

Consulta sobre Competencias de los Reguladores

1. 1 Granting of general authorizations for the provision of networks and electronic communications services.

	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		
Superintendencia de Telecomunicaciones	✓		General Telecommunications Law of Guatemala, Decree 94-96
ANATEL	✓		
CRC		✓	Ministerio TIC - www.mintic.gov.co

1.2. Market Definition and identification of operators with Significant Market Power.

	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		-Secretariat of Commerce of The Ministry of Production -Ley 25,156.
Superintendencia de Telecomunicaciones	✓		-INE, MINECO, BANGUAT, MINFIN - There are also another authorities that make a market definition like the Statics National Institute (INE), the Ministry of Economy (MINECO), the National Bank of Guetmala (BANGUAT) and the Ministry of Public Finances (MINFIN)
ANATEL	✓		
CRC	✓		

1.3. Imposition of obligations: access, interconnection, pricing, nondiscrimination, transparency.

	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		
Superintendencia de Telecomunicaciones	✓		-In terms of prices and tariffs, the market is free so these are not regulated by the Superintendency of Telecommunications of Guatemala.
ANATEL	✓		
CRC	✓		

1.4. Imposition of an obligation for functional separation.

	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		
Superintendencia de Telecomunicaciones		✓	-General Telecommunications Law of Guatemala, Decree 94-96.
ANATEL	✓		
CRC	✓		

1.5. Supervision of obligations.

	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		
Superintendencia de Telecomunicaciones	✓		
ANATEL	✓		
CRC		✓	✓
1.6. VI Conflict resolution between operators (please indicate the average length of any dispute settlement procedure).			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		
Superintendencia de Telecomunicaciones	✓		-An average of 15 business days.
ANATEL	✓		
CRC	✓		-There is no estimated time, each case is different There is no estimated time, each case is different.
1.7. Resolution of disputes between operators and other entities that can benefit from access and interconnection obligations (information society services and audiovisual media). (please indicate the average length of any dispute settlement procedure).			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		
Superintendencia de Telecomunicaciones	✓		An average of business 15 days.
ANATEL	✓		
CRC		✓	
2.1 Development of the National Numbering Plan.			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		Secretariat of ICT of the Ministry of Modernization
Superintendencia de Telecomunicaciones	✓		General Telecommunications Law of Guatemala, Decree 94-96
ANATEL	✓		
CRC	✓		http://www.pnn.gov.co/mapa/index.xhtml
2.2 Assignment of rights to use numbers, addresses and names.			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		
Superintendencia de Telecomunicaciones	✓		-Authorizations are only granted for the use of numbering ranges. With regard to the cadastral addresses these are administered by the Municipalities.
ANATEL		✓	- Nic.br
CRC	✓		- Only numbers.

2.3 Management and control of the rights to use numbers, addresses and names.

	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		
Superintendencia de Telecomunicaciones	✓		-The numbering ranges are assigned to the Operators and these, in turn, manage and control the numbering that the Guatemalan Superintendency of Telecommunications assigned to them in a timely manner. With regard to the cadastral addresses these are administered by the Municipalities.
ANATEL		✓	
CRC		✓	

2.4 Harmonization of the use of numbers or ranges of specific numbers within the European Union.

	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM			Doesn't apply.
Superintendencia de Telecomunicaciones		✓	
ANATEL		✓	
CRC		✓	

3.1 Resolution of disputes between consumers and operators. (please indicate the average length of any dispute settlement procedure).

	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		
Superintendencia de Telecomunicaciones		✓	-DIACO - Dirección de Atención y Asistencia al Consumidor.
ANATEL	✓		-Procons -Anatel has issued a General Regulation for Telecommunications/ICTs Users.
CRC		✓	- SIC- http://www.sic.gov.co/

3.2 Protection and users with special needs.

	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		
Superintendencia de Telecomunicaciones		✓	-DIACO - Dirección de Atención y Asistencia al Consumidor.
ANATEL	✓		-Anatel has issued a General Regulation for Accessibility.
CRC	✓		

3.3 Designation of the operator or operators with universal service obligations.

	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		
Superintendencia de Telecomunicaciones		✓	
ANATEL	✓		
CRC		✓	
3.4 upervision of obligations (rates, quality of services, etc.) related to the provision of universal service.			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		
Superintendencia de Telecomunicaciones		✓	
ANATEL	✓		
CRC		✓	
3.5 Calculating the net cost of universal service provision.			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		
Superintendencia de Telecomunicaciones		✓	
ANATEL	✓		
CRC		✓	
3.6 VI Implementation and management of the funding mechanism of universal service.			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		
Superintendencia de Telecomunicaciones		✓	
ANATEL	✓		-Not yet fully implemented.
CRC		✓	
3.7 Supervision on Trasparency, publication of information, QoS.			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		
Superintendencia de Telecomunicaciones		✓	
ANATEL	✓		
CRC	✓		
3.8 Supervision on access rules on directory enquiry services.			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM		✓	
Superintendencia de		✓	

Telecomunicaciones			
ANATEL	✓		
CRC		✓	
4.1 Supervision on access rules on directory enquiry services.			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM			
Superintendencia de Telecomunicaciones			
ANATEL			
CRC			
4.1 Supervision on access rules on directory enquiry services.			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM		✓	-Public Information Access Agency -Agency.
Superintendencia de Telecomunicaciones		✓	-Currently, Guatemala is working on a bill related to Personal Data Protection. This initiative number is 4090 and is under review by the Congress of the Republic of Guatemala.
ANATEL	✓		-There´s no defined institutional framework so far. -Anatel acts within the framework of telecom services.
CRC		✓	-SIC- http://www.sic.gov.co/
5.1 Ensuring that the integrity and security of public communications networks are maintained.			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM		✓	
Superintendencia de Telecomunicaciones		✓	-However, the Guatemalan Telecommunications Superintendence, within its functions, is responsible for administering and verifying the correct and legal use of the Radioelectric Spectrum in Guatemala, managing the use of frequencies of satellite applications, supervising and approving the activities related to the applications. satellites and elaborate plans for the exploitation of bands of the Radioelectric Spectrum.
ANATEL	✓		
CRC		✓	
6.1 Development of the National Frequency Plan.			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		-Secretariat of ICT of the Ministry of Modernization.

Superintendencia de Telecomunicaciones	✓		-General Telecommunications Law of Guatemala, Decree 94-96.
ANATEL	✓		
CRC		✓	-ANE- https://www.ane.gov.co/
6.2 Development of the National Frequency Plan.			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		-Secretariat of ICT of the Ministry of Modernization.
Superintendencia de Telecomunicaciones	✓		-General Telecommunications Law of Guatemala, Decree 94-96.
ANATEL	✓		
CRC		✓	-Ministario TC- www.mintic.gov.co
6.3 Supervision of compliance with the conditions of general authorisation, of right of use and with further specific conditions.			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		-Secretariat of ICT of the Ministry of Modernization.
Superintendencia de Telecomunicaciones	✓		-General Telecommunications Law of Guatemala, Decree 94-96.
ANATEL	✓		
CRC		✓	
6.4 Harmonisation of frequencies use.			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		-Secretariat of ICT of the Ministry of Modernization.
Superintendencia de Telecomunicaciones	✓		-General Telecommunications Law of Guatemala, Decree 94-96.
ANATEL	✓		
CRC		✓	
6.5 Management of use of frequencies, including the transfer and lease of rights of use.			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		-Secretariat of ICT of the Ministry of Modernization.
Superintendencia de Telecomunicaciones	✓		-General Telecommunications Law of Guatemala, Decree 94-96.
ANATEL	✓		
CRC		✓	
6.6 Supervision of restrictions on existing rights of use.			
	YES	NO	ADDITIONAL EXPLANATIONS

ENACOM	✓		-Secretariat of ICT of the Ministry of Modernization.
Superintendencia de Telecomunicaciones	✓		-General Telecommunications Law of Guatemala, Decree 94-96.
ANATEL	✓		
CRC		✓	
7.1 Encourage the use of the standards and/or specifications (...) for the provision of services, technical interfaces and/or network functions, to the extent strictly			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		
Superintendencia de Telecomunicaciones		✓	
ANATEL	✓		
CRC	✓		-Only voice devices
8.1 Ensure that all subscribers with numbers from the national telephone numbering plan who so request can retain their number(s) independently of the undertaking providing the service.			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		
Superintendencia de Telecomunicaciones		✓	-Currently, Guatemala is working on a bill related to Number Portability. This initiative is 4835 and is under review by the Communications Commission of the Congress of the Republic of Guatemala.
ANATEL	✓		-ABR Telecom -ABR telecom manages the current portability process (http://www.abrtelecom.com.br).
CRC	✓		- https://www.crcom.gov.co/es/pagina/implementaci-n-de-la-portabilidad-num-rica-en-colombia .
8.2 Defining the relevant technical specifications.			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		
Superintendencia de Telecomunicaciones		✓	
ANATEL	✓		
CRC	✓		
8.3 Monitoring portability obligations.			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		
Superintendencia de		✓	Currently, Guatemala is working on a bill related to Number Portability. This initiative is 4835 and is under

Telecomunicaciones			review by the Communications Commission of the Congress of the Republic of Guatemala.
ANATEL	✓		
CRC	✓		
9.1 Encourage and where appropriate ensure adequate access and interconnection, and the interoperability of services.			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		
Superintendencia de Telecomunicaciones	✓		-General Telecommunications Law of Guatemala, Decree 94-96.
ANATEL	✓		
CRC	✓		
10.1 State aids (please specify).			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM		✓	
Superintendencia de Telecomunicaciones		✓	-General Telecommunications Law of Guatemala, Decree 94-96.
ANATEL			
CRC		✓	
10.2 Registry of operators (please specify).			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		
Superintendencia de Telecomunicaciones	✓		-Companies wishing to offer telecommunications services related to the Internet, data links, radio communication, video surveillance, trunking, among others, must register as: Commercial Network Operators. Those companies that wish to offer one or more services of those described above and that also wish to offer fixed and mobile telephony services, must register as: Local Network Operators. And those companies that wish to offer fixed and mobile telephony services through international ports that route the flames through a carrier, must register as International Port Operators.
ANATEL			
CRC		✓	
10.3 Registry of network infrastructures (please specify).			
	YES	NO	ADDITIONAL EXPLANATIONS
ENACOM	✓		
Superintendencia de Telecomunicaciones		✓	-Authorizations for telecommunications infrastructure are carried out by the Municipalities of Guatemala.

ANATEL	✓		
CRC		✓	
10.4 Any other (please specify).			
ENACOM			
Superintendencia de Telecomunicaciones	-Facilities of Satellite Users; Usufruct Titles for frequency segments of the Radioelectric Spectrum; Register of Marketers, SIM Cards and Mobile Terminal Equipment; Certifications to Operators duly registered.		
ANATEL			
CRC			
Total, budget of last year			
ADDITIONAL EXPLANATIONS			
ENACOM	2,236 Million Pesos Argentinos (year average currency rate: 17.40 Pesos/ USD).		
Superintendencia de Telecomunicaciones	Q24,963,585.00		
ANATEL	148.829.058.90 (Reais)		
CRC	\$ 28.511.363.584 cop		
Total, number of employees (and, if possible, disaggregated by area or department).			
ADDITIONAL EXPLANATIONS			
ENACOM	410		
Superintendencia de Telecomunicaciones	62		
ANATEL	1,565.00 (almost half of staff is allocated through 27 area offices).		
CRC	81 functions in this link https://www.crcom.gov.co/recursos_user/2017/Manualfunciones2017.pdf .		