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PUBLIC CONSULTATION ON CONVERGENCE AND REGULATION

The *Autoridade Nacional de Comunicações* (ANACOM) and the *Instituto da Comunicação Social* (Media Institute - ICS) launched on 15 February a public consultation, to be in effect for 60 days, in the context of the Convergence and Regulation Initiative. Comments may be submitted to either of the aforementioned entities until 15 April 2002.

At stake is the assessment of various modalities for selection of the future regulation model, in light of the current trend towards convergence (in terms of technology, services and markets) and similar to the generalised reflection within the European space begun by the European Commission's Green Paper on Convergence, published in December 1997.

This consultation results from the launch of the Convergence and Regulation Initiative, which aims to endow the government with the analysis instruments needed to define strategic guidelines for development of the audiovisual and telecommunications sectors in an atmosphere of convergence.

The opinion of the group made up of figures of recognised merit and sectorial experience (also called Reflection Group) set up under the Initiative is manifested in the document now available for consultation; it defends more "efficiency" in organic unification, i.e., the creation of one single national regulator for telecommunications and the audiovisual.

"The Reflection Group (...) reached consensus around the idea that convergence should anticipate the organic non-separation of content regulation and the regulation of networks and accesses, and admits the possibility

that one single entity can be responsible for regulation of the two situations, despite the divergent values and interests inherent to each of them," states the document's preamble.

Designated by Joint Order no. 987/2001 of 8 October, the Reflection Group was made up of seven reputed figures from the world of the audiovisual and telecommunications: Diana Andringa, Paulo Azevedo, Raul Junqueiro, Artur Castro Neves, Diogo Lucena, Luísa Duarte and Manuel Pedroso Lima.

The document under consultation comprises 18 questions, focusing on issues that include the promotion of competition, the concentration of ownership and safeguard of pluralism, consumer defence, network neutrality, interoperation capacity, encouragement of diversity, innovation and content quality, media financing, public television service, universal telecommunications service and info-exclusion, copyright protection, the sanctions regime associated to convergence, regulatory limits and the role of self-regulation.

The Convergence and Regulation Initiative derives from Joint Order no. 863/2001 of 26 June, from the Ministries of the Presidency and of Infrastructure, with final results to be submitted to the government on 31 May 2002.

Comments should preferably be sent by electronic mail to convergencia@anacom.pt or convergencia@ics.pt.

SEE <http://www.anacom.pt/template20.jsp?categoryId=4599&contentId=35977>

SEE <http://www.anacom.pt/template20.jsp?categoryId=3730&contentId=36731>

SEE <http://www.ics.pt>

RIO AND RIAO 2002

In wake of the prior hearing case concerning PT Comunicações (PTC), under terms of articles 100 and following of the Code of Administrative Procedure, the *Autoridade Nacional de Comunicações* (ANACOM) approved on 7 February a decision on evolution of the Reference Interconnection Offer (RIO) and Reference Internet Access Offer (RIAO) for 2002, to be published by PTC as an entity with significant market power (PMS) in the relevant markets, as per the specific obligations of article 9 of Decree-Law no. 415/98 of 31 December.

Considering that the "Minimum Set of Items to Include in RIO 2001" remains current, ANACOM asked PTC to indicate within 10 days' time evolution of the RIO, taking into account the aforementioned document

(approved by deliberation of 9 October 2000) and the subsequent decisions that led to introduction of modifications to the RIO (approved on 19 January and 26 October 2001). Progress on the RIO should specifically encompass a reduction of interconnection prices, taking into account expected cost evolution and based on efficiency criteria, among other aspects.

PTC should also present by 15 March further development of the RIAO, reflecting ANACOM's findings on the conditions applicable to internet access traffic, namely those approved by decisions of 21 February, 3 and 16 May and 31 July and by order of 22 August 2001, except in matters concerning prices, and, naturally, the transition dates to the new regime.

SEE <http://www.anacom.pt/template15.jsp?categoryId=602>

CURRENT EVENTS

Portability leads to cases filed against PT Comunicações

The *Autoridade Nacional de Comunicações* (ANACOM) has initiated two countermanding legal proceedings against *PT Comunicações* (PTC) due to evidence of breach of the rules governing number portability, which may imply non-compliance with the obligation to regularly and continuously provide fixed telephone serviced (FTS), thus violating the FTS Operation Regulation. PTC was accused by *Cabovisão* and *Onitel-com* of not meeting the deadlines stipulated in this area and was therefore subject to follow-up investigation undertaken by ANACOM. If the charges are proved, PTC will incur applicable fines ranging from €12,469.95 (2.5 million escudos) to €44,891.81 (9 million escudos) for each of the countermanding suits. Details at <http://www.anacom.pt/template20.jsp?categoryId=4599&contentId=35625> and <http://www.anacom.pt/template15.jsp?categoryId=613>.

Supply of leased lines to HLC suspended

The *Autoridade Nacional de Comunicações* (ANACOM) has notified *HLC-Telecomunicações e Multimédia, S.A.*, of the probable outcome of its decision approved on 14 February, according to which the operator is charged with serious and reiterated non-compliance with its contractual obligations, namely concerning the timely payment for leased lines service provided by *PT Comunicações* (PTC). HLC was given 10 days to pronounce on PTC's possible suspension of the provision of said service, and should also notify its customers, forewarning the respective interested parties of the possible suspension. More information at <http://www.anacom.pt/template12.jsp?categoryId=32057>.

Universal Service Convention

PT Comunicações may reformulate the prices it charges for fixed telephone service, in the scope of the agreed-upon norms currently in force. ANACOM nevertheless decided on 7 February, namely in light of the current circumstances and anticipated regulatory evolution, that there was minimal urgency regarding the need for a new universal service convention. At <http://www.anacom.pt/template12.jsp?categoryId=32116>.

SMP in leased lines

By decision of 7 February, *PT Comunicações* was designated an operator with significant market power (SMP) in the leased lines market, under terms of paragraph 1 of article 21 of the Regulation on the Operation of Public Telecommunications Networks. The ANACOM decision is available at <http://www.anacom.pt/template12.jsp?categoryId=32047>.

Calls terminating in green and blue numbers

The *Autoridade Nacional de Comunicações* (ANACOM) decided on 14 February to reformulate the prices applicable to calls terminating in the so-called green numbers (free of charge - 800 prefix) and blue numbers (shared costs - 808 prefix) numbers of *PT Comunicações* (PTC). Such

reformulation should ensure correct compliance with the applicable regulatory principles, particularly that of cost orientation, namely by taking into account the call origination prices practiced by mobile operators and the costs of the PTC resources used to provide the service in question. At <http://www.anacom.pt/template13.jsp?categoryId=32026>.

Information on mobile telephone antennae

Doubts raised about the antennae of mobile telephones (technically known as base stations for Land Mobile Service) and questions about their licensing and effects, namely the current topic of exposure to electromagnetic radiation, may now be clarified on the ANACOM site. Note that ANACOM is responsible for radio licensing, namely verification of the electromagnetic compatibility of such antennae, while local governments have generic powers over their localisation. See <http://www.anacom.pt/template20.jsp?categoryId=4599&contentId=36307>.

Ported numbers

The total number of ported numbers had reached the figure of 5,865 at the end of February, of which 123 were mobile network numbers. Note that the portability function has been in force for fixed networks since 30 June 2001 and for mobile networks since 1 January 2002.

Mobile service quality under study

The coverage, accessibility and audio quality of mobile networks operated by *Optimus*, *TMN* and *Vodafone* are being measured on the ground for the third consecutive year by ANACOM. The study gauging quality began on 18 February, with results due to be published in July.

Land Mobile Service statistical indicators

The definitive structure of the Land Mobile Service statistical indicators, in force from 2002, was approved by decision of 7 February after the appreciation of contributions from interested parties.

Assignment of frequencies 2001/2002

Frequencies that were allocated by 30 September 2001 and frequency bands reserved for 2002 have been approved and published by ANACOM.

Non-reserved postal service

ANACOM awarded to the *Sociedade de Distribuição de Imprensa da Madeira, Lda*. (SDIM) on 24 January a licence to provide non-reserved postal service not covered by the scope of universal service.

New government portal

The Portuguese government's new portal was launched on 27 February and is available at <http://www.governo.gov.pt> or <http://www.portugal.gov.pt>.

FM RADIO STATION CLOSED

The *Autoridade Nacional de Comunicações* (ANACOM) on 25 February issued an order to close the Oporto-based *Radio Placard* for broadcasting illegally. *Radio Placard* was surprised on that date by an ANACOM inspection, which discovered that its radio licence had expired. This was due to the High Media Authority's decision not to renew the station's operating permit for radio broadcasting. Its directors may incur imprisonment of up to 3 years or a fine of up to 320 days.

ANACOM has informed the Public Prosecution Service of the station's closure.

EVALUATION OF PUBLIC ADMINISTRATION WEBSITES

The Minister of Science and Technology, Mariano Gago, released on 25 February the results of an outside evaluation (carried out by Accenture) of the nearly 500 websites put online by entities of public administration. The report put the *Autoridade Nacional de Comunicações* (ANACOM) website, which was recently subject to a thorough reorganisation, among the best classifications.

The assessment ranked websites for criteria deemed vital, on a scale running from 'Excellent' to 'Insufficient'. ANACOM's site was considered to be 'Excellent' with regard to Navigability and Access for Citizens with Special Needs, 'Very Good' in terms of Accessibility and Updating of Content and 'Good' for Contents and Services.

On the same date, ANACOM took part in the fifth meeting of the Interministerial Commission for the Information Society, a body under the tutelage of the Ministry of Science and Technology, which reviewed the current situation of national and European policies on development of the Information Society, including the Internet Initiative and the 2002 eEurope Action Plan. Also discussed at the meeting, besides an inquiry on the use of Information and Communication Technologies by companies (2001), were the study on "Measurement of .pt Contents (2002)" and results of the aforementioned external evaluation of direct and indirect state administration websites. On the same day, a co-operation protocol on the Information Society was signed between Portugal and Brazil.

COMPENSATION FOR LLU NON-COMPLIANCE

The *Autoridade Nacional de Comunicações* (ANACOM) approved on 14 February, after the reception and appreciation of comments from duly notified interested parties, the decision concerning compensation for the inability to meet deadlines to respond to supply requests for local loop unbundling (LLU). This situation obviates adjustments to the Reference Offer for Unbundling the Local Loop submitted by *PT Comunicações*. The modifications should be integrated into the Reference Offer within 10 days' time.

SEE <http://www.anacom.pt/template8.jsp?categoryId=574>

POSTAL BANK INAUGURATED

The Postal Bank, a joint initiative of the *CTT-Correios de Portugal* (Portuguese postal service) and the *Caixa Geral de Depósitos* bank, was inaugurated on 19 February in Oporto, during a ceremony at the CTT post office located at the Municipality branch.

The event marked the simultaneous launch of five Postal Bank counters. Besides Oporto, the initiative is already a reality in Braga, Gaia, Coimbra and Lisbon, and should be extended to a further 65 post offices during the first six months of this year.

The project aims to make use of the resources and knowledge of the two entities, taking advantage of the CTT's national network of post offices and its services' close contact with the general public.

NEWLY ENACTED LEGISLATION

- **Announcement of the 2nd Court of the Lisbon Tribunal of Commerce** (III Series of the *Diário da República* of 15 February) - Concerning the special case of reclamation of an enterprise, in which the petitioner is *Maxitel - Serviços de Gestão de Telecomunicações, S.A.* et al., and according to which the company's situation of insolvency was recognised and determination made to proceed with the declarative action of its reclamation. Creditors are also notified for realisation of the assembly of creditors.
- **Regulatory Decree no. 7/2002** (I Series-B of the D.R. of 15 February) - Revokes Regulatory Decree no. 32/84 of 13 April, which constitutes the radio protection right of way for the Sesimbra-Conil Hertzian band.
- **Law no. 8/2002** (I Series-A of the D.R. of 11 February) - Introduces a first modification to Law no. 31-A/98 of 14 July, which approves the Television Law.
- **Administrative Rule no. 126/2002** (I Series-B of the D.R. of 9 February) - Approves the model of identification card destined for the exclusive use of ICP-ANACOM workers, respective agents and duly accredited qualified persons or entities who under terms of the law perform inspection duties.
- **Joint Order no. 102/2002** (published in the II Series of the D.R. of 8 February) - Disbands the working group set up with the task of studying and evaluating the need to modify the concession contract currently in force between the State and *PT Comunicações, S.A.*
- **Joint Order no. 94/2002** (II Series of the D.R. of 5 February) - Approves the ICP-ANACOM's participation as a founder member of the Portuguese Association of Sectorial Standardisation Bodies (APONS). See <http://www.anacom.pt/template20.jsp?categoryId=3730&contentId=36304>.
- **Resolution of the Council of Ministers no. 26/2002** (I Series-B of the D.R. of 5 February) - Anticipates designation of Portugal's Integrated System of Emergency and Security Networks (SIRESP) for the project and future national emergency and security network, to become operational in two phases within five years; and also assigns to the Ministry of Internal Administration, in articulation with ANACOM, co-ordination of implementation of the project and the technology migration from existing networks, in order to assure satisfaction of the communications needs of emergency and security forces and services.
- **Resolution of the Council of Ministers no. 22/2002** (I Series-B of the D.R. of 31 January) - Determines the referencing of state internet websites and the publication of state advertising on internet websites operated by third parties.
- **Administrative Rule no. 99/2002** (I Series-B of the D.R. of 31 January) - Creates and puts into circulation simple lettercards for national service.

The Council of Ministers of 28 February approved a Decree-Law that establishes the radio licensing regime applicable to sound radio broadcasting. On 21 February, the Council approved the Decree-Law that envisages the regime governing the electronic acquisition of goods by public bodies. On 7 February, the Council approved another Decree-Law that transforms the Regulatory Entity for the Electric Sector (ERSE) into the Regulatory Entity for Energy Services, approves the respective statutes and extends the activities of the new ERSE to natural gas.

CEPT MEETINGS

TROIKA

The first meeting of the CEPT (European Conference of Postal and Telecommunications Administrations) Troika was held on 1 February in Edinburgh. The gathering was in the scope of CEPT restructuring, approved at the organisation's last Plenary Assembly. Present were its current, former and future presidencies, who prepared subjects to debate at the CEPT Assembly, as well as other matters and contacts with outside entities requiring CEPT intervention at institutional level.

The event focused on preparation for the meeting between the CEPT Troika and the European Commission, and the organisation's next Assembly, to be held in Brighton on 5-6 March, and also on discussion of issues concerning liaison between CEPT and the European Telecommunications Standards Institute (ETSI).

PT5/ ECC

The working group on satellites of the Electronic Communications Committee (ECC) met on 13-15 February in Copenhagen. It was formerly the ERC/ECTRA joint project team on satellites (JPT/SAT) and is now known as CEPT Project Team 5 (PT5).

The meeting covered issues regarding the procedure for One Stop Shopping (OSS) for satellites, specifically progress on the current electronic format (Combined Application Form - CAF), upon which is based procedure for the future format (Common Application Form - COM). Also, the work of the last PT5 meeting was reviewed.

The need to create a Milestone Review Process (MRP) for S-DAB (Satellite Digital Audio Broadcasting) systems was assessed. The agenda also included debate on the subject of licence transfers in cases where satellite company names have been modified.

WG RR/ ECC

The ECC's Working Group on Radiocommunications Regulation met in Kandersteg, Switzerland, on 4-8 February, with the agenda particularly focusing on preparation of the next World Radiocommunications Conference (WRC-03) of the International Telecommunications Union (ITU), relating to Mobile Maritime Service (MMS) and Amateur Service.

In that context, the issues covered included implementation of the Global Maritime Distress and Safety System (GMDSS), interference harmful to distress and safety communications in the HF bands of MMS and SMA(R), the introduction of digital technologies in MSS MF and HF bands and revision of articles S19 and S25 of the Radiocommunications Regulation.

WG SE/ ECC

The approval of various documents, among them a Recommendation on the reference parameters for receivers, dominated the meeting of the Spectrum Engineering group held in Beaune, France, from 4 to 8 February.

Participants discussed a report on compatibility between TETRA/TAPS and GSM in the 915 MHz band, whose conclusions envisage possible co-existence between those systems as long as there is co-ordination and if other mitigation techniques are implemented (for example, the use of filters in GSM base stations). The report was relegated to public consultation.

A new working group was set up to conduct studies on the compatibility between CDMA systems and those used in private land mobile service networks.

The existence of major concern over Ultra Wide Band (UWB) systems was verified, namely regarding their compatibility with other radio systems (such as short range radar systems - 24 GHz - and fixed service functioning in 23 and 26 GHz). It was concluded that the existing limits for "undesired emissions" are not applied to such systems, as UWB uses "intentional emissions" in its operational band (extremely wide band).

A "comprehensive" recommendation on undesired emissions is close to completion and gathers in one single document all related material (undesired emissions - in both domains, spurious and out-of-band, limits between spurious emissions and out-of-band emissions, and protection of passive services).

Lastly, a (preliminary) document was presented with the CEPT Recommendation on "radiation limits for cable transmission networks", which specifically contains radiation limits for systems using xDSL and data transmission in power lines (PLT), and which will be approved at the next meeting.

WG APRII/ ECC

An ordinary meeting of the ECC's Working Group on Accounting, Principles and Regulation on International Interconnection (APRII) met in Brussels from 20 to 22 February and debated aspects concerning the operation in CEPT countries of services based exclusively on the Internet Protocol (IP), the specificities of fixed-mobile traffic and developments regarding accounting rates.

PT1/ CPG

The Regulatory Affairs Group (PT1) of the Conference Preparatory Group (CPG-2003) met in Paris on 23-25 January, with participants discussing a proposal for the World Radiocommunications Conference (WRC-2003) that concerns inclusion of an item in the agenda of WRC-2006. It aims to allocate land exploration service by satellite, with secondary status, in the 9300-9500 MHz band. The purpose of the proposal is to increase to a total of 500 MHz the spectrum assigned to said service, in a band with propagation conditions that are favourable for the intended use, and where an allocation for EESS (Earth Exploration Satellite Service) in the 9500-9800 MHz band already exists, with primary status.

Also, the United Kingdom presented a proposal for the structure of the WRC-2003 work agenda, which is based on the creation of two technical committees whose work should result from an attempt to equitably distribute the conference items, in line with the powers of the ITU Study Commissions with responsibility for the issues under study.

(Cont.) ►

Communications around the World

This proposal differs from the manner of organisation traditionally used, in which two technical committees are constituted by subdividing the tasks, based on the separation of regulatory aspects from spectrum allocation aspects.

The biggest argument against the proposal has to do with the fact that the ITU is organised according to a clear separation of services, while the treatment of almost all the difficultly solved items involves the need to discuss sharing conditions among distinct services. This situation obliges studies and decisions in which various Study Commissions intervene; its handling should not obey the traditional ITU hierarchy, but rather favour structures that assure an approach that is as unbiased as possible.

PT-WTDC02 AND PT-PP02/WG ITU

The meetings of the CEPT Project Team (PT) for preparation of the World Telecommunications Development Conference (WTDC02) and the Plenipotentiaries Conference (PP02) were held in Edinburgh from 28 January to 1 February. The agenda focused on finalisation of the European common proposals to submit to those conferences and on preparation of the respective Brief - a CEPT orientation document for same.

The most controversial question vis-à-vis the proposals to present at WTDC02, scheduled for 18-27 March in Istanbul, concerns the needs felt by the less-developed European countries, namely on the desirable harmonisation with community positions on the subject and particularly on the reach of regulation in the European space. This part of the European common proposals (ECPs) was approved and later signed by Portugal, which is one of the countries that has co-signed the 8 parts that comprise the said ECP.

Portugal likewise endorsed the 11 parts that comprise the European

common proposal to submit at PP02, and accompanied all debate that focused on the chosen subjects relevant to European interests.

WG ITU

Also, the meeting in the Hague (13-15 February) of the WG on the International Telecommunications Union (ITU), the CEPT group responsible for ITU affairs, covered the role that CEPT should play in undertaking to co-ordinate European positions at WTDC02 and PP02.

The WG reviewed the reports from the PT WTDC and PT PP02, approved in Edinburgh, and registered that the proposals co-signed by a significant number of countries had already been sent on to the ITU.

A number of issues upon which consensus had yet to be reached were also discussed, with conclusion that a new consultation should be effected among CEPT countries on the proposals resulting from the meeting.

The proposal of the representative of the European Telecommunications Network Operators (ETNO) Association to hold a CEPT/ETNO/EU seminar during PP02, as occurred during PP98, was accepted.

Other matters discussed included those related to co-ordination of the next session of the ITU Board in April, and the designation of European candidates for various committees during the course of the conferences.

The indication of the European vice presidency in WTDC02 remained pending, as the countries attending were unable to reach a consensus solution.

This meeting of the WG ITU counted the presence of a representative of the Inter-American Telecommunications Commission (CITEL), who gave a brief report on proposals same intends to present at WTDC02, focusing on connections in the Americas and the Quito Action Plan.

SEE www.cept.org

SEE www.eto.dk

SEE www.ero.dk

OJEC

- **Comission Recommendation (2002/175/EC)** - On interconnection in a liberalised telecommunications market. Dated February 22 and published on February 28.
- **Opinion of the Economic and Social Committee (2002/C48/08)** - Concerning the proposed Council Regulation on establishment of the Galileo joint undertaking. Published on 21 February.
- **Opinion of the Economic and Social Committee (2002/C48/06)** - Concerning a programme for child protection on the internet. Published on 21 February.
- **Opinion of the Economic and Social Committee (2002/C48/07)** - On the Commission Communication on "Network and Information Security: proposal for a European policy approach". Published on 21 February.
- **Communication from the Italian Government (2002/C47/04)** - Announcement of the tender for the award of frequencies to use in broadband point-to-multipoint wireless networks and for the concession of the respective individual licences. Published on 21 February.
- **Judgment of the Court of Justice (2002/C44/05)** - Case in the context of interconnection and application of the principles of open network supply, opposing Telefónica and the Spanish state. Published on 16 February.
- **Opinion of the Economic and Social Committee (2002/C36/14)** - Concerning the Commission Communication to the Council and to the European Parliament on the "eLearning Action Plan: designing tomorrow's education". Published on 8 February.
- **Council Resolution (2002/C32/04)** - Concerning development of the audiovisual sector. Dated 21 January and published on 5 February.
- **Resolution of the European Parliament (C343/286)** - On the Commission Communication to the Council and to Parliament concerning the "Organisation and Management of the internet - international and European policy issues 1998/2000". Published on 5 December 2001.

SEE <http://europa.eu.int/eur-lex/en/oj/index.html>

EUROPEAN UNION

TELECOMMUNICATIONS PACKAGE APPROVED

The Council of Ministers approved on 14 February the so-called 99 Review Package, which encompasses five new directives and a decision on the new regulatory framework for communications. Besides the directive on a common regulatory framework for electronic communications networks and services (Framework Directive), the directive on access to, and interconnection of, electronic communications networks and associated facilities (Access and Interconnection Directive) was also approved, along with the directives on the authorisation of electronic communications networks and services (Authorisation Directive) and on universal service and users' rights relating to electronic communications networks and services (Universal Service and Users' Rights Directive), as well as a decision on a regulatory framework for radio spectrum policy in the Union. The European Commission won the right to veto on the definition of relevant markets and the designation of operators with significant market power. A fifth directive remains to be approved, and concerns the processing of personal data and the protection of privacy in the electronic communications sector. At http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=ip/02/259|0|rapid&lg=en; and http://europa.eu.int/information_society/topics/telecoms/regulatory/new_rf/index_en.htm.

RECOMMENDATION ON INTERCONNECTION PRICES

Interconnection rates for calls terminating in the fixed network have dropped in the 15 member-countries, Enterprises and Information Society Commissioner Erkki Liikkanen said on 22 February, upon release of a Recommendation that indicates benchmarking models for interconnection prices among operators. At http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/02/301|0|RAPID&lg=EN.

INTERNET IPV6

The Commission adopted on 21 February the Communication titled "IPv6 Priorities in Action", which calls for definition of an action plan to speed development of the next Internet Protocol (IP), given that the capacity of the current IPv4 is likely to be exhausted in 2005. IPv4, conceived in the 1970s, provides for the assignment of about 4 billion internet addresses, clearly insufficient given current needs. See http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/02/284|0|RAPID&lg=EN.

EU COMMITTEES

ONP COMMITTEE

The Open Network Provision (ONP) Committee met on 20 February in Brussels, where the intermediate report of the ENUM (Electronic Numbering) Working Group, whose mandate was extended, was presented.

Likewise submitted was another report on local broadband access drawn up by the European Cable Communications Association (ECCA), as well as a comparative study on leased line prices.

The Committee assessed the structure under definition, deriving from the new regulatory framework, of the Communications Committee (COCOM) and of the Spectrum Committee, and discussed the role the Commission envisions, still in the wake of 99 Review, for the Groups it intends to set up on its exclusive initiative: the European Regulators Group (ERG) and the Radio Spectrum Policy Group. The Commission's approach met with a great deal of criticism, namely regarding its framing vis-à-vis the new regulatory framework and the overly binding nature the Committee apparently intends to endow the positions resulting from those groups.

CONSULTATION ON ELECTRONIC TRADE

A consultation launched by the Commission to comparatively study national and regional policies encouraging small and medium sized companies to join the digital economy is under way from 18 February to 31 March. Details at http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/02/287|0|RAPID&lg=EN; and <http://europa.eu.int/comm/enterprise/ict/policy/e-economy.htm>.

EUROPEAN CONSUMER DAY

European Consumer Day is celebrated on 15 March in Madrid, in the context of the Spanish Presidency of the European Union and with the theme of "Consumers' Right to Representation". To mark the occasion, the European Commission is promoting a survey among European consumers, to assess whether they are satisfied that their interests are properly protected at national and European level, and also how well informed they are about products sold on the market. See http://europa.eu.int/comm/dgs/health_consumer/events/event42_en.html.

eEUROPE BENCHMARKING

The European Commission adopted on 5 February, in the form of a Communication, the first eEurope Benchmarking Report, which assesses and compares implementation of the 2002 eEurope Action Plan in the 15 member-states plus Norway, Iceland and the United States of America. The generic aim of the Action Plan is to put Europe online as fast as possible. It was adopted at the Feira Summit, which closed Portugal's 2000 European Union Presidency term. Details at http://europa.eu.int/information_society/eeurope/news_library/new_documents/benchmarking_en.pdf.

COMMISSION LAUNCHES TECHNOLOGY MARKETPLACE

On 1 February, the Commission launched a new CORDIS service, the Technology Marketplace. Additional information at http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/02/199|0|RAPID&lg=EN.

HEARING ON DIGITAL LITERACY

The Council of Europe is venue on 25 March in Strasbourg of a hearing on the internet and literacy. See www.coe.int.

LICENCES COMMITTEE

This European Union committee also met in Brussels, on January 30, exchanging information and focusing debate on expansion bands and infrastructure sharing in the context of third generation mobile systems (UMTS-IMT2000). The representative of the European Conference of Postal and Telecommunications Administrations (CEPT) informed that the internal report on the study of expansion bands for third generation mobile was completed and will be subject to appreciation by CEPT's Electronic Communications Committee (ECC).

Also studied was the use of frequency bands exempt from licensing for public services (at the request of industry, a document on different practices in member-states should soon be published on the Commission's website) and the reasons behind industry's reduced membership in One Stop Shopping for satellite networks and services (OSS SAT), as well as conditions for the introduction of interactive multimedia services via satellite.

NEWS FROM OTHER COUNTRIES

SPAIN - Ministerio de Ciencia y Tecnología (MCT) - Parliament approved on 8 February the draft law on information society services and electronic commerce. Details at <http://www.la-moncloa.es/web/asp/muestraDocImp.asp?Codigo=c0802020> . In the context of the Info XXI Action Plan, the Spanish government launched the PISTA (Programme to Promote and Identify Emerging Advanced Telecommunications Services) project. Information at <http://www.sgc.mfom.es/> . The *Entidad Pública Empresarial red.es*, the agency that oversees the .es top-level domain, proposes to support projects in the context of the information society. At <http://www.red.es/> .

SPAIN - Comisión del Mercado de las Telecomunicaciones (CMT) - The CMT launched on 13 February a public consultation whose aim is to clarify certain aspects of the provision of mobile services via written messages (SMS) addressed to short numbers, which as a rule do not belong to the public numbering space. More information at http://www.cmt.es/cmt/centro_info/c_prensa/pdf/c20020213_consultancortos.pdf . The Spanish regulator published (at http://www.cmt.es/cmt/centro_info/interc/index.htm) the reference interconnection offer for 2001, proposed by Telefónica and approved with changes. At the end of January, the Commission set at 268 million euros the net cost for the incumbent to provide universal service, simultaneously establishing the methodology for respective calculation of the following years. Details at http://www.cmt.es/cmt/centro_info/c_prensa/pdf/c20020131_servuniversal.pdf .

UNITED KINGDOM - Office of Telecommunications (OFTEL) - On 20 February, OFTEL proposed cutting wholesale unmetered internet access prices. Comments on the proposal may be submitted until 19 March, with announcement of the final decision expected in the Spring. See http://www.oftel.gov.uk/press/releases/2002/pr11_02.htm .

The deadline for the submission of comments for the consultation (see <http://www.oftel.gov.uk/publications/broadband/llu/llup0202.htm>) on local loop charges ends on 11 March.

GERMANY - Regulierungsbehörde für Telekommunikation und Post (RegTP) - The regulatory authority reported on 12 February that it had begun investigating *Deutsche Telekom* over allegedly anti-competitive practices in the establishment of access conditions for leased lines and local loop contracts. Details at http://www.regtp.de/en/aktuelles/start/fs_03.html .

BRAZIL - Agência Nacional de Telecomunicações (ANATEL) - ANATEL is preparing a public consultation on a proposed regulation concerning equipment to block mobile telephony signals, intended for use in prison environments. The regulator meanwhile reports, at http://www.anatel.gov.br/Tools/frame.asp?link=/biblioteca/releases/2002/release_25_02_2002.pdf , that Brazilian penitentiaries may since 25 February request authorisation to implement such blockers. The opening of proposals on the D and E bands of Personal Mobile Service is scheduled for 12 March. See http://www.anatel.gov.br/Tools/frame.asp?link=/biblioteca/releases/2002/release_18_02_2002.pdf . On 6 February, the Agency approved the first authorisations for the provision of Multimedia Communication Service. At http://www.anatel.gov.br/biblioteca/Releases/2002/release_07_02_2002%286%29.pdf .

TAIWAN - The Directorate General of Telecommunications (DGT) - The Government of Taiwan awarded on 6 February five third generation mobile licences. The success of that auction contrasts with those of counterparts in Hong Kong and Singapore, which ended up being cancelled. Details at <http://www.dgt.gov.tw/english/flash/index.shtml> .

INDEPENDENT REGULATORS GROUP

CONTACT NETWORK AND ERG IMPLEMENTATION GROUP

The Contact Network and the Implementation Group for the future European Regulators Group (ERG) met in Paris on 13-14 February, within the Independent Regulators Group (IRG).

In the scope of the Implementation Group, debate focused on various issues, namely the group's structure, the duties of the presidency, duration of the president's mandate, duties of the vice presidents, the secretariat's structure and functions, various modes for establishment of a secretariat (fixed or virtual, permanent or semi-permanent) and the selection of its members, the selection and mandate of the co-ordinator, the timing of meetings, the functions of the Contact Network, rules of procedure (concerning members and voting methods), the structure of the groups and the working programme.

Regarding the Contact Network, a provisional programme for the April meeting in Madrid between *Forum Latino-Americano das Entidades Reguladoras de Telecomunicações* (REGUTEL) and the IRG was distributed. In the context of debate on restructuring the IRG working groups, the elaboration of a succinct report on the progress of the various groups' work was

requested and documentation on market assessment, significant market power, cross-border conflicts and tariff transparency was distributed.

MOBILE ACCESS WG

The *Autoridade Nacional de Comunicações* (ANACOM) took part in the meeting of the Mobile Access Working Group (WG) held on 1 February in Liechtenstein, where a number of issues concerning the regulation of access to mobile networks were discussed, specifically those related to international roaming, sanctions regimes and access regimes.

SMP WG

The WG on Significant Market Power met in Madrid on 4 February to debate issues arising from the context of the 99 Review process, namely those regarding the definition of relevant markets - particularly in the context of international roaming - and also the concept of effective competition and its sustainability in the telecommunications sector, as well as collaboration with other IRG working groups.

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SPANISH PRESIDENCY - INFORMAL COUNCIL OF MINISTERS OF TELECOMMUNICATIONS AND INFORMATION SOCIETY

The future 2005 eEurope Action Plan dominated the attention of the ministers of Telecommunications and Information Society attending the informal meeting held on 22 and 23 February in the Basque city of Vitoria.

Successor to the 2002 eEurope Action Plan approved during the Portuguese European Union Presidency in the first half of 2000, eEurope 2005 seeks to fill the gaps in the 15 member-states' first document of strategic guidelines, which set such ambitious goals as to make the Union the world's most dynamic knowledge-based economy within the next decade.

The new Action Plan for promoting the Information Society will encompass the 2003-2005 triennium, and particularly emphasise development of broadband access to the internet, the creation of attractive European content, the promotion of online administration and widespread internet use in priority sectors such as education, health or electronic commerce. The documents at the basis of eEurope 2005 should also be discussed by the heads of state and government at the March 15-16 European Council in Barcelona, in order to obtain a mandate that will allow the Commission and the Council to delineate a new action plan, to be presented at the 21-22 June European Council in Seville.

Information Society Commissioner Erkki Liikanen recalled on the occasion the five priority objectives for eEurope 2005: to create content for all, in users' mother tongues; to put public services online; to foster digital inclu-

sion; to guarantee a fast broadband-based internet; and to assure cyberspace security.

But this informal forum also served to evaluate practical results of the 2002 eEurope Action Plan (which sought to realise 64 measures defined at the time, based on the basic tripartite goals of a cheap, fast and secure internet; investment in people and knowledge; and widespread internet use).

Agreement was likewise reached with the European Parliament on development of the .eu top-level domain. The Parliament meanwhile endorsed (see http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/02/340|0|RAPID&lg=EN) on 28 February, in a second reading, the Commission Recommendation on the draft Regulation to implement the .eu top-level domain. It is expected that this European domain will be effectively adopted at the upcoming Council of Ministers of Telecommunications, scheduled for 25-26 March.

The European Commission also presented its communication on the "eEurope Benchmarking Report" (see page 4). On the first day of the meeting, representatives of the 15 member-states also had occasion to hear six international experts in the sector, among them César Alierta, president of Telefónica, and Manuel Castells, a university professor specialising in issues concerning the internet.

SEE <http://www.ue2002.es/Presidencia/PlantillaDetalle.asp?id=756&opcion=3&idioma=ingles;>

SEE http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=SPEECH/02/81|0|RAPID&lg=EN

LICENCES IN 2001/ 2002				
FIXED TELEPHONE SERVICE			PUBLIC TELECOMMUNICATIONS NETWORKS	
Licensed Providers	Date	Access Codes	Licensed Operators	Date
TeleMilénio - Telecomunicações, Sociedade Unipessoal, Lda.	2001.01.19	1073	Global Metro Networks Portugal - Sociedade de Telecomunicações, Lda	2001.01.19
Companhia Portuguesa Rádio Marconi, S.A.	2001.02.02	1075	TeleMilénio - Telecomunicações, Sociedade Unipessoal, Lda.	2001.01.19
NetVoice - Comunicações e Sistemas, Lda.	2001.03.01	1025	CABLETEL - Serviços de Telecomunicações, S.A.	2001.03.08
CABLETEL - Serviços de Telecomunicações, S.A.	2001.03.08	1066	Belgacom Portugal, S.A.	2001.04.06
COLTEL - Serviços de Telecomunicações, Unipessoal, Lda.	2001.04.20	—	TVTel Grande Porto - Comunicações, S.A.	2001.04.12
REFER TELECOM - Serviços de Telecomunicações, S.A.	2001.06.21	—	COLTEL - Serviços de Telecomunicações, Unipessoal, Lda.	2001.04.20
Diniz & Ávila - Comunicações, S.A.	2001.07.31	1015	REN - Rede Eléctrica Nacional, S.A.	2001.05.17
			TCN (Portugal) - Instalação e Manutenção de Redes, Unipessoal, Lda.	2001.05.24
			REFER TELECOM - Serviços de Telecomunicações, S.A.	2001.06.21
			NETRAIL - Telecomunicações, S.A.	2002.01.24

IN MARCH 2002

EU

- EC presentation of the guidelines set in the Framework Directive (5)
- Council of Ministers of Transports and Telecommunications (25-26)

ITU

- Informal Council Group on Strategic Planning (7-8)
- WTDC02 (18-27)

CEPT

- Plenary Assembly (5-6)

ECC

- Plenary session (11-15)

- CPG / PT2 e PT3 (4-8)

- WG ITU / PT PP02 (7-8)

CERP

- WG UPU Affairs (8)

IRG

- Plenary session (7-8)

EVENTS

- *Carriers World Asia* - 5-6, Singapore

- *The Future of Communications* - The New Model for Regulation, Competition and Competitiveness - 6, ISEG, Lisbon

- *10th Convergence India Show* - 6-8, New Delhi, India

- *Euroconference on Methods to Define Geovisualisation Contents for Users Needs*

9-14, Albufeira, Portugal

- *Voice World Africa* - 11-13, South Africa

- *IDC - Forum eBiz'2002* - 12-13, Lisbon

- *Imagin@ 2002* - 12-14, Monaco

- *CeBit* - 13-20, Hannover

- *Internet Fiesta 2002* -

18-24, at <http://www.internet-fiesta.org/>

- *PC Forum 2002*

24-27, Scottsdale, Arizona, USA

- *ISSS 2002* - Internet in Public Administration

25-26, Czech Republic

- *NETSEC* - 26-28, Paris