



# CHAMBERS

Global Practice Guides

## TMT

Law and Practice – Mexico

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2018



# MEXICO

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## LAW AND PRACTICE:

p.3

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The 'Law & Practice' sections provide easily accessible information on navigating the legal system when conducting business in the jurisdiction. Leading lawyers explain local law and practice at key transactional stages and for crucial aspects of doing business.

# Law and Practice

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## CONTENTS

<b>1. General Structure of TMT Regulation and Ownership</b>	<b>p.5</b>	3.7 Rules which Govern the Use of Telephone Numbers	p.14
1.1 Statutes, Laws and Legislation	p.5	3.8 Regulation of Retail Tariff	p.14
1.2 Government Ministries, Regulatory Agencies and Privatised Entities	p.8	3.9 Rules to Promote Service in Underserved Areas	p.14
1.3 Developing Rules and Adopting Policies	p.9	3.10 Extent to Which Local Government Regulations of Telecom Service is Pre-Empted	p.14
1.4 Ownership of Telecoms Media Technology Industries	p.9	<b>4. Wireless</b>	<b>p.14</b>
1.5 Limits on Participation	p.9	4.1 Important Companies	p.14
1.6 Restrictions on Foreign Ownership or Investment	p.9	4.2 General Requirements for Obtaining a Licence/ Authorisation to Provide Wireless Services	p.15
1.7 World Trade Organization Membership	p.9	4.3 Transfer of Wireless Licences/Authorisations to Provide Wireless Services	p.15
1.8 Appellate Process	p.9	4.4 Spectrum Allocation	p.15
1.9 Annual or Recurring Fees	p.9	4.5 Procedures to Identify and Assign Spectrum Among Competitors	p.15
<b>2. Broadcasting/Media</b>	<b>p.9</b>	4.6 Unlicensed Spectrum Uses	p.15
2.1 Important Companies	p.9	4.7 Government Policy/Regulation to Promote Next Generation Mobile Services	p.15
2.2 Requirements for Obtaining a Licence/ Authorisation to Provide Services	p.10	4.8 Price Regulation for Mobile Services	p.15
2.3 Typical Term for a Licence/Authorisation to Provide Services	p.10	4.9 Regulation of Government and Commercial Wireless Uses	p.15
2.4 Transfer of Licences/Authorisations to Other Entities	p.10	4.10 Extent to Which Local Government Regulation of Wireless Service is Pre-Empted	p.15
2.5 Spectrum Allocated	p.11	<b>5. Satellite</b>	<b>p.16</b>
2.6 Restrictions on Common Ownership	p.11	5.1 Important Changes	p.16
2.7 Content Requirements and Regulations	p.11	5.2 General Requirements for Obtaining a Licence/ Authorisation to Provide Satellite Service	p.16
2.8 Difference in Regulations Applicable to Broadcasting Versus Cable	p.12	5.3 Transfer of Satellite Licences/Authorisations to Other Entities	p.16
2.9 Transition from Analogue to Digital Broadcasting	p.12	5.4 Spectrum Allocation to Satellite Service	p.16
2.10 Extent to Which Local Government Regulation is Pre-Empted	p.12	5.5 International Telecommunication Union Membership	p.16
<b>3. Telecoms</b>	<b>p.12</b>	5.6 Provision of Service by Foreign-Licensed Satellites	p.16
3.1 Important Companies	p.12	5.7 Milestone and Due Diligence Deadlines	p.16
3.2 Requirements for Obtaining a Licence/ Authorisation to Provide Services	p.13	<b>6. Internet/Broadband</b>	<b>p.16</b>
3.3 Transfer of Telecoms Licences/Authorisations to Other Entities	p.13	6.1 Important Companies	p.16
3.4 Regulations for Network-to-Network Interconnection and Access	p.13	6.2 Regulation of Voice-Over-IP Services	p.17
3.5 Accounting, Functional and Legal Separation	p.14		
3.6 Provisions for Access to Public and Private Land	p.14		

## MEXICO LAW AND PRACTICE

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6.3	Interconnection and Access Regulatory Conditions to IP-based Networks	p.17
6.4	Net Neutrality Requirements	p.17
6.5	Government Regulation of Internet/Broadband	p.17
6.6	Over-the-Top Internet-Based Providers	p.17
6.7	Extent that Local Government Regulation of Internet/Broadband Service is Pre-Empted	p.17
<b>7.</b>	<b>Privacy</b>	<b>p.17</b>
7.1	Government Access to Private Communications	p.17
7.2	Use of Encryption Technology	p.17
7.3	Liability of TMT Companies for Content Carried Over Their Networks	p.17
7.4	Obligation of TMT Companies to Block Access to Certain Sites or Content	p.17
7.5	Obligation of the TMT Companies to Retain Customer Data	p.17
7.6	Prohibited of Unsolicited Communications	p.18
<b>8.</b>	<b>Future</b>	<b>p.18</b>
8.1	Status and Process of Convergence	p.18
8.2	Changes to Statutes, Laws or Legislation	p.18
8.3	Changes to Government Ministries, Regulatory Agencies or Privatised Entities	p.18
8.4	Identification of Assignment of Additional Spectrum	p.18

**Ruiz Moreno y Asociados (RM Abogados, S.C.)** is a law firm specialised in the provision of personalised and high-quality legal services for the attention of complex and day-to-day corporate, regulatory and commercial matters. The law firm represents clients in every service of the telecommunications and broadcast sectors, including several of the major domestic and international telecommunications, media and technology companies in Mexico, aside from

clients in the energy sector and other regulated industries. Throughout its history, RM&A has represented domestic and international clients in their entry into the Mexican TMT market, including matters such as licensing, access to services and infrastructure, interconnection, infrastructure deployment, complex regulatory matters as well as corporate and asset restructurings, antitrust filings, financings and mergers and acquisitions.

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## 1. General Structure of TMT Regulation and Ownership

### 1.1 Statutes, Laws and Legislation

Mexico's telecom, media and technology industries' (broadcasting/media, telecoms, wireless, satellites, internet/broadband) most important statutes, laws or legislation are the Mexican Constitution and its Act (as later defined), the Federal Telecommunications and Broadcast Law (the "Law"), as well as the regulation and certain resolutions issued by Mexico's Federal Telecommunications Institute ("IFT") as Mexico's telecom and anti-trust regulator in the Mexican telecommunications and broadcast sectors.

#### Constitutional Framework

Mexico's telecommunications, broadcast and anti-trust legal frameworks went through fundamental changes on 11 June 2013 with the passing of a constitutional reform (hereinafter referred to as the "Act"), whereby eight articles of the Mexican Constitution were amended and 18 transitory articles were added in order to promote competition in the Mexican telecommunications and broadcast sectors, as well as in the Mexican economy overall.

The Act is the most important piece of legislation in the Mexican telecommunications and broadcast sectors of the last 20 years, since it establishes the fundamentals of these important sectors, including the definition of telecommuni-

cations and broadcast services as "public services", the powers and mandate of the Mexican regulator, the enforcement of a competition regime through economic competition, asymmetric measures and pro-competition regulatory concepts such as that of "preponderance".

The Act incorporated several detailed provisions of the telecoms, broadcast and anti-trust reform (the "Reform") into the Mexican Constitution, rather than leaving them to a subsequent law.

The Mexican Constituent pursued this strategy with the purpose in mind of preventing that incumbent operators suspend the Reform through constitutional challenges or "*amparos*", like the ones they had successfully filed for years against the former 1995 Federal Telecommunications Law and the regulations and decisions that derived therefrom.

Among the most relevant sections of the Act there are:

- the mandate for the Mexican State to guarantee that telecommunications services are provided in conditions of competition, quality, plurality, universal access, interconnection, convergence, continuity, liberty of access conditions and without arbitrary interferences;
- the recognition of telecommunications services as a means for the exercise of human rights such as freedom of speech and information access;

- the immediate authorisation of full foreign investment in the telecommunications sector and up to 49% in the broadcast sector – the latter, provided that reciprocal conditions are given in the country from which such investment originates;
- the creation of IFT as a new and constitutionally autonomous telecommunications, broadcast and anti-trust regulator that does not report to the President and is made up by seven commissioners appointed by the Senate (at the proposal of the President) who are elected for staggered nine-year terms;
- the concentration in the IFT of almost all regulatory powers in the telecommunications and broadcast sectors, including the granting and revoking of licences, imposing of fines, auctioning of spectrum, issuance of regulation, the declaration of preponderant economic agents (“PEAs”) in the telecommunications and broadcast sectors, and imposing of asymmetric measures thereto;
- appointing IFT as the exclusive authority in economic competition (anti-trust) matters in the Mexican telecommunications and broadcast markets, including the determination of relevant markets, declaring significant market power agents within such markets (dominant participants) and imposing dominance measures thereto;
- establishing “preponderance” as an ex-ante regulatory condition (similar to SMP in the EU) applicable to economic agents that have a participation of 50% or more in the broadcast or telecommunications sectors measured by users, subscribers, audience, network traffic or capacity used within their networks;
- providing and mandating the application of asymmetric measures to the PEAs including (as applicable) obligations on information, offers, quality of service, exclusivity agreements, limitations to the use of terminal equipment between networks, rate and network asymmetry, network unbundling as well as accounting, functional or structural separation;
- the creation of specialised federal courts with exclusivity over telecommunications and economic competition matters as a means to avoid forum shopping;
- limiting to injunctions or “*amparo indirecto*” and only against final resolutions, any legal recourse against the regulator’s decisions, without the possibility of suspending the effect of such decisions;
- the establishment of “must carry” and “must offer” rights and obligations, whereby broadcasters are obliged to allow the free retransmission of their signals through pay television systems and the obligation of pay television operators to retransmit local broadcast signals within their networks;
- foreseeing the installation and operation of a wholesale wireless nationwide network (commonly known as “Red Compartida”) which shall (i) have the right to make use of 90 MHz of the 700 MHz frequency band, (ii) not be entitled to sell telecommunications services to end users but only to other carriers and MVNOs, (iii) be set up through a public

private partnership, and (iv) start operation no later than 31 December 2018.

- the cancellation of domestic long-distance charges as of 1 January 2015; and
- setting the deadline of 31 December 2015 for Mexico to end its transition to digital terrestrial television fully.

### Legal Framework

The Act gave Mexico’s Congress 180 days to pass a new telecommunications and broadcast law that would have to conform with the Reform; this time period was extremely short, considering the complexity of the new law required.

Thus, Mexico’s Law was not published until 14 July 2014, almost six months after the term established by the Act had expired.

The Law detailed many of the concepts included within the Act, whereas it also included additional measures or conditions.

Some of the main conditions of the Law are:

- creating a new licensing regime divided between single concessions, spectrum concessions and authorisations;
- allowing single concession-holders to provide (all over Mexico) all telecommunications services that technology allows (except for broadcast);
- allowing resellers of foreign satellite transmission and landing rights to operate under an authorisation rather than a concession, as used to be the case under Mexico’s 1995 Federal Telecommunications Law;
- providing a clear definition for “interconnection” along with a list of the services that comprise it;
- specifically allowing broadcast multicast as well as spectrum lease, both under the IFT’s prior authorisation;
- allowing for corporate or licence restructurings within the same corporate group, without prior authorisation from the IFT;
- incorporating net neutrality obligations that include (i) users’ freedom to choose the content of their choice, (ii) no content, application or service discrimination, (iii) users’ privacy, (iv) service transparency and information, (v) management of traffic, (vi) quality of service, and (vii) the sustained development of infrastructure;
- providing the use of public property for the deployment of telecommunications infrastructure;
- incorporating obligations on collaboration with justice and public security agencies, including certain controversial conditions, such as the obligation to provide the real time geo-location of a terminal device and the obligation to store metadata for a total of two years, which information may be provided to public security agencies without the need of a judge’s warrant;

- including a new chapter on consumers' protection and granting Mexico's Consumer Protection Agency (PROFECO) and IFT concurring powers in that respect;
- regulating audiovisual content over broadcast and pay television services;
- including a detailed catalogue of asymmetric measures that the IFT may impose on the PEAs in the telecommunications and broadcast sectors;
- changing Mexico's telecommunications and broadcasting sanctioning regime from fines calculated through daily minimum wages to a percentage of the licensee's annual revenue;
- the creation of a Public Telecommunications Registry which shall encompass a Public Registry on Concessions as well as a National Infrastructure Information System that shall include geo-referenced information on active and passive infrastructure as well as rights of way; and
- exempting from the IFT's antitrust approval those acquisitions or transfers (whether in assets, licences, stock or equity interests) related to telecommunications or broadcast concessionaires, provided that same do not increase such sector's IHH in more than 200 points.

### Regulatory Framework

Currently, most of Mexico's telecommunications regulation is issued by the IFT although there is certain prior regulation issued by Mexico's former regulator (COFETEL) or the SCT (as later defined) that is still valid and that, at times, may conflict with the current Law and the regulation issued by the IFT; such prior regulation includes the Regulations for Satellite Communications and Mexico's Restricted Television and Audio Regulations, among others.

Mexico's regulatory framework (issued by the IFT) in the telecommunications and media (broadcast) sectors, mainly includes:

- the IFT's preponderance resolutions for the telecommunications and broadcast sectors and the (IFT-authorised) PEAs public reference offers deriving therefrom;
- the IFT's General Guidelines for the Granting of concessions under Chapter IV of the Law;
- the IFT's Guidelines for Must Carry/Must Offer obligations;
- the IFT's Guidelines for the Resale of Mobile Telecommunications Services by MVNOs;
- the IFT's Minimum Technical, Interconnection Conditions;
- the IFT's Guidelines for Quality Parameters for Mobile Services;
- the IFT's Collaboration with Justice Guidelines; and
- the IFT's yearly, indicative interconnection rates.

In addition, the IFT is currently working in a regulation project for certain technical parameters that internet ser-

vice-providers shall comply with in order to advertise their service as broadband, whereas Mexico's Energy Regulatory Commission ("CRE") is currently working on a set of rules that will govern the use of power poles by telecommunications service-providers.

### Preponderance Declarations and Asymmetric Measures

If there is a section of the Reform that deserves special attention it is that of "Preponderance".

Preponderance is a regulatory concept provided for under transitory Article 8 of the Act, which defines a PEA as the economic agent that has a national participation of more than 50% in either one of the telecommunications or broadcast sectors, measured by number of subscribers, traffic or audience.

Transitory Article 8 of the Act ordered IFT to determine (in its case) the existence of PEAs in the telecommunications and broadcast sectors within 180 days from the date that the IFT was formed, and impose asymmetric measures thereto in order to prevent damage to competition and concurrence and, therefore, to the end users.

These asymmetric measures may include, as applicable, obligations related to: information, offers, quality of service, exclusivity agreements, limitations to the use of terminal equipment between networks, asymmetric regulation in terms of rates and network infrastructure, including the unbundling of network essential elements, and in its case, the accounting, functional or structural separation of the PEAs.

On 6 March 2014 IFT issued its first preponderance resolutions whereby it declared Telcel (Radiomóvil Dipsa), Telmex, América Móvil (AMX), Grupo Carso and Inbursa (a bank belonging to the same economic interest group as Telmex, Telcel and AMX) as a single PEA in the telecommunications sector.

IFT also declared Grupo Televisa, along with companies and individuals related to it, as a PEA in the broadcast sector, these resolutions imposed different asymmetric measures on each one of the preponderant economic agents, whereas the IFT also determined to review their preponderance status every two years.

On 27 February 2017 the IFT reviewed and confirmed the preponderance status of the PEAs in the telecommunications and broadcast sectors, confirmed the application of its prior asymmetric measures and imposed new ones.

The asymmetric measures currently applicable to the PEA in the telecommunications sector, as per the IFT's last preponderance resolution, include:



- the obligation to publish public reference offers for interconnection, wholesale mobile services for MVNOs, dedicated access links, access to passive infrastructure of its fixed and wireless networks, domestic roaming and fixed network unbundling;
- the obligation to provide interconnection through the use of the IP protocol with universal access points for the exchange of all kinds of traffic;
- the obligation to allow the national exchange of traffic through all origin/all destination, specific interconnection points;
- the obligation to provide interconnection links of different capacities, including STMs and ethernet;
- the prohibition to impose domestic roaming charges to its users;
- the obligation to not discriminate content or applications within their networks;
- the obligation to get the IFT's prior approval to any service rates; and
- the obligation for incumbent fixed network service-providers Telmex and Telnor functionally to separate and incorporate a wholesale subsidiary that will attend to request for unbundling, dedicated access links and passive infrastructure access, and the obligation for such incumbent carriers to open an in-house division that shall attend to all other wholesale service requests.

As it refers to the IFT's preponderance resolution for the Mexican broadcast sector, the IFT's measures include:

- allowing other broadcasters to make use of the PEA's passive broadcast infrastructure for the deployment of their own broadcast networks;
- allowing pay TV service-providers to locally retransmit, free of charge, their local broadcast signals;
- the prohibition for the broadcast PEA to acquire exclusive rights for the transmission of Relevant Audiovisual Content (defined by the IFT) in any part of the Mexican territory;
- the prohibition to participate in content purchase clubs without the IFT's authorisation;
- the obligation to make public the rates and offers of its TV advertising services; and
- the obligation to provide TV advertising services under non-discriminatory conditions, among others.

The IFT's asymmetric measures above are complemented by others included in the Act and/or in the Law, several of which automatically apply to the PEAs in the telecommunications and broadcast sectors, once the IFT has declared them as such.

In this respect, it is important to consider that there is a legal foundation difference in those asymmetric measures that were not determined by the IFT.

This difference mainly has to do with the fact that the measures applicable to the PEA in the broadcast sector are mainly included in the Act and the Law, whereas several of those applicable to the PEA in the telecom sector are mostly included in the Law.

### **Substantial Market Power Resolutions**

On February 24 2017, IFT declared Grupo Televisa (GTV) an economic agent with substantial market power (dominance) in the market for the provision of restricted television and audio services (pay TV), based on information and data for the period from January 2009 to August 2014.

This resolution was declared unconstitutional by Mexico's Supreme Court in February 2018 and the IFT will, therefore, have to issue a new decision within the parameters determined by Mexico's Supreme Court.

### **1.2 Government Ministries, Regulatory Agencies and Privatised Entities**

Mexico's main regulatory agencies in the telecommunications and broadcast sectors are: the Federal Telecommunications Institute ("IFT"), the Federal Consumer Protection Agency and the Ministry of Communications and Transports ("SCT").

#### **Federal Telecommunications Institute (IFT)**

IFT is a constitutionally autonomous collegiate regulatory agency created through the Act, which agency is made up by seven commissioners that are appointed for nine-year staggered terms through a complex proceeding that involves: (i) public examinations co-ordinated by an evaluation committee; (ii) the presentation to the President of the five candidates that obtained the highest grades; (iii) the President's proposal to the Senate of a candidate chosen from the above-mentioned group; and (iv) the Senate's approval or rejection of the President's designation proposal.

The Senate chooses IFT's President for a four-year term, renewable on a single occasion.

IFT holds most powers in the telecommunications and broadcast sectors; it is responsible for regulation and has exclusive powers over anti-trust matters.

IFT has the constitutional mandate to promote the efficient development of broadcasting and telecommunications. It is responsible for regulation, the promotion and supervision of the use, benefit and exploitation of spectrum, networks and the provision of broadcast and telecommunications services as well as access to active and passive infrastructure and other essential resources.



**Federal Consumer Protection Agency (PROFECO)**

Mexico's Federal Consumer Protection Agency, better known for its acronym "PROFECO", is mainly responsible for protecting consumer rights and attending to consumer complaints, including complaints over telecommunications services providers.

PROFECO has the power to file collective actions or law suits for violations against consumer rights.

**Ministry of Communications and Transports (SCT)**

SCT is a ministry that reports directly to the President. Its powers were substantially reduced after the Reform that transferred the SCT's main powers (such as the issuing or revoking of licences and the application of sanctions) to the IFT.

SCT is currently responsible for the representation of Mexico before foreign and international telecommunications agencies, as well as for the management of universal access programmes such as "*México Conectado*" and projects like the implementation of the Red Compartida and the national backbone network or "*Red Troncal*".

**1.3 Developing Rules and Adopting Policies**

Pursuant to the Law, IFT is responsible for developing and adopting general rules for the regulation of TMT industries.

As part of its regulation development process, IFT usually publishes its preliminary regulations or resolutions on its website for public consultation.

IFT does not answer to each observation, although it normally reviews all of them and may even meet with private parties to discuss the same.

After its public consultation period, IFT publishes its resolutions on its website; in case of general regulations, these must be published in Mexico's Official Gazette or "*Diario Oficial*".

**1.4 Ownership of Telecoms Media Technology Industries**

With the exception of Telecomm (a public entity), PROMTEL (the licensee of 90 MHz of spectrum in the 700 MHz band to be used in the Red Compartida) and some radio and television broadcast stations, all telecom and media technology industries in Mexico are privately owned.

Telecomm is a decentralised body of the Federal Public Administration that has a concession to install, operate, and exploit a fibre-optic public telecommunications network. Telecomm also has a constitutional monopoly for the provision of telegraph services in Mexico.

In addition, the Mexican government owns "MEXSAT", which is a satellite system comprised of three satellites that attend to the communication and security needs of the Mexican State.

**1.5 Limits on Participation**

TMT industries in Mexico are open to competition and there are no limits on participation, except for telegraph services that can only be provided by the Mexican government.

**1.6 Restrictions on Foreign Ownership or Investment**

As to the approval of the Act, there are no restrictions to foreign ownership or investment in the telecommunications sector. However, foreign ownership or investment in the broadcast sector is limited to 49% of voting stock or equity interests, provided that the investor's country of origin provides reciprocal terms.

Notwithstanding the above, foreign investors can also participate in the capital of private commercial broadcasters through the subscription of neutral (limited vote) shares or equity interests, having gained prior authorisation from Mexico's Foreign Investment Bureau.

**1.7 World Trade Organization Membership**

Mexico is a member of the World Trade Organization ("WTO") and it has subscribed to all commitments under the General Agreement on Trade in Services regarding telecommunications.

Mexico has no scheduled exemptions for telecommunications services except for telegraphs.

**1.8 Appellate Process**

IFT's decisions can only be appealed before federal specialised courts through injunctions or "*amparo indirecto*" lawsuits, which can only be filed against a final IFT resolution and not against any intra-process decision. Also, IFT's decisions cannot be suspended until definitive judgment.

**1.9 Annual or Recurring Fees**

All spectrum licences for commercial use, except for microwave, must pay annual fees as per Mexico's Federal Rights Law. Annual spectrum fees are determined under the Federal Rights Law on a per MHz basis, based on the frequency band used and the region in which that band is licensed.

**2. Broadcasting/Media****2.1 Important Companies**

Mexico's most important companies in the audiovisual industry are listed below.

Grupo Televisa is the largest broadcasting and media company in Mexico in terms of audience, subscribers and revenue. Grupo Televisa has a national participation of 60.6% of the pay TV market (measured by subscribers) through cable companies Cablevisión, TVI, Cablecom, Telecable and Cablemás (jointly branded as IZZI), as well as through the largest DTH service provider in Mexico, branded as “Sky”. Televisa is also the largest Spanish language content producer in the world and has a participation of approximately 70% of the Mexican TV broadcast market (measured by audience) as well as ownership of several radio stations around the country and a relevant participation in the US Hispanic TV network “Univision”.

Grupo MVS is the second largest supplier of pay TV services in Mexico through its DTH subsidiary “Dish Networks”. Dish has a market share of 18.1% of the pay TV market with 4,054,657 subscribers; unlike other pay TV services, Dish’s service can be billed and paid through Telmex’s telephone bill. Grupo MVS also participates in the radio market.

TV Azteca is the second largest television broadcaster in Mexico with a market share of approximately 30% of the television audience. TV Azteca is owned by Grupo Salinas, which also participates in the pay TV market through its subsidiary Total Play Telecomunicaciones. Total Play has a market participation of 2.1% of pay TV subscribers in Mexico. TV Azteca does not participate in the radio market

Megacable is the third largest pay TV service-provider in Mexico (and the second largest cable company after Televisa-IZZI) with a national participation of 14% of the pay TV market. Megacable is based in the Mexican city of Guadalajara and has no participation in the broadcast market.

### 2.2 Requirements for Obtaining a Licence/Authorisation to Provide Services

The licence required in order to provide all kinds of telecommunications services, including broadcast and pay TV media services, is called a “single concession”. Pursuant to the Law and according to their use, there are four types of single concessions, which are: commercial, public, private and social.

Commercial concessions allow for the provision of telecommunications services for business purposes, whereas public, private and social concessions are granted for the purposes corresponding to each one of their names, and none of them may provide commercial services; however, social use concessions for broadcast services are entitled to sell advertising services to federal government entities up to 1% of their advertising budget.

Pursuant to Article 73 of the Law, the time frame for obtaining a commercial concession that does not involve the use

of spectrum is 60 calendar days. Spectrum concessions for commercial use, whether for broadcast or telecommunications services are granted by way of an auction called by the IFT, at its sole discretion.

As it refers to cost, the cost applicable for obtaining a single concession for commercial use that does not involve the use of spectrum is approximately of USD1,000, pursuant to Mexico’s Federal Rights Law. The cost for obtaining a spectrum concession is that of the winning bid, plus the annual rights payable to the Mexican government as per the Federal Rights Law.

### 2.3 Typical Term for a Licence/Authorisation to Provide Services

Single concessions for the provision of media services through wired telecommunications networks can be granted for a term of up to 30 years, whereas spectrum concessions for the commercial provision of broadcasting or other media services can be granted for a term of up to 20 years.

As it refers to renewal process, concession-holders must file for renewal within the year prior to the beginning of the fifth last part of the validity of their concession, and in order to obtain its concession’s renewal, the concessionaire must: (i) be up to date in compliance with its legal, regulatory and concession obligations; and (ii) accept, prior to the granting of a renewal, the conditions that IFT (in its case) establishes.

IFT must rule on a concession renewal within 180 business days from the date that such renewal was requested; in the case of absence of a ruling, the concession renewal shall be deemed granted.

In the case of spectrum or orbit concessions, IFT must determine within one year from the reception of the concession’s renewal request if it is of public interest to recoup the spectrum or orbits, and where IFT determines there is no public interest in such a recovery, IFT shall grant a concession extension within that year.

### 2.4 Transfer of Licences/Authorisations to Other Entities

Licences/authorisations for broadcasting/media services are transferrable to other entities either through: (i) changes in ultimate ownership; (ii) merger; or (iii) assignment.

#### Regulatory and Competition Law Entities

The IFT is the only regulatory and competition law authority that can authorise the transfer of concessions or authorisations through any of the options mentioned above.

#### Regulatory Process and Timing, Change in Ownership

For change in ownership via merger or for the direct/indirect transfer of 10% or more of a concessionaire’s voting

shares or equity interests, it is necessary to have the IFT's prior authorisation.

Thus, the concessionaire shall give notice to the IFT of the intention of the interested parties to carry out the subscription or transfer of shares or equity parts, whether directly or indirectly, and shall accompany the notice with detailed information of the party(ies) interested in acquiring the shares or equity parts.

The IFT shall have a term of ten business days following the presentation of the notice, to request the opinion of the SCT and the SCT shall have a term of 15 business days to issue its own opinion.

The transfer shall be deemed non-objected if IFT does not respond to the concessionaire within 45 business days from the date that the concessionaire filed its transfer notice before the IFT.

## **Regulatory Process and Timing, Partial or Total Assignment of a Concession**

IFT may authorise the partial or total assignment of a concession within a term of 90 calendar days, provided that:

- at least three years have passed from the time the concession was granted;
- the assignee obliges to comply with the concession's obligations as well as the conditions determined by the IFT; and
- such assignment is not subject to a notice proceeding under Mexico's Federal Economic Competition Law.

Unlike mergers or changes in ultimate ownership, the regulatory transfer of a concession requires a written approval from the IFT and the IFT's consent or non-objection cannot be deemed as granted.

## **Competition Law Process and Timing for Change in Ownership or Licence Transfer**

Pursuant to transitory Article 9 of the Law, economic agents may choose not to notify to the IFT's Economic Competition Unit those concentrations, concession transfers or changes in ownership in the telecom or broadcast sectors that do not result in an increase of such sector's IHH by more than 200 points, provided there is a PEA in any such sector.

If, notwithstanding the above, an economic agent decides to notify a concentration, concession transfer or change in ownership in the telecom or broadcast sectors to the IFT's Economic Competition Unit, pursuant to Article 86 of Mexico's Economic competition Law, the IFT shall have a 60 business day term to approve the notified transaction; in the absence of a response from the IFT, the transaction shall be deemed non-objected.

## **2.5 Spectrum Allocated**

Broadcast radio:

- AM – 535-1,705 kHz;
- FM – 88-108 MHz.

Broadcast television:

- VHF – Channels 2-4;
- Channels 5-6;
- Channels 7-13.
- UHF – Channels 14 to 51.

## **2.6 Restrictions on Common Ownership**

Chapter IV of the Law entitles IFT to impose cross-ownership restrictions on concessionaires when broadcast or telecommunications concessionaires attend to the same market or region, and such ownership may inhibit plurality of information in such markets or regions.

Restrictions include: (i) the obligation of the applicable restricted (pay) TV service-provider to include within its programming the news or public interest channels designated by the IFT; and (ii) that pay-TV service-provider's obligation to include at least three channels with predominantly domestic and Mexican independent production.

In case of violations to the restrictions above, IFT may impose restrictions or limitations of access to:

- the national or regional concentration of broadcasting spectrum;
- the granting of new broadcast concessions; and
- cross-ownership of broadcasters and media telecommunications service providers.

## **2.7 Content Requirements and Regulations Programming**

Programming distributed through broadcasting or pay television shall: facilitate the integration of families and the harmonious development of children; improve Mexico's education system; promote artistic, historical and cultural values; promote sustainable development, facilitate the transmission of ideas that affirm national unity and equality; widen scientific and technical knowledge; and encourage the correct use of language.

Concessionaires shall inform the public of their content classification and provide warnings on content that may be unsuitable or inappropriate for minors.

Transmission of contests in which prizes are offered shall be pre-approved by the Ministry of the Interior and shall be supervised at all stages.



### Commercial Advertising

Maximum transmission times: concessionaries providing broadcasting or restricted (pay) television and audio services shall maintain a balance between daily advertising and programming.

TV broadcasters: commercial advertising shall not exceed 18% of total transmission time.

Radio broadcasting: commercial advertising shall not exceed 40% of total transmission time.

Pay television and audio: commercial advertising shall not exceed six minutes of every hour, except for sales channels.

Presentation of commercial or political advertising as news or information: in order to prevent the transmission of misleading advertising, it is prohibited to transmit commercial advertising or political propaganda as journalism or news.

Political and public interest programming: all concessionaires are obliged to transmit information on education, cultural, social, political, sports, domestic and international matters on a daily basis.

In addition, all concessionaires shall give priority to the transmission of government bulletins relating to safety, defence, preservation of public order or measures to anticipate or remedy any public emergency as well as any information relevant to the public interest.

All broadcasters are obliged to dedicate time to the transmission of government and campaign advertising. Political campaign advertising can be equal to (but not more than) 18 minutes a day in broadcast television channels and 35 minutes a day in radio stations. Government advertising can be equal to (but not more than) 30 minutes a day in all radio and TV stations in the country.

Indecency restrictions: the contents of advertisements shall comply with the classification system set by the Ministry of the Interior under law.

In any advertising aimed at children, it is prohibited to: promote or display illegal or violent behaviour, show or promote products that threaten physical or emotional health, present children as sex objects, take advantage of the inexperience or immaturity of children as a means of persuasion, directly encourage or ask children to purchase goods or services, display discriminatory behaviour or content that contains subliminal messages.

### 2.8 Difference in Regulations Applicable to Broadcasting Versus Cable

The Law regulates both broadcasting and pay television, although broadcasting is more heavily regulated due to its penetration and gratuity.

Multichannel: multicast television channels are regulated as any other regular broadcast television channel. Nonetheless, the operation of multicast channels is subject to the IFT's authorisation.

OTTs: other audiovisual content services, such as OTTs, are not regulated at all, and IFT has so far determined that OTTs are not substitutes of pay television services.

### 2.9 Transition from Analogue to Digital Broadcasting

At the time of writing, Mexico has already concluded its transition from analogue to digital TV broadcasting, making it the first Latin American country to cease all analogue television transmissions. Mexico's analogue-to-digital TV transition was concluded on 31 December 2015.

### 2.10 Extent to Which Local Government Regulation is Pre-Empted

Telecommunications and broadcasting are only regulated at the federal level. Thus, local governments have no jurisdiction over broadcasting and media services.

## 3. Telecoms

### 3.1 Important Companies

Telcel is the largest mobile operator in the Mexican market with a market share of 65.1%, measured by subscribers. Telcel's revenues for the second quarter of 2017 were MXN43,388 million, which is equivalent to 67.9% of the revenues for the Mexican mobile market during such quarter.

Telmex–Telnor is the largest fixed-line operator in the Mexican market with a market share of 63.6%, measured by subscribers. Telmex-Telnor's revenues for the second quarter of 2017 were MXN24,391 million, which is equivalent to 48.3% of the revenues for the Mexican fixed-line market during such quarter.

Telefónica is the second-largest mobile operator in the Mexican market with 22.1% of mobile market subscribers – or the third-largest mobile operator, if measured by revenue – with a total of MXN7,859 million during the second quarter of 2017, which is equivalent to 12.3% of the revenue of the Mexican mobile market during such quarter.

AT&T is the second-largest mobile operator in the Mexican market if measured by revenue, with a total of MXN12,396

million during the second quarter of 2017, which is equivalent to 19.4% of the revenue of the mobile market during such quarter or the third-largest mobile operator in the Mexican market, with a market share of 11.6%, measured by subscribers.

Televisa is the second-largest fixed-line operator in the Mexican market through cable companies Cablevisión, TVI, Cablecom, Telecable and Cablemás, with a market share of 16.1%, measured by subscribers. Televisa's revenues for the second quarter of 2017 were MXN11,110 million, which is equivalent to 22%, of the revenues for the Mexican fixed-line market during such quarter. Televisa revenues for the year 2016 were MXN96,287 million.

### **3.2 Requirements for Obtaining a Licence/Authorisation to Provide Services**

The Law recognises two types of licences, one being "concessions" and the other one being "authorisations".

#### **Concessions**

Concessions are mainly "facilities-based" and are divided into (i) spectrum concessions, and (ii) single concessions that allow for the provision of any telecommunications services.

The licence required in order to provide all kinds of telecommunications services, including broadcasting and pay TV media services, is called "single concession".

Pursuant to the Law, there are four types of single concessions, which are: commercial, public, private and social.

Commercial concessions allow for the provision of telecommunications services for business purposes whereas public, private and social concessions are granted for the purposes corresponding to each one of their names and none of them may render services for business purposes; however, social concessions may sell advertising services to federal government entities up to 1% of the overall advertising budget of such federal entities.

Pursuant to Article 73 of the Law, the time frame for obtaining a commercial concession that does not involve the use of spectrum is 60 calendar days.

Spectrum concessions for commercial use – whether for broadcast or telecommunications – are granted by way of an auction called by the IFT, at its sole discretion.

As it refers to cost, the cost applicable for obtaining a concession that does not involve the use of spectrum is approximately USD1,000, pursuant to Mexico's Federal Rights Law. The cost for obtaining a spectrum concession is that of the

winning bid plus the annual rights payable to the Mexican government as per the Federal Rights Law.

#### **Authorisations**

Authorisations are granted for: (i) the resale of one or more of a concessionaire's services; (ii) the installation and operation of transmitting satellite earth stations; and (iii) the commercialisation of foreign satellites' reception and transmission rights.

Authorisations requests must be filed before the IFT along with payment of the corresponding government fees.

The application must include a description of the project as well as an investment plan and technical description.

IFT has 30 business days to respond to an authorisation request; the same shall be deemed granted if IFT does not respond within such term.

Cost for an authorisation is approximately USD250, pursuant to Mexico's Federal Rights Law.

### **3.3 Transfer of Telecoms Licences/Authorisations to Other Entities**

Please refer to section 2.4 **Transfer of Licences/Authorisations to Other Entities**, above.

### **3.4 Regulations for Network-to-Network Interconnection and Access**

Mexican Law obliges all concessionaires to provide interconnection and build their networks with an open architecture, in order to guarantee interconnection and inter-operability with other networks.

Furthermore, the Law establishes that interconnection must be granted under non-discriminatory and transparent conditions based on objective criteria; all interconnection agreements must be registered before Mexico's Public Telecommunications Registry and the interconnection conditions provided to one carrier (including interconnection rates) must be made available to the rest.

In addition, the Law provides a list of services that shall be considered interconnection services, which include: (i) the transmission of traffic, including origination, termination as well as calls and short messages; (ii) transmission links; (iii) access ports; (iv) signalling; (v) transit; (vi) co-location; (vii) infrastructure sharing; (ix) auxiliary services; and (x) billing and collection.

All of the above-mentioned services are obligatory for the PEA and significant market power (dominant) agents, whereas the rest of the concessionaires only have to comply with the ones mentioned in (i), (ii), (iii) and (iv).

Also, the Law imposes special or asymmetric interconnection measures on the PEAs – such measures including:

- the registration before IFT of a list of unbundled interconnection services, previously authorised by the IFT;
- the annual publication of an interconnection offer; and
- the entering into agreements for the sharing of infrastructure and co-location, among other obligations.

The Law favours interconnection negotiations between concessionaires but also establishes that, in the case of disagreement, the IFT shall resolve the conditions not agreed to between the parties.

Interconnection disputes mainly refer to rates, and to that effect IFT must determine interconnection rates based on its cost model and public policy, considering natural network asymmetry, market participation and any other factor.

Please note that on 16 August 2017 Mexico's Supreme Court ruled that section "a" of Article 131 of the Law, which prohibited TELMEX and TELCEL (as PEAs in the telecom sector) from billing for the termination of traffic in their networks, was unconstitutional and ordered IFT to determine the PEAs' rates for the year 2018.

### 3.5 Accounting, Functional and Legal Separation

Accounting separation is an obligation for all PEAs, whereas functional and legal separation are only obligatory on the PEAs if mandated by the IFT. Regarding functional separation, this is an asymmetric measure that the IFT imposed on fixed-line PEA carriers Telmex and Telnor as part of the IFT's 2017 preponderance resolution.

### 3.6 Provisions for Access to Public and Private Land

There are no specific provisions for access to private land in order to install telecommunications infrastructure, although there are for essential resources already used by a concessionaire, whereas the Law favours the sharing of passive infrastructure among concessionaires.

The Law and the telecommunications and broadcast preponderance resolutions oblige PEAs and dominant carriers to share their passive infrastructure pursuant to reference offers approved by the IFT. At the time of writing, Telmex, Telcel, Telnor and Televisa had IFT-approved public reference offers for the sharing of passive infrastructure including towers, poles, and ducts.

In addition, Article 149 of the Law establishes that with the objective of promoting infrastructure sharing and the use of government assets, any concessionaire shall be able to install infrastructure in national assets in order to deploy public telecommunications and broadcast networks; the conditions

for the use of such infrastructure shall be determined by Mexico's Institute for the Administration of Government Real Estate or INDAABIN.

### 3.7 Rules which Govern the Use of Telephone Numbers

National telephone numbers are considered a scarce resource administered by the IFT and their use and assignment is regulated by the following regulations:

- rules for number portability – these regulate the processes for the transfer of national numbers between carriers, mainly as result of an end user's decision;
- Fundamental Numbering Plan – this regulates the administration and use of national numbers.

### 3.8 Regulation of Retail Tariff

In Mexico, retail tariffs are not regulated, but they have to be registered before the IFT and have to comply with certain rules to avoid abusive practices.

Notwithstanding the above, freedom to determine rates does not apply to the PEAs and dominant agents, who require the IFT's prior authorisation of all of their wholesale and retail rates.

### 3.9 Rules to Promote Service in Underserved Areas

Mexico has no universal access rules or funds, although the Mexican government through the SCT has a public programme called "México Conectado" (Mexico Connected) which seeks to bring broadband connectivity to rural and low-income urban areas in the country. Several of México Conectado's sites are installed by private parties, which are assigned telecom infrastructure and service projects by way of a public auction. By the end of 2017, México Conectado had a total of 101,322 sites nationwide.

### 3.10 Extent to Which Local Government Regulations of Telecom Service is Pre-Empted

Local governments have no jurisdiction over telecommunications and broadcasting services in Mexico, since these services are regulated at the federal level.

## 4. Wireless

### 4.1 Important Companies

Telcel is the largest mobile operator in the Mexican market with a market share of 65.1%, measured by subscribers. Telcel's revenues for the second quarter of 2017 were MXN43,388 million, which are equivalent to 67.9% of the revenues for the Mexican mobile market during such quarter.



Telefónica is the second-largest mobile operator in the Mexican market with a market share of 22.1%, measured by subscribers. Telefónica is the third-largest mobile operator, if measured by revenue, with a total of MXN7,859 million during the second quarter of 2017, which is equivalent to 12.3% of the revenue of the Mexican mobile market during such quarter.

AT&T is the third-largest mobile operator in the Mexican market with a market share of 11.6%, measured by subscribers. AT&T is the second-largest mobile operator in the Mexican market if measured by revenue, with a total of MXN12,396 million during the second quarter of 2017, which is equivalent to 19.4% of the revenue of the mobile market during such quarter.

#### **4.2 General Requirements for Obtaining a Licence/Authorisation to Provide Wireless Services**

Wireless licences can be obtained through public auctions called by the IFT at its sole discretion, or through direct/indirect acquisition or merger of a wireless concession-holder, or direct transfer of a wireless licence subject to compliance of regulatory and (in its case) economic competition requirements.

#### **4.3 Transfer of Wireless Licences/Authorisations to Provide Wireless Services**

Please refer to section 2.4 **Transfer of Licences/Authorisations to Other Entities**, above.

#### **4.4 Spectrum Allocation**

Technology	Frequency bands	Frequency bands
Cellular 800	824 – 849 MHz	869 – 894 MHz
IMT/AWS	1710 – 1755 MHz	2110 – 2155 MHz
PCS	1850 – 1910 MHz	1930 – 1990 MHz
700 MHz band	703 – 748 MHz	758 – 803 MHz

#### **4.5 Procedures to Identify and Assign Spectrum Among Competitors**

By law, spectrum has to be auctioned by the IFT and comparative tests are only carried out (faintly) in the case of broadcast auctions, in which content is supposed to be one of the conditions to be evaluated by the IFT for the awarding of spectrum concessions within an auction process.

The IFT has the authority to define the structure of the spectrum blocks to be auctioned, impose any spectrum caps, grant incentives, define the methodology of the auctions, floor prices and minimum commitments to be agreed to by the participants, in order to participate in the auction.

#### **4.6 Unlicensed Spectrum Uses**

In line with other countries, in Mexico there are permitted uses of spectrum that do not require a licence. In particular,

there are companies that provide wireless access and dedicated access links using free spectrum.

#### **4.7 Government Policy/Regulation to Promote Next Generation Mobile Services**

The introduction of next generation mobile services is a commercial matter and neither the Law nor the existing regulation impose any obligations in such respect.

The only case in which the authority has established a policy for the introduction of next generation services is that of the “Red Compartida” or shared network, which requires the deployment of last generation LTE technology.

Also, on 3 January 2018 the IFT issued a Technical Resolution whereby it requires that all mobile terminals to be sold in Mexico include the facility to operate in the 700 MHz band.

#### **4.8 Price Regulation for Mobile Services**

Mobile telephone services are provided under the Calling Party Pays (“CPP”) modality in their great majority, and even though users can choose to contract their mobile phone service under the Receiving Party Pays modality, most users choose CPP.

There is no regulation over international roaming rates, although Mexico’s three wireless carriers – Telcel, AT&T and Telefónica – all have offers and service packages that do not charge roaming rates for calls made when travelling to the USA or Canada.

Telcel (Mexico’s largest wireless carrier by number of subscribers) is legally banned from levying domestic roaming charges, and both AT&T and Telefónica have followed suit.

In relation to price regulation, Telcel (as an IFT-declared preponderant carrier) needs to obtain the IFT’s prior authorisation to its wholesale and retail rates, whereas Telefónica and AT&T are free to determine their rates.

#### **4.9 Regulation of Government and Commercial Wireless Uses**

Government wireless uses are limited to the attention of the government’s own needs, such as: health, public security, intra-government agencies, communications and education. Since spectrum for government use is assigned rather than auctioned, government spectrum licences cannot be transferred.

#### **4.10 Extent to Which Local Government Regulation of Wireless Service is Pre-Empted**

Local governments do not have any participation in the regulation of wireless services, as all telecommunications

services (either wired or wireless) are governed by federal authorities and laws.

## 5. Satellite

### 5.1 Important Changes

There are no public statistics on revenue or market share for satellite services providers that participate in the Mexican market. Nonetheless, the most relevant market participants are:

- Eutelsat;
- Intelsat;
- Hispasat;
- SES;
- Inmarsat;
- Telecomm (government-owned); and
- ViaSat.

After the acquisition of Satmex by Eutelsat, Mexico has no national satellite systems except for the MEXSAT system owned by the Mexican government

### 5.2 General Requirements for Obtaining a Licence/Authorisation to Provide Satellite Service

IFT issues authorisations for the commercialisation in Mexico of foreign satellite landing and transmission rights within 30 business days from the date that the corresponding application was filed.

The requirements for satellite authorisation licences are:

- that they be requested by a Mexican business organisation;
- the SCT's favourable opinion in respect of the co-ordination of the foreign satellite services to be commercialised in Mexico;
- an agreement evidencing the legal relationship existing between the foreign satellite operator and the Mexican licensee;
- that the Mexican licensee has control of the services to be commercialised in Mexico;
- a technical description of the satellites to be used and a copy of their registration before the ITU;
- payment of government processing fees; and
- the applicant's investment plan.

Commercial concessions for the exploitation of orbits and associated frequency bands for commercial or private use are subject to public tenders and their requirements are the same ones as for spectrum licences for commercial use.

Commercial single concessions for the rendering of satellite-based telecommunications services are subject to the same general requirements applicable to single concession filings.

### 5.3 Transfer of Satellite Licences/Authorisations to Other Entities

In Mexico, satellite licences, like any other licence, are transferable by way of changes in direct/indirect ultimate ownership or direct assignment. The transmission of concession licences for the occupation of satellite orbits and the use of associated frequencies is subject to the same proceedings mentioned under the sections above. Although not specifically provided for under the Law, IFT does allow for the transfer of authorisations by way of ultimate ownership, merger or assignment.

### 5.4 Spectrum Allocation to Satellite Service

Spectrum for satellite services is allocated in line with ITU agreements.

### 5.5 International Telecommunication Union Membership

Mexico is a member of the International Telecommunications Union and it has different ITU satellite network filings. These filings include (i) the satellites owned by the Mexican government through the MEXSAT system, and (ii) the satellites owned by SATMEX (SATMEX is now owned by Eutelsat) which include satellites Solidaridad 2, SATMEX 7 and SATMEX 8.

### 5.6 Provision of Service by Foreign-Licensed Satellites

Foreign-licensed satellites are permitted to provide services in Mexico, conditioned to: (i) such satellites having been co-ordinated (in its case) with the Mexican government and other satellite networks; and (ii) their services being sold in Mexico through a licence for the commercialisation of foreign satellite transmission and reception rights.

Authorisation licensees are not obliged to install master earth-station facilities in Mexico, although they must at least install a remote control centre that allows for the activation, deactivation and monitoring of users in Mexican territory.

### 5.7 Milestone and Due Diligence Deadlines

Satellite operators that receive Mexican licences for the use of orbits and associated frequency bands are obliged to position and operate their satellites within the term established in their respective concession titles.

## 6. Internet/Broadband

### 6.1 Important Companies

Fixed broadband:

- Telmex is the largest fixed-broadband operator in the Mexican market, with a market share of 56.2% measured by subscribers;

- Izzi (Televisa) is the second-largest fixed-broadband operator in the Mexican market, with a market share of 22% measured by subscribers;
- Megacable is the third-largest fixed-broadband operator in the Mexican market, with a market share of 14.7% measured by subscribers;
- Total Play is the fourth-largest fixed-broadband operator in the Mexican market, with a market share of 4.2% measured by subscribers.

Mobile broadband:

- Telcel is the largest mobile-broadband operator in the Mexican market, with a market share of 70.8% measured by subscribers;
- AT&T is the second-largest mobile-broadband operator in the Mexican market, with a market share of 14.2% measured by subscribers;
- Telefónica is the third-largest mobile-broadband operator in the Mexican market, with a market share of 13.2% measured by subscribers;
- MVNOs are the fourth-largest mobile-broadband operators in the Mexican market, with a market share of 1.7% measured by subscribers.

## **6.2 Regulation of Voice-Over-IP Services**

VOIP services are not regulated, provided that they do not make use of national numbers or interact with PSTNs. Regular telephone services can only be commercialised by carriers or resellers.

## **6.3 Interconnection and Access Regulatory Conditions to IP-based Networks**

Regardless of whether they operate under the IP protocol or not, all networks have the obligation to provide interconnection to all soliciting carriers. Thus, interconnection and access regulatory conditions also apply to IP-based networks.

## **6.4 Net Neutrality Requirements**

In Mexico, the Law prohibits concession and authorisation holders (licensees) from blocking, interfering, discriminating, meddling or arbitrarily discriminating against any user's right to access the internet. Violations shall be sanctioned by the IFT, with fines ranging from 1% to 3% of the licensee's annual revenues.

## **6.5 Government Regulation of Internet/Broadband**

The Mexican government through the SCT has launched a public connectivity programme under the name "México Conectado" (Mexico Connected), which at the end of 2017 had already connected 101,322 public sites all over Mexico, using different connectivity solutions that involve public and/or private participation.

## **6.6 Over-the-Top Internet-Based Providers**

In Mexico, OTTs are not subject to licensing requirements and there are no specific regulations applicable to OTTs. Notwithstanding, OTTs are obliged to collaborate with justice under Title Eight of the Law.

## **6.7 Extent that Local Government Regulation of Internet/Broadband Service is Pre-Empted**

In Mexico, telecommunications, broadcasting and the internet are regulated at the federal level only. Thus, local governments have no jurisdiction over internet/broadband services.

# **7. Privacy**

## **7.1 Government Access to Private Communications**

Article 16 of the Mexican Constitution entitles federal courts to authorise the interception of private communications at the request of federal or local crime prosecution authorities. Pursuant to Title Eight of the Law, public security agencies, state and federal crime prosecution authorities may request metadata from telecommunications companies without the need of a warrant.

## **7.2 Use of Encryption Technology**

Pursuant to IFT's Collaboration with Justice Guidelines, carriers have to use encryption technology when responding to information requests from crime prosecution and public security authorities.

## **7.3 Liability of TMT Companies for Content Carried Over Their Networks**

TMT companies are not liable for content carried over their networks unless they directly participate in the generation, marketing or commercialisation of illegal content.

## **7.4 Obligation of TMT Companies to Block Access to Certain Sites or Content**

Pursuant to the Law, telecom companies are obliged to block content, applications or services at their user's request, without such blocking extending to other content, applications or services. Pay TV companies are also obliged to adopt technical measures that allow their users to block channels or programming that they do not wish to watch. In addition, TMT companies are obliged to block access to certain sites or content if ordered by a federal judge.

## **7.5 Obligation of the TMT Companies to Retain Customer Data**

Pursuant to Article 190, section II of the Law, telecom companies are obliged to retain customer and communications data for a total of 24 months, which information shall remain confidential pursuant to the Law on Personal Data in Pos-



session of Private Parties. Pursuant to Title Eight of the Law, public security agencies, state and federal crime prosecution authorities may request such information from telecommunications companies without the need of a warrant.

### 7.6 Prohibited of Unsolicited Communications

The Consumer Protection law entitles consumers to request service-providers to refrain from sending unwanted advertising of products and services through any means, including telephone calls, email or post.

## 8. Future

### 8.1 Status and Process of Convergence

Telecommunications/media/technology convergence has been taking place in Mexico since the early 2000s when traditional cable service-providers started getting authorised to provide broadband and telephone services through their networks.

These authorisations were followed by telephone carriers such as Axtel and Iusatel (now Total Play) receiving authorisations to provide pay television services.

To this date, major pay-television service-providers (except for DTH companies) and several regular fixed-line service companies (except for Telmex) provide triple or quadruple play packages to their end-users; broadband users can also contract audiovisual services from OTTs such as Netflix, Claro Video or others.

Until now, neither Telmex nor Telcel are entitled to provide any television services as Telmex's concession includes a condition prohibiting it from (i) directly or indirectly exploiting television concessions to the public, or (ii) transmitting or distributing television signals without the IFT's authorisation.

### 8.2 Changes to Statutes, Laws or Legislation

Since major changes were approved in the years 2013 and 2014 with the passing of the Act and the Law, it is not foreseen that major changes to statutes, laws or legislation applicable to TMT industries shall occur in the near future.

### 8.3 Changes to Government Ministries, Regulatory Agencies or Privatised Entities

Given the fact that major changes to Mexican telecommunications ministries and agencies were approved in the years 2013 and 2014 with the formation of IFT as a constitutional regulator, there are currently no real plans to change government authorities that have a role in making policy and regulating TMT industries.

### 8.4 Identification of Assignment of Additional Spectrum

#### Broadcasting

In 2017, IFT auctioned:

- 191 commercial concessions for the provision of FM radio services in an equal number of medium and small cities;
- 66 commercial concessions for the provision of AM radio services in an equal number of medium and small cities; and
- 148 commercial concessions for the provision of Digital Terrestrial Television services in an equal number of large, medium and small cities.

During 2018, IFT will auction:

- 24 commercial concessions for the provision of FM radio services in an equal number of medium and small cities;
- seven commercial concessions for the provision of AM radio services in an equal number of medium and small cities; and
- two commercial concessions for the provision of Digital Terrestrial Television services.

As in other jurisdictions, broadcast spectrum in the 600 MHz band could eventually be assigned for future auctions for the provision of wireless telecommunications services.

In addition, IFT has identified spectrum in other frequency bands to be assigned for social, public, communal and indigenous use for the provision of AM-FM radio, TDT, mobile and trunking services.

#### Telecommunications

During the first months of 2018, the IFT will publish the rules to auction 120 MHz in the frequency band of 2500-2690 MHz for the provision of wireless access services.

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