

Unofficial Translation of Ordinance On Quality of Service In The Telecommunication Sector prepared by Telecommunications Authority.

Important Notice: In case of divergent interpretation, the original Turkish text shall prevail.

Ordinance On Quality Of Service In The Telecommunication Sector

PART ONE General Provisions

Purpose

Article 1- The purpose of this ordinance is to define the procedures and principles related to providing telecommunication services and/or operating telecommunications infrastructure in a way that is in compliance with national and international standards.

Scope

Article 2- This Ordinance covers procedures and principles related to providing telecommunication services and/or operating telecommunications infrastructure in a way that is in compliance with national and international standards.

Legal Basis

Article 3- This Ordinance is prepared on the basis of amended Article 2 of Telegram and Telephone Law No: 406 of 4/2/1924 and amended (h) and (j) paragraphs of Article 7 of Wireless Law No: 2813 of 15/4/1983.

Definitions

Article 4- The definitions and abbreviations used in this Ordinance have the following meanings;

- a) **Authority:** Telecommunications Authority,
- b) **Board:** Telecommunications Board,
- c) **Subscriber:** The real or legal person who signs a agreement with an operator providing telecommunication services to benefit from a related service,
- d) **Call Blockage:** Unable to setup a call because of insufficient sources in wireless, transmission, switching and other systems,
- e) **Call Blockage Ratio:** The ratio of unsuccessful calls to the total calls in the coverage area,
- f) **Access Line:** The part of network which provides the connection with transport layer, insensitive to traffic and appropriated to the subscriber,
- g) **ETSI:** European Telecommunications Standards Institute,
- h) **Operator:** Capital company including Türk Telekom which provides telecommunication services using a authorization agreement, concession agreement and/or telecommunications license or general authorization,
- i) **User:** Real or legal persons, whether they are subscriber or not, benefiting from telecommunications services,
- j) **Directory Services:** Services providing gathered subscriber information in a written or electronic form,
- k) **Operator Services:** Call center services related with the operator services provided to help user including informing and directing,

- l) Standard Supply Time:** Time to supply 95% of all leased lines based on speed, (the period between the application and actual usage is considered)
- m) Standard Fault Repair Time:** Time to repair 80% of the all faults, (the period between notice of fault and the feedback of repair is considered).

For the definitions that do not appear in this ordinance, the definitions in the Telegram and Telephone Law No: 406 of 4/2/1924 and Wireless Law No: 2813 of 15/4/1983 shall be used.

Principles

Article 5- While putting this ordinance in practice, the principles below shall be considered:

- a) Parameters related with quality of service shall be defined clearly and shall be measurable,
- b) Current information about the standards related with quality of service shall be sufficient, comparable and accessible,
- c) Telecommunication infrastructure and telecommunication services shall be compatible with international standards considering the developing conditions,
- d) Practices increasing the user satisfaction and decreasing user complaints shall be encouraged,
- e) Discrimination between the similar users shall be prevented and same service shall be provided to the similar users in the same level of quality,
- f) Special conditions of users, especially the disabled users shall be considered when developing the parameters of quality of service.

PART TWO

Quality of Service Parameters

Supply Time For Initial Connection

Article 6- Supply Time For Initial Connection shall mean the duration from the instant of a valid service order being received by an operator to the instant a working service is made available for use. This duration is measured as elapsed days. Fixed telephone operators which have significant market power shall provide the below data related with Supply Time For Initial Connection to Authority:

- a) The times by which the 95 % and 99 % of orders are completed,
- b) Percentage of orders completed by the date agreed with the customer.

Faults Rate Per Access Line

Article 7- Faults Rate Per Access Line shall mean the ratio of total number of valid faults reported by users originating from disrupted or degraded services attributable to the network of the service provider to the total access lines. Fixed telephone operators which have significant market power shall provide the ratio of Faults Rate Per Access Authority.

Fault Repair Time

Article 8- Fault Repair Time shall mean the duration from the instant a fault has been notified by the customer to the instant when the service has been restored to normal working order. This duration is measured as elapsed hours. Fixed telephone operators which have significant market power shall provide the below data related with Fault Repair Time to Authority:

- a) The time by which 80% and 95% of valid faults on access lines are repaired,
- b) The time by which 80% and 95% of all other valid faults are repaired.

Unsuccessful Call Ratio

Article 9- An unsuccessful call shall mean a call attempt to a valid number, properly dialed following dial tone, where neither called party busy tone, nor ringing tone, nor answer signal, is recognized on the access line of the calling user within 30 seconds from the instant when the address information required for setting up a call is received by the network.

Unsuccessful call ratio is defined as the ratio of unsuccessful calls to the total number of call attempts in a specified time period. Fixed telephone operators which have significant market power shall provide the below data to Authority:

- a) The percentage of unsuccessful calls for national calls,
- b) The percentage of unsuccessful calls for international calls,
- c) The number of observations performed for each value and the time period of observation.

Call Set Up Time

Article 10- The call set up time shall mean the period starting when the address information required for setting up a call is received by the network and finishing when the called party busy tone or ringing tone or answer signal is received by the calling party. This duration is measured as elapsed seconds. Fixed telephone operators which have significant market power shall provide the below data to Authority:

- a) The mean value of set up time for national calls,
- b) The time which 95% of national calls are set up,
- c) The mean value of set up time for international calls,
- d) The time which 95% of international calls are set up,
- e) The number of observations performed for national and international calls which are not categorized as unsuccessful and the time period of observation.

Response Time For Operator Services

Article 11- Response Time For Operator Services shall mean the duration from the instant when the address information required for setting up a call is received by the network to the instant the operator answers the calling user to provide the service requested. This duration is measured as elapsed seconds. Services provided wholly automatically by voice response systems and the access to emergency services is excluded.

Fixed telephone operators which have significant market power shall provide the below data to Authority:

- a) Mean time to answer,
- b) Percentage of calls answered within 20 seconds.

Response Time For Directory Enquiry Services

Article 12- Response Times For Directory Enquiry Services shall mean the duration from the instant when the address information required for setting up a call is received by the network to the instant the human operator or an equivalent voice-activated response system answers the calling user to provide the number information requested. This duration is measured as elapsed seconds.

Fixed telephone operators which have significant market power shall provide the below data to Authority:

- a) Mean time to answer,
- b) Percentage of calls answered within 20 seconds.

Public Pay-Telephones

Article 13- The ratio of public pay-telephones in full working order shall mean the ratio of total number of working order pay-telephones divided to the total number of pay-telephones. A working order pay-telephone means that the telephone is in full working order for 24 hours

Fixed telephone operators which have significant market power shall provide the below data to Authority:

- a) The ratio of public pay-telephones in full working order,
- b) The number of observations performed and the time period of observation.

Bill Complaints

Article 14- A bill complaint shall mean an expression of complaint received from a subscriber about the correctness of the bill. The bill complaints ratio shall mean the proportion of bills in total number of bills resulting in a customer complaining about the correctness of a given bill.

Fixed telephone operators which have significant market power shall provide the service based bill complaints ratios to Authority.

PART THREE Leased Lines

Non-Discrimination

Article 15- Leased line operators having significant market power shall not discriminate among the similar users and shall provide same service to the similar users in the same level of quality with the services they provide to their partners and sub-companies.

Cost Based Method

Article 16- Leased line operators having significant market power shall determine their service tariffs based on cost, shall establish a suitable cost accounting system and shall inform Authority about their costs when demanded; in the context of relevant legal framework.

Transparency

Article 17- Leased line operators having significant market power shall at least publish the below information about leased lines in their internet sites in way that is easily accessible:

- a) Technical details which will be applied on network termination point including the technical and performance properties and physical and electrical properties,
- b) Tariffs and if exists details related with amending tariffs including connection fees, rents and other fees,
- c) Below data related with conditions of providing service:
 - 1) Means of application,
 - 2) Standard service time based on speed,
 - 3) Agreement period based on speed,
 - 4) Standard fault repair time,
 - 5) Means of pay-back.

Service Level Agreements

Article 18- Leased line operators having significant market power shall at least publish their Service Level Agreements including the information stated in the article 17 in their internet sites in a way that is easily accessible. Authority may demand amendments, improvements and corrections on these agreements. Operators shall perform these activities in the time period that is defined by Authority.

PART FOUR Other Provisions

Publishing Information and Reporting

Article 19- Operators shall publish current information related to their quality of service in a way that is understandable, comparable and easily accessible.

Fixed telephone operators which have significant market power shall provide quarterly reports to Authority. These reports shall be sent to Authority until the 15th of January, April, July and October. These reports shall at least cover the data stated in the Appendix 1 of this ordinance. Authority may demand additional information form the operators if needed.

Authority may publish quality of service information about the operators and any kind of statistical result obtained from these information.

Quality of Service For Mobile Telephone Operators

Article 20- Mobile telephone operators shall provide the level of quality of service which were stated in their privilege agreements and shall provide quarterly reports including call blockage rate, unsuccessful call ratio, call set up time and bill complaints ratio to Authority. These reports shall be sent to Authority until the 15th of January, April, July and October. These reports shall at least cover the data stated in the Appendix 2 of this ordinance.

General Liabilities

Article 21- Operators authorized by Authority shall comply with the quality of service standards defined in their authorization certificates and shall take measures to provide the service in a continuous manner.

Evaluation of Quality of Service Parameters

Article 22- While evaluating the quality of service parameters, standards of ETSI, international organizations and Authority shall be used. In case of amendments and updates, new information which will be stated in the Appendix 1 and/or Appendix 2 of this article will be published by Authority.

Quality of Service Standards

Article 23- Authority may define quality of service standards for every kind of telecommunications services including voice, data and image. Operators shall provide the quality of service level in the time period that is defined by Authority.

Authority may define additional standards for the disabled users.

Inspection

Article 24- Authority may inspect or have another organization inspect whether the quality of service information is true or not due to a complaint or on its own initiative.

Mandatory Measures and Penalties

Article 25- In the case that the operators do not carry out the obligations defined in this ordinance, provisions of Ordinance on Mandatory Measures and Penalties Applied to Operators by Telecommunications Authority of Official Gazette 5/9/2004 No: 25574 is implemented.

Temporary Article 1- Obligation to send quarterly reports including the quality of service parameters starts six months after the entry into force date of this ordinance for the fixed and mobile telephone operators which have significant market power.

Entry into Force

Article 26- This Ordinance shall enter into force on the date of its publication.

Execution

Article 27- The provisions of this Ordinance are executed by the Chairman of the Board.

APPENDIX-1

RELATED PERIOD :
NAME OF THE OPERATOR :
TITLE OF THE OPERATOR :

Quality of Service Parameter	Related Data	Measurement Unit
Supply Time For Initial Connection *	The times, by which the 95% of orders are completed.	<u>..... Day(s)</u>
	The times, by which the 99% of orders are completed.	<u>..... Day(s)</u>
	Percentage of orders completed by the date agreed with the customer.	<u>..... %</u>
Faults Rate Per Access Line *	Ratio of total number of valid faults to the total number of access lines.	<u>..... %</u>
Fault Repair Time *	The time by which 80% of valid faults on access lines are repaired.	<u>..... Hour(s)</u>
	The time by which 95% of valid faults on access lines are repaired.	<u>..... Hour(s)</u>
	The time by which 80% of all other valid faults are repaired.	<u>..... Hour(s)</u>
	The time by which 95% of all other valid faults are repaired.	<u>..... Hour(s)</u>
Unsuccessful Call Ratio	The percentage of unsuccessful calls for national calls.	<u>..... %</u>
	The percentage of unsuccessful calls for international calls.	<u>..... %</u>
	The number of observations performed for each value and the time period of observation.	<u>..... Number</u> <u>.....Period</u>
Call Set Up Time	The mean value of set up time for national calls.	<u>.... Second(s)</u>
	The time which 95% of national calls are set up.	<u>.... Second(s)</u>

	The mean value of set up time for international calls.	<u>....</u> Second(s)
	The time which 95% of international calls are set up.	<u>....</u> Second(s)
	The number of observations performed for national calls which are not categorized as unsuccessful and the time period of observation.	<u>.....</u> Number <u>.....</u> Period
	The number of observations performed for international calls which are not categorized as unsuccessful and the time period of observation.	<u>.....</u> Number <u>.....</u> Period
Response Time For Operator Services	Mean time to answer.	<u>....</u> Second(s)
	Percentage of calls answered within 20 seconds.	<u>.....</u> %
Response Time For Directory Enquiry Services	Mean time to answer.	<u>....</u> Second(s)
	Percentage of calls answered within 20 seconds.	<u>.....</u> %
Public Pay-Telephones In Full Working Order	The ratio of public pay-telephones in full working order.	<u>.....</u> %
	The number of observations performed and the time period of observation.	<u>.....</u> Number <u>.....</u> Period
Bill Complaints Ratio	Ratio of total number of bills containing customer complaints to the total number of bills.	<u>.....</u> %

* Time loss in the connection and repair resulting from users or third persons may be excluded from the statistical calculations. Authority may demand proofs for this situation.

APPENDIX-2

RELATED PERIOD :
NAME OF THE OPERATOR :
TITLE OF THE OPERATOR :

Quality of Service Parameter	Related Data	Measurement Unit
Call Blockage Rate	The proportion of unsuccessful calls in total number of calls. %
Unsuccessful Call Ratio	The proportion of unsuccessful calls in total number of call attempts. %
Call Set Up Time	The mean value of set up time for all calls. Second(s)
	The time which 95% of all calls are set up. Second(s)
Bill Complaints Ratio	Ratio of total number of bills containing customer complaints to the total number of bills. %