



3

.....

TO ASSURE AND
PROTECT THE
RIGHTS OF USERS
AND CITIZENS IN
GENERAL

(OBJECTIVE 2)

.....

● ● 3 To assure and protect the rights of users and citizens in general (Objective 2);

To assure the interests of citizens is a duty of the NRA which is enshrined in the EU's regulatory framework and in national legislation, providing consumers with a high level of protection in their dealings with service providers, particularly in terms of transparency in offers and the protection of personal data, and a US with affordable prices and a specified quality of service.

The adoption of measures aimed at removing barriers that limit the ability of consumers to switch providers is also a key objective in this context, associated in particular with the effective implementation of features such as number portability and to a lesser extent, pre-selection.

● ● 3.1 Universal Service (US) of electronic communications

3.1.1 Parameters and levels of quality of service

The USP, currently PTC, is obliged in particular, and following the determination of ICP-ANACOM of 30 March 2006, to publish the parameters of quality of service and the

performance targets applicable to the US on an annual basis, as well as information on performance levels accomplished in the prior year.

Table 4 presents the targets and levels achieved by the USP for each of the indicators in 2008 and 2009.

Quality of service parameters of US | Table 4

Quality of service parameters of US	Target	2008	2009
QSP1. Supply time for initial network connection			
(a) Supply time for connection when customer does not specify a date (days)			
(a ₁) which corresponds to the 95 percentile of the fastest installations	21	19	18
(a ₂) which corresponds to the 99 percentile of the fastest installations	43	36	36
(b) Percentage of connection requests satisfied by date agreed with the client when the client sets a target date	85 %	81 %	89 %
(c) Ratio between the number of initial connections supplied by appointment with customers and the total number of initial connections provided	n.a.	20 %	26 %
QSP2. Fault rate <i>per</i> access line	0.10	0.13	0.16
Total number of faults attended <i>per</i> access	n.a.	297	320
		944	229
QSP3. Fault repair time (hours)			
(a) Repair times of faults on local access network			
(a ₁) corresponding to the 80 percentile of fastest repairs	72	74	76
(a ₂) corresponding to the 95 percentile of fastest repairs	165	139	144
(b) Repair times for other faults			
(b ₁) corresponding to the 80 percentile of fastest repairs	47	44	62
(b ₂) corresponding to the 95 percentile of fastest repairs	108	93	114
(c) Percentage of faults repaired within the target period established by USP for repairs	80 %	68 %	66 %
QSP4. Response time for operator services			
(a) Average response time for operator services (seconds)	11.0	17.0	19.0
(b) Percentage of calls to the operator services answered with 20 seconds by human operator	80 %	91 %	88 %
QSP5. Unsuccessful calls			
(a) Number of calls eligible for the calculation of PQS5		1,600,848,841	1,494,090,504
-national calls	n.a.		
-international calls	n.a.		
(b) Percentage of unsuccessful national calls	n.a.	0.16 %	0.07 %
(c) Percentage of unsuccessful international calls	n.a.		
QSP6. Time taken to establish calls			
(a) Total number of calls eligible for the calculation of QSP6 of:			
-national calls	n.a.	n.a.	n.a.
-international calls	n.a.	n.a.	n.a.
(b) Time taken to establish national calls (seconds)			
(b ₁) corresponding to the 100 percentile of fastest calls	n.a.	n.a.	n.a.
(b ₂) corresponding to the 95 percentile of fastest calls	n.a.	n.a.	n.a.
(c) Time taken to connect calls for international calls (seconds)			
(c ₁) corresponding to the 100 percentile of fastest calls	n.a.	n.a.	n.a.
(c ₂) corresponding to the 95 percentile of fastest calls	n.a.	n.a.	n.a.
QSP7. Response time for directory enquiry services			
(a) Average response time for directory enquiry services (seconds)	5.0	2.7	3.0
(b) Percentage of calls to directory enquiry services answered within 20 seconds by a human operator or by equivalent answering systems	95 %	96 %	95 %
QSP8. Proportion of coin and card operated public payphones- in working order			
The total number of complete days during which existing public payphones are in full working order compared to the potential number of operational days of the average public payphones park.	96 %	98 %	98 %
QSP9. Complaints about incorrect bills			
Percentage of bills which are object of complaint, compared to total number of bills issued	0.04 %	0.02 %	0.03 %

Source: PTC

As reported by the USP, between 2008 and 2009, the record of non-compliance with respect to certain performance targets applicable to the US quality of service parameters persisted; as such, ICP-ANACOM is analysing the situation, as foreseen in the referred determination of 30 March 2006.

3.1.2 USP public payphone strategy

On 9 December 2009, PTC submitted to ICP-ANACOM a statement on its development strategy for public payphones for 2010, along with the respective implementation report referring to 2009.

Concerning the accomplishment of the objectives which PTC had proposed for 2009, it is seen that the total number of payphones achieved represents a high level of adherence to the forecast (the total number of payphones

achieved in 2009 represents a very slight deviation from the forecast (-0.1 %). Nevertheless, it appears that this level of compliance is not found with respect to the total number of payphones installed in places of social interest and those associated with special needs. In fact, with regard to public payphone at places of social interest, in relation to the total number of public payphones, there was a negative deviation of about 10 % in terms of the number accomplished over the number forecast, and with respect to payphones associated with users with special needs, the total number of payphones which enable the entry and exit of wheel chairs saw no change in 2009.

Table 5 presents the trends in the total number of planned and actual public payphones in 2009 in greater detail, detailing geographic dispersion, location and forms of available payment.

Overall Public payphone planned and actually installed in 2009 | Table 5

District	Forecast 2009						Actual 2009					
	Exterior		Interior		Total		Exterior		Interior		Total	
	Card only	Card and coins	Coins only	Conventional telephone	Coins only	Total forecast	Card only	Card and coins	Coins only	Conventional telephone	Coins only	Actual total
Aveiro	5	313	170	716	548	1,752	4	309	167	706	523	1,709
Beja	12	167	134	264	179	756	9	172	140	269	174	764
Braga	18	305	130	980	434	1,867	16	308	127	970	539	1,960
Bragança	7	53	19	552	75	706	7	53	20	546	81	707
Castelo Branco	17	109	74	542	290	1,032	12	116	74	541	239	982
Coimbra	20	275	94	894	320	1,603	15	277	100	881	287	1,560
Évora	9	115	116	122	190	552	8	120	108	120	154	510
Faro	22	717	177	439	386	1,741	12	741	181	446	496	1,876
Guarda	18	75	52	566	84	795	13	79	50	567	97	806
Leiria	24	240	98	673	322	1,357	22	241	87	676	349	1,375
Lisboa	221	3,344	1,340	430	1,716	7,051	166	3,371	1,241	425	1,941	7,144
Portalegre	3	67	78	128	188	464	3	65	70	135	126	399
Porto	77	1,562	427	600	2,591	5,257	67	1,390	462	601	2,464	4,984
Santarém	10	180	114	596	293	1,193	10	180	115	598	329	1,232
Setúbal	32	1,013	392	161	743	2,341	28	1,030	370	164	835	2,427
Viana do Castelo	3	131	73	531	246	984	3	132	64	518	240	957
Vila Real	7	81	34	761	206	1,089	6	84	34	767	234	1,125
Viseu	19	128	94	1,056	292	1,589	15	131	92	1,047	269	1,554
Madeira	28	155	100	143	240	666	24	177	114	102	254	671
Açores	12	121	52	123	123	431	12	132	46	119	131	440
Total	564	9,151	3,768	10,277	9,466	33,226	452	9,108	3,662	10,198	9,762	33,182

Source: PTC

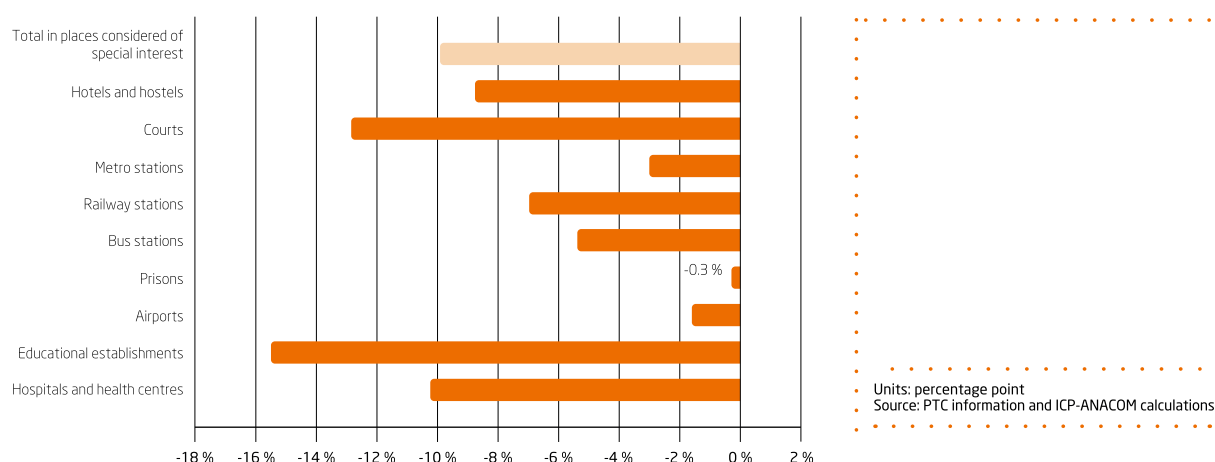
As noted, the public payphones installed in 2009 shows a deviation in the overall number compared to the forecast of approximately -0.1 %. Looking, in particular, at each type of public payphone, it is seen that the more significant deviations occurred with respect to outside “card only” phones and “coin only” indoor phones, with deviations of -19.9 % and 3.1 % respectively.

In most districts the number of payphones actually installed exceeded the forecast. The districts with the largest positive deviations are Faro and Braga, with 7.8 % and 5.0 % respectively. Negative deviations were seen in

eight districts, with the largest reported in the districts of Portalegre (-14.0 %) and Evora (-7.6 %).

As regards public payphones associated with sites of social interest, PTC had forecast 3,519 payphones, whereas there were 3,169 public payphones actually made available as at the end of 2009. The most significant deviations occurred in the number of payphones installed in educational establishments (-15.5 %), whereas the greatest level of compliance in terms of the forecast was reported in the number of payphones installed in airports, with a deviation reported of -0.3 %.

Percentage deviation of total public payphones in 2009 compared to forecast | Graph 25



3.1.3 Telephone directories and directory enquiry services

To ensure the inclusion of data from subscribers of Sonaecom - Serviços de Comunicações, S. A. (Sonaecom) and Vodafone Portugal - Comunicações Pessoais, S. A. (Vodafone) in the telephone directories and directory enquiry services of the US, by determination of 2 September 2009, ICP-ANACOM authorised Sonaecom and Vodafone to send their data directly to PTC, since, in accordance with the determination of 14 January 2009, they were bound to send said data to ICP-ANACOM.

Aiming to ensure that data relating to subscribers of ZON TV Cabo Portugal, S. A. (ZON TV Cabo) who have expressed a wish that their data be included in the directories and information services of the Universal Service, by determination of 21 October 2009, ICP-ANACOM adopted a draft decision, by which it ordered this company and PTC, that within a period of 15 consecutive days, they take such steps as may be necessary to reach an agreement, pursuant to and for the purposes of article 89 of the ECL, on the format and the conditions applicable to the provision of relevant information about subscribers.

The draft was submitted to the prior hearing of interested parties, whereas the respective final decision was adopted in 2010.

3.1.4 Price affordability

Residential FTS tariff provided in context of the US

On 27 October 2009, PTC submitted a proposal to ICP-ANACOM to amend the tariff of the Universal Service (US), applicable on

an optional basis at the request of customers (tariff without free periods, with a very low number of customers - 177 customers in August 2009). The proposal made by PTC consisted of an increase in the discount to the monthly subscription price, compared to the monthly price under the main tariff, of 60 cents (with VAT) to 70 cents (with VAT), and applying retroactively on July 2009. The following table summarizes the FTS tariff proposed by PTC.

FTS tariff proposed by PTC | Table 6

Values escl. VAT	Initial price (euros)				Time credit (seconds)				Price per minute (euros)			
	Working days 9am- 9pm	Working days 9pm- 9am	Wknds 9am- 9pm	Wknds 9pm- 9am	Working days 9am- 9pm	Working days 9pm- 9am	Wknds 9am- 9pm	Wknds 9pm- 9am	Working days 9am- 9pm	Working days 9pm- 9am	Wknds 9am- 9pm	Wknds 9pm- 9am
Local	0.0700	0.0700	0.0700	0.0700	60	60	60	60	0.0261	0.0084	0.0084	0.0084
National	0.0700	0.0700	0.0700	0.0700	30	60	60	60	0.0496	0.0084	0.0084	0.0084
Installation	71.83											
Subscription	12.08											

Source: PTC.

As regards the tariff applicable by default, the price change occurred in 2008 (effective 27 September), produced by the extension of free traffic to weekend nights, was more than sufficient to ensure that the price-cap for this tariff option was met in 2009, whereby no proposal for amendment was submitted.

ICP-ANACOM examined the proposal presented by PTC and concluded that it was compatible with the applicable price-cap, so that, by determination of 3 November 2009, it decided not to oppose the proposal, without prejudice to due fulfilment of applicable transparency obligations.

Regarding the tariff for the year 2010, on 30 October 2009, PTC submitted a proposal to ICP-ANACOM to amend the FTS residential tariff, within the scope of the US, applicable both to the main and alternative tariff, to take effect from 1 January 2010, and comprising a CPI value for this year of 1.5 %.

By determination of 17 November 2009, ICP-ANACOM decided not to oppose the entry into force on 1 January 2010 of the FTS residential tariff, proposed by PTC for 2010 within the scope of the US. It is noted, however, that if it became clear (in the light of new data on the value of CPI forecast for 2010, as published in the State Budget and according to the composition of the basket in 2009) that the price-cap would not be met, PTC would then be bound to implement, in a timely manner, an additional reduction of the main tariff. This further reduction in fact occurred in 2010.

Public payphone tariff of FTS

According to the determination on the imposition of remedies in the retail narrowband market, dated 14 December 2004, ICP-ANACOM determined that the relationship between the price of FTS communications using public payphones and private subscription should continue to comply with specific requirements, in line with regulatory practice

applicable at that time (in particular, the Price Convention for the Universal Service of Telecommunications), which set out to ensure the affordability of the services provided. Accordingly, ICP-ANACOM set out in this respect that the price relation of 3 to 1 between calls made from the public payphones of PTC and calls from subscriber phones shall be maintained.

With regard to calls originating on the fixed network of PTC and terminated on the fixed networks of other providers, and under the same determination, the rule previously applicable remained in force, whereby it was stated that the prices of calls originated on the network of PTC and terminating within the networks of other FTS providers shall be identical to the prices of calls both originating and terminating on the network of PTC; in this respect, any difference can be corrected, where due and quantified on a reasoned basis, between the termination of calls on the PT network and call termination on the network of each FTS provider. With regard to calls terminating on mobile networks and VoIP calls originating from payphones, no specific rule to control prices was established in this determination.

By determination of 11 March 2009, ICP-ANACOM decided not to oppose the tariff proposed for FTS public payphones presented by PTC on 11 February 2009, considering that, with respect to fixed-fixed *intra*-PTC network calls, this tariff fulfilled the established obligations, and that with respect to fixed-fixed PTC-Other operator calls, the tariff proposed by PTC was in compliance with the applicable regulatory framework, given that this tariff made no distinction in the prices of fixed-fixed calls based on the called operator.

The proposal for the tariff applicable to communications made from public payphones was presented by PTC as seeking to enhance the simplicity and standardization of the tariff, including pricing, time credits and timings of impulses which were identical in all time periods, as well as uniformity in the prices of Local, National and VOIP calls to any network.

The proposed tariff, approved by determination of 11 March 2009, is presented in the following table.

Tariff approved by ICP-ANACOM for the public payphones of FTS | Table 7

		Mainland				Autonomous regions			
		Fixed-Fixed		VoIP	Fixed-Mobile	Fixed-Fixed		VoIP	Fixed-Mobile
		L	N			L	N		
Price <i>per</i> impulse (euro)				0.0583				0.0614	
Initial price (impulse)		2	2	2	7	2	2	2	7
Time credit (seconds)				60				60	
Impulse duration (seconds)	PT (weekdays 9am-9pm)			20				22.20	30
	OPT (other times)								

Source: PTC.

3.1.5 Net costs of Universal Service provision

Following the study prepared by WIK on the methodology to apply in the calculation of the net costs of Universal Service provision and for the definition of conditions under which it may be considered that the provision of US might represent an excessive burden to the respective provider, over the course of 2009, ICP-ANACOM engaged in various additional analyses from a legal and economic perspective and compiled information from other countries, with a view to the submission of a proposed methodology for the calculation and the definition of the excessive burden concept.

Based on its analyses and on the information compiled, ICP-ANACOM drew up internal documentation to prepare a public consultation on the methodology to be used for calculating the net costs of Universal Service provision, on the excessive burden concept and on the process of calculating the net costs of Universal Service provision presented by PTC for the 2001 to 2003 period.

3.1.6 Process of designating the USP

Following the public consultation which took place in 2008 with the aim of compiling views on a range of issues related to process of designating the USP and expressions of interest from the various market players and how it should be provided, and following the recommendation subsequently sent by ICP-ANACOM and the additional clarification sent in the meantime, in 2009, this Authority was engaged in preparing the documentation required to conduct this tender.

Therefore, in 2009, the work was undertaken to prepare the tender documents - Tender Regulation and Specifications - for the selection of the USP or USPs, with a view to submission of drafts to the Government which were aligned with the conclusions and recommendations made by ICP-ANACOM.

3.2 Universal Service (US) of postal services

It falls within the remit of ICP-ANACOM, as postal regulator, to monitor the quality and pricing of postal services covered by the US, in accordance with point c) of paragraph 2 of article 18 of the Basic Law for Postal Services¹⁰ and taking into account the conditions established in the conventions concluded between ICP-ANACOM and CTT - Correios de Portugal, S. A. (CTT) under the terms of the concession.

It is the responsibility of the concessionaire of the US of postal services, in accordance with paragraph 3 of clause 20 of the Concession, to open and close postal establishments and change their hours of operation, taking into account the needs of the service and demand levels, whereas CTT is obliged to inform ICP-ANACOM on the decisions taken on this matter, and in cases of closure and reduction of opening hours of post offices, to give basis to such decisions.

3.2.1 Prices of the US of postal services

On 1 January 2009, the new prices of the US of postal services entered into force, subsequent to the non-opposition of ICP-ANACOM at the end of 2008, whereas it is noted that the prices of non-reserved services are not subject to a maximum price variation. Within this context, a 2.9 % variation was seen in the prices of reserved services (in compliance with the maximum variation permitted by

the Price Convention - also 2.9 %) and, at the level of non-reserved services, the average variation of correspondence prices was reported at 3.1 %.

In November 2009, CTT notified this Authority of a proposal to update prices applicable to the non-reserved Universal Service with respect to the sending of Newspapers, Periodicals and Books, to take effect from 1 January 2010. These prices came into effect on schedule, whereas ICP-ANACOM may determine, at any time, changes to each of these prices, duly reasoned based on compliance with the tariff principles set out in the Price Convention and also taking into account the levels of quality observed (in accordance with paragraph 5 of article 5 and paragraph 1 of article 10 of this Convention).

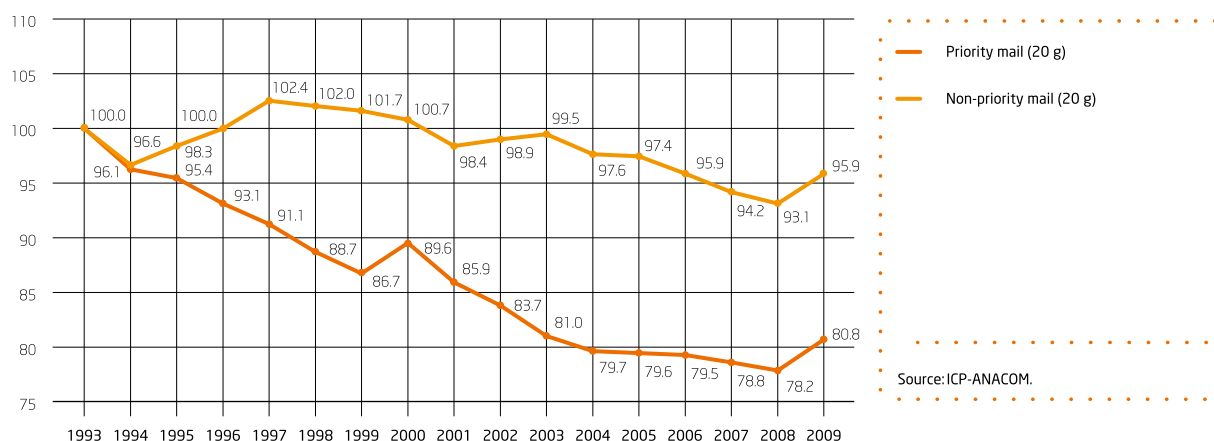
In terms of price evolution it is seen that between 1993¹¹ and 2009, the average annual price of the basic tariff (tariff applying to a standard letter weighing up to 20 g¹²) of national standard mail fell in real terms, by 4.1 %, while the average annual price of the base tariff of national *correio azul* (priority mail) fell over the same period, by 19.2 % in real terms, as shown by the graph below. The rise in real terms in 2009 occurred as a result of the negative inflation reported in this year.

¹⁰ Law no.102/99 of 26 July, with the wording set forth by said Decree-Law no.112/2003 of 12 June.

¹¹ Year in which the first Price Convention entered into force, as concluded between ICP-ANACOM, CTT, and the then Direcção-Geral do Comércio e da Concorrência (Directorate General for Trade and Competition).

¹² The prices considered are those of: stamps and franking at the post office counter; items sent according to flat-rate fee; stamps in vending machines (1 and 10 units). In calculating average annual prices a fixed traffic structure is used, corresponding to 2008 as the last available. The calculation of the actual trend in the price index took each year's reported information rate into account.

Real evolution in the average annual price index of the base tariff (1993 = 100): national non-priority and priority mail | Graph 26



3.2.2 Quality of the US of postal services

The Quality Convention defines the various Quality of Service Indicators (QSI) and levels of quality that CTT is bound to accomplish annually, where a minimum target level of quality of service is set for each QSI. An indicator is also established for overall quality of service (GI), which is calculated according to the level of service quality achieved by CTT for various QSI¹³.

Pursuant to the Quality Convention, in 2009, ICP-ANACOM conducted monitoring of the QSI of CTT on a quarterly basis, including the annual assessment of compliance with stipulated levels of quality of service.

It was found that in 2009, targets were achieved for all QSI, except QSI4 (non-priority mail not delivered within 15 working days) and QSI5 (priority mail not delivered within 15 working days) - nevertheless these two QSI exceeded the minimum value, whereas the situation reported was to some extent due to a number of theft from letter boxes, including letter boxes in post offices. The GI was reported with a value in excess of 100 (see table 8).

Therefore, because the GI was over 100 and all QSI exceeded the corresponding minimum values, no deduction was applied to the maximum price change for reserved services allowed for 2010.

¹³ The GI is calculated as follows: 1) a classification is assigned to each QSI established in the Quality Convention in accordance with the following methodology: i) With the verification that the accomplished value is equal to the value established for each QSI, a value of 100 is assigned to the QSI, ii) if the amount accomplished is less than the minimum value, a value of 0 is assigned to the QSI, iii) if the realized value is between the minimum and the target, a proportional value of between 0 and 100 is assigned to the QSI, iv) for values above the target, the classification will be more than 100 in proportion to the positive difference achieved for the objective. 2.) Sum of the classifications assigned to each QSI, weighting them according to their relative importance. 3) if the GI is 100 or more there will be no deduction associated with the IG; ii) If it is less than 90 the full deduction of 1 percentage point shall be applied; iii) if it is between 90 and 100, the deduction shall be applied proportionately. The deduction corresponds to the deduction of a maximum of 1 percentage point with respect to the prices of reserved services allowed for the year following the respective lack of compliance.

QSI defined in the Quality Convention and achieved by CTT in 2009 | Table 8

Quality of service indicators		Quality Conventional			Quality of service reported in 2009 ^(a)	
		IR (%)	Established values			
			Min.	Obj.		
IQS1	Transit time for non-priority mail (D+3))	45.0	95.5 %	96.3 %		97.6 %
IQS2	Transit time for priority mail – mainland (D+1)	15.0	93.5 %	94.5 %		95.2 %
IQS3	Transit time for priority mail – CAM (D+2)	4.0	84.0 %	87.0 %		91.3 %
IQS4	Non-priority mail not delivered within 15 working days (per one thousand letters)	5.0	2.3 ‰	1.4 ‰		2.1 ‰
IQS5	Priority mail not delivered within 10 working days (per one thousand letters)	3.0	2.5 ‰	1.5 ‰		2.1 ‰
IQS6	Transit time for newspapers and periodicals (D+3)	11.0	95.5 %	96.3 %		99.1 %
IQS7	Transit time for <i>Intra</i> -community cross-border (D+3)	3.5	85.0 %	88.0 %	⁽ⁱ⁾	94.3 %
IQS8	Transit time for <i>Intra</i> -community cross-border mail (D+5)	3.5	95.0 %	97.0 %	⁽ⁱ⁾	99.0 %
IQS9	Transit time for non-priority parcels (D+3)	5.0	90.5 %	92.0 %		93.6 %
IQS10	Waiting time at post establishments (% of waiting time up to 10 minutes)	5.0	75.0 %	85.0 %		92.3 %
GI – INDICATOR OF OVERALL QUALITY OF SERVICE (b) ^(b)		n.a.	n.a.	n.a.		242

Source: (a) CTT (b) ICP-ANACOM calculations.

Notes: D+X, means delivery up to X working day(s) after the deposit of the items at the mail reception point.

(i) Annual value corresponding to the average of November 2008 to October 2009

IR - Relative importance

Min. - Minimum value.

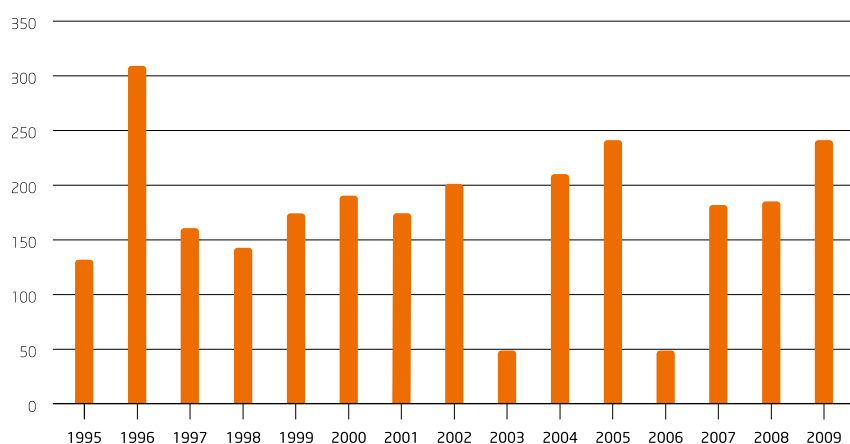
Obj. - Target value.

n.a. - Not applicable.

It is shown in graph 27 that the overall trend between 1997 and 2009 is favourable - whereas this indicator only

had a value below 100 points in 2003 and 2006.

Global Indicator of Quality of Service (GI) | Graph 27



Source: ICP-ANACOM calculations

Note: Given that the value of the GI results from the individual values of the QSI, any comparison of the evolution of the GI should take account of the alterations made at the level of QSI for each year and in terms of the methodology of their calculation.

Paragraph 7 of article 8 of the Basic Law sets out that ICP-ANACOM conduct “control, independently of the Universal Service provider, of the levels of quality of service actually provided, with the results set out in a report published at least once a year”.

In this context, and following the determination of 11 February 2009, an audit of the QSI and of the complaints system of CTT, for the year 2008, was conducted in 2009 with the respective findings published in 2010.

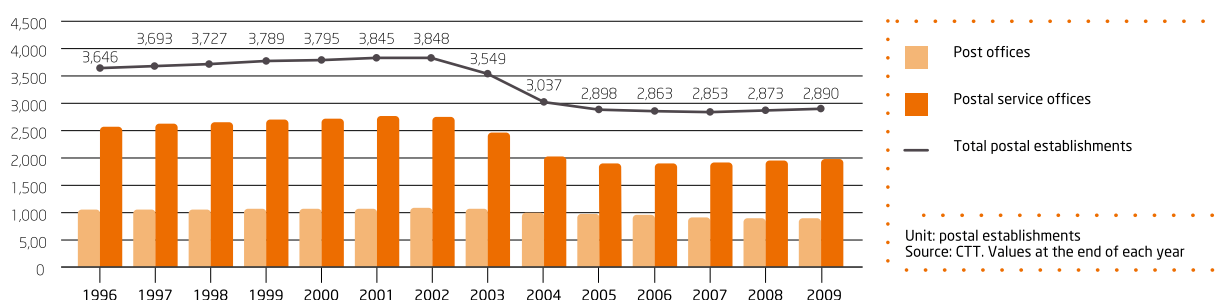
Also in the context of the quality of the US of postal services, it is reported that ICP-ANACOM examined the conditions of implementation of the DTE - Distribuição Empresarial (Corporate Distribution) Project, launched by CTT. According to information obtained and the findings of this Authority, ICP-ANACOM concluded that there was no occurrence of non-compliance pursuant to the concession contract.

3.2.3 Network of postal establishments

In 2009, 43 notifications were received from CTT on changes in the network of postal establishments, including five communications of post office closures and their replacement with postal service offices¹⁴ and 26 notifications on reduced opening hours of post offices.

During 2009 there was a slight increase in the total number of postal establishments, confirming the upward trend observed since the second half of 2008. This is a result of the increased number of postal service offices, which more than offset the reduction in the number of post offices, which maintained the downward trend seen since 2002 (see graph 28).

Number of postal establishments | Graph 28



¹⁴ According to CTT, postal service offices are establishments operated under contract by third parties, with all such establishments providing the postal services included in the US.

● ● 3.3 Number portability and pre-selection

3.3.1 Portability

Approval was granted, to the Regulation Amending Regulation no. 58/2005 of 18 August, by determination of 4 February 2009, which was published on 18 February 2009 as Regulation no. 87/2009, partly entering into force on 4 March 2009.

Changes introduced in the referred Regulation were made namely to uphold the interests of subscribers, comprising a significant reduction in the minimum notice required for scheduling portability, the establishment of a maximum of three days for the porting mobile numbers, pecuniary compensation in case of failures or fault and the definition of a solution for the portability of numbers of subscribers and former subscribers of companies which discontinue services.

Simultaneously, better conditions have been created in terms of competition among operators, particularly in strengthening the responsibility of the recipient provider throughout the process and the introduction of rules which encourage the efficiency of the processes involved. In particular, this is achieved through the simplification of methods to validate the title of the subscriber and a reduction of the time taken in processes; in addition, from 1 January 2010 - in 2009 an algorithm was applied - it will no longer be possible to refuse portability requests because portability processing capacity has exceeded its limit.

As set out in article 4 of Regulation no. 87/2009, work was undertaken on the revision and updating of Annexes I and II of the Especificação de Portabilidade (Specifications for Portability) by companies with portability obligations and by the Reference Entity with the coordination of ICP-ANACOM, which work was concluded within the deadline set.

As a result of the meetings held with operators on the review and updating of Annex I, and focusing only on the

most relevant aspects, it was decided to introduce a new scenario for blocks of numbers assigned to companies that discontinue services. Under this scenario, provision is made for the implementation of the routing methodology based on the All Call Query (ACQ) solution.

With respect to Annex II, besides the introduction of a section specifying the functions to be performed by the Reference Entity when emulating a provider which terminates the service, new values were defined for timings and changes, including deletions and/or additions, regarding the message formats, parameters and reasons for rejection of portability requests.

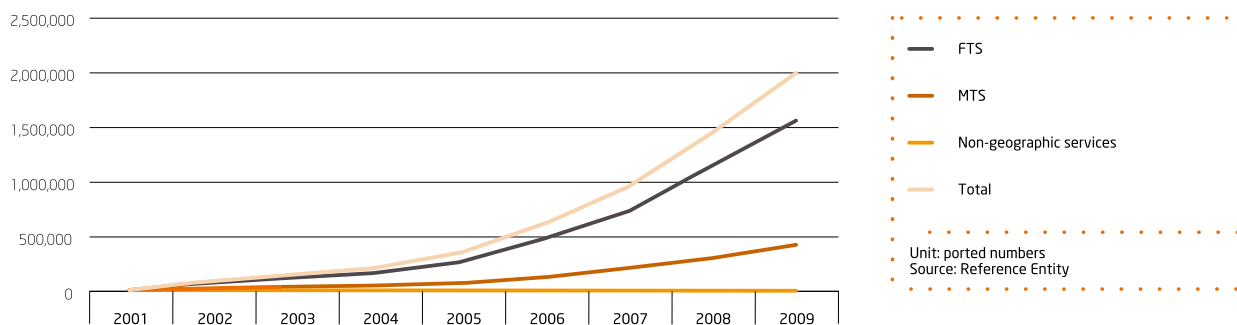
In the light of queries raised with regard to the calculation of time limits under certain provisions of the regulation, in particular in terms of their compatibility with the corresponding periods set out in the Especificação de Portabilidade (Specifications for Portability), there was a need to make further amendments to the Regulamento da Portabilidade (Portability Regulation). This was accomplished, subsequent to the respective regulatory procedures through Regulation no. 302/2009 of 16 July 2009, entering fully into force on 20 July 2009.

Evolution of ported numbers

Since the introduction of portability (in 2001) up to 31 December 2009, 2,000,237 numbers have been ported (1,570,453 geographic numbers, 428,563 mobile numbers and 1221 "other non-geographic numbers", the latter including a number ported in the 30 numbering range).

Portability was introduced in Portugal in 2001 for geographical numbers and in 2002 for mobile numbers, with significant rates of growth seen in ported numbers since 2004, mainly as a result of competition in FTS - see graph 29

Evolution of the number of ported numbers | Graph 29



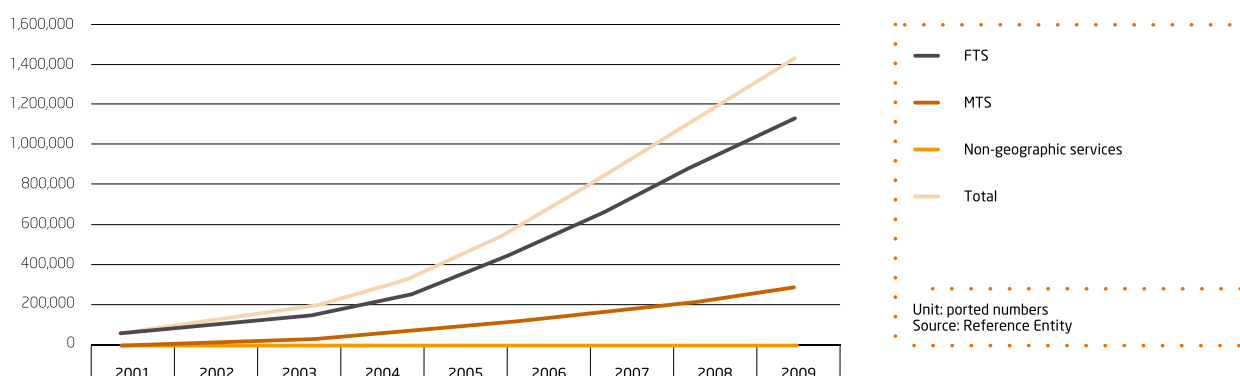
As noted in the 2008 Regulation Report, portability penetration of the Mobile Telephone Service (MTS) remains low. However, from 2008 to 2009, the rate of growth reported in the portability of mobile numbers (39.8 %) exceeded the growth rate reported in geographic numbers (35.8 %), reversing the trend of the previous year.

The trend in numbers actually ported, which reflects the quantity of numbers that are ported in the respective database at a given time, is lower than shown in the previous graph, because portability can be performed several times

on the same number as the customer switches successively between different service providers, and may even return to their original provider.

As such, on 31 December 2009, there were 1,449,037 ported telephone numbers, including 1,149,926 geographic numbers (FTS), 298,045 mobile numbers (MTS) and 1,066 “other non-geographic numbers” (SNG); the last category includes a ported number from the 30 numbering range (number associated with nomadic VoIP service), as illustrated in the chart below.

Evolution of the number of actual ported numbers in database | Graph 30



Evolution in portability deadlines between operators

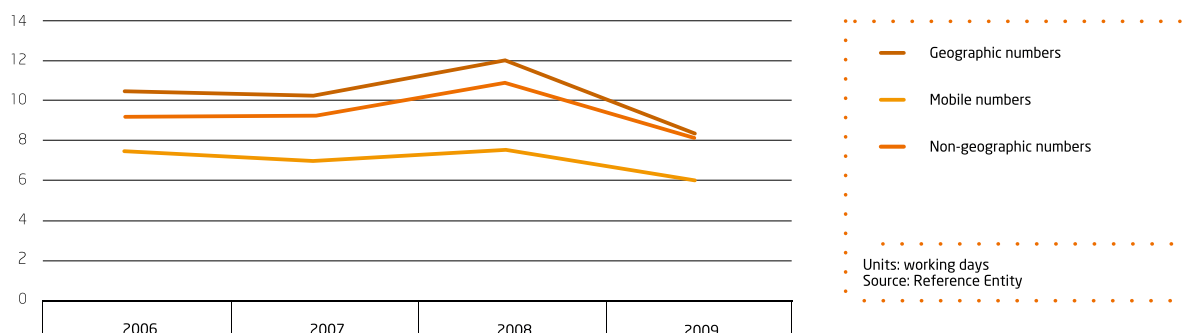
The entry into force of the new Portability Regulation, which introduced provision for considerably shorter time limits for scheduling portability subsequent to requests between operators, has had an immediate and visible impact, as can be seen in the following graphs.

Although the deadlines involved are the same, regardless of the type of numbers, there is a more marked reduction in respect of mobile number portability. This has certainly been driven by the pressure put on mobile operators by

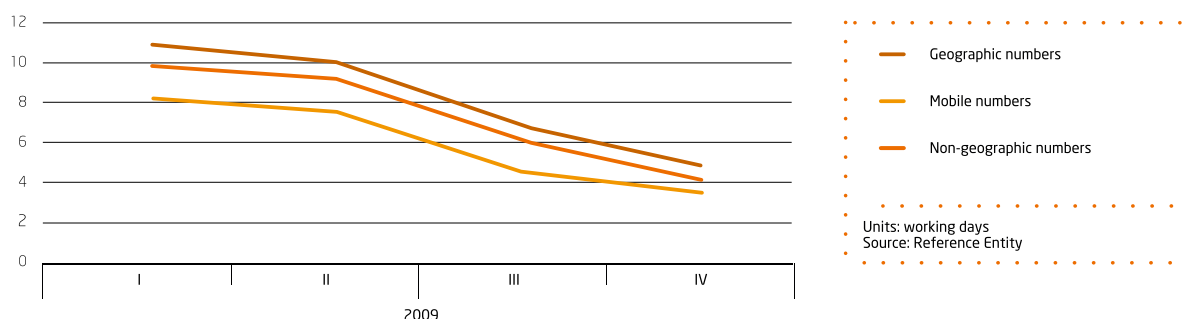
the imposition of a deadline of three working days, with compensation payable to the customer *per* day of delay, coupled with the delay inherent in geographic number portability, which is frequently associated with local loop unbundling or the deployment of the operator's own infrastructure.

In terms of European benchmarks, it is reported that Portugal, in the fourth quarter of 2009, applied FTS and MTS portability deadlines which were below the European average, with 6.5 days and 4.1 days, respectively.

Evolution of the deadlines for number portability | Graph 31



Evolution of the deadlines for number portability over the course of 2009 | Graph 32



Monitoring of price evolution and of compliance with portability obligations

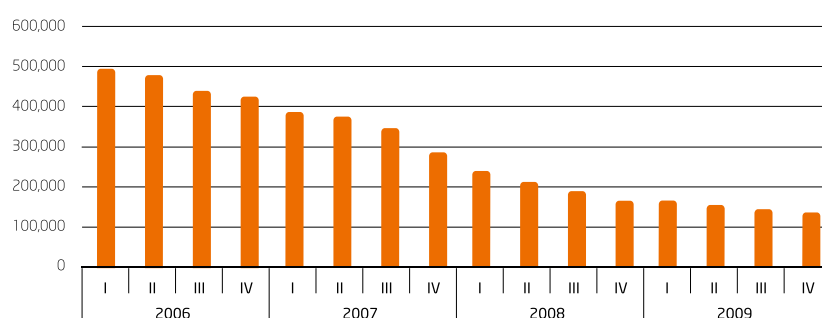
Regarding the monitoring of price evolution and compliance with portability obligations, the following actions taken in 2009 by ICP-ANACOM are highlighted:

- data collected from companies providing MTS (including Mobile Virtual Network Operators (MVNO)) and companies providing FTS, on prices charged to subscribers for portability operations (retail prices) and prices charged to recipient providers (wholesale prices). According to information compiled on retail prices charged, portability is generally free within the MTS¹⁵. With respect to the FTS, it was found that eight of the fifteen providers of the service do not charge new customers who choose to keep their number. The other FTS providers charge prices that vary depending on the tariff plan or market segment, ranging between 10 euros and 39.67 euros (excluding VAT)¹⁶;
- in terms of wholesale prices charged, it was found that both companies providing MTS and companies providing FTS apply the prices established in the RIO;
- specification of the six-monthly questionnaire on portability (approved by decision of 11 November 2009), which compiles and summarizes the information which companies with portability obligations are bound to submit to ICP-ANACOM. The information is used for monitoring the development of this feature, for the verification of compliance with portability obligations set out in Portability Regulation and ECL and for the evaluation of measures taken to provide consumers with information on portability operations, calls to numbers ported and their prices.

3.3.2 Pre-selection

The sharp downward trend in the number of indirect access customers using pre-selection continued during 2009, as can be seen in the graph below.

Evolution of the number of indirect access customers using pre-selection | Graph 33



Units: customers
Source: ICP-ANACOM

This trend results from the continued growth in investment by market players in other alternatives, including direct access solutions using their own network (including the use of GSM frequencies - Global system for mobile communications) or local loop unbundling.

In this regard, Portugal has the highest level within the EU in terms of percentage of direct accesses supported over alternative networks (41.3 %), well above the EU average which is reported at 24 %¹⁷.

¹⁵ Only one operator reserves, in the context of offers directed at the corporate segment, the right to charge a price of 30 euros per number ported.

¹⁶ This information relates to the third quarter 2009 and is available on ICP-ANACOM's website.

¹⁷ Data from July 2009, EC 15th Implementation Report of Electronic Communications.

3.4 Quality of service

In 2009, a survey was carried out of the websites of FTS providers to gauge how information on quality of service, as defined in Regulation no. 46/2005 of 14 June (Quality of Service Regulation) was being disclosed, and the degree to which the model of disclosure of such information to end-users had been adopted (model approved by means of recommendation, by determination of ICP-ANACOM of 24 September 2008).

Although it was concluded that not all companies were following the disclosure model as of the recommended date, it was considered that, given the process now begun to amend the Quality of Service Regulation, it would be necessary to adapt the recommendation concerned in the short term. As such, it was considered, that instead of notifying the providers on the conclusions reached on the degree of compliance with the recommendation (which would be amended in due course), ICP-ANACOM should rather focus on adapting the recommended disclosure model in an effective manner. This adaptation was approved by determination of ICP-ANACOM on 11 November 2009.

By determination of 19 August 2009, ICP-ANACOM also approved Regulation no. 379/2009 of 28 August, amending the Quality of Service Regulation, applicable to companies which provide access to the public telephone network at a fixed location and the FTS.

Regarding the provision of FTS, new developments were observed which resulted in the emergence of new

commercial products that no longer match the traditional form of providing that service, together with experience gained over three years of monitoring the implementation of the Quality of Service Regulation, led to the conclusion that it was necessary to introduce a number of amendments to original version of the Regulation, so that it would continue to ensure that users have access to timely, clear and comparable information on quality of service, enabling the choice of the provider which is best suited to meeting their needs.

The changes which were introduced have taken into account the alterations of a regulatory, technological and commercial nature to which the telephone services have been subject over recent years, and which led to new commercial offers which now have a significant presence in the market. In this context, it was sought to clarify some concepts and provisions of the Regulation, establishing new procedures for better disclosure of information on quality of service to users and enabling more effective verification by ICP-ANACOM of compliance, as well as to make adjustments in the definition of certain parameters so that users could understand them more easily.

Among the actions in terms of quality of other electronic communications services, it should also be highlighted the monitoring of complaints and the repeat of the study on the evaluation of quality of the Internet access service, the details of which are presented in section 5.5.

3.5 International roaming

Regulation (EC) no. 544/2009 of the European Parliament and of the Council of 18 June 2009, which amends Regulation (EC) no. 717/2007 on roaming on public mobile telephone networks in the Community and Directive 2002/21/EC on a common regulatory framework for electronic communications networks and services (Framework Directive) introduced a common approach to ensure that users of public mobile communications networks did not pay excessive prices for roaming services when travelling in the Community (International Roaming), in comparison with competitive prices at national level, when making and receiving phone calls and short messages (SMS) and using data communication services with packet switching. This approach aims to contribute to the smooth functioning of the internal market, while achieving a high level of consumer protection, promoting competition and transparency in the market and offering both incentives to innovation and consumer choice.

Among other things, the new regulation introduced new rules on the tariffs that may be levied by mobile operators in providing roaming services across the Community. In the context of communications using *intra*-EU/EEA¹⁸ International Roaming, price ceilings were fixed (at retail level for the Eurotariff, and wholesale) with respect to voice calls, whereas the obligation was also established, with respect to SMS message originated and terminated within the Community, to make available a retail tariff (Euro-SMS tariff), which is also subject to tariff ceilings and also wholesale price caps. With respect to data communication services with packet switching used in *intra*-EU/EEA roaming, the new regulation also established tariff ceilings (in this case, only at wholesale level).

The maximum Eurotariff (Voice Eurotariff) which EU/EEA customers can pay (excluding VAT) for mobile voice communications made in roaming in the *intra* EU/EEA region fell from 0.46 euros (calls made) and 0.22 euros (calls received) *per* minute to 0.43 euros and 0.19 euros *per* minute respectively on 1 July 2009¹⁹. Moreover, billing

shall be *per* second, and, in respect of calls made, the initial billing period applied may not exceed 30 seconds. Operators must also provide their roaming customers with a tariff for sending SMS (Euro-SMS tariff) in the *intra* EU/EEA region with a value not exceeding 0.11 euros (excluding VAT). With respect to wholesale roaming data communications in the region, the regulation establishes that the average wholesale tariff for this type of communication may not exceed 1.00 euro *per* downloaded megabyte²⁰.

As already seen in respect of voice communication, rules have been established which allow *intra*-EU/EEA roaming customers to gain a better understanding of the roaming charges which apply to SMS and data communications²¹.

Under the terms of the Regulation, ICP-ANACOM has conducted various activities related to its implementation in the national territory, including, in 2009:

- providing information to the public about the Regulation's application;
- updating the FAQs (Frequently Asked Questions) on this matter on ICP-ANACOM's website;
- disclosing in August 2009, the fourth ERG report (ERG document (09) 31 International Roaming Report), on the collection of data on roaming which took place in the period between October 2008 and March 2009;
- developing the Roaming Light information campaign, launched on 24 June 2009, to inform consumers not only about the new tariffs but also about various aspects which should be taken into account when using a mobile telephone or accessing the Internet while roaming, before travelling abroad;
- cooperation with other NRA with respect to the International Roaming Project Team of the ERG, in several related activities, including preparation

¹⁸ EU member countries and Iceland, Norway and Liechtenstein (European Economic Area - EEA). It is expected that the geographical scope of the new roaming regulation will be extended to Member States of the European Economic Area - Norway, Iceland and Liechtenstein - under EU/EEU agreement. However, until the regulation enters into force in these countries, the first roaming regulation - Regulation (EC) no. 717/2007 - will continue to apply.

¹⁹ From 1 July 2010, the maximum values of the Eurotariff will be reduced to 0.39 euros *per* minute (calls made) and 0.15 euros *per* minute (calls received) and from 1 July 2011, they will be reduced further to 0.35 euros and 0.11 euros, respectively.

²⁰ From 1 July 2010 and 1 July 2012, this value will decrease to 0.80 euros and 0.50 euros respectively.

²¹ Mobile operators have also been required to make a free application available that provides customers with information about their accumulated consumption, expressed in traffic volume or in euros, and to provide an automatic mechanism that blocks the data service as soon as a certain billing threshold is reached. Except for customers who choose not to take advantage of the automatic block, by 1 July 2010. This mechanism will be activated once the bill reaches 50 euros (unless the customer has chosen another limit provided by the operator).

of questionnaires, compilation and processing of information related to national operators and analysis of issues relating to the interpretation of the new regulation;

- collection of information from national operators;
- monitoring of complaints about roaming and surveillance activities with respect to tariff transparency measures provided for in the Regulation.

●● 3.6 Retail offers

Homezoning offers

With respect to the verification of the consumer information obligations defined by ICP-ANACOM in the context of the terminations on offers of the type Homezoning²², a number of cases of non-compliance were detected, particularly in relation to information disclosed on “any limitations in terms of indoor access” and on the “impact in terms of caller location in calls made to the 112 emergency number” - meanwhile these irregularities have been solved.

Disclosure of the conditions governing the offers of companies providing Internet access

In 2009, a number of situations were detected and reported to the target companies where there was a lack of compliance with certain points established in the determination of ICP-ANACOM of 21 April 2006, on the object and form of public disclosure of the conditions of provision and use of electronic communication services.

“PT Social” retail offer

By determination of 8 April 2009, ICP-ANACOM decided not to oppose the provision of the offer by PTC called “PT Social”, which is characterized by the granting of a 50 % discount on the total value of the invoice of fixed telephone service at a fixed location, up to a maximum of 7.50 euros (including VAT at 20 %) *per invoice*, to all customers who have been unemployed for over six months, applying between April and late December 2009. Furthermore, this Authority ordered PTC to send information on this offer on a monthly basis, given the relevance of information on patterns of use to the proper oversight of its evolution.

²² The offers of the type Homezoning consist in the provision of the FTS using the GSM / UMTS mobile networks, i.e., it enables the use of GSM and UMTS frequencies of the land mobile network on the local access network for the provision of the telephone service at a fixed location.

●● 3.7 Value-added services based on message sending

Decree-Law no. 63/2009 of 10 March amended the decree-law regulating audiotext services publicity (Decree-Law no. 175/99 of 21 May) and the regime governing access to and the exercise of the activity of provider of audiotext services (Decree-Law no. 177/99 of 21 May), extending the regime governing these services to value-added services based on message sending.

Decree-Law no. 63/2009 also extended the remit of ICP-ANACOM, in the context of audiotext services, to information society services provided through messages supported by electronic communications services, particularly in the areas of activity registration, allocation of rights of use of numbering and supervision. Under this amendment, the powers of this Authority were widened in respect of content services that are exercised through the management of numbering resources. Therefore, by determination of 3 June 2009, ICP-ANACOM adapted the NNP to this new reality, involving the creation of codes and the definition of conditions of allocation and use of numbers accommodated in these codes.

In accordance with this new decree-law, ICP-ANACOM is responsible for allocating the different access codes to the providers of services covered by this legislation, in accordance with the nature and content of the services and depending on the description of the services given by the providers upon registration of their activity with this Authority.

Responding to the concerns expressed generally by providers, according to whom it would not be technically possible to implement the said legislation in the short to medium term, ICP-ANACOM decided to establish the total length of the numbers involved as being five digits, for a period of at least one year, with the first two digits identifying the type of service involved.

To allow greater clarity and ensure harmonization in the operation of these services, particularly when the form of provision of such services involves the exchange of messages, free or standard priced (non-value-added), prior to the message transmitting the content (value-added service), on 2 September 2009, ICP-ANACOM published a

clarification on the use of such numbers in this particular situation.

This clarification sets out that, in stages preceding the offer of the service, the customer or provider can use a number other than the number for which the right was allocated for the offer of this service, provided that it is a number with the same access code as the code of the number used to actually provide the service, and provided that the number to which it is specifically allocated is identified in the service's bills.

On the same subject, ICP-ANACOM published two further clarifications.

Clarification on the provision of value-added services based on message sending

By order of 15 June 2009, ratified by determination of 17 June 2009, ICP-ANACOM took the view, in light of the legal regime set forth by Decree-Law no. 63/2009 of 10 March, that it was fitting to publicly clarify a number of aspects related to the provision of value-added services based on message sending:

- definition of value-added services based on message sending (paragraph 3 of article 1 of Decree-Law no. 175/99 and paragraph 2 of article 2 of Decree-Law no. 177/99);
- obligation to register with ICP-ANACOM and allocation of access codes;
- elements required for registration and allocation of right of use of numbers;
- cost of SMS message terminating the contract;
- voting services or contests or other such services, not involving the sending of content;
- subscription of services over the Internet;
- barring of access to value-added services based on message sending.

Position on campaigns associated with added value services

By decision of 9 September 2009, ratified by determination of 16 September, and following the analysis of various situations raised by campaigns already in progress with respect to the implementation of the Decree-Law, approval was given to a clarification note on current campaigns through value-added services based on message sending, as well as on the application of article 9 A of Decree-Law no. 177/99 of 21 May.

In light of the regime established by Decree Law no. 177/99 of 21 May, as amended by Decree-Law no. 63/2009 of 10 March, ICP-ANACOM took the view that:

- 4-digit short numbers already advertised for contests or hobbies as part of campaigns starting prior to 8

June 2009 could still be used until 31 December 2009, provided that they were duly notified to this Authority;

- with respect to value-added services based on message sending which involve the customer agreeing beforehand to the general conditions governing provision of these services for a minimum contractual period defined by the service provider, but where the sending of each piece of content is individually requested by the customer, it is considered sufficient, in order to comply with the provisions of article 9 A of Decree-Law no. 177/99, to send the message with the information referred to therein and to confirm the request for the service at the time the customer agrees to the general conditions and whenever these undergo change.

3.8 Processing of requests and user support

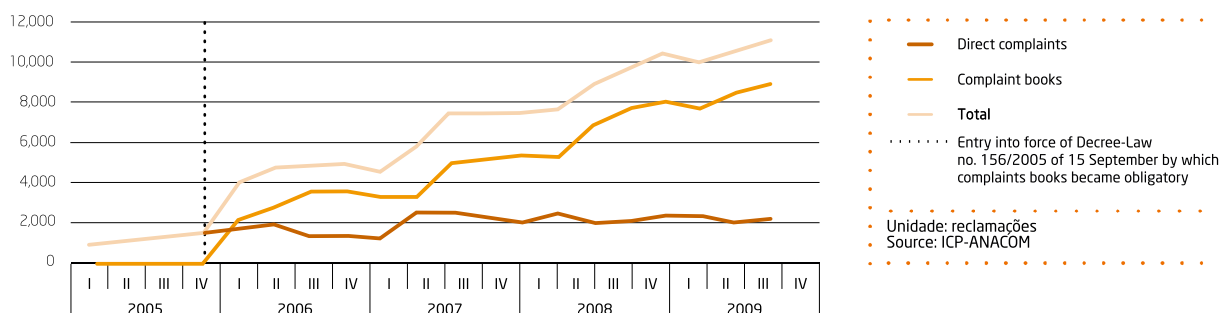
ICP-ANACOM ensures the handling of complaints, inquiries, requests and suggestions about the market for which it is responsible, providing information and clarifications to users of electronic communications and postal services as well as to the general public.

In 2009, and in particular in relation to complaints entered into complaints book, work was done on the integration of the applicational solution used by this Authority with the new technology platform developed by DGC - Direcção-Geral do Consumidor (Directorate General for the Consumer) in partnership with INCM - Imprensa Nacional Casa da Moeda (National Mint), RTIC - Rede Telemática de Informação Comum (Telematic network of common information), which began operation on 17 August 2009. This new tool is designed to enable monitoring and analysis of overall

market performance with respect to consumer relations, whereas a cooperation protocol was signed with respect to its functioning and sustained follow up, which involved, in addition to this Authority, the DGC, INCM and other regulators and market oversight entities.

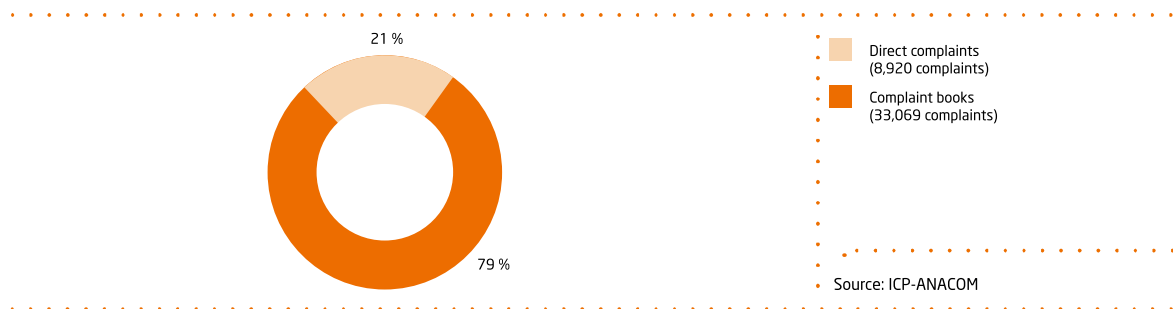
During 2009, ICP-ANACOM received 41,989 complaints, 590 requests for information, 45 suggestions, 40 petitions and 178 communications of other types, making a total of 42,842 enquiries. With regard to complaints, this volume represents, in relation to 2008, an increase of around 24 %, which results largely from the widespread use of complaints book, which scheme came into force on 1 January 2006 (Decree-Law no. 156/2005 of 15 September, as amended by Decree-Law no. 371/2007 of 6 November and by Decree-Law no. 118/2009 of 19 May).

Trends in the quarterly volume of complaints by type of entry | Graph 34



In fact, in 2009, complaints entered in complaint books represented around 79 % of all complaints received by this Authority.

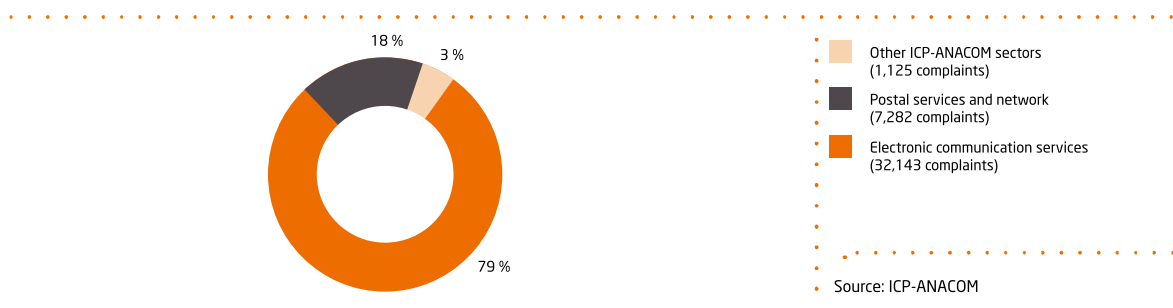
Complaints by type of entry | Graph 35



As regards the sectors concerned, most of the complaints referred, as in previous years, to the electronic

communications sector. In the postal sector, about 97 % of complaints corresponded to complaints entered in complaint books.

Complaints by sector | Graph 36



In terms of electronic communications, the Internet access service gave rise to the largest number of complaints *per*

1,000 customers, followed closely by the FTS and the virtual calling card service.

Services giving rise to most complaints (electronic communications) | Table 9

	Service	2009	Customers (average of period)	Complaints per 1,000 customers
1 st	Internet access service	11,110	3,391,866	3.28
2 nd	FTS	8,110	3,222,269	2.52
3 rd	Virtual calling card service	36	14,499	2.48
4 th	Public payphone service	53	34,615	1.53
5 th	Cable television service	2,170	1,468,509	1.48
6 th	Satellite TV service (DTH)	409	608,093	0.67
7 th	MTS	7,490	15,283,555	0.49
8 th	VoIP	50	122,929	0.41

Source: ICP-ANACOM.

In the electronic communications sector and with respect to complaint books, the most commonly cited issues were those related to equipment, technical assistance, customer services and billing, which issues are typically associated with a customer visiting the establishments of the respective

service providers. Regarding complaints addressed directly to this Authority, there was a high volume of complaints about billing (with particular relevance to errors in bills), contracts (with a high incidence of cases connected with contractual changes) and technical support.

Total complaints by subject (electronic communications) | Table 10

Subject	2009	2008	Variation % 2008/2009
Billing	7,494	4,974	51 %
Equipment	7,423	5,564	33 %
Customer service	6,317	4,993	27 %
Technical assistance	6,255	5,869	7 %
Contracts	5,390	4,021	34 %
Faults	4,439	2,891	54 %
Provision of initial connection or installation	4,023	3,058	32 %
Cancellation of service	3,094	2,721	14 %
Tariffs	2,224	1,555	43 %
Suspension of service	2,129	1,542	38 %
Portability	1,486	1,398	6 %
Speed	1,001	759	32 %
Infrastructure	249	236	6 %
Privacy and personal data	196	162	21 %
Complaint books	194	224	-13 %
Roaming	176	181	-3 %
Geographic portability	141	146	-3 %
Selection and pre-selection	109	522	-79 %
Local loop unbundling	50	145	-66 %
Numbering	41	37	11 %
Directories and directory enquiry services	30	38	-21 %
Municipal Rights of Way Fees (MRWF)	8	9	-11 %
Transfer loops	7	4	75 %

Source: ICP-ANACOM.

It can therefore be concluded that consumer issues accounted for over half the total volume of complaints addressed to ICP-ANACOM, despite the fact that this Authority lacks sectorial powers to intervene in such cases.

In general, and with respect to complaints made by users of electronic communications services, this Authority took the following position:

- it provided the person making the complaint with full information, in particular, with respect to their powers of action and the means of recourse at their disposal;

- it identified situations in which intervention was necessary at a regulatory or supervisory level; and
- it produced and released statistical indicators.

Regarding the postal sector, the largest number of complaints were related to the correspondence service - in complaints addressed directly to this authority, the situations leading to most complaints were those resulting from loss and delay in delivery; meanwhile in terms of the complaints entered in complaint books, the vast majority of situations giving rise to complaints stemmed from problems associated with customer services.

Complaints about the postal sector, by service | Graph 37



While most requests relating to postal services did not fall within the intervention remit of this Authority, their analysis made it possible to compile useful information on sectorial regulation and allowed the detection of evidence of non-compliance with the obligations stipulated under applicable sectorial legislation and regulatory measures.

In the handling of complaints, regular and informal contacts were maintained with the DGC, in order to coordinate and maximize the work undertaken by each entity in terms of the respective areas of sectorial competence.

Requests for information mostly focused on the electronic communications sector and information society services, with the remaining sectors having residual character.

Additionally, ICP-ANACOM published a number of clarifications on its website, aiming to address new issues raised in 2009, as was the case of valued-added services based on message sending, as reported in section 3.7 of this Report, and issues arising from irregularities detected in the functioning of the market - see the cases of reported refusals of electronic portability requests and the inclusion of subscriber data in the directories and information services of the US.

Furthermore, in 2009, ICP-ANACOM proceeded with the project to create the national arbitration centre for the electronic communications sector, in conjunction with the various entities involved in the initiative. The completion of this project was carried over to 2010.

●● 3.9 Communication security

With respect to the security of communications, ICP-ANACOM engaged in various actions related in particular to communications over public networks, including infrastructure resilience, access to emergency services and privacy. Some of the most relevant of these actions are detailed below.

Evaluation and characterization of security of communications on public electronic communications networks

During 2009, a public tender was launched for the execution of a study of evaluation and characterization of communications security on public networks of electronic communications - the execution of this study was awarded in November.

This is a fundamental study for understanding the existing situation and for the development of subsequent actions in this matter. Its main objectives include: (i) analysis of the infrastructure and resources of network operators and electronic communications service providers, as well as policies, measures, practices, plans, means and resources allocated to network security; (ii) characterization of the main kinds of interdependencies existing between different networks; and (iii) electronic communications services and risk assessment and characterization in relation to the situations encountered.

The study should also prepare and present a set of recommendation, and the impact of such recommendations, to be adopted by different public and private agents, in order to strengthen the robustness and availability of public electronic communications networks and public available electronic communications services.

Identification and characterization of the main nodes and routes of international traffic flow and between the mainland and the Autonomous Regions

The first part of the study was concluded on communications between the mainland and the autonomous regions, including *intra*-regional communications, noting in particular the significant increase in the resilience of the Azores network due to the comprehensive overhaul conducted by PTC after the communications failures observed in that region.

Interdependencies between the private networks of the State and public electronic communications networks

Continued work was done on a study aimed at defining and characterizing the different types of interdependencies between public electronic communication networks and certain private networks of the State, in order to promote their resilience by better controlling the factors which might impact their integrity and availability.

The study also aims to identify and characterize the existing reality and, from this analysis, propose a set of recommendations for improving the security of communications.

E112 Regulation - Location data

ICP-ANACOM Regulation no. 99/2009 was published on 23 February - on the provision, to authorities responsible for providing emergency services, of information on the location of callers to the single European 112 emergency number, establishing the principles and rules which apply to undertakings providing publicly available telephone services and networks.

112 - Emergency communications

ICP-ANACOM worked in conjunction with the authorities responsible for providing emergency service in the reorganization and implementation of the new 112 model, which resulted, in particular, in changes to and the modernization of the resources available to the Public Safety Answering Points.

Institution of ICP-ANACOM as National Authority for Registration of Object Identifiers

As part of ICP-ANACOM's participation in the SCEE - Conselho Gestor do Sistema de Certificação Electrónica do Estado (Managing Council of the Electronic Certification System of the State), the need was identified, in the context of Internet security and security of networks based on Internet protocol (IP), specifically next generation networks, to constitute a National Authority for Registration of Object Identifiers, in accordance with ITU-T Recommendation X.660.

Following the request from SCEE, ICP-ANACOM presented a draft decree-law setting out its powers and responsibilities in the area of Digital Identity Management and particularly in the allocation and registration of Object Identifiers.

Privacy of communications

As part of its remit with respect to the handling of personal data and privacy protection in the electronic communications sector, ICP-ANACOM sent a questionnaire to companies offering electronic communications networks and services. According to received answers there were no incidents affecting public electronic communications networks or services in the years 2006 to 2008.

Combat of unsolicited communications (SPAM)

In October 2009 a workshop on combating spam was held with the participation of members of the Contact Network of Spam Authorities (CNSA) and the London Action Plan (LAP), as well as representatives from various national bodies with interest in this security issue, including CNPD - Comissão Nacional de Protecção de Dados (National Data Protection Commission), Instituto do Consumidor (Consumer Institute), Polícia Judiciária (Criminal Police), FCCN - Fundação para a Computação Científica Nacional (Foundation for National Scientific Computing) and a number of companies working in this area on the national scene. The workshop provided an opportunity for an important exchange of experience, creating improved conditions of cooperation between the various bodies concerned and ICP-ANACOM.