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## GENERAL NOTICE

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### NOTICE 793 OF 2008



#### INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA (ICASA)

#### NOTICE OF INTENTION TO CONVERT THE EXISTING TELECOMMUNICATIONS LICENCES IN TERMS OF SECTION 93 OF THE ELECTRONIC COMMUNICATIONS ACT.

The Independent Communications Authority of South Africa ("the Authority") hereby gives notice that it intends to convert existing Telecommunications licences in terms of Section 93 of the Electronic Communications Act, No 36 of 2005, by granting attached Individual Electronic Communications Services and Electronic Communications Network Service licences where applicable to the existing licensees mentioned in the Schedule.

The Authority invites any interested parties to submit written representations to the attached draft licences on or before 21 July 2008 at 16h00 by fax or email at:

Fax: (011) 566 3184 or (011) 566 3188

Email: [bmkhize@icasa.org.za](mailto:bmkhize@icasa.org.za) and copy [bpaxinos@icasa.org.za](mailto:bpaxinos@icasa.org.za)

Or

Hand delivered at Block D, Pinmill Farm, 164 Katherine Street, Sandton.

**PARIS MASHILE  
CHAIRPERSON  
ICASA**



Independent Communications Authority of South Africa

**DRAFT INDIVIDUAL ELECTRONIC COMMUNICATIONS SERVICE LICENCE**

No. [       ]

**GRANTED**

**TO**

**TELKOM SA LTD**

**FOR THE PROVISION OF**

**ELECTRONIC COMMUNICATIONS SERVICES**

**SIGNED FOR AND ON BEHALF OF THE INDEPENDENT COMMUNICATIONS  
AUTHORITY OF SOUTH AFRICA**

**AT .....ON THIS.....DAY OF .....**

\_\_\_\_\_  
**Chairperson**

**1. LICENSEE**

The Licence is issued to:

- |   |   |
|---|---|
| 1.1 Name of Company/Entity:   | Telkom SA Ltd<br>Government of RSA (38.8%)  |
| 1.2 Shareholders (where applicable):  | The Public Investment Corporation (13.3%)<br>Newshelf (5.7%)<br>(licensee to provide further details) |
| 1.3. Ownership held by persons from historically disadvantaged groups (where applicable): | Newshelf (5.7%)<br>(licensee to provide further details)  |

**2. CONTACT DETAILS**

2.1. The contact person for the Licensee shall be:

- |               |   |
|---------------|---|
| 2.1.1. Name:  | Andrew Barendse   |
| 2.1.2. Tel:   | 012 311 3598  |
| 2.1.3. Fax:   | 012 311 2546  |
| 2.1.4. Cell:  | 079 517 5557  |
| 2.1.5. Email: | <u><a href="mailto:barenaj1@telkom.co.za">barenaj1@telkom.co.za</a></u> |

2.2. Should the Licensee propose to replace the person so designated, the Licensee shall notify the Authority in writing within seven (7) days after appointing the new designated person.

**3. NOTICES AND ADDRESSES**

The Licensee chooses the following addresses as its principal addresses:

- |                      |                        |
|----------------------|------------------------|
| 3.1. Postal Address: | 3.2. Physical Address: |
| PO Box 447           | Telkom Towers          |
| Pretoria             | 152 Proes Street       |
| 0001                 | Pretoria               |
|                      | 0002                   |

## SCHEDULE

**1. Name of the Service:**

Telkom

**2. Geographic Coverage:**

National

**3. Range of Numbers from the national numbering plan:**

087 200 0000 to 087 249 9999

**4. Obligations**

4.1 For the purposes of this clause Basic Services shall mean:

- (i) an electronic communication service comprising technical features which are the minimum necessary to allow the establishment of a voice grade telephony channel between two items of subscriber equipment connected to any electronic communication network;
- (ii) the installation and connection of subscriber equipment capable of making use of these Basic Services; and
- (iii) the maintenance and repair of subscriber equipment supplied by the Licensee.

4.2 The Licensee shall provide Basic Services to any person in the Republic who requests such services.

4.3 Clause 4.1(ii) shall not apply in instances where it would be unduly burdensome for the Licensee to provide the requested services in a particular instance.

4.4 For the purposes of this clause

4.4.1. public pay-phone shall mean apparatus (including any Kiosk, booth, acoustic hood, shelter or similar structure in which that apparatus may be installed) at which public pay-phone services are made available to the public or segments of the public, and which contains a device to accept payment for those services,

4.4.2. Public Pay-Phone Service shall mean:

- (i) the installation, maintenance and repair of public phones; and
- (ii) the conveyance of voice telephony messages to and from public pay-phones; and
- (iii) the provision of directory information services from public pay-phones

5. The Licensee may withdraw, or permit to be withdrawn from service permanently or for any period in excess of 45 (forty five) days, any one of its public pay-phones permanently deployed and operational as part of its Public Pay-Phone Service as at the date of issue of this Licence, only where:
- (i) all of the following conditions have been complied with:
    - i. revenues from any such public pay-phone in any consecutive 12 (twelve) month period have fallen below the Licensee's fully allocated cost of operating such public phone;
    - ii. the Licensee has prominently posted a notice on such public pay-phone specifying the intention to withdraw that specific public pay-phone from service in its current location, the reasons for such prospective withdrawal from service, and providing the mailing address of the Licensee's office where representations and objections to the Licensee's proposed withdrawal may be made and the time period for making such representations;
    - iii. the Licensee has sent to the local authority for the area in which the specific public pay-phone proposed to be withdrawn from service is located, a copy of the notice specified in sub-clause (ii);
    - iv. the Licensee has provided the Authority with a copy of this notice, together with copies of any representations and objections received, as well as Licensee's conclusions and comments with respect thereto; and
    - v. 30 (thirty) days have elapsed from the date of delivery of the written explanation referred to in clause 5(i)ii to the Authority without objection thereto by the Authority having been received by the Licensee;
  - (ii) the Licensee has agreed with the Authority to provide, or has provided, evidence that another Licensee is providing public pay-phones located near to, and readily accessible from the place from which the public phone to be withdrawn from service is presently located;
  - (iii) the Authority, including the owner of the premises at which a public pay-phone is provided or any other person with lawful authority requires the Licensee to remove such public pay-phone from its present location; or
  - (iv) the Authority agrees, having been provided with a written explanation by the Licensee that the operation and maintenance of the public pay-phone in a particular location is unduly burdensome to the Licensee or is otherwise no longer necessary.