

# ALTON

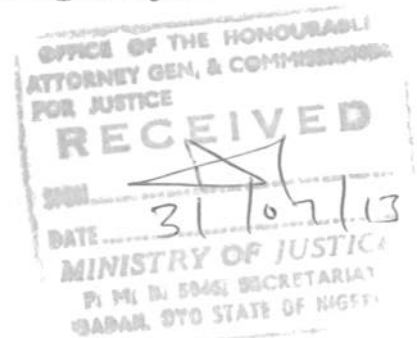
Original letter  
Received by  
Ogunlaja Mugha  
3/07/2013 For  
NCC

ASSOCIATION OF LICENSED  
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15<sup>th</sup> July, 2013

His Excellency Abiola Adeyemi Ajimobi  
Executive Governor of Oyo State  
Governor's Office  
Agodi, Ibadan  
Oyo State

Your Excellency,



## RE: DEMAND NOTICE: ANNUAL ENVIRONMENTAL DEVELOPMENT CHARGES

The Association of Licensed Telecoms Operators of Nigeria (ALTON) is a body corporate, duly registered under the laws of Federal Republic of Nigeria as an Incorporated Trustee, and officially recognized by the Government of the Federal Republic of Nigeria and the Nigerian Communications Commission (NCC) as the official industry body for all providers of telecommunications and subsidiary services in Nigeria.

ALTON is constrained to bring to the attention of Your Excellency to the recent inequitable, Unjustifiable and unlawful demand for payment of Annual Environmental Development Charges in Oyo State. Our members are of the opinion that this demand is illegal and unsupported by the relevant laws of the land and that it is principally targeted at the operations of telecommunication operators in Oyo State. Your Excellency would no doubt agree that the current proposals greatly increases the financial and operational burden imposed upon telecommunications sector which is charged with bringing essential telecommunications services to the good people of Oyo State

Our members have also been directed to decommission certain BTS infrastructure in Oyo State. Your Excellency would no doubt agree that the telecommunications sector has contributed immensely to the social and economic development of Oyo State - showcasing the dividends of democracy, creating employment opportunities and generating revenue (both directly and indirectly) for the State.. Telecommunications infrastructure also ensures that law enforcement, security agencies and emergency organizations are in a position to immediately respond to distress alerts, co-ordinate their efforts or otherwise perform their statutory functions of safeguarding lives and properties. We wish to refer to the recent agreement arrived at by all the State Governors at the National Economic Council (NEC) to harmonise and streamline processes and fees in respect of Critical Telecommunications Infrastructure. ALTON thus urges Your Excellency to subscribe to the review of mobile sector taxation strategies of government through adoption of a consultative approach which takes cognizance of the position of industry stakeholders with a view to implementing an optimal taxation regime for all

ALTON on behalf of its members therefore appeals to Your Excellency to employ your good offices towards intervening in this matter with a view to compelling the Honorable Commissioner for

Environment and Habitat to reverse the unfavorable Demand Notice. Telecommunications operations and installations in Nigeria are already beleaguered by a multiplicity of regulations, taxations and interventions which cumulatively have the effect of depreciating the quality of service available to subscribers in affected localities. Enforcement of the directive in question would certainly lead to a reversal of the recent gains made in the telecommunications industry, impair the growth and development of the industry and affect the provision of quality telecommunications services in Oyo State. This would be particularly distressing for an industry which has in recent times witnessed the unrelenting efforts of operators to continually reduce tariffs with a view to making telecommunications services available and affordable to Nigerians across the country. Oyo State would be better-served by avoiding a situation where operators would be forced to pass on the cost of increased operating expenses arising from this new directive to consumers through increased tariffs. It would be deplorable to, albeit inadvertently, hamper the provision of qualitative telecommunications services in Oyo State through the introduction of a levying regime such as the one proposed by your Government.

We wish to state that members of ALTON, as socially responsible corporate citizens, have always complied with all applicable legislation within Oyo State and elsewhere in the Federal Republic of Nigeria where they operate. In this regard, network operators make such payments as tenement rates, taxes and other forms of levies to the State, Ministries, Parastatals and various Local Governments within Oyo State. The imposition of levies not authorized by any law, or levies in excessively high amounts such as the one your Government seeks to introduce, would not only impede the development of telecommunications infrastructure in Oyo State; it could also lead to a break-down of telecommunications operations in Oyo State.

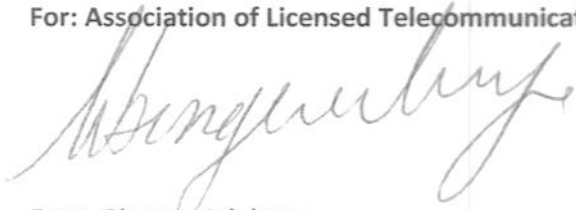
Whilst ALTON restates its unwavering commitment to continue deploying resources to ensure the provision of seamless telecommunications services in Oyo State, we entreat Your Excellency to intercede with a view to protecting the citizenry of Oyo State as well as catering for the interest of the members of ALTON who, as model corporate citizens, are also fully entitled to the protection of the State.

Finally, we wish to reiterate that Telecommunication and Environment are items under the exclusive legislative list of the 1999 Constitution of the Federal Republic of Nigeria, as such only the National Assembly or any other Federal agency acting within the confines of the law are empowered to make laws or regulations on the two items.

We look forward to Your Excellency's direction and response to this passionate appeal and assure you of our sincere wishes for several more years of meritorious service to the people of Oyo State and the Federal Republic of Nigeria.

Yours faithfully,

For: Association of Licensed Telecommunications Operators of Nigeria (ALTON)



Engr. Gbenga Adebayo  
Chairman



Kazeem Ladepo  
Executive Secretary

cc: The Federal Attorney General & Minister of Justice  
The Attorney General & Commissioner for Justice Oyo State  
**The Hon. Commissioner for Environment & Habitat** — *APMC 31/07/2013*  
Hon. Minister of Communications Technology  
National Security Advisor (NSA)  
Inspector General of Police  
Director General, State Security Service (SSS)  
Commissioner of Police, Oyo State Police Command  
Executive Vice Chairman (EVC), Nigerian Communications Commission (NCC)