

## Questions regarding the implementation of the Roaming Regulation

As part of a BEREC survey on the Roaming Regulation, ICP-ANACOM would like to request the information listed below. The purpose of this information is to obtain a good view on how the implementation of the Regulation has proceeded in the Portugal.

The information will be collated and aggregated by ICP-ANACOM and incorporated into a BEREC report to the Commission. All operator specific information will be treated in confidence, and only anonymous, aggregated data will be included in the BEREC report. BEREC may publish a version of the report on its website, and use it to describe overall compliance with the Regulation. Again, only anonymous, aggregated data will be used.

This information request is separate from the regular biannual data collection, which ICP-ANACOM will contact you about during November and which will cover two quarters of data (Q3 and Q4 of 2010).

Please send your response to this questionnaire to [dee.stats@anacom.pt](mailto:dee.stats@anacom.pt) by **close of business on 27 November**. If you have any questions, contact:

[dee.stats@anacom.pt](mailto:dee.stats@anacom.pt)

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Kindly complete the questionnaire regarding the situation as at 1 October 2010 (unless stated otherwise).

These questions relate to both postpaid and prepaid customers. Where the answers for your company differ for these two types of consumers, please indicate how they differ.

### 1) Transparency of retail charges for regulated roaming calls and SMS messages

- a) If the transparency measures described under Article 6 of the Regulation were not yet fully implemented on 1 July 2009, at what date were your systems able to supply consumers with all the information required by the Regulation? How did you inform consumers in the meantime? Please explain, for example, if this depended on the customer's device.

### 2) Transparency and safeguard mechanisms for regulated data roaming services

- a) Have you provided a mechanism to consumers guaranteeing that their monthly expenditure on data roaming services does not exceed a specified limit for a specified period of time? Please describe the mechanism you have implemented with regard to the requirements of Article 6a(3). In particular:
  - i). Have you made available a default financial limit close to, but not exceeding, €50 of outstanding charges per monthly billing period, or the volume equivalent?
  - ii). Have you chosen to offer any higher or lower limits? If so, what are they?

- iii). By 1 July 2010, was the default limit automatically provided to all customers who had not chosen another limit?
  - iv). Is a notification sent to the customer's device when the data roaming services reach 80% of the agreed financial or volume limit? Do you allow customers to opt-out of receiving such notifications, and to opt back in to receiving notifications again, at any time and free of charge?
  - v). When the financial or volume limit would otherwise be exceeded, do you send a notification to the customer's device? Does the notification indicate the procedure to be followed if the customer wishes to continue provision of the services and the cost for each additional unit to be consumed?
  - vi). What type of notification do you use to inform the customer that they have reached either 80% or 100% of their financial or volume limit?
  - vii). If the customer does not respond as prompted in the notification received, do you immediately cease to provide and to charge the roaming customer for data roaming services, unless and until the customer requests the continued provision of the service? If not, what type of action do you take?
  - viii). From 1 November 2010, when a customer requests to opt for or to remove a financial or volume facility, will the change be made within 1 working day of receipt of the request, free of charge, and without entailing any conditions or restrictions pertaining to other elements of the subscription? If not, when do you expect to become compliant and how will you deal with such customer requests in the meantime?
- b) If you have not yet provided a mechanism to consumers, at what date will you become compliant and what steps have you taken to compensate any consumers billed more than the regulation allows?
  - c) Are there any customer segments, tariff types or customer devices for which it is particularly difficult to comply with the Regulation, or will be in the future? Please explain why, and the steps you are taking / plan to take to protect customers from bill shock in these cases.
  - d) Please describe any proposals you have about the drafting of anti-bill shock measures in any future legislation, so that they take account of likely technical and commercial developments.

### **3) Voicemail**

As at 1 July 2010, had charges for roaming voicemail messages left in the customer's voicemail account been removed in line with the Regulation? If not, at what date will / did you become compliant and what steps have you taken to compensate any consumers billed

more than the regulation allows?

*Thank you for completing this questionnaire.*