

REPORT ON THE ANALYSIS OF STAKEHOLDER COMMENTS TO THE NATIONAL BROADBAND STRATEGY

I. INTRODUCTION

Following the call for public consultations on the Draft National Broadband Strategy in the print media on the 11th January 2013, inputs were received from a number of stakeholders including Multinational organizations, Public institutions, Service providers, Academia, and the General public through various fora including social media. Table 1. below lists the sources of contributions received.

Table 1. Contributors to the consultation exercise on the Draft NBS

	Name of Stakeholder	Institution of Stakeholder
1.	Intel Corporation (K) Ltd	Intel Corporation (K) Ltd
2.	Safaricom	Safaricom
3.	Telkom Kenya	Telkom Kenya
4.	Willie Gichora Ngumi	CDC Foundation/mHealth Kenya Ltd
5.	Mugeni, GB ¹ ; Wanyembi, G.W, Ph. D ¹ & Wafula, J.M, Ph.D ²	¹ Masinde Muliro University of Science & Technology ² Jomo Kenyatta University of Agriculture & Technology
6	Omwenga, C. Brian	University of Nairobi
7.	Mwangi Wanyange	Technical University of Kenya (Formerly Kenya Polytechnic University College)
8.	Facebook contribution	Forwarded by J. Serгон
9.	Longwe Munyao Brian	KICTAnet
10.	Loreto Lix	Self
11	QUALCOMM INC.	QUALCOMM INC.
12	Microsoft (E.A)	4AFRIKA INITIATIVE
13	Communications Commission of Kenya	Communications Commission of Kenya

II. METHODOLOGY

Content analysis was used to analyse stakeholder contributions. The method involved going through the submissions and grouping information relevant to specific areas of the Draft National Broadband Strategy using key words and phrases. The technique resulted in Seven general groupings for the inputs namely:-

- (i). Administrative
- (ii). Access Technology
- (iii). Content, Applications, and Innovation
- (iv). Legal, Policy & Regulatory frameworks
- (v). Infrastructure
- (vi). Monitoring & Evaluation
- (vii). General Issues

Annex 1 below summarises the inputs from stakeholders and the corresponding response from the NBS Steering Committee.

Annex 1 : Summary of Analysis of Stakeholder Consultations on the Draft National Broadband Strategy

Area	Concern	Issues	Contributor Name	Response
Administrative	National Communications Secretariat (NCS) not involved in NBS policy formulation	NCS role in NBS formulation should be defined	Telkom (K) Ltd.	National Communications Secretariat (NCS) is a member of the NBS SC
	Implementation Strategy -Need to clearly identify the overall ownership and responsibility for the implementation of the proposed NBS	The proposed structure may pose implementation, accountability, and monitoring and evaluation constraints	Mugeni, GB; Wanyembi, G.W, Ph. D & Wafula, J.M, Ph.D	The NBS implementation is the responsibility of the BPO/ITES VISION 2030 Directorate function within the MoIC and reports to the VISION 2030 Secretariat.
	Emphasis should be placed on wireless last mile broadband connectivity	NBS focuses mainly on fibre optic deployment	Safaricom Mugeni, GB; Wanyembi, G.W, Ph. D & Wafula, J.M, Ph.D Omwenga, B. C.	NBS envisages use of both wired, and

	Technology Neutrality	Recognize new and emerging technologies in in a technology neutral regulatory environment	CCK	wireless means for broadband deployment, and does not prefer any deployment technology over the other. LTE & fiber optic are used as examples.
		NBS focuses mainly on LTE deployment	Microsoft/ 4AFRIKA INITIATIVE Kictanet on behalf of Longwe, M. Brian LORETO, Lix :Kiploreto@yahoo.com	
	Consider KPLC as an access medium for broadband (Broadband over Power Line)			
General Issues	Study on current state assessment of broadband supply, and demand required to inform broadband strategy	Survey to address broadband penetration, services enjoyed, available speeds, etc	Safaricom	Periodic broadband survey to be facilitated by CCK every 3 years in the NBS implementation strategy.
	International Benchmarks on Broadband	Review and expand chapter content	Mugeni, GB; Wanyembi, G.W, Ph. D & Wafula, J.M, Ph.D	Noted. Chapter reviewed.
	Acknowledgements & end notes	Sweeping statements in text that have not been supported with any acknowledgements (i.e see acknowledgements in pages 38-42)	CCK	Noted
	Abbreviations	Some abbreviations do not appear in the text of the paper and do not therefore serve purpose		Noted
	Definition of terms	Some of the terms defined do not appear in the text of the paper and do not serve any purpose	CCK	Noted
	References	Insufficient Referencing	Mugeni, GB; Wanyembi, G.W, Ph. D & Wafula, J.M, Ph.D	Referencing reviewed accordingly
	Government/Private sector role in provision of broadband	Provide for the role of the private sector in the implementation of the	Safaricom Kictanet on behalf of Longwe, M. Brian	The NBS recognizes the adoption of the PPP approach in the provision of broadband, however it is expected that

		NBS.		greater detail will be articulated within the framework of specific projects.
		Provide for role of County Gvt in NBS implementation	CCK	The constitution stipulates that telecommunications is the responsibility of the national Govt while County Govts have a responsibility to deliver information services to the ward level using ICTs.
		Re-define role of Government in NBS	Mugeni, GB; Wanyembi, G.W, Ph. D & Wafula, J.M, Ph.D	Gvt. role in the <i>Promotion, Oversight, and Universalisation</i> of broadband, in the short- term, mid -term, and in the long term has been included
	Definition of Broadband	Revise minimum speeds downwards to 3mbps in the medium term (2013-17) given the predominant access mode is by mobile devices	Safaricom	In view of competing technologies, the rapid development of the broadband markets, and benchmarks based on developing countries, an initial download speed of 5mbps is recommended.
		Do not define broadband using the word “Broadband”, pg 3 & pg 6	Mugeni, GB; Wanyembi, G.W, Ph. D & Wafula, J.M, Ph.D	Corrected
		Align the definition contained in Figure1 (10mbits) with the definition provided for the period 2013-2017(5mbps),Pg3 & Pg.6	Qualcomm Inc.	Corrected
		Include Affordability & Reliability in definition of broadband	Microsoft/ 4AFRIKA INITIATIVE	Reliability is provided by the “always on” in the definition. (<i>Affordability is relative and cannot therefore be entrenched in the definition</i>)
	Statistics on Broadband penetration inaccurate	Assertion that 90% of Kenyans lack access to broadband inaccurate (as 98% of Kenyans have access to mobile phones)	Safaricom	The figures are correctly reported based on CCK statistics.
	“Open access” proposal in NBS not conducive to broadband infrastructure development	Focus on “Open Access” will slow down broadband infrastructure development	Safaricom	Based on the benchmarks undertaken with other developing countries, the open access model is demonstrated to be more applicable to Kenya and hence the

Policy, Legal & Regulatory Framework				recommendation of the same.
	Spectrum Policy	<p>-Market-based, technology and service neutral spectrum policies that promote broadband investment, competition and innovation, an open and competitive licensing process, flexibility within licensed use, and assignment of sufficient spectrum for operators.</p> <p>-Spectrum optimization policy should indicate frequency bands, timelines, and address the use of the digital dividend for mobile broadband</p>	Mugeni, GB; Wanyembi, G.W, Ph. D & Wafula, J.M, Ph.D	Provision has been made to accommodate the development of a spectrum policy framework. Spectrum allocation will be addressed in the spectrum policy.
			Intel (K)	
			Safaricom	
	Qualcomm Inc.			
Consider Setting aside spectrum bands, above and below 1 GHz that can be used on a shared, non-exclusive basis, will promote market entry and innovation.	Microsoft/ 4AFRIKA INITIATIVE			
Universal Service Policy	Consider USF broadband policy for infrastructure, and internet access systems, as well as education and training with financing from general tax revenue, and/or spectrum auction proceeds, as opposed to an excise tax targeted to particular services.	Intel (K)	Govt funding to support various activities is already incorporated in the USF Policy.	
		Omwenga, B. C.		
	Provide linkages between	CCK Legal Affairs	The ICT master plan 2017, looks at	

	Clarify links between stakeholders & key areas to the success of NBS	NBS & e-waste policies, cyber security, access to devices , development of indigenous content etc.		general deployment of ICT services in the country while the NBS focuses on broadband deployment. The ICT policy is the over arching Govt. document that drives the ICT industry and the KICTB is one of the implementing institutions.
		Show linkages and boundaries between NBS, and ICT Master Plann 2017, National ICT Policy 2011, Kenya ICT Board, LTE roll out project, NOFBI project etc	Safaricom, Omwenga, B.C, CCK	LTE and NOFBI projects form part of the implementation of the NBS.
		Ministry of Finance Ministry of Trade, Ministry of Industrialisation, Electricity supply, National security, Microeconomic factors, ICT Manufacture & Maintenance, Skilled Manpower, R&D, Importation policies, Investment policies (Establish links between stakeholders)	Omwenga, B. C.	The NBS classifies the supply and demand side taking into account all the key players.
Digital Literacy	Consider a National Education Transformation Program Policy to provide education based Broadband Transformation	Intel (K)	Provisions have been made with respect to capacity building which address this concern. However a more elaborate program such as the one proposed can be factored in during the next Medium Term Plan (MTP.) in consultation with the Ministry in charge of Education.	
Intellectual Property Rights	The NBS must provision for the protection of intellectual property rights in Kenya, including placing the necessary structures in place for related legislation and	Microsoft/ 4AFRIKA INITIATIVE	Recommendations on Policy and Legal Environment recognize Rights and Fundamental Freedoms in general which proposes effective enforcement of IPR recognizing the existence of relevant laws.	

		enforcement.		
Infrastructure	Infrastructure Sharing	Identify timelines, and actors in the Co-location/infrastructure sharing policy	CCK	This is provided for in the NBS.
		Sole reliance on infrastructure sharing may hinder development of broadband infrastructure	Safaricom	NBS encourages, as far as possible infrastructure sharing to reduce roll out costs and speed up broadband deployment. It however, does not prohibit further infrastructure development by entities.
	Proposal to have National Structured Communications Infrastructure	Structured network of ducts and junctions along, or as part of road, and rail infrastructure-reducing costs & speeding up network roll-out	CDC Foundation/mHealth Kenya Ltd. (Willie Gichora Ngumi)	NBS provides for an enabling legal framework to realize this.
	Management of NOFBI & LTE related projects	Government should not take lead role in management of broadband related projects. PPP approach preferred	Safaricom	The NBS articulates high level objectives, however details on PPP arrangement will be specific to each project.
Implementation, Monitoring & Evaluation	Financing	PPPs and an increase in public spending may not generate additional KES 150 B to cover shortfall in Broadband Infrastructure Bond KES 70 B and Broadband Venture Capital Fund KES 30B which will impact the realization of the Draft NBS's targets.	Qualcomm Inc.	Noted & Rectified
	Broadband Penetration Targets	Include penetration targets to individuals, Government offices, and	Mugeni, GB; Wanyembi, G.W, Ph. D & Wafula, J.M, Ph.D	This has been considered in the targets

		SME's (Page 7)	Intel (K) Omwenga, B. C.	see page 39
		Targets may be too ambitious given only 10% of Kenyans currently have access to any form of broadband	Qualcomm Inc.	The wireless broadband Network that is envisaged in the near term through a PPP arrangement is expected to hasten the penetration of Broadband Services.
		Establish QoS, QoE Measures	Monitoring of SLA's required	Wanyange, M (Technical university of Kenya) Facebook contribution, forwarded by jsergon@kenya.go.ke
Content, Applications and Innovation	Applications	Establish a government gateway or portal for E&M-government services, including tools to promote digital literacy, enabling more citizens to more effectively utilize the E & M-government services and internet on the whole.	Mugeni, GB; Wanyembi, G.W, Ph. D & Wafula, J.M, Ph.D Intel (K)	This has been considered. Refer to Pg. 40
		Include specific measures to facilitate bloggers as content creators	Facebook contribution, forwarded by jsergon@kenya.go.ke	