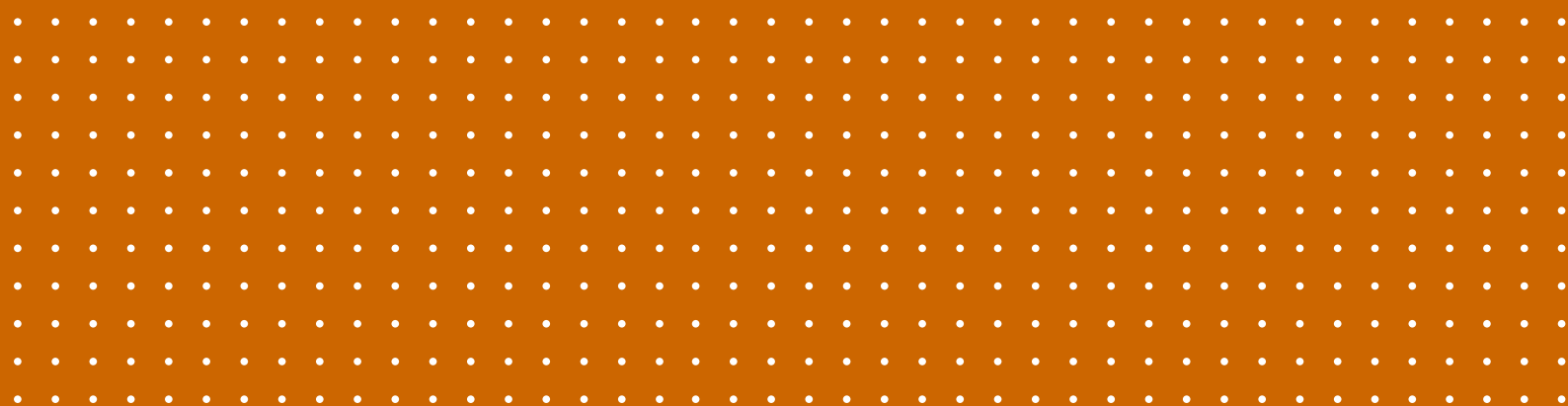


03.

Strategic goals and actions for
the Triennium 2010-2012



● Strategic goals and actions for the Triennium 2010-2012

The strategic vision of ICP-ANACOM's Board of Directors for the 2010-2012 triennium, considering the past/present context and the new challenges facing the Regulator, leads to the definition of the following strategic goals:

To promote open and competitive markets

The process of reviewing the obligations associated with the relevant markets in the light of the current and future EU regulatory framework will cover a very large number of markets.

For 2010, in addition to the review of market 18 (wholesale market of broadcasting services for the delivery of content transmitted to final users), it is planned to conduct an assessment of any obligations to be imposed on market 6 and to review of the Glide-Path of MTRs (Mobile Termination Rates).

With respect to the implementation of Digital Terrestrial Television (DTT), the following actions have been planned for the three year period of 2010-2012:

- To monitor the process of switch-over and simulcast. In this context, ICP-ANACOM plans to produce quarterly reports on the progress of the transition process and to conduct a survey of consumers;
- To prepare the procedures and measures required for the switch off of the analogue television service. In this respect, ICP-ANACOM intends, in addition to the publication of the plan for the termination of terrestrial analogue transmissions, to measure the extent of DTT coverage as well as the availability of equipment and also to audit compliance with the obligations (in addition to the coverage) of the DTT operator.

ICP-ANACOM also plans to proceed with the transposition of the future Directive which will amend Directive 87/372/EEC (GSM Directive) on the frequency bands to be reserved for the coordinated introduction of public pan-European cellular digital land-based mobile communications up to the end of 2010, although the schedule is subject to the entry into force of legislation transposing the Postal Directive.

This constraint may also affect the timetable that is proposed for the drawing up of a new regulation of postal operations, which is scheduled in the Plan for 2011.

With the aim of circulating information and raising awareness with respect to the new ITED/ITUR regime (Telecommunications Infrastructure in Buildings / Telecommunications Infrastructure in Urban Developments), six seminars on the new rules are scheduled for 2010.

To uphold and protect the interests of users and citizens in general

With the entry into operation of the National Centre for Arbitration in the first quarter of 2010, ICP-ANACOM plans to launch a national information and awareness campaign about the Centre during the second quarter of 2010, directed at users and citizens in general.

The subject of security of communications is particularly important in this Plan. In this context, and already in 2010, ICP-ANACOM plans, in addition to concluding a study of evaluation and characterization of communications security on public electronic communications networks, to set up an applicational system (Extranet) for the notification of faults and to carry out security exercises with regard to communications and information on networks and electronic communications services.

It is also our intention, albeit on a broader time horizon, to install a CSIRT (Computer Security Incident Response Team) for electronic communications networks and services.

ICP-ANACOM intends to conduct an information campaign on the various television reception platforms (Cable, Satellite, XDSL and Terrestrial).

Plans also include studies on behavioural patterns and user motivation, to be carried out with respect to electronic communications, particularly in terms of adopting packages or switching operators, and also in the context of broadband mobile communications.

There are also plans to repeat the benchmarking exercise at a European level on comparisons of postal services price.

It should be noted that 15 actions are planned with respect to both objectives 1 and 2 (to promote open and competitive markets and to uphold and protect the interests of users and citizens in general), whose accomplishment is decisive for the fulfilment of these goals, specifically:

- Evaluate spectrum management in terms of prospective strategy, considering the existing and planned use of frequencies, as well as the need to anticipate the introduction of new radiocommunications systems;
- Define spectrum management policies concerning the possibility of transmitting usage rights, particularly establishing the modes and phases associated with the introduction of secondary spectrum trading;
- Study the feasibility of options, resulting from public consultation, for the digital dividend;
- Reformulate the structure of the National Frequency Allocation Plan (NFAP) and forms of access;
- Define and implement the principles of spectrum planning and engineering to be included in the NFAP;
- To undertake the transposition of the regulatory framework for postal services;
- To update the Community regulatory framework for electronic communications networks and services;
- To approve the rules for numbering, updating the main elements of the National Numbering Plan (NNP) and presenting the document of services associated with E.164 numbers;

- To establish procedures for the ENUM Tier 1 registry under the protocol for the establishment of FCCN - Fundação para a Computação Científica Nacional (Foundation for National Scientific Computing) and to promote the development of work in this area, including a pilot project;
- To evaluate the price system of the Universal Postal Service (Price Convention);
- To assess the quality objectives of Universal Postal Service (Quality Convention);
- To implement the procedure for limiting the usage right for the 2.5 GHz bands and other associated rights;
- To define the solution for the portability of "non-call related" communications in the event of termination of service, adjusting for this purpose the Specifications for Portability;
- To update the preliminary version of the CLI Guide (Calling Line Identification) and to submit it to consultation;
- To amend the Selection and Pre-selection Regulation (SPS) to accommodate SPS with the "30" numbering range.

To improve the Regulator's efficiency and performance capacity

In this respect, in 2010, ICP-ANACOM expects to have concluded the Integrated Monitoring Project (PMI), which is the national network that integrates all the technical infrastructure supporting the monitoring and the control of the spectrum. This network will be completed with the implementation of the PMI in Barcarena and with the construction of three remote stations in the Autonomous Region of Madeira and of other three in the Autonomous Region of the Azores.

The computerization of all processes of spectrum monitoring and control as well as of the management of laboratories and equipment are two other actions that ICP-ANACOM plans to carry out in 2010.

With the aim of speeding up procedures for radio spectrum licensing, ICP-ANACOM intends to develop and to implement a computer application to support electronic licensing, to be operational by the end of 2011.

It is also planned, for 2010, to undertake the adaptation of the GIAF (Integrated Administrative and Financial Management) application module for the new accounting system and, for 2011, the computerization of all procedures related to the supervision of the Equipment Market governed by the R&TTE/EMC regime).

ICP-ANACOM also plans to conduct a study on the dematerialization and presentation/delivery of documents by email in the context of infringement proceedings. However, this action is dependent on legislative measures to be taken by the Ministry of Justice with regard to the envisaged dematerialization applicable to criminal proceedings, applicable by extension to the regime governing offences.

At the level of human resources, ICP-ANACOM plans to undertake a study on the organizational climate and conclude the 2nd phase of drawing up ICP-ANACOM's Human Capital Portfolio.

To participate in the development of the European Union internal market

Participation in the deepening of the European internal market should likewise ensure more consistent and innovative internal regulation, thereby contributing to the fulfilment of the three goals detailed above, which lay within a different scope from this latter goal.

Essentially, the intention is that participation in a European context makes it possible to envisage innovative strategies and to anticipate the problems and respective solutions that will comprise the core of common concerns of European regulators.

Meanwhile, it cannot be emphasized enough that the electronic communications sector is the one that is subject to greatest EU control in terms of national decisions, which in fact calls for very active participation in the shaping of community decisions.

Consequently, there is a need for increasing involvement with respect to the presence of ICP-ANACOM in European activities, with the IRG/ERG having particular relevance along with the possible new form that the ERG will assume following the completion of the New European Regulatory Framework. However, a significant and active presence will be maintained in the IRG, which will remain an important and useful forum for meetings, collaboration and for the search for informal common positions by Europe's regulators.

The main challenge of this active participation is the resolution of the complicated trade-off between the harmonization of positions within the European Union and the specifics which hold sway over the actions of each of the National Regulators.

Regarding harmonization, it is important to be aware of two dangers that could jeopardize the "performance" of regulation in the national markets and, consequently, the three strategic objectives above. These are the "blind" application of the experiences of other regulators and the implementation of policy or strategy that does not adequately reflect local circumstances and which are, in essence, the basis for the existence of national regulations.

On the other hand, there are services whose harmonization (with international "roaming" a paradigmatic example), and perhaps even homogenization, is essential and urgent, as is the case of services with pan European potential or services with a significant cross-border component. These latter items, in particular, called for strengthened cooperation with the Spanish regulator (CMT) and were the starting point for closer cooperation between the two Iberian regulators. This cooperation will continue to deepen with the exploration of common interests within Europe.

The tension of greatest relevance between these two opposing poles arises in the establishment of ERG common positions, which by some means establish boundaries for scope of action of National Regulators.

In this respect, various areas are opening up where supervision is called for, specifically NGN/NGR, VoIP, mobile television and the digital dividend, termination rates and “bundling” offers.

This tension will, however, take a new shape with respect to the final reconfiguration of the developments of the ERG, possibly establishing new decision-making processes using the “College” of European regulators. In that case, bilateral dialogues and the search for common interests between regulators will require a more active presence and more intense back-office work, so that the trade-off above is resolved in a balanced way.

To promote institutional and technical cooperation

ICP-ANACOM will continue to strengthen and deepen strategic and technical cooperation, particularly with the countries of the CPLP (Community of Portuguese Speaking Countries). In this context, several training courses are planned over the three years 2010-2012 in the context of the Centre of Excellence (CoE) of the ITU (International Telecommunication Union) with a scholarship now available for technical training.

ICP-ANACOM also plans to carry out the ICPs (Indicative Cooperation Programmes) with the different partners of PALOP: INACOM (Angolan Institute of Communications), ANAC (National Agency of Communications in Cape Verde), ICGB (Institute of Communications of Guinea-Bissau), INCM (National Institute of Communications of Mozambique), AGER (General Regulatory Authority of Sao Tome and Principe and ARCOM (Communications Regulatory Authority of East Timor).

It should be noted that ICP-ANACOM is responsible for the Secretariat of ARCTEL - Associação de Reguladores de Comunicações e Telecomunicações (Association of Communications and Telecommunications Regulators) of CPLP during the 2010-2012 triennium.

In 2011, and in the context of the tasks entrusted to this Authority in representation of the Portuguese State, ICP-ANACOM will prepare the national position for the World Radio communication Conference (WRC11) and participate in this one, upholding national interests.

In ANNEX I , for each of these strategic objectives, the timetable is set out for all the strategic actions to be executed in the 2010-2012 triennium¹.

The association of 74 strategic actions with the strategic objectives can be summarized as follows:

Strategic Objectives	No. of actions
To promote open and competitive markets	17
To uphold and protect the interests of users and citizens in general	20
To improve the Regulator's efficiency and performance capacity	16
To promote open and competitive markets / to uphold and protect the interests of users and citizens in general	15
To participate in the development of the European Union internal market	1
To promote institutional and technical cooperation	5

¹ The order in the list of strategic actions is provided only to make it easier to read.