector, and any dealings in this regard are directly with the FCTA Department of Outdoor Advertisement and Signage. He

further stated that the FCTA would review the Guidelines and forward its comments, if any, to the Commission.

Response

The Comment is noted and will be considered in the further review of the Guidelines.

D. REVIEW OF COMMENTS RECEIVED AFTER THE PUBLIC INQUIRY

1. Airtel Networks Limited

1.1 Comment

Airtel recommended that the title of the Guidelines be changed to “*Draft Regulations on Technical Specifications for the Deployment of Infrastructure in the Communications Sector in Nigeria.*”

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.2 Comment

Paragraph 3(3) & (4)-Airtel stated that the 25metres set-back requirement conflicts with the National Environmental Standards and Regulations Enforcement Agency (NESREA) Guidelines and Federal Ministry of Environment/NESREA/NCC agreed Memorandum of Understanding, stipulating 10metres setback for new sites irrespective of the Height of the tower.

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.3 Comment

Paragraph 3(2) & (4)- Airtel stated that the deployment of aviation warning lights is under the purview of the Nigeria Civil Aviation Authority (NCAA) and that the responsibility should be assigned to NCAA.

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.4 Comment

Paragraph 3(6)- Airtel requested that the Commission specify the diameter and wordings of the name plate for adoption by the industry in providing details of the designer and builder of a pile foundation.

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.5 **Comment**

Paragraph 4(1) (vi) & (vii)- Airtel stated that NCAA is the Agency responsible for the issuance of Aviation Height Clearance Certificate (AHCC) not NAMA. Further to this, Airtel requested that the provision be modified.

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.6 **Comment**

Paragraph 4(1) (ix)- Airtel stated that it could be challenging to acquire space which would meet the specified requirement particularly in built up areas. Further to this, they requested a modification of the space requirement in order not to affect the implementation of QoS interventions.

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.7 **Comment**

Paragraph 4(1) (x) - Airtel stated that the cost of providing nameplates to all the legs of masts in the country would be substantial and difficult to achieve under the prevailing security and economic situations in the country. Further to this, Airtel requested that the Commission modify the requirement to bolt the name plate to just one leg of the mast/tower.

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.8 **Comment**

Paragraph 4(1) (xii)- Airtel stated that in line with statutory requirements, Telecommunications Service providers are required to obtain Planning Permit approval from the State Physical Planning Authority prior to site deployment. Airtel opined that the status quo should be retained, otherwise it would amount to multiple regulation and taxation on the industry.

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.9 **Comment**

Paragraph 5.3(a) (iv)- Airtel opined that the six months first thorough check of the structure is not necessary. This is because Airtel conducts User Acceptance Test as a standard procedure, prior to acceptance of a newly deployed site.

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.10 **Comment**

Paragraph 5.3(a) (v)- Airtel stated that the completion of audit and implementation of corrective measures takes an average of six months to one year and as such, it might be difficult to conduct shorter inspection every two(2) years due to current security situation in the country.

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.11 **Comment**

Paragraph 5.3 (a) (vii)- Airtel requested that the Commission confirm when the exercise should be conducted by licensees due to the different weather conditions in different parts of the Country.

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.12 **Comment**

Paragraph 5.3 (a) (viii)- Airtel opined that due to the dynamics in the industry with some sites not having shelter, the requirement should be modified to allow the telecommunications companies to keep the depository in a central location, so that the logbook can be provided on request. They also opine that the Commission should provide further clarification on what constitutes minor maintenance and major maintenance.

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.13 **Comment**

Paragraph 5(4) & 5(5)- Airtel opined that the Commission should provide technical specifications of its expectations with respect to the listed routine checks.

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.14 **Comment**

Paragraph 6(2)- Airtel stated that it had concerns that host communities could exploit the proposed space requirements to make unnecessary demands on telecommunications companies which could culminate in the disruption of operations, as the host communities could devise unwholesome means to compel telecommunications companies to accede to their arbitrary demands.

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.15 **Comment**

Paragraph 6(4)- Airtel stated that due to the security situation in the country, telecommunications companies including Airtel have been unable to access certain locations in the country for more than three(3) years. Further to this, they opined that the Commission should extend the abandonment period from 3 years to 5 years. They also recommended that the Commission delete the proposed sanction/penalty from the Guidelines.

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.16 **Comment**

Paragraph 6(5)- Airtel recommended that the Commission extend the frequency of site inspections by its appointed expert from six (6) months to two (2) years, as regular maintenance is undertaken periodically by the telecommunications companies. Airtel also recommended that the Commission expunge the proposed penalty of 20% of the cost of the tower, as telecommunications companies are overburdened by incidences of multiple taxes and levies.

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.17 **Comment**

Paragraph 6(6)- Airtel recommended the modification of this section as follows-“*All towers and masts shall be erected and operated in compliance with such Guidelines as may from, time to time, be prescribed by the Commission, NCA, State Planning Permit Authority.*”

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.18 **Comment**

Paragraph 6(10)- Airtel recommended that the Commission specify the wording of the signage to be placed on towers to avoid any ambiguity.

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.19 **Comment**

Paragraph 6(13)- Airtel requested for clarification as to whether the rule on the minimum spacing between towers is applicable to the tower owned by the same operator or otherwise, as it is in contradiction to the collocation and infrastructure

sharing guidelines, which makes colocation and infrastructure sharing optional for operators. It further requested that this rule should be applicable to new sites built.

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.20 **Comment**

Paragraph 6(16) (ii)- Airtel stated that the provision on Antenna mounts is in contradiction to the stipulations of the State Physical Planning Authority requiring Planning Permits to be obtained for roof top sites. This section should be modified to align with physical planning requirements.

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.21 **Comment**

Paragraph 6 (16) (iii)- Airtel stated that Telecommunications companies should exercise extreme caution prior to the deployment of roof-top towers and as such, the Commission should modify Paragraph 6(16) (iii) by making the submission of the certification issued by a structural engineer, as the only requirement to be satisfied by telecommunications companies

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.22 **Comment**

Paragraph 7(1)- Airtel opined that the issuance of planning permit is under the authority of the State Physical Planning Authority and should be retained in the proposed Guidelines. Telecommunications companies should file copies of the permits with the Commission for record purpose.

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.23 **Comment**

Paragraph 8(14)- Airtel recommended that the heading should be changed to *“Minimum Number of Ducts and Fibres for Metro Development.”*

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.24 **Comment**

Paragraph 8(14) (i) – Airtel recommended the modification of the requirement as follows: *“At least 4x1 ducts, 2x2 ducts, or 1x4 ducts (two of them being reserved capacity) shall be installed in the feeder and distribution networks.”*

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.25 **Comment**

Paragraph 8(14) (b) (ii)- Airtel recommended that 96F should be added by modifying the sentence as follows:

“Fibre Optic Cable with 144 Fibres or 96F each may be used in the design.”

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.26 **Comment**

Paragraph 9 (1) (g) - Airtel recommended that the sentence should be modified by making the 100Gbp the minimum speed requirement: *“Fibre backbone infrastructure shall be designed to support minimum of speed of 100 Gbps.”*

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.27 **Comment**

Paragraph 9(3) (1) (iv)- Airtel recommended that the provision should be modified as follows; *“Following trench excavation, HDPE duct with 33mm/40mm HDPE outer diameter, 26/35mm inner diameter, shall be laid at a depth of 1500mm for standard ducts and minimum of 600mm and maximum 1000mm for the COD.”*

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.28 **Comment**

Paragraph 10(3) (d) - Airtel recommended that the provision be modified as follows: *“For FOC, either SC/APC/UPC connectors (IEC 61754-4) or LC/APC/UPC connectors (IEC 61754-20) shall be used.”*

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.29 **Comment**

Paragraph 17(3) (a)- Airtel recommended that the life cycle of the tower should align with the manufacturers specification as provided in the as built document and certified by professional engineers.

Response

The comment is noted and will be considered in the further review of the Guidelines.

1.30 Comment

Paragraph 17(4)- Airtel recommended that the Commission should align the provision on the tolerable radiation level with the Guidelines of the National Environmental (Standards for Telecommunications and Broadcast Stations) Regulations, 2011.

Response

The comment is noted and will be considered in the further review of the Guidelines.

2. Emerging Markets Telecommunications Services Limited (EMTS)**2.1 Comment**

EMTS suggested that the Commission maintain a database/digital map of Telecom infrastructure across the Country, towards providing required information and support for their designation as critical national infrastructure (CNI). They also proposed that the Guidelines include provisions/protocols that will govern or support action between the Commission and the Federal Ministries of Works etc. when faced with construction, deployment or redeployment of other public utilities and infrastructure.

Response

The comment is noted and will be considered in the further review of the Guidelines.

2.2 Comment

Chapter 4- General Specifications- EMTS suggested that the Commission stipulate a minimum wind load in the Guidelines for various regions of the country, as wind velocity varies across Nigeria.

Response

The comment is noted and will be considered in the further review of the Guidelines.

2.3 Comment

Chapter 6- Environmental Requirements- EMTS suggested that the title of this Chapter be changed to read General Public Safety Requirements as opposed to Environmental Requirements as the issues therein pertain more to general public safety than environmental compliance matters.

Response

The comment is noted and will be considered in the further review of the Guidelines.

2.4 Comment

Chapter 6(9) (c) (i): setback prescription- EMTS stated that the prescribed setback of 10m from any demised property excluding the fence conflicts with Regulation 5(4)(c) of the National Environmental (Standards for Telecommunications and Broadcast Facilities) Regulations, 2011 issued by NESREA which prescribes 12m from the wall of a residential/business premises and hospitals to the base of the mast/tower.

Response

The Commission notes that this provision aligns with the Memorandum of Understanding (MOU) entered into in 2013 with critical stakeholders and will harmonise the prescriptions

2.5 Comment

Paragraph 6 (6) 14- EMTS stated that the section erroneously presupposes that communications infrastructure is the latter entrant at a location and accordingly accords the power line infrastructure priority or protection from the communications infrastructure by recommending that the telecom infrastructure be relocated away from the powerline infrastructure. EMTS noted that the prior existence of any infrastructure at any location should be given due consideration rather than the current subordination of communications infrastructure. Further to this, it recommended that joint protocols between the Commission and NERC or other relevant regulators be incorporated in the Guidelines referenced to them.

Response

The comment is noted and will be considered in the further review of the Guidelines.

2.6 Comment

Paragraph 17(4) 6 a- generator setback prescription- EMTS noted that the generators setback requirement of 10m is in conflict with Regulation 9(3)(a) of the National Environmental (Standards for Telecommunications and Broadcast Facilities) Regulations, 2011 issued by NESREA which prescribes a setback of 6 metres from the wall (fence) of perimeter of residential premises but 8m where there is no fence.

Response

The comment is noted and will be considered in the further review of the Guidelines.

2.7 Comment

Paragraph 8(3) (a)- EMTS stated that Paragraph 8(3) (a) should be inclusive of G.655 which is used for Backbone connection as G.652 is more suited to enterprise requirements and uses.

Response

The comment is noted and will be considered in the further review of the Guidelines.

2.8 Comment

Paragraph 9(1) (d)- EMTS stated that it is unclear if the “Dig Once” policy is being implemented presently, or what arrangements there are for its implementation in the future, as well as the responsible agency for this.

Response

The comment is noted and will be considered in the further review of the Guidelines.

2.9 Comment

Paragraph 9(1) (e)- EMTS stated that Paragraph 9(1) (e) should be inclusive of G.655 which is used/useful for Backbone connections whereas G.652 is more suited for enterprise connections.

Response

The comment is noted and will be considered in the further review of the Guidelines.

3. Startpreneurs

Comment

Startpreneurs suggested that the Commission include the Guidelines for the deployment of Base transceiver Station (BTS) on streetlight poles in the Draft Guidelines. It also requested that the Commission approve for Startpreneurs support in the drafting of the said Guidelines on technical specifications for the deployment of Base Transceiver Stations on streetlight poles.

Response

The comment is noted and will be considered in the further review of the Guidelines.

4. IHS (Nigeria) Limited-

4.1 Comment

Paragraphs in the Guidelines which make reference to NAMA should be replaced with the NCAA to avoid duplicity of roles and possible regulatory overlaps by two different agencies.

Response

The comment is noted and will be considered in the further review of the Guidelines.

4.2 **Comment**

Paragraph 4(1) (a) (x)- IHS opined that the provision be amended to allow for just One nameplate instead of Four, to be affixed on any of the legs of the tower since the information is usually the same.

Response

The comment is noted and will be considered in the further review of the Guidelines.

4.3 **Comment**

Paragraph 5(9) (c) (i)- IHS opined that the Commission should retain the 5 metres setback prescribed in the current Guidelines, and work with other necessary stakeholders in the Inter-Ministerial Committee to align with the 5 metres setback position, in order to achieve stated digital objectives of 5G, National Broadband Plan and other digital strategies of government.

Response

The comment is noted and will be considered in the further review of the Guidelines.

4.4 **Comment**

Paragraph 6(3) (c) & Paragraph 4(1)- IHS opined that the reference to the identification tags on the masts as signages and name plates has caused the operators to come under intense scrutiny of State Advertising Agencies who rely on same to impose taxes on MNOs. Further to this, IHS proposed a re-draft of the said provisions as follows;

Paragraph 6(3) c

“An identification tag giving details of the designer and the builder shall be placed in a conspicuous location at the tower base.”

Paragraph 4(1) (x)

“Each completed mast or tower shall have an identification tag bolted to any of its legs on which the following particulars of the fabricator, owner, operator and installer are detailed:

- 1. Name, address and telephone numbers of the owner, fabricator, operator and installer.*
- 2. Permit Number issued by the Commission for the erection of the Mast at the location.”*

Paragraph 6(10) (a)

“No identification tag, lettering symbols, images, or trademarks in excess of 1200 shall be placed on or affixed to any part of a tower, mast, antenna, or antenna array fencing other than as required by the Commission for the purposes of identifying the operator, and these are not intended to represent advertisements in the context of the definition of advertisements.”

Response

The comment is noted and will be considered in the further review of the Guidelines.

4.5 Comment

Paragraph 2(4) (ii) - IHS suggested a re-draft of the provision as follows;

“All roof mounted masts or towers must be certified by a Structural Engineer before installation.”

Response

The comment is noted and will be considered in the further review of the Guidelines.

4.6 Comment

Paragraph 6(14)- IHS opined that there is a need for the Commission to distinguish between the different types of power lines. The setback requirements for each should also be clearly stated. IHS also noted that the section appears to refer to the 33kva power lines, whereas the Commission usually directs the Tower Companies to connect to the 1kva distribution lines.

Response

The comment is noted and will be considered in the further review of the Guidelines.

4.7 Comment

IHS noted that Paragraph 4(1) (a) (iv) of the Guidelines state that the height of free-standing masts shall not exceed 150 metres but in Paragraph 4(b) provision is made for towers above 150m. Further to this IHS sought for clarification on the distinction between free standing 150 m masts and those that are not free-standing.

Response

The comment is noted and will be considered in the further review of the Guidelines.

E GENERAL COMMENTS

Mr Ayanbanji Ojo (Deputy Director, Consumer Affairs Bureau) thanked everyone for coming and noted that the session was very informative. He stated that all the issues raised will be considered and consolidated to benefit the Telecommunications Industry.

The Public Inquiry ended at 1:53pm.

Dated this 10th day of August, 2022

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Executive Vice-Chairman/CEO
NIGERIAN COMMUNICATIONS COMMISSION