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Featured Q&A With Our Board of Advisors

Q Peru's ministry of transport and communications (MTC) last week announced the creation of a single concession license, allowing telecom service providers to offer multiple services under a single license. The MTC said creation of the license was aimed at modernizing Peru's telecom regulatory framework and would inject "greater dynamism" into the market. What effect do you think a single concession license will have on Peru's telecom sector? What impact have such licenses had in other countries where they have been adopted, such as Argentina?

A Guest Comment: **Liliana Ruiz:** "This law is positive in the sense that current administrative barriers for any operator to expand or diversify its offerings to users will be diminished. Until now, telecom operators have had to spend a lot of time and effort to obtain a new license each time they wanted to provide a new service or cover a new geographical region. The rapid response by operators to demand was prevented by legal paperwork required to obtain a new license. However, I do not think that this measure alone will inject greater dynamism into the market. Profitable segments like corporate and high-income users are already served in Peru, and potential demand for fixed, mobile, and Internet services can only become a reality if current tariffs are reduced. America Movil just recently spurred the mobile market, focusing on cheap prepaid service, but is that a profitable strategy? Are current tariff levels profitable enough to attract investment from new operators? I do not see new players entering Peru where two groups, Telefonica and Telmex-

America Movil, are strong. The new ruling will not have a real effect on the strategic behavior of these competitors because they already cover the main services, and might have some effect on medium-size companies already established in Peru that may feel tempted to expand their businesses gradually. It is true the new law can be the start of new regulatory developments in Peru to adjust to a new convergence period where the fixed-mobile bounds vanish. What remains to be seen is how other rulings will change and how much regulatory risk will be perceived by investors."

A Board Comment: **Janet Hernandez & Victor Mulas:** "The introduction of a unified license framework in Peru will facilitate the provision of converged
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PHOTO OF THE WEEK



A rocket carrying Satmex 6 and another satellite lifted off for space on Saturday. See story on page 2.

Photo: Arianespace.

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INDUSTRY BRIEFS

Italtel Signs Contracts with Two Firms in Latin America

Italian equipment and solutions provider **Italtel** announced Wednesday that it signed "turn-key" agreements with two companies in Latin America. In a press release, Italtel said it signed a deal with the Guatemalan unit of Spain's **Telefonica Moviles** to modernize the company's IP and access networks and expand high-speed Internet capacity for fixed-line users in Guatemala City. Italtel said it also signed a contract to supply **EPM**, the publicly owned operator for the city of Medellin, Colombia, with a metropolitan area network, or MAN. The value of the contracts was not disclosed.

NEC do Brasil Hires CosmoCom for Contact Center Services

The Brazilian unit of Japanese telecommunications and IT solutions NEC has contracted Melville, NY-based **CosmoCom** to provide contact center platform services. Under the agreement, CosmoCom will focus on **NEC do Brasil's** customers that are major telecom carriers, as well as "other contact center opportunities." Financial terms were not disclosed. Brazil is the largest contact center market in Latin America, according to **Datamonitor**.

Phantom Fiber Opens Latin America Office in Costa Rica

Toronto-based **Phantom Fiber Corporation** has opened a new Latin America regional office in Costa Rica. A developer of wireless platforms in the gaming industry, Phantom Fiber has named Shane Lourensse to head up the new Costa Rican office and to grow its overall presence in the Central and South American markets.

Industry News

Mexican Lawmakers Reject Three Out of Fox's Four Cofetel Nominees

A Mexican congressional commission has rejected three out of the four people nominated by President Vicente Fox to serve on the board of telecommunications regulator Cofetel, local daily *El Universal* reported. In a report backed by the opposition PRI and PRD parties, Congress' permanent commission said that after interviewing the candidates and reviewing their experience, it decided in a vote of 21-13 to oppose the nominations of economist Rafael del Villar Alrich, attorney Gonzalo Martinez Pous, and television executive Julio Di Bella Roldan. The fourth nominee, Jose Luis Peralta Higuera, currently a director at Cofetel, was approved by a vote of 28-6. No explanation was provided in the report as to why three of the nominees were rejected, according to *El Universal*. However, Heliodoro Diaz Escarraga, the

power to regulate radio and television, but no extra authority for overseeing the telecoms sector. Filling the board of Cofetel is seen as a key step toward reforming Mexico's telecommunications sector, which has long been dominated by **Telefonos de Mexico** and **America Movil**, both owned by billionaire Carlos Slim. [Editor's note: see related Q&A in the May 26, 2006 issue of the *Telecom Advisor*.]

Satmex 6 Launched into Orbit; Seen as Key to Future of Satmex

A satellite seen as key to the future financial viability of bankrupt Mexican satellite operator **Satelites Mexicanos** (Satmex) was launched into space on Saturday, French launch company **Arianespace** said in a press release. Satmex 6 was sent into space aboard an Arianespace rocket along with another satellite, Thaicom 5 for private Thai operator Shin Satellite, from

The PRI's top ranking commission member said the Fox administration made no effort to lobby for its nominees and that the administration should work more closely with Congress to choose "viable" candidates.

top-ranking PRI deputy on the commission, said the PRI opposed Di Bella because of suspected ties to Fox's family, Martinez Pous because of some pending legal cases against him, and del Villar because of a lack of experience. Diaz Escarraga said the Fox administration made no effort to lobby for its nominees and that the administration should work more closely with Congress to choose "viable" candidates. Presidential spokesman Ruben Aguilar told reporters Thursday that Fox respected the decision by the congressional commission and would propose new candidates. Last month, Fox nominated the four candidates, plus a fifth—Fernando Lerdo de Tejada, who subsequently withdrew his name for consideration—to fill the board of Cofetel after members resigned in April to protest reforms giving the regulator the

Europe's space station in French Guiana. The 5,500-kilogram Satmex 6, which is fitted with 36 C-band transponders and 24 Ku-band transponders, "will bolster Satmex's telecommunications and Internet service offering throughout Mexico, as well as in parts of North America and Latin America," Arianespace said. The new satellite is expected to boost revenues for Satmex, which has been struggling to recover from the loss of a third of its capacity in 2000 when its Solidaridad I satellite died, by attracting valuable clients such as broadcasters, Internet companies, and telephone operators. "Satmex is now prepared to carry on with the mission," the company's CEO, Sergio Autrey, was quoted as saying in the Arianespace press release. Autrey said in February that it would cost \$273 million to launch Satmex 6. Satmex, which is in

default on some \$523.4 million in debt principal, filed for bankruptcy in Mexico last July. Satmex expects to gain approval for a debt restructuring plan in a Mexican bankruptcy court this month, and shortly afterward in US bankruptcy court, local daily *El Universal* reported on Tuesday.

Indotel Approves Sale of Verizon Dominicana to America Movil

The Dominican Republic's telecom regulator, Indotel, on Monday approved the sale of the local unit of the US' **Verizon Communications** to Mexico-based **America Movil**. In a press release, Indotel President Jose Rafael Vargas said the government of the Caribbean nation was "extremely satisfied and thrilled that they [America Movil] have bet on the Dominican Republic, and we hope that it mainly benefits users and other social sectors in the country." In April, Verizon announced it had agreed to sell its 100 percent stake in **Verizon Dominicana** as part of the larger sale of its remaining operations in Latin America and the Caribbean to an entity jointly owned by America Movil and its fixed-line affiliate, **Telefonos de Mexico** (Telmex), for \$3.7 billion. Also included in the deal were Verizon's 28.5 percent stake in CANTV, the largest single stake in what is Venezuela's biggest telecommunications company, and Verizon's 52 percent stake in **Puerto Rico Telephone**. Verizon Dominicana has more than 2.7 million wireless, wireline, and broadband customers, according to Verizon. Indotel said America Movil is investing more than \$1 billion in the Dominican Republic as a result of the purchase. In early April, Telmex spokesman Arturo Elias Ayub said his company had "greatest confidence" in the Dominican Republic as a place to invest.

Media Industry News

Azcarraga: Televisa Will not Join with Saban to Acquire Univision

The chairman of **Televisa**, Mexico's

Featured Q&A

Continued from page 1

services by communications operators because operators will only need to follow one administrative process to provide multiple telecommunications services, and will be able to provide additional services after being granted the original authorization by filing a simple notification. Similar frameworks have been adopted or are being implemented in various other countries, including Argentina, the European Union, Kenya, and India. Peru's new framework will benefit the sector because it will reduce the entry barriers for operators since they will not need to apply for and hold separate licenses for each of the services that they offer. It is also especially relevant for small and medium operators, such as small cable operators that already have a telecommunications network capable of providing converged services but found it regulatorily burdensome to obtain additional licenses to offer additional services. While a positive step, this new framework does not go far enough because the rights and obligations of telecommunications services have not been harmonized with the introduction of the unified license framework. Ideally, in a converged environment the rights and obligations of all operators should also be dealt with in a generic and unified manner, with only certain discrete elements addressed through service-specific regulations."

biggest broadcaster, said Thursday his company would not team up with media investor Haim Saban to buy US Spanish-language broadcaster **Univision**, even if Televisa's bid with another group of investors is unsuccessful, Reuters reported. "If a bid by Televisa and its partners is not accepted as the winning bid, Televisa has no intention of engaging in any negotiations with Haim Saban and the group he has formed or any other party with respect to Univision," Emilio Azcarraga Jean was quoted as saying. Televisa has joined with with US billionaire Bill Gates' **Cascade Investment** and four other pri-

A **Guest Comment: Carlos Blanco:** "The single license is a general permit that potentially allows the offering of any telecommunications service permitted in the country. Under this scheme, the operator should register with the regulator those services in which it is interested in providing, which would allow it to gradually expand its portfolio of products in a more quick and simple way. In the case of Peru, included under the single license are paid television services, with which facilitation of the development of triple play on the regulatory side is sought. Signals believes that this business will be driven by Telefonica del Peru (TdP) starting in 2007 only in determined customer niches in Lima and Callao; to the rest it will come through Cable Magico, TdP's cable television operator—the largest in the country with 250,000 subscribers—a hybrid strategy like that rolled out by CTC in Chile via DTH. Signals believes that pay-TV operators in Peru will not enter into telephony service. TdP has a relevant role in the strategy of launching Telefonica's IPTV platform Imagenio in Latin America. Since it is the owner of Cable Magico, it has provided its experience in negotiating with signal providers for DTH and IPTV programming packages, which CTC in Chile will launch during 2006. Although Peru's single license scheme is inspired by what

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vate equity companies to explore a bid for **Univision**, which announced in February it was considering "strategic alternatives," including its possible sale. Saban is part of a group that includes **Madison Dearborn Partners**, **Providence Equity Partners**, **Texas Pacific Group**, and **Thomas H. Lee Partners** that is exploring a bid for Univision, which could fetch more than \$12 billion, according to Reuters. Televisa, which already has an 11.4 percent stake in Univision and provides 90 percent of the US broadcaster's programs as part of a deal that expires in 2017, has been named as a likely suitor for Univision. Televisa has

to bid for Univision through a group of investors in order to get around US laws which restrict foreign ownership of television stations to 25 percent.

Political News

Uribe Easily Re-elected in Colombia, Vows to Do Better in Second Term

Colombians gave President Alvaro Uribe an easy re-election victory on Sunday, and the conservative president credited with restoring security in much of the war-torn Andean nation said he was committed to doing better in his second four-year term. "We all have to improve. I have to improve," Uribe said in his victory speech after voting results showed the Colombian leader receiving more than 62 percent of the vote, well above the 50 percent minimum needed to avoid a second-round run-off. Center-left candidate Carlos Gaviria of the Democratic Pole party finished in second place, with 22 percent of the vote, followed by the Liberal Party's Horacio Serpa, who garnered 12 percent. The election was one of Colombia's most peaceful in years, as the country's main rebel group, the FARC—contrary to previous years—refrained from violence and even urged people to vote, according to Reuters. Uribe took office in 2002 vowing to take a hardline stance against illegal armed groups, and his "Democratic Security" policy is credited with putting the FARC on the defensive and leading to a sharp drop in murders and kidnappings. "With the support of the Colombian people, with the heroism of the country's soldiers and police, we will advance toward a safe Colombia," Uribe said Sunday. The president, whose government is currently overseeing the disarmament of several thousand members of right-wing paramilitary groups, says he will offer peace talks to the FARC, on the condition that they lay down their arms, according to Reuters. In his victory speech, Uribe acknowledged a need for a social policy to "legitimize" his security policy, and called for job creation and greater equality. He also promised to move forward with trade agreements with the United States, Central American countries, the European

Telecom Advisor Profile

Clifford Sobel



Editor's note: Last week, President George W. Bush nominated business executive and longtime Republican Party fundraiser Clifford Sobel of New Jersey to be the United States' ambassador to Brazil. As the US top diplomat in Brasilia, Sobel will be responsible for overseeing US relations with Latin America's largest economy and a key partner in South America

Name

Clifford Sobel

Background

Born in 1949, Sobel graduated with a bachelor's degree in management from New York University's School of Commerce in 1971. Through the 1980s, he founded and ran several companies that sold retail shelving and displays. In 1985 he founded **Norcrown Bank** in Roseland, New Jersey and served as a board member there until 1991. He went on to be chairman of **Net2Phone**, a New Jersey-based publicly listed company specializing in voice over IP communications services. According to New Jersey daily *The Star-Ledger*, Sobel is also chairman and president of **SJJ Investment Corporation** and **CMS Realty Company**.

He was appointed US ambassador to the Netherlands in 2001 by President Bush, who said at the time that Sobel "is an accomplished business leader who understands international trade and foreign affairs," according to White House press archives. He served as ambassador to the Netherlands until last year.

Sobel has also sat on the boards of several non-profit and political organizations, including the conservative Alexis de Tocqueville Institution, where in 1996 he authored a paper about the Free Trade Area of the Americas in 1996. From 1987-1989, he served on the US Government Industry Sector International Trade Board.

Notes

Sobel has been a longtime financial supporter of President Bush, and his appointments as both ambassador to the Netherlands in 2001 and to Brazil this year have generated some criticism from campaign finance watchdogs. According to the Center for Responsive Politics, in 2004 Sobel was one of Bush's "Pioneers," a supporter who pledged to help raise over \$100,000 in campaign finance contributions, and his wife was a Bush "Ranger," having pledged \$200,000 to the 2004 Bush campaign.

Sobel has been active in both New Jersey and national Republican Party politics. In 1996 and 2000 he was a delegate to the Platform Committee and the Sub-Committee on Foreign Policy at the Republican National Convention. Sobel worked as finance chairman of the New Jersey Republican Party and was a major fundraiser for former New Jersey Governor and former head of the US Environmental Protection Agency Christine Todd Whitman, and former congressman Jim Courter (R-NJ), who ran for governor of New Jersey in 1989.

The Senate Foreign Relations Committee said that Ambassador Sobel's confirmation process for the post in Brasilia could take several months.

Sources: US government, government of the Netherlands, Alexis de Tocqueville Institution, Center for Responsive Politics, Associated Press, New York University.

Union, and with the Mercosur trade bloc through Colombia's participation in the Andean Community of Nations. [Editor's note: see Q&A on Uribe's re-election in the May 31, 2006 issue of the daily *Latin America Advisor*.]

Bachelet Offers Concessions to Protesting High School Students

Chilean President Michelle Bachelet on Thursday offered several concessions aimed at ending nationwide protests by high school students fed up with what they say is a lack of resources and equality in public secondary education, the Associated Press reported. Bachelet said



Bachelet

Photo: La Moneda.

the government would address the protesting students' demands, including reduced transportation fares, repairs to buildings, and their central demand, a federal takeover to reduce inequality between rich and poor schools. "The state will be the guarantor of a quality education for all Chileans," Bachelet said. The president said she would send a bill to Congress to reform Chile's education law, which gives municipalities responsibility for public schools. The law was issued by ex-dictator Augusto Pinochet one day before he left power in 1990. The protests have posed the biggest challenge yet to Bachelet's three-month-old government. On Tuesday, at least a dozen people were injured and more than 700 arrested during street clashes between protesters and police in Santiago.

Lula Enjoys Wide Lead in Brazilian Presidential Poll

Brazilian President Luiz Inacio Lula da Silva would easily win re-election if the vote were held today, according to an **Ibope** poll published on Thursday. The poll, commissioned by local media giant **Globo**, found that not including blank and null ballots, Lula would receive 63 percent of the votes versus 25 percent for his closest rival, former Sao Paulo state Governor Geraldo Alckmin. Including blank and null votes, Lula would garner 48 percent of the votes versus 18-19 percent

for Alckmin. The poll of 2,002 people was conducted May 28-31 and had a margin of error of plus or minus two percentage points. Alckmin, of the Brazilian Social Democratic Party, or PSDB, faces an uphill battle in unseating Lula, whose popularity was battered by a series of scandals involving his Workers' Party over the past year, but who is currently riding Brazil's recent positive economic wave. On Wednesday, the government reported that the economy expanded 1.4 percent in the first quarter of this year from the previous quarter, and was up 3.4 percent from the first quarter of 2005.

Bolivian Officials Expected to Meet with Farm Group over Land Reform

Bolivian government officials were expected to meet Friday with representatives of the country's largest agribusiness group to discuss a contentious land reform proposal by President Evo Morales, local daily *La Razon* reported. It would be the third attempt for a meeting between the government and the National Farmers Confederation, or Confeagro, which strongly opposes Morales' proposals to confiscate land and distribute it to the poor. On Wednesday, Confeagro issued a statement saying it would form "self-defense" groups to defend land against government confiscation, claiming Morales "was trying to destroy the country's productive apparatus," the Associated Press reported. Alfredo Rada, a deputy minister in charge of coordinating the government and the country's civil organizations, said such groups are "illegal and border on being criminal," the AP reported. On May 16, the government announced plans to amend through a series of decrees and a new law an existing land reform program and accelerate the distribution of at least 4.5 million hectares of land, which has been stalled due to the inefficiency of Bolivia's justice system in resolving title disputes. In statement on Wednesday, the government said it would redistribute more than 77,000 square miles of land over the next five years. It said it would only seize land that was not being farmed, was obtained illegally or was being used for speculation, according to the AP.

POLITICAL & ECONOMIC BRIEFS

Chavez Calls Carlos the Jackal a "Good Friend"

Venezuelan President Hugo Chavez on Thursday referred to notorious Venezuelan-born terrorist Ilich Ramirez Sanchez, known as "Carlos the Jackal," as a "good friend," the Associated Press reported. Chavez made the remark at a meeting of OPEC member states in Caracas. Ramirez, who has admitted to leading a 1975 attack that killed three people at the OPEC headquarters in Vienna, Austria, is serving a life sentence in France for the 1975 murders of two French investigators and a Lebanese man.

Argentina Recorded \$1.27 Billion Trade Surplus in April

Argentina posted a \$1.27 billion trade surplus in April, up 9 percent from the same month of 2005, government statistics agency INDEC said Wednesday. Exports rose 8 percent year-on-year to \$3.81 billion, led by increases in manufactured industrial and agricultural goods. Imports increased 7 percent to \$2.55 billion. For the first four months of the year, Argentina recorded a trade surplus of \$13.57 billion, up 13 percent from a year ago.

Advisor: Garcia Would Renew Peru's Loan Deal with IMF

An economic advisor to Alan Garcia, the frontrunner ahead of Peru's presidential run-off election this Sunday, said if elected Garcia would renew a \$422 million loan agreement with the IMF, Bloomberg News reported on Wednesday. The advisor, Enrique Cornejo, also said Garcia would aim to lower Peru's debt to 30 percent of GDP from the current level of 38 percent, and increase local bonds to reduce Peru's exposure to exchange rate swings.

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was decreed in Argentina in 2000, they are not identical. A substantial difference is that Argentina's single telecommunications license does not allow pay-TV to be offered; that permit is granted by Comfer, the body in charge of broadcasting services which four years ago stopped authorizing the service because of pressure by the country's main cable television operators who saw the entry into the video business by rural telephony cooperatives as a threat. The incumbent operators—Telefonica and Telecom—cannot offer video because of restrictions on their concessions, which they will seek to eliminate during their current contract negotiations with the government. Although more than 600 single licenses have been granted in Argentina—the majority registering for long-distance service—there are very few projects that will offer service. The majority of these undertakings were for the sale of prepaid telephony cards for which it is not necessary to have a license. Indeed, that business made necessary a wholesale scheme under which the licenses, platforms, and numbering resources of operators with their own networks are used. In Peru, the resale scheme is also widespread and organized in the same fashion, so Signals does not believe that it will produce an explosion in the demand for licenses as happened in Argentina."

A **Guest Comment: Luiz Alberto Bonifaz:** "The most important, established operators in the market today have almost every license to provide the main services, and the unification of them through a process of adaptation envisaged in the new law constitutes a purely administrative issue, the benefit of which is marginal, since the operators will continue having to comply with their basic obligations for each one of the services. It may provide a greater benefit for new entrants that could more quickly obtain a concession from the MTC and roll out multiple services through their telecom-

munications networks. However, Peru's Telecommunications Law is already 15 years old, and if indeed it has allowed the process of liberalization to take place, it is evident that some special aspects ought to be modified. The new Single Concession Law is only focused on introducing changes to the regime for entering the market, i.e., concessions. The convergence and development of new services in Peru require a true modernization of the Telecommunications Law that updates, among other key aspects, the regime for classification of services (no classification exists for Internet service), legal aspects for prices (tariffs and interconnection) with an eye toward new services, access to basic facilities, the sharing of infrastructure, network interoperability and security, the modern administration of scarce resources like phone numbers and spectrum, and finally the treatment of universal service. Perhaps it is not the time for the countries of the region to talk of convergence of broadcasting services at the legal level, but the introduction and treatment of new services that can be offered over current telecommunications infrastructure and the search for their development ought to be a motive for immediate change."

Liliana Ruiz is President of ALTERNA Consulting in Peru and a former General Manager of Peruvian telecom regulator Osiptel.

Janet Hernandez is a member of the Telecom Advisor board and Senior Vice President at Telecommunications Management Group (TMG). **Victor Mulas** is Legal and Regulatory Advisor at TMG.

Carlos Blanco is Director of Market Research at Signals Telecom Consulting.

Luiz Alberto Bonifaz is Director for Competition and Regulation at APOYO Consultoria SAC in Peru.

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Erik Brand,
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Subscription Inquiries are welcomed at
freetrial@thedialogue.org

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1211 Connecticut Avenue, Suite 510
Washington, DC 20036
Phone: 202-822-9002 Fax: 202-822-9553

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