

# Praktek persaingan usaha tidak sehat dalam Steering Traffic dan Tarif Internasional Roaming Operator Telekomunikasi Selular GSM (Global System for Mobile Communication) di Indonesia (Studi Kasus PT X) = Business Practice of Unfair Competition on Steering Traffic and Tariff International Roaming on GSM Mobile Operators in Indonesia (Study Case in PT X)

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## Abstrak

Tesis ini membahas mengenai praktek usaha tidak sehat yang dalam steering traffic dan tarif International Roaming Operator Telekomunikasi Selular GSM (Global System for Mobile Communication) di Indonesia dengan Studi kasus PT X. Pelanggan berkomunikasi dengan pilihan kartu yaitu kartu pasca bayar (postpaid) dan kartu Prabayar (prepaid). Salah satu fitur layanan yang ditawarkan adalah fitur layanan International Roaming yang memungkinkan pelanggan menggunakan ponselnya di network roaming partner di luar negeri yang mempunyai perjanjian kerjasama dengan operator dimana pelanggan tersebut terdaftar. Iklim usaha yang kompetitif ini membuat operator melakukan aliansi dengan beberapa operator mitra di suatu negara untuk jaminan ketersediaan layanan yang baik antar pelanggan lintas operator seperti Vodafone, Bridge Alliance Mobile, Connexus, AMI dan lainnya. Akibat dari gerakan aliansi para operator selular melakukan Steering of Traffic Roaming terhadap pelanggan mereka untuk masuk ke network roaming partner pilihan yang merupakan satu group aliansi dan melakukan perjanjian khusus untuk tarif di antara operator tersebut. Kegiatan ini merupakan bentuk persaingan usaha tidak sehat seperti yang di atur dalam Undang Undang Nomor 5 Tahun 1999 tentang larangan praktek anti monopoli dan persaingan usaha tidak sehat. Dampak lain dari kegiatan Steering Traffic ini adalah membuat para operator dari negara yang berbeda melakukan perjanjian harga interkoneksi (wholesale) atau yang lebih di kenal sebagai Inter Operator Tariff (IOT). Penentuan harga IOT ini dibuat setelah di lakukan negosiasi atas komitmen traffic atau biasa yang disebut dengan volume base komitmen yang di sepakati antar kedua operator tersebut. Dengan trend aliansi di antara operator selular saat ini, maka pelanggan di hadapkan dengan harga yang hampir seragam dan sangat mahal untuk tarif International Roaming.

.....This thesis discusses the business practices of Steering traffic and tariffs in International Roaming Business of GSM (Global System for Mobile Communication) Mobile Operators in Indonesia with study case of PT X. Subscriber can enjoy their communication either their post-paid simcard card or prepaid cards. One of the features of the Services that operator offered is International Roaming. This feature allows subscriber to use their mobile phone while roaming at operator's roaming partner network while abroad. This Roaming partner has a bilateral agreement that offers Service where customers can use their network as visited network. A fierce competition in International roaming business force operator to joined one of the mobile alliances with several mobile operators as partners. These Alliance are offers many Services to all Inbound or Outbound Roamers so they can enjoy same experience while roaming abroad. The Alliances such as Vodafone, Bridge Mobile Alliance, Connexus, AMT and other are offers plenty of Services of International Roaming. The Alliance movement is doing Steering of Roaming Traffic for their subscriber (Outbound Roamers) to log on into their preferred network roaming partner which is also member of the

group of alliances. This process usually follows with the special agreements on tariffs negotiation. This kind of activity is a form of business competition is not healthy as in the set in Law No. 5 / 1999 on anti-monopoly law and unfair business competition. The Impact of Traffic Steering activities are following by another commitment on interconnection agreement prices (Wholesale) or the Inter Operator Tariff (IOT). IOT price is made by all parties agree after negotiation on traffic volume commitment that shared. With the trend in the alliance between the Service provide at this time, the customers get the same price and very high rates for International Roaming.