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"Public Consultation On Infrastructure Records"

The objective of the present consultation is to assess the need and scope of a record system of electronic communication infrastructure.

For this purpose, electronic communication networks shall have the meaning according to its definition in point x) of Article 3 of Law no 5/2004 of 10 February, namely, *“transmission systems and, where applicable, switching or routing equipment and other resources which permit the conveyance of signals by wire, by radio, by optical or by other electromagnetic means, including satellite networks, fixed (circuit- and packet-switched, including Internet) and mobile terrestrial networks, electricity cable systems, to the extent that they are used for the purpose of transmitting signals, networks used for radio and television broadcasting, and cable television networks, irrespective of the type of information conveyed”*.

The system should allow the centralisation in an integrated and structured form of information related to electronic communications systems (including geographical location) held and potentially usable by the various operators in Portugal.

The reason for this initiative arises from the recognition of the important role that Information and Communication Technologies (ICT) can play in the development of electronic interaction, as a way of improving and broadening, in terms of offer and availability, services provided to all economic agents.

As part of the present consultation process, and without prejudice to the specific powers and responsibilities of ICP-ANACOM as Regulatory Authority of Communications to compile information considered necessary and relevant to

the exercise of its functions, the intention is to collect opinions and reasons as to the need and usefulness of making electronically compiled and systemized information available on electronic communication networks.

A period of 30 working days, ending 16/10/2007, has been set during which interested parties may comment in writing, sending an email to cadastro@anacom.pt, about the issues raised and expressly identifying them.

Accordingly the various contributions and proposals received in the context of this consultation will make a decisive contribution to the assessment of the various market stakeholders, as well as to the definition of the scope, format of implementation and the respective management criteria.

In similarity to other infrastructure (transport, electricity, gas, sewerage, etc) and other recorded information (building records), should there be a compilation and systemization (record) of data with respect to electronic communication networks?

A. If you agree,

1. Which items should be included in this compilation? (Please select)

a) Only passive:

- i. Optical fibre;
- ii. Submarine cables;
- iii. Coaxial cables;
- iv. Copper pair cables;
- v. Conducts, pipes, manholes, etc.;
- vi. Poles;
- vii. Others; Specify;

b) Also active:

- i. SDH, ATM Equipment;
- ii. Routers;

- iii. Others; Specify;
 - c) Including radio stations;
 - d) All of the above.
2. What degree of detail there be?
- a) Only core/transmission network;
 - b) Including distribution network;
 - c) Up to the local loop;
 - d) Entire network, including local loops.
3. Who has interest in accessing this systemized information? (Put in order of importance)
- a) The state, for the purposes of territorial planning;
 - b) The Government, as a tool in the definition of national strategy and communications policies;
 - c) Local authorities, for the purposes of planning and intervention in public highways;
 - d) Operators in order to define their commercial strategy;
 - e) Operators of other infrastructure in order to enable the offer of these to third parties;
 - f) Private undertakings, in general, as an tool for the definition of their investment strategy;
 - g) Consumers, in terms of transparent information on access to means of communication;
 - h) Other undertakings - specify;
 - i) None of the entities above;
 - j) All of the entities above.
4. In particular for you, what interest does such systemized information represent? Specify and clarify the degree of importance (1 – high; 2 – medium/high; 3 – medium/low; 4 -low).

5. Should the initiative proceed, which entity should act as coordinator?
 - a) The State;
 - b) The sector Regulator;
 - c) A private/public entity formed for such purpose;
 - d) General geographic and record services;
 - e) Other – please specify;

6. In the event that the infrastructure record is implemented, the information it contains should:
 - a) Be provided in an overall manner, without identification of its holder / owner?
 - b) Have different levels of access, by content and entity?
Specify;
 - c) Be open and transparent?
 - d) Be totally confidential? In such case, it shall be only be accessible to which entities?

7. In light of the possible existence of an infrastructure record being subject to a determined policy in respect of access to the information therein (as a result of the previous question), do you consider that there will be any problems of security of any type?

8. With there being costs associated with the compilation, processing and provision of contents, do you agree that the information has a value? Specify.

9. What will be the best form of financing the costs of this systemised information?
 - a) Participation in the investment costs of the project (How much);

- b) Annual payment (How much);
- c) Monthly payment (How much);
- d) Payment by consultation (How much);
- e) Other (Specify).

10. What type of obligation should holders / owners of infrastructure be subject to in respect of the provision of information forming a record of communications infrastructure?

- a) Compulsory for all;
- b) Compulsory, but allowing in certain cases, for a certain period of time, the availability of information to be reserved;
- c) Compulsory only for operators with significant positions in the wholesale leased lines market (PT Comunicações and including also the RCAO – Reference Conduit Access Offer);
- d) Optional;
- e) Other (Specify).

11. How can the infrastructure record described here be articulated with the obligation that PT Comunicações has to implement a record of its conduits?

12. Should the holders / owners of infrastructure be paid for making information available? If so, with what criteria?

B. Comments and suggestions.