

# SPECTRU

MONTHLY NEWSLETTER

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## DTT SIGNAL AVAILABILITY NEARLY 100%

Digital terrestrial TV signal in the fourth quarter of 2015 performed with nearly 100 percent service availability and high service stability, indicates a study conducted by the Autoridade Nacional de Comunicações (ANACOM), based on

information from more than 15 billion readings obtained from the nationwide monitoring network. Overall, in areas where DTT signal arrives by land via channel 56, TV reception was nearly constant and without interruptions. (+)

## MOBILE BROADBAND COVERAGE OBLIGATIONS

ANACOM has decided to impose on MEO - Serviços de Comunicações e Multimédia (MEO), NOS Comunicações and Vodafone Portugal - Comunicações Pessoais (Vodafone

Portugal) additional mobile broadband coverage obligations in national territory, following the renewal of those operators' licences for 15 more years. (+)

## ANACOM SUSPENDS DIALLING CODES OF EURO DA SORTE

ANACOM decided on 22 March to immediately suspend the dialling codes 68954 and 68955 used by Euro da Sorte, a company that provides value-added services based on

message sending. The urgent aim was to prevent the company from continuing to harm consumers. (+)

## END OF EXISTING LIMITS IN THE 800 MHZ BAND

ANACOM decided on 10 March to notify the companies MEO and Vodafone Portugal of the end of existing restrictions in the 800 MHz band, as envisaged in section 8 of article

34 and in paragraph a) of section 8 of article 35 of the Multiband Auction Regulation. (+)

## CONSULTATION

### MARKET FOR HIGH-QUALITY ACCESS AT A FIXED LOCATION

ANACOM approved on 10 March the initiation of a public consultation on definition of the market for high-quality electronic communications at a fixed location, assessment of significant market power (SMP) and the imposition, maintenance, amendment or withdrawal of regulatory obligations (market 4 of Recommendation 2014/710/EU).

This Authority considers that MEO holds SMP in the

identified relevant market, and that the obligations concerning network access and use of specific network resources, non-discrimination, transparency, separate accounting and price control, cost accounting and financial reporting should therefore be imposed.

Interested parties may submit comments until 28 April, preferably by email to [mercado4@anacom.pt](mailto:mercado4@anacom.pt). (+)

# COMMUNICATIONS IN PORTUGAL

## NEWS

### ADMINISTRATIVE OFFENCE CASES

In the area of electronic communication services, the Autoridade Nacional de Comunicações (ANACOM) issued reprimands to the following companies for failing to comply with the obligation to submit in due time the declaration indicating business volume and other information needed to ascertain the turnover figures used for the purpose of managing the compensation fund for universal electronic communication service:

- IP Telecom, Serviços de Telecomunicações; (+)
- VERIZON PORTUGAL - Sociedade Unipessoal. (+)

ANACOM also fined Ranexpress - Transportes Rodoviários de Mercadorias the amount of 300 euros for failing to comply with the obligation to inform ANACOM within the legally stipulated period about postal services it was providing when Law no. 17/2012 of 26 April took force. (+)

### WORLD CONSUMER RIGHTS DAY

ANACOM promoted a number of initiatives to mark World Consumer Rights Day on 15 March. These included the release of the report on "The Electronic Communications Consumer - 2015", summarising information gathered about electronic communication service end users in the home and business segments and data about citizens and entities that do not subscribe to electronic communication services. ANACOM also undertook, in liaison with the Directorate-General for Consumers, distribution of the guide on "Problems with Your Operator? Find Out What to Do and Who Can Help", which advises users about the best way to deal with problems affecting communication services (fixed and mobile telephone, internet, television and postal services). The day was also marked on the ANACOM Consumer Portal, which recalled significant events in 2015 with respect to use of communication services. (+)

### PAYMENTS TO SUPPLIERS - SITUATION AT 31.03.2016

ANACOM reported that on 31 March it had no debts to suppliers outstanding for more than 60 days. (+)

### "FACTS & FIGURES" REPORT

The "Facts & Figures" report, with figures for the fourth quarter of 2015, is now available for consultation. It summarises key information about the sector disclosed by this Authority in the

quarterly statistical reports (by service). The aim is to provide an overview and enable rapid and concise consultation of key indicators to follow the sector's performance. (+)

### FREQUENCY USAGE RIGHT TRANSFERS

ANACOM made public that it had received from the Media Regulatory Board (Entidade Reguladora para a Comunicação Social) two requests to transfer a frequency usage right for the exercise of audio broadcasting activity:

- Rádio Castrense Sociedade Unipessoal - which indicated its intention to transfer the frequency usage right to Cortiçol Cooperativa de Informação e Cultura; (+)
- Globinóplia Unipessoal - Azeméis FM Radio - which indicated its intention to transfer the frequency usage right to PopQuestion Unipessoal. (+)

### MAJOR PLANNING OPTIONS FOR 2016-2019

The Major Planning Options for 2016-2019 were published in the official gazette (Diário da República) on 31 March (Law no. 7-B/2016), framed by the strategies for social and economic development and for consolidation of public accounts set out in the programme of the 21<sup>st</sup> Constitutional Government.

The promotion of quality consumer protection is emphasised and is dealt with in the option on "Reacting to the demographic challenge". More information available to consumers is envisaged, especially for the most vulnerable and for economic sectors where more disputes have been recorded, such as key public services (including electronic communication services) and the digital economy (e-commerce, e-payments, digital content products and personal data protection).

The option on "Regulation and supervision of markets" envisages the need to endow regulatory bodies with more control and intervention capabilities, to guarantee the allocation of resources that can ensure effective regulation/oversight and to reinforce ex-ante and ex-post impediments. (+)

### ANACOM PUBLIC PARTICIPATION

ANACOM board member João Confraria took part in the Regulation Seminar organised by the International Association of Portuguese Language Communications held last 21-22 March in Macau.

## AVERAGE MONTHLY SPENDING BY RESIDENTIAL CUSTOMERS

	2Q2013	2Q2014	2Q2015	Var. (%) 2Q13/2Q14	Var. (%) 2Q14/2Q15
Average monthly spending on electronic communications (individuals 15 or more years old)	49,70	50,42	51,45	1,4%	2,0%

Unit: euros (w/VAT); variation in %.

Source: ANACOM, based on micro-data from BTC of Markttest, 2Q2013, 2Q2014, 2Q2015.

Base: Individuals 15 or more years old with electronic communication services (does not take no-replies into account).

## UNIVERSAL SERVICE COMPENSATION FUND

By decision dated 25 February, the Autoridade Nacional de Comunicações (ANACOM) dispensed NOS Comunicações from delivering to the universal service compensation fund the amount of the respective contribution associated to the net costs

of universal service in 2014, whose payment is compulsory. The decision was due to the fact that the compensation amount owed to the company as a provider of universal service is more than the amount of that contribution. (+)

## EXPIRATION OF OBLIGATIONS IMPOSED ON MEO

By decision dated 3 March, ANACOM declared the expiration, effective on 26 April 2012, of the regulatory obligations imposed on MEO – Serviços de Comunicações e Multimédia with respect to the market for the wholesale supply of services from

television broadcasting via terrestrial analogue networks. That market no longer exists, due to completion of the switchover from terrestrial analogue TV to DTT and the consequent end of terrestrial analogue emissions. (+)

## VODAFONE – LICENSING REQUEST DISCONTINUED

By decision dated 10 March, ANACOM declared closed the procedure (already initiated) to consider the request for

award of a temporary network licence, submitted by Vodafone Portugal – Comunicações Pessoais on 29 September 2015. (+)

## NEWLY ENACTED LEGISLATION

**Law no. 7-B/2016** (*Diário da República* Series I of 31 March) – Major Planning Options for 2016-2019. (+)

**Determination no. 299/2016** (D.R. Series II of 3 March) – Delegation of powers from the ANACOM Board of Directors to its members. (+)

**Order no. 3752/2016** (D.R. Series II – Part E of 14 March) – Approves the sub-delegation of powers from Board of Directors members João Confraria and Hélder Vasconcelos to the Director of Communications Security (management of administrative procedures with respect to requests for accreditation to access the SIC – centralised information system). (+)

The Council of Ministers of 31 March approved the draft decree-law setting the procedures for execution of the 2016 State Budget. That instrument contains the necessary rules to ensure the budget's rigorous implementation and follow-up and includes the budgets of integrated services, autonomous services and funds and social security.

Also approved was the proposed law that revises the current system for accessing administrative documents, access to environmental information and the system for reusing administrative documents. (+)

## PORTED NUMBERS

	2015												2016		
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
FTS	1652873	1664749	1682259	1705500	1725497	1740197	1755391	1763843	1773153	1786757	1798019	1806945	1814575	1823220	1834927
MTS	1577258	1616214	1659275	1696235	1727276	1757265	1788887	1813890	1842842	1871295	1896604	1924554	1951635	1978098	2005633
NGS <sup>1</sup>	3183	3200	3220	3236	3252	3271	3380	3455	3494	3587	3657	3739	3759	3786	3828
Total	3233314	3284163	3344754	3404971	3456025	3500733	3547658	3581188	3619489	3661639	3698280	3735238	3769969	3805104	3844388

FTS – fixed telephone service; MTS – mobile telephone service; NGS – non-geographic services.

<sup>1</sup> Includes 874 numbers ported from the '30' numbering range (numbers associated to nomad VoIP service).

## EUROPEAN UNION

### REVIEW OF WHOLESALE ROAMING MARKETS

The European Commission (EC) published on 22 March the preliminary results from the public consultation on revision of the wholesale roaming markets, policies for reasonable use and sustainability mechanism, which ran from 26 November 2015 to last 18 February. In that consultation Portugal submitted two individual responses and four from the following bodies: Autoridade Nacional de Comunicações (ANACOM), Portuguese Consumer Defence Association, PT Portugal SGPS and NOS Comunicações. (+)

### E-COMMERCE SURVEY

The EC published on 18 March the preliminary conclusions from the antitrust survey of electronic commerce. Analysis of the information enabled the EC to specifically conclude that 38 percent of the retailers surveyed who sell consumer goods online use geographic blocking, mainly to refuse deliveries in other countries. Other means are also used, such as refusing to accept foreign payment modes and, on a lesser scale, rerouting and blocking access to websites. About 12 percent of the retailers mentioned the existence of contractual restrictions to cross-border sales with respect to at least one category of the products they offer. (+)

### STUDY ON 5G'S SOCIO-ECONOMIC IMPACT

The first results of the EC-promoted study (begun in 2015) on the socio-economic impact of the fifth generation (5G) in Europe were presented on 9 March. The study focused on four sectors (automotive, health, transportation and

public services) and four environments (smart cities, non-urban areas, smart homes and workplaces). It is hoped that 5G can generate benefits by 2025 in those sectors and environments, respectively on the order of 95.5 and 50.6 billion euros per year. Of those benefits, 63 percent will be for businesses and 37 percent for consumers and society in general. (+)

### SPECTRUM AWARDED FOR WIRELESS MOBILE VIDEO

The EC adopted on 8 March an implementing decision on harmonisation of the 2010-2025 MHz frequency band for wireless video and camera connections used in programme making and special events equipment. (+)

### CASE LAW DATABASE

The EC has published a study evaluating the viability and cost of setting up a European electronic communications case law database covering the 28 member states. (+)

### SELF-REGULATION AND CO-REGULATION

A Community of Practice for better self- and co-regulation (CoP) established in 2013 gathers stakeholders interested in promoting, testing and improving the principles for better self- and co-regulation, sharing their experiences or contributing to group effort in that regard. With accomplishment of the respective activities' pilot phase (2013-2016), the CoP has posted an online questionnaire to evaluate and gather opinions for the future. The questionnaire is available until 30 April. (+)

# COMMUNICATIONS AROUND THE WORLD

## EUROPEAN COMMISSION RECOMMENDATION FOR BNetzA

The European Commission (EC) has issued a recommendation asking the German national regulatory authority (BNetzA) to amend or withdraw its proposal on termination rates for fixed telephone service telephone calls, which should be determined based on the recommended methodology. (+)

## FIXED AND MOBILE TERMINATION CHARGES - CONSULTATION

The EC public consultation on fixed and mobile termination prices runs until 7 June. The aim is to assess the impact of the 2009 termination charges recommendation in termination markets and the European Union (EU) single market and also whether the current regulatory approach regarding termination charges should be maintained or amended to reflect technological progress in the respective markets. (+)

## EUROPEAN INTERCONNECTION MECHANISM 2016

The EC has put out the first call for submission of proposals in the scope of the 2016 working programme of the European Interconnection Mechanism in telecommunications. A 32 million euro fund will be made available to implement European digital service infrastructures. (+)

## 10<sup>th</sup> ANNIVERSARY OF .eu

The EU's internet address - the .eu domain - marked 10 years of existence on 7 April. Since 2006 it has been the domain for people and organisations in the EU. At the end of 2015 the .eu domain was the world's 11th biggest, with nearly 4 million registrations. Compared to major domains pertaining to countries such as Germany (.de), the People's Republic of China (.cn), the United Kingdom (.uk), the Netherlands (.ne) and Russia (.ru), .eu ranks sixth. (+)

## ENISA STUDIES

### DOCUMENT ON CYBER INCIDENTS AND CRISES

The European Networks and Information Security Agency (ENISA) has published a document on incident response strategies and cooperation in cyber crisis situations, drawn up for the Network and Information Security Platform and based on work carried out by ENISA. (+)

### BIG DATA SECURITY

ENISA has also published a study about good practices and recommendations concerning security and resilience of big data services. The document aims to identify key security challenges that businesses face when implementing big data solutions and provide information about how to mitigate those risks. (+)

### SECURITY INCIDENT INDICATORS

ENISA has disclosed indicators about the impact of incidents that affect electronic communications and which should be considered when evaluating that impact. The report's aim is to provide guidelines for national regulatory authorities and telecommunication service providers of the EU member states. (+)

### MEASUREMENT OF INCIDENTS' IMPACT

A study has also been published about measuring the impact of incidents that affect electronic communications and about indicators that should be taken into account to evaluate incidents impact. (+)

## BEREC

### 17<sup>th</sup> MODEL ROAMING SPECIFICATION

The Body of European Regulators for Electronic Communications (BEREC) has approved the 17th model data specification for roaming in public mobile telephone networks in the EU/European Economic Area. The questionnaire should

be filled out and returned to ANACOM by the companies providing mobile services by 30 April at the latest via the address [dee.stats@anacom.pt](mailto:dee.stats@anacom.pt). This form concerns the period between 1 October 2015 and 31 March 2016. (+)

## ANACOM INTERNATIONAL ACTIVITY

The Autoridade Nacional de Comunicações (ANACOM) represents the Portuguese communications sector before relevant international organisations and took part in recent meetings in the scope of the European Conference of Postal and Telecommunications Administrations (CEPT), International Telecommunication Union (ITU), European Telecommunications Satellite Organisation (EUTELSAT), European Union (EU), Body of European Regulators for Electronic Communications (BEREC) and Universal Regulators Group for Postal Services (ERGP).

### CEPT

The following meetings took place in the scope of the ECC's work:

- 51<sup>st</sup> meeting of ECC PT1 - 19-21 January in Helsinki; (+)
- 72<sup>nd</sup> meeting of WG SE - 25-29 January in Amsterdam; (+)
- 41<sup>st</sup> meeting of the ECC - 1-4 March in Ghent, Belgium; (+)
- Meeting of PT NP - 15-16 March in Rome. (+)

### ITU

A TDAG meeting was held on 16-18 February in Geneva. (+)

### EUTELSAT

The 37<sup>th</sup> meeting of the Advisory Committee was held on 18 March in Paris. (+)

### EU

In the EU ambit the following meetings were held in Brussels:

- 39<sup>th</sup> meeting of the Spectrum Policy Group - 29 February; (+)
- European Commission workshop on revision of the Terminations Recommendation - 15 March; (+)
- 55<sup>th</sup> meeting of the Radio Spectrum Committee - 16 March. (+)

### BEREC

The following BEREC meetings took place in Brussels:

- NN EWG - 2 March; (+)
- Regulatory Framework EWG - 10 March; (+)
- NGN EWG - 17 March; (+)
- Remedies EWG - 18 March. (+)

### ERGP

The following meetings were held:

- Working subgroup on Cost Accounting/Price Regulation - 3 March in London; (+)
- Working subgroup on Implementation and Evolution of the USO - 10 March in Rome. (+)

## ERGP STAKEHOLDER WORKSHOP

An ERGP-organised Stakeholder Workshop will be held on 30 June in Pravets, Bulgaria. The aim is to gather contributions

to work out the ERGP's medium term strategy for the 2017-2019 period. (+)

## ITU WORLD ASSEMBLY

The next World Telecommunications Standardisation Assembly will be held from this coming 25 October to 3 November in Tunisia. This ITU (a United Nations specialised agency for telecommunications, including information society) event

takes place every four years. The main goal is to determine general policy and procedures of the ITU's Telecommunications Standardisation Sector. (+)

## HIRING AT THE ITU

The ITU, a UN specialised agency based in Geneva, is accepting applications for the following vacant positions:

- Programme Officer - until 1 June; (+)
- Radiocommunication Engineer - until 6 June; (+)

- Executive Manager - until 6 and 7 June; (+)
- Head, ITU Liaison Office to the United Nations - until 6 and 7 June. (+)

# NEWS FROM OTHER COUNTRIES

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## **AUSTRALIA - Australian Communications and Media Authority (ACMA)**

- The strategy and working plan for spectrum management have been disclosed with a view to assuring and accommodating the need for mobile broadband traffic growth. (+)
- The consultation on modification of the international roaming regulation ran until 30 March. The proposed changes to the regulation concern the obligation of service providers to supply in a single text message all information about roaming costs, as well as the various options for reducing those costs. (+)

## **BELGIUM - Belgian Institute for Postal Services and Telecommunications (BIPT)**

- The second round of consultations on the draft guidelines concerning the principles applicable to price squeeze tests ran until 15 April, namely regarding the choice of the calculation model specifically developed for retail services based on cable access. (+)

## **BRAZIL - Agência Nacional de Telecomunicações (ANATEL)**

- Results of research on satisfaction and quality perceived by fixed telephone, fixed broadband and mobile telephone (pre- and post-paid) customers throughout Brazil have been released. Besides gauging consumer satisfaction, the survey also evaluates, among other aspects, how consumers view quality of service with respect to function, coverage, supply and contracting. (+)

## **CANADA - Canadian Radio-television and Telecommunications Commission (CRTC)**

- An independent study has been released, revealing that most broadband internet services sold in Canada either correspond to or exceed the advertised upload and download speeds. (+)
- A consultation on the participation of wireless service providers in Canada's National Public Alert System is under way until 30 May. (+)

## **SPAIN - Comisión Nacional de los Mercados y la Competencia (CNMC)**

- The CNMC has proposed to the Ministry of Industry, Energy and Tourism, with respect to universal electronic communications service, maintenance of the obligation to provide broadband service at 1 Mbit/s and revision of the obligations associated to the provision of public payphone service. (+)

## **UNITED STATES OF AMERICA - Federal Communications Commission (FCC)**

- A proposal has been published with a view to endowing consumers with tools they can use to make informed choices

about how and in what way they can share personal data and how that sharing is carried out by broadband providers. (+)

## **FINLAND - Finnish Communications Regulatory Authority (FICORA)**

- Applications are being accepted for the award of programming licences in the terrestrial television network. Operators can submit bids for digital TV or radio broadcasting programming licences until 18 April, within the multiplexers' transmission capacity in the UHF and VHF frequency bands, for a ten-year licence period beginning in 2017. (+)

## **FRANCE - Autorité de Régulation des Communications Électroniques et des Postes (ARCEP)**

- The launch of a public consultation is being prepared. The aim is to establish the plan for frequency allocation, among different possible uses, in the 2.6 GHz and 3.5 GHz bands, as well as the terms and conditions of that allocation, which may take place in 2017. (+)

## **IRELAND - COMMISSION FOR COMMUNICATION REGULATION (COMREG)**

- Reports and an information note on measures to adopt to preserve geographic and mobile numbers with a view to anticipating future demand for those numbering resources have been released. (+)

## **UNITED KINGDOM - Office of Communications (Ofcom)**

- A new interactive electronic tool, the Mobile Coverage and Fixed Broadband Checker, has been made available. It enables verification by postcode of the quality and coverage of mobile and broadband services. Consumers and businesses can use this tool to obtain information about the availability of those services and the average download speeds supplied, the places where there is no coverage for 3G or 4G voice calls and data networks, and mobile coverage quality inside and outside buildings. (+)
- A draft declaration has been released, concerning revision of the leased lines offering, with a view to introducing more demanding rules to resolve interruptions, breakdowns and installation delays. It also aims to ensure more transparent information about quality of service as well as automatic compensation for consumers when problems arise. (+)
- A public consultation under way until 1 June concerns modification of the mobile telephone service portability rules. The aim is to simplify the existing process so that consumers can easily switch service provider, thereby effectively exercising the right to choose a provider, alongside the advantages and benefits associated to competition in the communications sector. (+)



## 4<sup>TH</sup> QUARTER 2015 STATISTICS RELEASED

### INTERNET ACCESS SERVICE

The fixed broadband penetration rate surpassed 30 percent, up 2.7 percent over 2014. The number of fixed broadband internet accesses also increased by 10 percent to 3.14 million. Regarding mobile broadband, the penetration rate in Portugal was 53.2 percent, up 4 percent over 2014. (+)

### MOBILE SERVICES

Mobile service penetration stood at 161.8 per 100 inhabitants. Taking into consideration only mobile stations that are actually used, the penetration rate in Portugal would be 123.2. If cards used

solely for the purpose of internet access and mobile stations used for machine-to-machine service are excluded, then the penetration rate would be 112.9. Nearly 35 percent of homes that had mobile telephone service acquired the service as part of a multiple play offering with fixed services (25.7 percent in 2014). (+)

### POSTAL SERVICES

Postal traffic stood at nearly 847 million objects (national mail and outgoing international mail), down 3.3 percent over 2014. The lower overall traffic is mainly due to lower non-express mail traffic. (+)

## BROADBAND WORKSHOP - PRESENTATIONS

The presentations given in the workshop on the "Study about Substitutability between Fixed Broadband and Mobile Broadband" held last 15 March are now available for consultation.

That session saw the presentation of key conclusions of the study conducted by IMR - Instituto de Marketing Research for the Autoridade Nacional de Comunicações (ANACOM). (+)

## WORKSHOP ON OTT SERVICES - PRESENTATION

The presentation given at the workshop on the "Study about Applications and Content (Over-the-Top - OTT) Services" held last 29 March is now available for consultation. Key conclusions

from the study conducted by QMETRICS for ANACOM were discussed at that workshop. (+)

## STUDY - UNIVERSAL POSTAL SERVICE PRICES IN THE EU

ANACOM has conducted a study on "Comparisons of Universal Postal Service Provider Prices in the European Union in 2015", which compares the prices customers of home mail and postal

package services are charged in universal postal service supplied by the universal service providers in Portugal and the other European Union member states. (+)

## AGENDA

### MEETINGS

#### EU

Plenary meeting with Commissioner Oettinger (BEREC) - 21 April  
Workshop and plenary meeting of EaPeReg - 7-8 April  
WG Telecom (Council) - 14, 22 and 28 April  
High Level Telecom Review of the Dutch presidency of the Council - 20 April  
Workshop on postal statistics (ERGP)

- 19 April

Steering Group (ERGP) - 21 April

#### UPAEP

Executive and Advisory Council - 4-8 April

#### CEPT

WG UPU of CERP - 13-14 April  
COM-ITU - 26-28 April

#### EMERG

Contact Network - 18-19 April  
Union for the Mediterranean, Digital Economy and Internet Access Expert Working Group - 19-20 April

#### ETSI

General Assembly and workshop: "5G: From Myth to Reality" - 18-21 April

# SPECTRU

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