



Draft of
"Regulations of the minimum Internet speed over fixed
telecommunications networks"



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Definitions

The terms and expressions defined in the Telecommunication Act and its Bylaw and the other CITC regulations have the same meanings when used in this regulation, as the following words and expressions included shall have the meaning hereunder assigned to them unless otherwise specified:

Service Provider: Any person licensed by the Communication and Information Technology Commission (CITC) to provide Internet service over fixed telecommunications networks or to operate a telecommunications network used in the provision of such services.

Download Speed: The speed of data transfer from the test server to the access point at the subscriber's site.

Upload speed: The speed of data transfer from the access point at the subscriber site to the test server.

Minimum: The speed of download and upload, which the service providers are obliged not to go below of and to provide it to the subscriber continuously throughout the subscription period and during peak hours.

Access point: A physical network component that is installed outside the subscriber's building and through which the external network of the service provider is connected to the subscriber's internal network within the building.

Probes: A software installed in customer premises equipment (CPE) that measures and analyzes data traffic or fixed telephone traffic in the network in an instantaneous manner.

Question No. 1: Do you agree with the definitions mentioned in this document? If the answer is (No), what alternative or additional definitions are proposed?



Obligations

The following obligations apply to service providers:

First: Specifying the speed of data transfer in subscription packages and offers

- The service provider shall specify the speed of data transfer (download and upload) in all subscription packages and offers for fiber optic services and DSL services based on the actual speed that can be provided at the subscribers' sites continuously throughout the subscription period and during peak hours. Citing only the maximum speeds supported by the subscriptions lines shall not be sufficient.
- When specifying the speed of data transfer in subscription and offer packages, all factors that may affect the quality of service and cause slowing of data transfer speed shall be considered, including but not limited to:
 - The technologies used in the access network that connect the service provider's network with the subscriber's facilities (digital subscriber lines (DSL), fiber optics).
 - The location of the subscriber and the length of the network cables connecting the subscriber's location and other network components.
 - Peak usage times.
- CITC reserve the right to request the mechanism used by the service provider to determine the speed of data transfer in the subscription and offer packages and to evaluate such tool and to obligate the service provider to modify it if necessary.

Question No. (2): Do you agree with the proposed obligations to specify the speed of data transfer in subscription packages and offers? If the answer is (No), what are the obligations that you propose to add?

Second: Ensure the Minimum data transfer speed

- To ensure the provision of all the benefits of packages to subscribers, the service provider must commit to providing a minimum download and upload speed for broadband services via fiber optics and DSL lines at the subscriber's site continuously throughout the subscription period, including peak hours.
- The Minimum must be at least 70% of the stated upload and download speed in the subscription packages and offers for Digital Subscriber Line (DSL) services.
- The Minimum must be at least 85% of the stated upload and download speed in the subscription packages and offers for Fiber Optic Services.

Question No. 3: Do you agree with the suggested percentages as a minimum speed of data transfer? If the answer is (No), what are the proposed percentages with providing the supporting justifications for that?

Third: Information to be included in subscriptions' contracts

The service provider shall include and record the required information on all subscription contracts for Internet packages over fiber optic networks and digital subscriber lines (DSL); to include at least the following information:

- Information related to download and upload speed of the subscription package as per the mechanism described in section First above.
- Minimum download and upload speed information.
- Download and upload speeds at the subscriber's site at the time the service is activated based on field measurement data or data from systems associated with probes installed in customer-premises equipment (CPE).

Question No. 4: Do you agree with the scope of the above information that should be included in the subscription contracts? If the answer is (No), what is the proposed scope of information?



Measures to be taken when the speed is below the minimum

The points below describe the procedures to be followed when data transfer speeds are below the minimum for Internet subscriptions over fixed networks:

- When a complaint related to a lower speed than the minimum is filed, the service provider must check the Internet speed provided to the complainant through one of the following measurement methods:
 - Data from systems associated with probes installed in customer-premises equipment (CPE).
 - Visit the complainant's location and measure internet speed at the access point and customer-premises equipment (CPE).

Question No. 5: Are the methods referred to sufficient to enable the service provider to check the Internet speed provided to the complainant? What other appropriate methods?

- If the reason for the lower speed is due to the service provider network or its equipment, the service provider shall comply with solving this issue within the period specified in CITC regulations and ensure that the minimum of the package speed is provided and verified by one of the measurement methods mentioned above.
- If the reason for the lower speed is due to the internal network of the subscriber inside the building, the service provider shall ensure that the minimum speed is provided at the access point of the subscriber building and provide the necessary support to the subscriber by explaining the reason for the low-speed and propose a suitable solution.
- If the Service Provider fails to comply with the above two points within the period specified by CITC in its complaints handling regulations, the Service Provider shall comply with the following:



- The complainant shall have the option to change the current subscription package to a package commensurate with the speed available on his site and to ensure the minimum speed of the new package is provided, or to terminate the contract and cancel the subscription without incurring any financial compensation for this cancellation.
- Settlement of any amounts of the previous package during the complaint period.

Question No. 6: Do you agree with the above procedures that should be followed when the data transfer speed is lower than the minimum? If the answer is "No", what alternative procedures are proposed?

Implementation and Transitional Measures

- This regulation shall enter into force after the period specified by the CITC from the date of its adoption and publication on the CITC website.
- Each Service Provider shall update subscription packages and offers and related terms and conditions as per this regulation.
- Each Service Provider shall update the information of current and new service contracts with the subscriber as per this regulation.
- CITC may issue guidelines, recommendations or other documents to clarify any aspects of existing regulation, supplement or modify such regulation.
- This regulation does not restrict any user rights included in any other laws, ordinances, regulations, agreements or other documents in force in the Kingdom.

Question No. 7: What is the appropriate time period for applying this regulation?

Question No. 8: Are there any other additions or comments suggested?

