



## SUMMARY OF THE COMMISSION'S COMPLIANCE MONITORING AND ENFORCEMENT ACTIVITIES FOR QUARTER ONE (1), 2014

### Introduction

Consistent with Section 89 of the Nigerian Communication Act 2003 which mandates the Commission to monitor all significant matters relating to the performance of all licensed telecoms service providers, the Compliance Monitoring and Enforcement Department has developed monitoring strategies to prosecute the above mandate and achieve the Commission's objectives of fair competition, ethical market practices and optimal quality of service in the Nigerian telecoms industry.

### Activities

The following represent the outcomes and achievements of the major compliance monitoring and enforcement activities in Quarter (1), 2014

#### **1. COMMISSION SANCTION MTN, GLOBACOM AND AIRTEL ON FAILURE TO MEET QUALITY OF SERVICE (QOS) KPIS**

As part of its regulatory mandate, the Commission had raised concerns with the Mobile Network Operators in December 2013, on Quality of Service (QoS). The Commission stated that if QoS did not improve by 31<sup>st</sup> December, 2013, it would be compelled to apply necessary sanctions.

After collation of statistics from the Network Operating Centers (NOC) of all major Network Operators for the month of January, 2014 it was discovered that the services provided by MTN Nigeria Communications Limited, Globacom Limited and Airtel Networks Limited during the period did not meet the KPIS published by the Commission in the Quality of Service Regulations, 2013 (as amended).

Consequently, the Commission fined the 3 Operators: MTN – N185 Million, Globacom- N277.5Million and Airtel- N185 Million (Globacom, Airtel and MTN).

In addition, the affected operators were directed as follow:

1. Prohibited from selling new SIM cards throughout the period of March 1 to 31, 201;
2. Stop all sales promotions activities until the KPIS which had been identified are positively addressed

## **2. SANCTION AGAINST AIRTEL FOR BREACH ON THE “DANCE ALIVE COMPETION” PROMO**

As part of the Commission’s mandate to ensure that all sales promotions and lotteries on the various networks have the necessary approvals in view of the impact of such promos on Quality of Service, the Airtel promotion tagged “Dance Alive Competition” was found to have breached the NCC guideline on advertisement and promotion 4(i) for failure to obtain the necessary approval.

Airtel Networks Limited was given the opportunity to explain why it did not obtain the necessary approval. In its response, Airtel stated that according to NCC guidelines, they were required to obtain approval from NCC only if they were advertising or promoting goods and services. They claim the event did not fall under any of these categories.

The response by Airtel was found unsatisfactory and they were sanctioned to pay an administrative fine of N2, 000,000 (Two million Naira Only).

Airtel had paid the fine on the 27<sup>th</sup> of March 2014, and have since withdrawn the Promo.

## **3. ENFORCEMENT ACTION AGAINST INTELS ON FREQUENCY INTERFERENCE**

The Commission received a complaint from the Nigerian Liquified Natural Gas (NLNG) on the frequency interference in the 7GHz band in Bonny and Port Harcourt.

The complaint was subsequently investigated and our findings revealed that the transmission signal from microwave link deployed by INTELS Nigeria Limited as responsible for the interference in Channels 2 (7149MHz/7345MHz) & 4 (7205MHz/7401MHz) assigned to NLNG.

Following the failure by Intel to remove the interference, enforcement action was carried out leading to shutting down of the offending equipment. In addition, Intel issued a letter of comfort to the Commission to comply with any sanction that may be imposed for the interference.

## **4. COMPLIANCE AUDIT OF NETWORK OPERATORS ENGAGING UNAUTHORIZED VALUE ADDED SERVICE (VAS) PROVIDERS WITHIN THEIR NETWORKS**

Following the compliance monitoring activities carried out on Value Added Service (VAS) Licensees from January – December, 2013, the Commission directed all the network operators to disconnect all unlicensed VAS Providers.

However, subsequent monitoring exercise carried out in March 2014 showed that mobile service providers still have some unauthorized VAS Providers on their networks (MTN, Globacom, Airtel and Etisalat).

The following unauthorized VAS Providers were identified:

1. Qrios
2. Pnvasl
3. Tvemob
4. Urfilez
5. Double U
6. Velti
7. Nu Object
8. Double U
9. SEMA
10. ISYS
11. Forgetme Not

The commission has therefore commenced enforcement process on the identified VAS providers and the network operators.

#### **5. ENFORCEMENT ACTION ON PRE-REGISTERED NEW SIM CARDS IN KANO.**

As part of the Commission's effort at checkmating the continuous sale of pre-registered SIM cards, enforcement action was carried out in Kano, on the 15-17<sup>th</sup> of January, 2014.

Seven (7) registration agents were arrested and nine (9) registration equipments were confiscated. The prosecution process of the culprits is currently been facilitated by the State Criminal Investigation Department (CID).