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Monthly Newsletter
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ANACOM
AUTORIDADE NACIONAL DE COMUNICAÇÕES

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International comparison of leased line prices

The *Autoridade Nacional de Comunicações* (ANACOM) has carried out a study which concludes that the new leased line price is 29 percent below the average in the other European Union countries. The figure is an aggregate of various leased line types, national digital and analog, in a comprehensive price basket.

The same trend is observed for international digital lines: in Portugal prices are between 48 and 30 percent below the average in the other member-states, for capacities of 64Kbps and 2Mbps, respectively.

Regarding installation prices, the differences rise to 84 percent for 34Mbps, 60 percent for 2Mbps, 40 percent for 64Kbps and 77 percent for analog lines. Prices in Portugal are lower in all cases.

The study uses as a reference the prices for leased line service provided by *PT Comunicações* (PTC), as per the ANACOM determination of 26 December 2002.

VER http://www.anacom.pt/template20.jsp?categoryId=3730&contentId=84703

Mobile network quality in Lisbon and Oporto

The coverage, accessibility and audio quality of the mobile networks of Portugal's three licensed operators manifest excellent levels of service quality in Lisbon and Oporto, and also on the A1 motorway, the main artery linking the capital to nation's second city.

The conclusion is made in a quality assessment study undertaken by the *Autoridade Nacional de Comunicações* (ANACOM) in December 2002. It was based on 5,045 automatic test calls with simultaneous connections to the GSM operators *Optimus*, *TMN* and *Vodafone*.

Suspension of *PT Comunicações* offer

A 17 January order has determined provisional suspension of the offer by *PT Comunicações* (PTC) of the so-called "PT Network Line without Subscription", which involves the possibility of aggregate sale of subscription and traffic. However, as new fixed telephone service providers are unable to use the same modality, there was considered to be a serious risk that PTC's offer would seriously harm the competition.

PTC's offer has thus been provisionally suspended for three months or earlier, should a definitive decision be handed down in the meantime.

The "PT Network Line without Subscription" offer replaces the traditional network line subscription by a guaranteed monthly expense, entirely convertible in traffic.

VER http://www.anacom.pt/template12.jsp?categoryId=53241

Competition Authority

Decree-Law no. 10/2003 of 18 January formally established the Competition Authority by publishing its respective statutes, which determine the extinction of the Competition Council. The Competition Authority will assume some of the duties attributed to the Directorate General of Trade and Competition and work closely with the sectorial regulatory authorities, particularly ANACOM. It begins operations 60 days after the above measure takes effect.

Meanwhile, the chairman of the new Competition Authority's legislative committee, José Luís da Cruz Vilaça, and the head of the Competition Council, Anselmo Rodrigues, took part as guest speakers in the conference on "The Competition Council versus the new Competition Authority", an initiative of the *Instituto Superior de Economia e Gestão* (Institute of Economy and Management) held on 16 January.

RIO 2003

The *Autoridade Nacional de Comunicações* (ANACOM) approved on 30 January a draft decision concerning the Reference Interconnection Offer (RIO 2003) of *PT Comunicações* and the eventual modifications to same.

In the context of this draft decision, the interconnection prices to be in effect from 1 March 2003 were defined; on average, they are approximately 10 percent less than in RIO 2002.

Interested parties have 10 days to comment on the probable outcome of this decision, under terms of articles 100 and 101 of the Code of Administrative Procedure.

VER http://www.anacom.pt/template15.jsp?categoryId=610

OniWay's 3G license revoked

By order signed on 13 January, the Minister of the Economy approved the cancellation of OniWay's licence to operate a UMTS third generation mobile network, and ruled favourably on requests by *TMN*, *Vodafone* and *Optimus*, allocating additional frequencies to those operators.

The orders were based on the corresponding *Autoridade Nacional de Comunicações* (ANACOM) findings in favour of revoking the OniWay licence and allocating the additional frequencies. In both cases, the Minister of the Economy had requested ANACOM's opinion.

Regarding the first matter, ANACOM considered that any measure tending to result in an operator's permanence on the market, contrary to its respective shareholders' desire, was inconvenient, while the public interest would not be harmed by OniWay's decision not to launch the activity.

In its finding on the requests for additional UMTS frequencies submitted to the Minister of the Economy by the other three operators, given that more spectrum would become available when OniWay's licence was cancelled, ANACOM held that it is not viable at present to allocate same to a fourth operator; it specifically recognised that the first operators to enter the market enjoy a decisive competitive advantage, which makes difficult the sustained introduction of a new operator and the maintenance of small operators or those with a tiny market share.

Also, the need to associate the commercial launch of UMTS, postponed to 31 December 2003, to the availability of innovative high-speed services with appropriate bandwidth were factors in ANACOM's decision to allow the operators *Optimus*, *TMN* and *Vodafone* to use additional spectrum. Such was considered likely to lower the cost of establishing networks and to reduce the number of ground stations, thus contributing towards improved operator sustainability conditions and stimulating development of the information society.

Lastly, ANACOM studied the question of the projects the operators assumed in the proposals submitted for the tender to grant UMTS licences, aiming for development of the information society. In this context, it was also concluded that the allocation of additional spectrum should guarantee the execution of projects already contracted, as well as the same three operators' proportional contribution to projects eventually deemed necessary by the government.

VER http://www.anacom.pt/template20.jsp?categoryId=3730&contentId=84233

Current Events

Data transmission networks and interconnection

Following an intervention request concerning the interconnection regime for access to data transmission services, and the submission by *PT Comunicações* (PTC) of a new offer, the *Autoridade Nacional de Comunicações* (ANACOM) decided in a 9 January determination to ask that company to modify the proposed prices, with reference to the maximum prices defined in the said determination; the corresponding changes should take effect on 1 February 2003. A decision was likewise made to reassess the matter in question in the first half of 2003, in the context of eventual integration of access to data transmission services and other services, as per the Reference Interconnection Offer (RIO) regime. See http://www.anacom.pt/template12.jsp?categoryId=52389 .

Addendum to the postal price convention

The Directorate General of Trade and Competition, ANACOM and *CTT - Correios de Portugal* (Portuguese postal service) signed on 20 January a second addendum to the Universal Postal Service Price Convention, which defines in a single article the regime for setting prices for non-reserved postal services included in universal service for 2003. See http://www.anacom.pt/template20.jsp?categoryId=3730&contentId=84791 .

CTT closes postal bank

CTT - Correios de Portugal (Portuguese postal service) has sold its stake in the share capital of the *Banco Postal* to the *Caixa Geral de Depósitos* bank, and since 31 January has closed bank branches located in post offices.

Ported numbers

At the end of January, a total of 81 977 telephone numbers had been ported, 75 220 corresponding to the fixed network (75 072 geographic and 148 non-geographic numbers) and 6 757 to the mobile networks.

Multilateral citizen band agreement renewed

The multilateral agreement on the free circulation of mobile and portable Personal Radio Service - Citizen Band stations is in force until 31 December 2005. It was renewed by ANACOM in a determination dated 14 November 2002; the model of the circulation card that citizens of the signatory countries should use during temporary trips was also approved. Additional information at http://www.anacom.pt/template20.jsp?categoryId=3730&contentId=83729 .

Telecom infrastructures in buildings: certifying entity suspended

The certifying entity for telecommunications infrastructures in buildings, *Meira de Sá, Projectos, Engenharia e Serviços, Lda.*, has been subject to administrative proceedings leading to cancellation of its activity register, which was provisionally suspended by ANACOM decision of 12 December 2002, meanwhile appealed by the company. The same determination opened an inspection process involving the designer/installer of infrastructures in buildings João Afonso Meira de Sá.

ANACOM lab accredited for new test

ANACOM's Electromagnetic Compatibility Laboratory (LCEM) was recently accredited by the Portuguese Quality Institute for a new test on shock wave (surge) immunity. The laboratory may consequently carry out 18 different kinds of electromagnetic compatibility trials on electric and electronic equipment. See http://www.anacom.pt/template12.jsp?categoryId=44811 .

Licensing of radiocommunications stations and networks

Decree-Law no. 11/2003, published on 18 January, regulates the process of municipal authorisation for the installation and operation of support infrastructures for radiocommunications stations and associated accessories, as defined in Decree-Law no. 151-A/2000 of 20 July, which concerns the radio licensing regime for same.

The measure also adopts mechanisms to set the reference levels for the population's exposure to electromagnetic fields (0Hz - 300GHz). Compliance must be guaranteed by the station user from the time the respective authorisation request is submitted to the mayor of the local council in question.

Decree-Law no. 151-A/2000 already envisaged in its article 21 certain limits on the installation of such infrastructures and in article 20 anticipated the eventual need for licences and authorisations under the jurisdiction of local government authorities.

The procedure for the municipal authorisation required to install and operate such infrastructures, as well as the inherent conditions for protection of the environment, cultural heritage, and urban or rural landscape, along with territorial planning, are covered in Decree-Law no. 11/2003, which is also applicable to infrastructures already installed that have not been subject to a favourable municipal decision. In such cases, operators have 180 days to request the respective authorisation.

Regarding the population's exposure to electromagnetic fields, this decree-law determines that the reference levels for such exposure should be set by joint administrative rule issued by the Ministers of State and National Defence, Economy, Science, Higher Education, and Cities, Territorial Planning and Environment, and the Assistant Minister to the Prime Minister, and be published 90 days after taking effect.

In this matter the *Autoridade Nacional de Comunicações* (ANACOM) is responsible for establishing, with own regulations and within 60 days, the procedures for monitoring and measuring the levels of intensity of electromagnetic fields originating in radiocommunications stations. It also oversees compliance with standards for electromagnetic fields emitted by radiocommunications stations, as per Decree-Law no. 11/2003, except for stations that operate in frequency bands overseen by the Ministry of National Defence or covered by specific legislation.

VER http://www.anacom.pt/template9.jsp?categoryId=3730

Newly Enacted Legislation

• **Order no. 1758/2003** (II Series of the *Diário da República* of 29 January) - Determines the revocation by the Minister of the Economy of the attribution of a licence to OniWay for the operation of IMT2000/ UMTS international mobile telecommunications systems.

• **Order no. 1704/2003** (II Series of the D.R. of 28 January) - By which the Minister of the Economy allocates to *TMN*, *Vodafone Telecel* and *Optimus* the spectrum bands previously allocated to OniWay, for the operation of IMT2000/UMTS mobile networks.

• **Decree-Law no. 11/2003** (I Series-A of the D.R. of 18 January) - Regulates the municipal authorisation needed for the installation of support infrastructures for radiocommunications stations and associated accessories as defined in Decree-Law no. 151-A/2000 of 20 July, and adopts mechanisms to set the respective reference levels for the population's exposure to electromagnetic fields (0Hz -300GHz).

• **Decree-Law no. 10/2003** (I Series-A of the D.R. of 18 January) - Establishes the Competition Authority, under terms of the legislative authorisation granted by Law no. 24/2002 of 31 October.

• **Order no. 886/2003** (II Series of the D.R. of 16 January) - Extends the deadline for operators equipped to operate international mobile telecommunications systems (IMT2000/ UMTS) until 31 December 2003.

• **Decree-Law no. 5/2003** (I Series-A of the D.R. of 13 January) - Establishes the Portuguese Institute of Development Support (IPAD), resulting from the merger of the Portuguese Co-operation Institute (ICP) and the Portuguese Development Support Agency (APAD).

• **ICP-ANACOM notice** (III Series of the D.R. of 2 January) - Publicises the references for norms and common technical regulations listed in the annex, published in the OJEC in the context of execution of Directive 1999/5/EC of the European Parliament and of the Council of 9 March 1999 (R&TTE Directive).

• **Law no. 32-A/2002 and Law no. 32-B/2002** (I Series-A of the D.R. of 30 December) - Respectively approve the Major Planning Options that set political priorities for the 2003-2006 period and the 2003 state budget.

• **Administrative rule no. 1518/2002** (I Series-B of the D.R. of 19 December) - Establishes and approves regulations of the so-called NEST (Technological Support for New Enterprises) programme.

The Council of Ministers (CM) of 29 January approved a decree-law that modifies Decree-Law no. 290-D/99 of 2 August, which approves the legal regime for electronic documents and digital signatures. Three modalities of electronic signatures are established, with an increasing degree of security and reliability: electronic signature, advanced electronic signature and qualified electronic signature. The CM of 23 January endorsed a draft resolution that approved for adhesion the Agreement to Modify the Protocol on the Privileges and Immunities of the European Telecommunications Satellite Organisation (EUTELSAT) adopted and confirmed by that organisation's 26th Assembly of Parties, held in Cardiff on 18-20 May 1999.

VER http://www.governo.gov.pt/en

The TMT market - 2002/ 2003 edition

Professionals working in information technologies, media and telecommunications (TMT) may now consult the first edition of a new professional guide to the sector drawn up by Reportium XXI Consulting. The study on "The TMT Market in Portugal" forecasts that the sector may register annual average growth of 8.6 percent by 2005, while employment in those areas should increase by 3.3 percent per year. The report, sponsored by ANACOM, may be ordered by contacting Adquirir.Relatorio@ReportiumConsulting.com .

Text-only version of ANACOM website

The *Autoridade Nacional de Comunicações* (ANACOM) is taking part in commemorations of the 2003 European Year of People with Disabilities by means of the official launch of a text-only website.

In accordance with international accessibility standards, namely those recognised by the Web Accessibility Initiative (WAI) of the W3C World Wide Web Consortium, the text-only version is meant to facilitate access by the citizens with special needs who constitute 10 percent of the European population.

ANACOM's text-only version enables the publication of content on all existing market devices, as well as on equipment associated with new platforms such as the mobile generation and digital terrestrial television. More innovative services are thus developed, fulfilling the aims of the information society.

The text version of the ANACOM website is image-free and can run on any kind of screen, at http://www.anacom.pt/txt/index.jsp?categoryId=2958 .

See http://www.anacom.pt/template20.jsp?categoryId=3730&contentId=83441

http://www.anacom.pt/template20.jsp?categoryId=4599&contentId=84526

http://www.eypd2003.org/

New areas and updates

ANACOM's internet website has two new areas: "Communications sector events" and "Public consultations (EU and other regions)". A number of website sections were recently updated, namely those concerning preparation for the World Radiocommunications Conference (WRC03), the listing of radio and television broadcasters, links, the national numbering plan, ANACOM's inspection and sanction duties, radio services, the regime for the installation of telecommunications infrastructures in buildings, the listing of audiotext service providers, oversight of non-ionising radiation, and issues involving Portuguese amateur radio operators. The above updates are published at http://www.anacom.pt/template9.jsp?categoryId=3730 .

Launch of the European Year of People with Disabilities 2003

The Centre for Rehabilitation Engineering in Information and Communications Technologies (CERTIC) of northern Portugal's University of Trás-os-Montes e Alto Douro will hold in mid-March (date still to be defined) a seminar-forum on "New Technologies and People with Special Needs".

The event in Vila Real will mark the official launch in Portugal of the opening of the European Year of People with Disabilities 2003. On the occasion, the government will present its policy for the integration of citizens with special needs. Support technologies and the accessibility initiative will be launched in higher education curricula, and a Standing Telecommunications and Internet Forum is also to be established.

At http://www.eypd2003.org/

http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/03/106|0|RAPID&lg=EN;

Citizens with special needs

CERTIC has submitted to Parliament a proposal based on 14 recommendations, aiming for the "creation of a public telecommunications service that is more clear, modern and useful for citizens with special needs."

In an announcement released on 18 December, CERTIC calls for the extension of universal service to other networks, particularly the mobile one, better internet access conditions for disabled citizens, and more emphasis on e-jobs, tele-rehabilitation, distance training and "text, video and voice telephone intermediary services for hearing or speech impaired citizens."

A similar proposal was on 19 November sent to the government, with the aim of advising same, during the sale of Portugal Telecom's basic telecommunications network, of the need to safeguard the rights of Portuguese citizens with special needs.

Major Planning Options for 2003

Law no. 32-A/2002 of 30 December approved the Major Planning Options, which define political priorities for the period running from 2003 to 2006. The four principal aims are to consolidate a modern and efficient state with authority, to clear up public finances and develop the economy, to invest in qualification of the Portuguese, and to enhance social justice and ensure equal opportunity. Regarding telecommunications, the document emphasises the defence of competition, timely transposition of the so-called 99 Review package, respect for compliance with universal service and strengthened consumer rights. Other goals announced by the government include ensuring quality in the provision of postal services, ANACOM continuing to function under the pretext of "total independence" in articulation with the recently established Competition Authority, and promotion of the information and knowledge society.

VER http://www.anacom.pt/template9.jsp?categoryId=3730

E-government task forces appointed

The Economy Ministry has appointed the representatives of the Task Forces for Electronic Government, to function in the context of the Innovation and Knowledge Mission Unit: the Survey and Section Plans Task Force, the Citizens Portal Task Force (whose representation is the responsibility of ANACOM), the Government Task Force and the Rationalisation of Communications Costs Task Force. The Electronic Purchases Task Force still awaits designation of a representative.

Association studies reform of public administration

A study carried out by the Association for the Promotion and Development of the Information Society (APSDI), titled "Changing the Machine, Public Administration in the Information Society - collection of best practices and e-government development strategies", reviews and compares various international experiments in reforming state administration and proposes creative solutions for electronic administration. Launched on 29 January, the study may be consulted in its entirety at http://www.apdsi.pt/ .

International Telecommunications Union

CPM

The second Conference Preparatory Meeting (CPM) was held in Geneva from 18 to 29 November 2002, with the aim of drawing up the final version of the report that will serve as basis for decisions made at the upcoming World Radiocommunications Conference (WRC03).
The CPM functions in the context of the ITU's Radiocommunications Sector (ITU-R), with the participation of delegates from a number of countries. The said report was compiled and approved at the meeting; for each of the WRC03 agenda items it contains the results of all studies carried out by the various ITU-R study groups during the period 2000-2002, identifying for each item several ways to resolve the associated questions. The proposals of the administrations and/ or regional organisations will be based on the content of this report, for subsequent decision at WRC03.
Subjects covered in the report include the following: identification of spectrum for land mobile service applications in the case of emergency situations (Public Protection and Disaster Relief - PPDR); Galileo; revision of allocations in the 5GHz band; possible inclusion of an item for WRC07 aiming to review the spectrum needs for development of IMT2000 and future systems; NGSO BSS (audio broadcasting service) for non-geostationary orbital satellites; comprehensive introduction of the Global Maritime Distress and Safety System (GMDSS); and the use of ESV (Earth Stations on board Vessels).
The report is available in english, in electronic format, and may be consulted at http://www.anacom.pt/template12.jsp?categoryId=48812 .

Council Experts Group on management review

The first meeting of this group was held on 9-10 January, largely stimulated by the Portuguese administration as acting president of the ITU Council.
The encounter served to define the group's working programme and method, and established the schedule of actions and the division of labour between its members. The next meeting, on 12-14 February, should include an exhaustive survey of information and documentation on current methods of ITU management, along with the work and studies previously carried out in this area.
One of the most relevant decisions made at the Marrakech Plenipotentiary Conference (PP02) instructed the ITU Council to constitute an experts group to review the organisation's management. It would count one representative of each of its five administrative regions and submit its results at the next ordinary session of the ITU Council in May 2003.

DigiTAG

Various meetings of the Digital Terrestrial Television Action Group (DigiTAG) were held in Geneva on 10 and 11 December 2002: the Steering Board, the 8th plenary meeting, the 7th General Assembly and the 3rd Public Seminar.
The Steering Board, whose new members were elected in the General Assembly, set various priorities for DigiTAG, such as the establishment of closer links with the European Commission, the European Parliament and the European Conference of Postal and Telecommunications Administrations (CEPT); the encouragement of convergence between 3rd generation mobile systems and digital terrestrial television (DTT); elaboration and analysis of documents that defend land radio broadcasting, with the aim of stimulating good spectrum management; usage of DigiTAG knowledge to anticipate problems related to market development; and strengthened interaction with the DVB forum, namely at the commercial level and in MHP marketing.
Meanwhile, participants in the plenary session debated the need to set clear and concise user-friendly guidelines for the definition of decision-making support criteria with regard to future spectrum use. Also considered was conceptualisation of a set of switch-off scenarios for the analog system.
The seminar served to discuss aspects considered vital for the success of DTT, namely the availability of technology, the development of attractive and easily used content, and the realisation of realistic economic analyses, with the consequent elaboration of consistent financial projects. Regarding the state of DTT around the world, the latest developments were highlighted, namely in Singapore, Taiwan, China and Eastern Europe, as well as in the community countries, particularly the British and Spanish cases, which need to redefine the adopted model, and the launch under way in the Berlin area.

MESA specifications and ETSI events

The European Telecommunications Standards Institute (ETSI), which in 2003 commemorates the 15th anniversary of its founding, has published the statement of requirements for broadband equipment specifications for public safety (MESA project). At http://www.anacom.pt/template20.jsp?categoryId=3730&contentId=78622 .
Meanwhile, in partnership with the European Commission, ETSI is holding a series of four seminars on mobile systems.

VER http://www.anacom.pt/template20.jsp?categoryId=3730&contentId=84747

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Portugal-Spain co-ordination meeting

A Portugal-Spain frequency co-ordination meeting was held in Madrid on 15-17 January and focused on pending co-ordination issues concerning digital audio broadcasting service (T-DAB) and frequency modulated (FM) stations, digital television (DVB-T) and analog television. The co-ordination of a large number of stations was concluded; agreement was likewise made to set up a radio broadcasting subgroup to find solutions that will make feasible an orderly and fair introduction of DVB-T in the two countries.
All pending cases of interferences in audio and television broadcasting, land mobile, aeronautic, maritime and amateur services were studied and the appropriate strategy to follow determined.

In this context, the president of ANACOM and the Spanish ministry's director-general of Telecommunications and Information Technology signed on 15 January 2003 a Cross-Border Bilateral Agreement aiming to shorten reply time and provide mutual assistance in cases of radio interference, frequency co-ordination and spectrum control.
Also signed was an agreement on land mobile service that aims to update border co-ordination methods for UMTS/IMT2000 systems in the 1900-1980 MHz, 2010-2025 MHz and 2110-2170 MHz frequency bands.
Lastly, the technical principles that will serve as the basis for an agreement on fixed service by Hertzian bands were elaborated.

News from Other Countries

SPAIN - *Ministerio de Ciencia y Tecnología* (MCT) - The MCT released on 17 January a document containing the main novelties of the preliminary draft of the Telecommunications Law. See http://www.sgc.mfom.es/ .

SPAIN - *Comisión del Mercado de las Telecomunicações* (CMT) - Carlos Buselo García del Real took office as the new president of the CMT on 28 January, as did the Commission counsellor Crisanto Plaza Bayón. At http://www.cmt.es/cmt/document/c_prensa/2003/c20030128_01.pdf .

FRANCE - *Autorité de Régulation des Télécommunications* (ART) - The ART released on 20 January two studies on the effects of radiation from antennas and mobile terminals. One of the studies presents an updated overview of various scientific studies that analyse the consequences of electromagnetic fields on public health. The second work covers legal aspects of antenna instalment. At http://www.art-telecom.fr/communiques/communiques/2003/index-c170103.htm . On the same date, the ART released a study on the cable economy in France, drawn up by a consultancy. It aims to contribute towards reflection on cable's role in development of the information society and technological convergence. Additional information at http://www.art-telecom.fr/communiques/communiques/2003/index-c270103.htm .

BELGIUM - *Institut Belge des Services Postaux et des Télécommunications* (IBPT) - The IBPT has published a notice concerning a market study in the context of the designation of significant market power (SMP) in the leased lines market. See http://www.bipt.be/Actualites/Communications/612002.pdf . The results of the consultation launched in July 2002 on the methodology for calculating the net cost of universal telecommunications service are available at http://www.bipt.be/Actualites/Communications/Synth_consul_CN_fr.pdf .

ITALY - *Autorità per le Garanzie nelle Comunicazioni* (AGC) - The AGC announced on 9 January that the incumbent Telecom Italia would be fined 144,607 euros for breach of competition rules. At http://www.agcom.it/comunicati/cs_090103b.htm .

UNITED KINGDOM - Office of Telecommunications (OFTEL) - The British regulator announced on 22 January that the four mobile operators should lower termination prices in their networks. The first price cut of about 15 percent must be implemented by 25 July 2003, and a further 15 percent by 31 March 2004. See http://www.oftel.gov.uk/press/releases/2003/pr01_03.htm . OFTEL has launched a consultation that considers the possibility of replacing the interconnection price structure with a method that applies two components, call activation and price per minute (two-part changing method or 2PC). Comments may be submitted until 25 April. Details at http://www.oftel.gov.uk/publications/licensing/2003/twopc0103.htm .

UNITED KINGDOM - Office of Communications (OFCOM) - The British super-regulator, still in the instalment phase, will assume official duties by the end of 2003, after the new Communications Law takes effect, which should occur this coming summer. Stephen Carter, aged 38, has meanwhile been appointed chief executive of OFCOM. See http://www.ofcom.org.uk/newsroom/news_releases/PressRelease_21-01-03.htm .

IRELAND - Commission for Communications Regulation (ComReg) - The Irish regulatory authority holds that the operators of GSM mobile networks should be able to use spectrum bands that were assigned to them in order to provide broadband services. Interested parties may formally react to the ComReg proposal by 10 March. Mobile operators must introduce portability in their networks by 25 July. A ComReg consultation on SDS parcel prices and their conformity with the pricing principles established by the Postal Directive is in effect until 14 February. Also under way until 18 February, in the context of the new sectorial regulatory framework for telecommunications is a consultation on the regulation of universal service. Meanwhile, on 10 January another public consultation ended - also framed by the 99 Review package, it concerns future pricing principles for authorisations and rights of use. All information at http://www.odtr.ie/pr_current_consultations.asp .

NORWAY - Norwegian Post and Telecommunications Authority (NPT) - The deadline to submit comments in the context of a public consultation launched by the NPT on 17 January is 11 April. It concerns revision of regulations on authorised frequency use. See http://www.npt.no/eng/system/html/index.html .

ROMANIA - Ministry of Communications and Information Technology (MCIT) - The Romanian parliament has adopted a draft law on universal service and users' rights for electronic communications networks and services. At http://www.mcti.ro/mcti0.html?page=1011&PHPSESSID=87adb893f39c31a95cac58138e47d27f .

BRAZIL - *Agência Nacional de Telecomunicações* (ANATEL) - The new Minister of Communications, Miro Teixeira, took office on 2 January, succeeding Juarez Cuadros. Among the priorities of the sector's new top government official are the use of resources from the Fund for the Universalisation of Telecommunications Services (Fust) to increase internet access in schools, reanalysis of the process of choosing the digital terrestrial television standard to adopt in Brazil (the minister put forward the possibility of establishing agreements with China and India, with the aim of developing their own technological standard) and the renewal of concession contracts with fixed switched telephone service providers. See http://www.anatel.gov.br/Tools/frame.asp?link=/biblioteca/releases/2003/release_09_01_2003.pdf .

CEPT Meetings

Troika

The *Troika* of the European Conference of Postal and Telecommunications Administrations (CEPT) - made up of the current (Portugal), previous (United Kingdom) and next (Switzerland) presidencies - met on 14 January in Lisbon, with the aim of preparing for the next CEPT Assembly, to be held in southern Portugal's Algarve region on 5-6 March, under the Portuguese presidency.
The *Troika* discussed developments related to the Assembly's agenda, namely revision of the 1961 Stockholm Agreement, the next World Radiocommunications Conference (WRC03), the strategy conference of the Universal Postal Union (UPU) and the congress of that organisation (to be held in 2004), the Plenipotentiary Conference (PP02) of the International Telecommunications Union (ITU), relations between CEPT and the European Regulators Group (ERG), preparation for the World Summit on the Information Society (WSIS), election of the chair and vice-chair of the ITU working group, the report of the Assembly's *ad hoc* group, the note of understanding between CEPT and the European Commission, revision of the document on co-operation with other regional organisations, the Tampere Convention, and the new CEPT brochure.

Ad Hoc Assembly Group

The first meeting of the Assembly's *ad hoc* group was held in Lisbon on 9-10 January. Its mission is to prepare possible guidelines for co-ordinating European candidates for positions in international organisations.
The meeting was attended by representatives of the postal and telecommunications sectors. Despite being a controversial matter, aggravated by clear differences between the situation in one or another sector, the group prepared for submission to the next CEPT Assembly a set of recommendations on the policy the organisation should follow to co-ordinate the candidates in question, with the aim of placing European candidates in key positions.

CPG PT1

The seventh meeting of PT1 of the Conference Preparatory Group (CPG) met in Helsinki, at the invitation of the Finnish administration, from 14 to 16 January 2003.
The meeting specifically focused on items 1.26 (provisions by which earth stations on board vessels may operate in fixed satellite service networks), 1.30 (possible changes to the procedures of prior publication, co-ordination and notification of satellite networks) and 7.2 (recommend to the Council items to include on the WRC agenda and provide suggestions for the preliminary agenda of the next Conference and on possible items to place on the agenda of future conferences, taking into account Resolution 801 - WRC00) of the agenda of the World Radiocommunications Conference (WRC03).
Regarding the associated issues, various draft European common proposals (ECPs) were prepared for submission to the CPG.

CPG PT4

The preparation of other agenda items for the upcoming WRC03, related to short-wave broadcasting service (HFBC), mobile maritime service (MMS) and amateur service was also subject to analysis by the CPG's PT4 when it met on 6-7 January in Nederhorst den Berg, the Netherlands.
The final version was drawn up of draft ECPs for items 1.2 - introduction of new modulation techniques (digital technology) in short wave bands allocated to radio broadcasting service; 1.23 - global realignment of frequency band assignments for amateur services and radio broadcasting service around 7 MHz; and 1.36 - adjustment of frequency allocations for radio broadcasting service between 4 MHz and 10 MHz.
These draft ECPs will also be submitted for appreciation at the next CPG meeting.

ECC PT5

PT5 of the Electronic Communications Committee (ECC) met in Copenhagen on 9-10 January, where it proceeded to update implementation of One-Stop Shopping for Satellites (OSS) and the Combined Form (CAF).
Work to develop the computer requirements inherent to the COM Recommendation approved in the last ECC was begun, while results of the last meeting of the task group for ECC reorganisation (TG1) and the structure the group will present to the Committee were also considered.

ECC PT1

PT1 of the ECC, which met on 20-22 January in Groningen, is responsible for all issues related to the evolution of IMT2000 and future systems, including the co-ordination of European positions and contributions on spectrum, regulatory and sharing/ compatibility questions in the context of WP8F (group for IMT2000 and future systems) of the Radiocommunications Sector (ITU-R).
In the context of the document on Spectrum Requirement Estimation Methodology, a decision was made to support the proposal to the effect that the dates for new elements of IMT2000 to begin operations should be after 2015, instead of 2010.
PT1 proposes that WRC03 should invite ITU-R to carry out additional studies and recommendations for matters related to development of IMT2000 and systems beyond, and to complete studies on the spectrum requirements and channels appropriate for development of IMT2000 and on the timeframe in which such spectrum will be necessary, taking into account the surrounding market, the increased demand for IMT2000 and other mobile services *vis-à-vis* advanced technologies. Lastly, it proposes that these two decisions take into account the needs of underdeveloped countries and that they include the sharing and compatibility of services already functioning in potential IMT2000 bands.
On issues related to sharing and compatibility, and given the decision made at the last ECC meeting that PT1 should determine the best guard band for the 2.5 GHz band with respect to broadcasting service by satellite (BSS), it was decided to go ahead with development of the corresponding recommendation to be submitted to the ECC.
Regarding the extension band in 2.5 GHz, a decision was made to begin preparation of the ECC report on sharing and compatibility related to IMT2000 systems in the 2500-2690 MHz bands.

WG FM PT22

Organised by the French administration (ANFR), the subgroup on interconnection of radiogoniometers up to 30 MHz (TG-cnxHFDF of WGFM PT22) met between 21 and 24 January in Paris.
Heightened interest in obtaining emission azimuths in frequencies up to 30 MHz from radiogoniometers operated by other countries was recognised, particularly when monitoring stations are outside working hours. This will be the first step towards the similar future sharing of other infrastructures.

VER http://www.cept.org VER http://www.eto.dk VER http://www.ero.dk

Independent Regulators Group (IRG)

Plenary Session

Representatives of the 29 National Regulatory Authorities (NRAs) attending the plenary session of the Independent Regulators Group (IRG) held in Amsterdam on 22 January approved the IRG's working programme for 2003, which basically aims to respond to new issues stemming from the telecommunications regulatory package known as 99 Review.

Also approved was a proposal for the structure of working groups during the current year, as well as a modification of the provisional rules of procedure of the European Regulators Group (ERG), a European Commission advisory group, which should in turn review the change.

The chairman of the Implementation WG presented the latest developments concerning the notification process, anticipated in article 7 of the Framework Directive; the plenary session reached consensus on the need to continue discussion on the matter before approving a recommendation and before the new regulatory framework takes effect. Debate on the binding nature of this measure is still necessary, and on its eventual obligatory nature and the degree of detail in the summary, clarification of the concept of incomplete notification and the need to integrate the Commission's proposed remedies. These matters should be weighed at the next meeting of the ERG.

Meanwhile, the previous IRG plenary session held on 21 and 22 November in Helsinki approved a European common position on collaboration between the NRAs and competition authorities, in the legal regime introduced by the new regulatory package, which mainly alters the rules on market analysis.

In the context of co-operation between the IRG and the Latin American Forum of Telecommunications Regulatory Bodies (REGULATEL), the possibility of promoting a course on regulation and IRG collaboration on the REGULATEL website, similar to IRGIS, was studied.

MM WG

The IRG's Mobile Market working group (MM WG) met on 17 January in Stockholm, with participants discussing matters to be focused on in 2003: added-value short message service, mobile network termination, international roaming, service providers' access to mobile networks and UMTS implementation.

The meeting's chairperson reported that the End Users, Fixed Network, Implementation, Regulatory Accounting, Significant Market Power and Mobile Market working groups had established the informal Remedies working group, whose aim is to define the principles for implementation and best practices in areas covered by the working groups involved.

Contact Network

A meeting of the Contact Network was held in Amsterdam on 9-10 January, chaired by OPTA (the Dutch regulator). Also present were representatives of the new IRG members - Lithuania, Hungary, Estonia, Slovakia, Cyprus, Slovenia, the Czech Republic, Malta, Latvia and Poland. The main goal was to prepare the IRG for the next meeting of the European Regulators Group (ERG). The agenda included the presentation of draft IRG and ERG working programmes for 2003, which are to be submitted to the respective plenary sessions for final approval.

OJEU

Note: In the wake of the entrance into force of the Nice Treaty, the Official Journal of the European Communities (OJEC) has as of 1 February changed its designation to the Official Journal of the European Union (OJEU).

- **Council Resolution (2003/C13/04)** - Concerning European interactive media content. Published on 18 January.
- **Council Conclusions (2003/C13/01)** - On the "Television without Frontiers" Directive. Published on 18 January.
- **Council Resolution (2003/C11/01)** - Concerning community consumer policy for the period 2002-2006. Published on 17 January.
- **List of standards and/or specifications (2002/C331/04)** - For electronic communications networks and services and associated services (interim edition). Published on 31 December.
- **Commission Communication (2002/C304/03)** - In the framework of implementation of Directive 1999/5/EC of the Council, on radio equipment and telecommunications terminal equipment and on mutual recognition of their conformity. Published on 7 December.
- **Opinion of the Committee of the Regions (2002/C278/02)** - On the proposed Council regulation on the establishment of the Galileo joint undertaking. Published on 14 November.
- **Opinion of the Committee of the Regions (2002/C278/07)** - On the Commission Communication to the Council, the European Parliament, the Economic and Social Committee, and the Committee of the Regions - eEurope 2002: Accessibility to Public Websites and their Content. Published on 14 November.
- **Opinion of the Economic and Social Committee (2002/C221/07)** - Concerning revision of annex I of Decision no. 1336/97/EC on a series of guidelines for trans-European telecommunications networks. Published on 17 September.
- **Commission Decision (2002/753/EC)** - Concerning measures implemented by the Federal Republic of Germany for Deutsche Post Ag. Published on 14 September.

VER http://europa.eu.int/eur-lex/en/oj/index.html

Postal Group of the EU Council

The Council's Postal Group met on 17 January, with the European Commission presenting, under terms of article 23 of Postal Directive 97/67/EC, the report on application of said directive. It includes appropriate information on the sector's evolution, particularly with regard to economic, social, employment and technological aspects, as well as on service quality.

The report's conclusions indicate the following: most member-states have already transposed the Postal Directive; universal postal service has been assured in accordance with uniform criteria; provision of same has been compatible with the market's opening to competition; a considerable increase in service quality has been verified; and the establishment of independent National Regulatory Authorities in most of the fifteen member-states, along with application of the Directive, have enabled harmonisation of the Union's regulatory framework (*see page 4 of previous edition of Spectru*).

VER http://www.anacom.pt/streaming/ReportCo.pdf?categoryId=49430&contentId=74368&fieldId=ATTACHED_FILE

European Union

Public hearing on open platforms

The Commission is to hold on 4 February in Brussels a hearing on barriers to the achievement of widespread access to new information society services and applications through open platforms in digital terrestrial television and third generation mobile communications. At http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/03/149|0|RAPID&lg=EN .

Broadband Day

Brussels was the setting on 28 January for "Broadband Day", a seminar aiming to promote widespread broadband availability in the 15 member-states. See http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/03/121|0|RAPID&lg=EN ; http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=SPEECH/03/30|0|RAPID&lg=EN .

France Telecom under investigation

The Commission on 30 January began investigating the possibility that state aid was distributed to France Telecom in the form of credit on the order of 9 billion euros. At http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/03/150|0|RAPID&lg=EN .

Green Paper on European space policy

The European Commission and the European Space Agency (ESA) have launched a public consultation, in effect from 22 January until 30 May, on the Green Paper on European space policy. Details at http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/03/82|0|RAPID&lg=EN&display . Meanwhile, and despite the breakdown of negotiations in the ESA Council, Commission Vice-President Loyola de Palacio has guaranteed that the 2008 deadline for the launch of the European satellite radionavigation system known as Galileo will be met. The ESA must still assure financing of 550 million euros for the project. More information at http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/03/50|0|RAPID&lg=EN&display= .

Revision of electromagnetic compatibility standards

Directive 89/336/EEC on the electromagnetic compatibility of electric and electronic equipment is being revised. Additional information at http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/03/85|0|RAPID&lg=EN .

10th anniversary of the Single Market

In the decade since the creation of the Single Market on 1 January 2003, the Union's GDP is 1.8 percent higher than it would be without the Single Market, according to calculations by the Commission, which marks the anniversary with the publication of a document titled "The Internal Market Ten Years without Frontiers". Among future challenges are the elimination of barriers in the service sector. See http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/03/7|0|RAPID&lg=EN&display=; http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=MEMO/03/2|0|RAPID&lg=EN&display= and http://europa.eu.int/comm/internal_market/10years/index_en.htm .

Transposition of the Transparency Directive

The Commission has decided to refer the cases of Portugal and five other member-states (Finland, France, Ireland, Italy and Sweden) before the European Court of Justice for failure to transpose the Transparency Directive, which mandates separate accounts for companies undertaking public service missions. At http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/03/19|0|RAPID&lg=EN&display= .

Infringement procedures against 13 member-states

The Commission will pursue infringement procedures against 13 member-states that have not transposed a number of internal market directives, namely concerning matters involving automobile insurance, cultural goods, electronic commerce and the emission of electronic currency. Portugal is targeted in the cases of the fourth directive on automobile insurance transposition (Directive 2000/26/EC) and the directive on electronic commerce (Directive 2000/31/EC). The Commission also plans to take seven member-states, Portugal among them, to the EU Court of Justice for non-compliance with the directive on the legal protection of designs and models. See http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/03/4|0|RAPID&lg=EN&display= .

Online authentication services

The EU group for data protection approved on 29 January a document on online authentication services. Details at http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/03/151|0|RAPID&lg=EN .

New citizens' portal

The Commission has reformulated its portal "Your Voice in Europe" in order to increase civil society participation in European construction. Citizens of the 15 member-states now have access to online consultations and debates. See http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/03/122|0|RAPID&lg=EN&display=; and http://europa.eu.int/yourvoice/ .

New European ombudsman elected

Nikiforos Diamandouros of Greece was in the second round of European Parliament voting chosen over the Briton Roy Perry to be the European Union Ombudsman. Diamandouros, aged 60, is a professor of political science and has already served as Justice Ombudsman in his home country. At http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/03/51|0|RAPID&lg=EN .

"Television without Frontiers" Directive

The Commission approved on 7 January a report on application of the "Television without Frontiers" Directive and a working programme, for the current year, to review same. See http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/03/6|0|RAPID&lg=EN&display= .

OECD

The Organisation for Economic Co-operation and Development (OECD) published on 21 January two fundamental documents on the organisation's current policy for the security and privacy of computer systems and networks. "Privacy Online: policy and practical guidance" has thus been published, along with the "Implementation Plan for the OECD Guidelines for the Security of Information Systems and Networks: towards a culture of security". In November 2002, the organisation launched "Measuring the Information Economy 2002", based on more than 80 statistical indicators, to establish an international comparison of the state of development of the digital economy in the OECD countries.

VER http://www.oecd.org

GREEK PRESIDENCY - LISBON STRATEGY DEBATED

The Greek Prime Minister and current President of the Council of the European Union, Costas Simitis, wrote to European Commission President Romano Prodi on 14 January to express his concern over implementation of the so-called Lisbon Strategy. Adopted three years ago during the Portuguese EU presidency, the Lisbon Strategy aims to make the Union the world's most competitive knowledge-based economy by 2010.

In his letter, Simitis states that to do so it will be necessary, among other measures, to implement the eEurope initiative for an inclusive information society as well as the new telecommunications regulatory framework, and to emphasise research and development, deepen the internal market rules and invest in the integration of environmental practices in all community policies.

The full content of the prime minister's letter may be read at http://www.eu2003.gr/en/articles/2003/1/13/1490/ .

On the same date, Simitis presented in the European Parliament the priorities of the Greek presidency. His speech is available at http://www.eu2003.gr/en/articles/2003/1/14/1493/ .

EUROPEAN REGULATORS GROUP (ERG)

The European Regulators Group (ERG), set up in the context of the new sectorial regulatory framework, met for the second time on 23 January in Amsterdam and approved a draft working programme for 2003. It also decided to continue work based on the provisional rules of procedure, with the modification adopted in the last plenary session of the Independent Regulators Group (IRG). *See previous news item*.

The ERG also discussed a document on working methods prepared by the Dutch regulatory authority (OPTA) that particularly focused on the realisation of consultations, the participation of experts and observers and the treatment to give various documents; it will be reviewed by the Secretariat, subject to members' electronic approval and is to be published on the ERG website.

At the Commission's request, all regulatory authorities provided an overview of the current situation of the 99 Review regulatory package transposition process. Portugal indicated that the appropriate measures have been prepared and submitted to the government and should be adopted before June; the market revision process has also begun. The Commission reported that the recommendation on Relevant Markets should be adopted on 11 February, and that a document on the sector is being prepared, to be discussed at the March European Council.The ERG has been present on the internet since 1 February at http://erg.eu.int .

VER http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/03/119|0|RAPID&lg=EN

RADIO SPECTRUM POLICY GROUP (RSPG)

In the context of the European Union, the first meeting of the new Radio Spectrum Policy Group (RSPG) met on 17 January in Brussels. It was set up in wake of the new regulatory package for the telecommunications sector implemented by the European Council and Parliament.

The group arises from the need to assure connection between community policies and the processes of spectrum management. Its mission is to advise the Commission on issues of spectrum policy, on the co-ordination of political positions and, when appropriate, on the harmonisation of conditions *vis-à-vis* the availability of spectrum for the establishment and functioning of the internal market.

Participants in the meeting first discussed the rules of procedure to be adopted by the group and the priority issues for debate. The next meeting is expected to see adoption of the rules of procedure, establishment of the working programme and selection of the presidency, which should be assumed by a member-state representative.

See http://europa.eu.int/information_society/topics/telecoms/radiospec/radio/index_en.htm .

The speech by the European Commissioner for Enterprise and the Information Society, Erkki Liikanen, at the group's first meeting is available at http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=SPEECH/03/10|0|RAPID&lg=EN .

IN FEBRUARY 2003

EU
- Telecommunications Group (3,7,14,21,28)
- Public hearing on barriers to access to open DTT and 3G platforms (4)
- Informal Internet Group (20)

CEPT
- CPG (10-14)

ECC
- WG RR (3-7)
- WG SE (3-7)
- FM EFIS (13)
- FM PT24 (17-19)
- PT5 (19-20)

ITU
- Telecom Editorial Committee 03 (4-7)
- Management Revision Specialists Group (12-14)
- Council *Troika* (15)

Standardisation Sector
- TSAG (24-28)

Radiocommunications Sector
- TG 6/8 (25-28)

UNO/ ITU
- PrepCom 2 (17-28)

EVENTS
- ***The Challenges of Telecommunications Regulation*** - 3, Lisbon (FEUNL)
- ***MILIA 2003 - The World's Interactive Content Marketplace*** - 4-6, Cannes
- ***IT4All Congress*** - 5-7, Bilbao
- ***SMS Meets TV*** - 6, Lisbon
- ***The New EU Regulatory Package for Electronic Communications - best practice solutions for effective competition*** 10-11, London
- ***M-Commerce*** - 12, Stockholm
- ***The Ipv6 Protocol - the new internet generation*** - 13, Lisbon (LNEC)
- ***Wireless Lans and Virtual Fields - broadband access as a priority*** 14, Oeiras (Tagus Park)
- ***1st European Across Grids Conference*** 13-14, Santiago de Compostela
- ***IST and NMP Joint Call on Manufacturing, Products and Services Engineering in 2010*** 17, Brussels
- ***9th National Radio Congress*** 21-23, Castelo Branco (Cineteatro Avenida)
- ***Mobile Services and Applications' Concertation Meeting*** - 27, Brussels
- ***ETSI M-Commerce Project*** - 27, Sophia Antipolis
- ***Access for All*** - 27-28, Nice
- ***Safer Internet*** - 27-28, Luxembourg
- ***Information Day on FP6 Priorities*** 28, Brussels

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