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7,000 INSPECTION AND CONTROL ACTIONS IN 2015

In the scope of its communications sector oversight duties, the Autoridade Nacional de Comunicações (ANACOM) conducted more than 7,000 inspection and control actions to verify the performance of various market players and radio spectrum usage conditions. In that regard, 855 actions targeted the electronic communications sector and

447 the postal sector; 499 concerned telecommunication infrastructures in buildings and urban developments and 235 aimed to verify the conformity of radio and electronic communications terminal equipment. A further 3,417 preventive and 1,572 reactive (following complaints) actions focused on the spectrum area. (+)

ADMINISTRATIVE OFFENCE CASES IN 2015

ANACOM initiated 429 administrative offence proceedings, 24 percent more than the 346 cases lodged in 2014. Such cases stem from the verification, by means of inspection and

control actions carried out by ANACOM teams, of signs that diverse market players have failed to comply with sector legislation or with this Authority's determinations. (+)

WORKSHOP ON OTT SERVICES

An ANACOM-organised workshop on the "Study on application and content (OTT) services" takes place on 29 March at the SANA Malhoa Hotel in Lisbon. The main conclusions of that study, conducted by QMETRICS for ANACOM, will be presented

and debated. It assessed the economy of the business of OTT services available in Portugal, their prospective evolution, corresponding impact on the electronic communications sector and challenges with respect to regulation and public policies. (+)

CONSULTATIONS

DRAFT RDS REGULATION

The public consultation on the draft regulation for operation of the radio data transmission system (RDS) is under way until 8 April. The consultation was approved by ANACOM decision dated 4 February. Comments may be submitted to the email address regulamento-rds@anacom.pt. (+)

REVISION OF ANALYSIS OF MARKETS 3a AND 3b

ANACOM initiated on 16 February the public consultation on revision of the analysis of markets for wholesale local access

at a fixed location (market 3a) and for wholesale central access at a fixed location for major consumption products (market 3b), which includes the definition of product markets and geographic markets, assessment of significant market power (SMP) and the imposition, maintenance, amendment or withdrawal of regulatory obligations. This consultation was approved by decision dated 11 February and closes on 6 April. Comments may be submitted to the email address mercados3ae3b@anacom.pt. (+)

COMMUNICATIONS IN PORTUGAL

NEWS

ADMINISTRATIVE OFFENCE CASES

In the area of electronic communication services, the Autoridade Nacional de Comunicações (ANACOM) imposed reprimand penalties on the following companies for failing to comply in due time with the obligation to send to this authority the declaration indicating business volume and other information needed to ascertain the turnover figure that can be used for the purpose of managing the compensation fund for universal electronic communications service:

- Iridium Italia; (+)
- GoWireless, Comércio de Equipamentos de Telecomunicações; (+)
- Go4mobility, Tecnologias e Serviços para a Mobilidade; (+)
- Livin, Consultoria e Serviços; (+)
- Lycamobile Portugal; (+)
- NOS Comunicações; (+)
- NOS Açores Comunicações; (+)
- NOS Madeira Comunicações. (+)

Also regarding electronic communication services, two administrative offences were verified to have been committed by MEO - Serviços de Comunicações e Multimédia, for failing to comply with the obligation to submit information about two universal service quality parameters referring to 2014; a single fine of 45,000 euros was imposed. The offender has lodged an appeal with the Competition, Regulation and Supervision Court, contesting that decision. (+)

With respect to telecommunication infrastructures in buildings (ITED), ANACOM imposed the following sanctions for administrative offences:

- José Machado Andrade - two reprimand penalties; (+)
- António Miguel Fialho Oliveira Ferreira - a 500-euro fine and a reprimand penalty; (+)
- Jorge Manuel Ferreira Azevedo - a reprimand penalty. (+)

800,000 VISITS TO ANACOM.PT IN 2015

ANACOM's website received 800,683 visits from 633,021 visitors in 2015, for a new-session average of 64.89 percent. A total of 2,104,954 pages were viewed, an average of 2.63 pages per visit. Average visit time was 2 minutes and 8 seconds. Compiled figures also indicate that the return rate was 29.29 percent; 70.71 percent of accesses were originated by new users. (+)

VODAFONE'S FREQUENCY USAGE RIGHT MODIFIED

The modification of the title of the frequency usage right awarded to Vodafone Portugal for terrestrial electronic communication services was approved by decision dated 11 February, effective as from 24 December 2015. The decision results from the company's return of frequencies in the 895.1-898.1 MHz and 940.1-943.1 MHz channels, to comply with the condition set out in the frequency usage right and deriving from the multiband auction regulations. The National Table of Frequency Allocations and the Frequency Information System will be changed accordingly. (+)

INSPECTION AND CONTROL ID CARDS

The model of the identification card that must be carried by ANACOM personnel conducting supervisory duties and by personnel or collaborators of entities authorised to conduct or monitor inspections or audits was approved by ANACOM per a decision dated 11 February. (+)

MUNICIPAL FEE FOR RIGHTS OF WAY

ANACOM accepted by decision dated 11 February the auditing firm Ernst & Young, Audit & Associados selected by Vodafone Portugal - Comunicações Pessoais for the purpose of complying with the regulations governing the procedures for collecting and delivering to municipalities the municipal fee for rights of way. (+)

ANACOM PUBLIC PARTICIPATION

Highlights include the participation by the chair of ANACOM's board of directors, Fátima Barros, in the following meetings: Ministerial Programme of the GSMA Mobile Congress - 21 February in Barcelona; bilateral meetings with the Colombian regulator, Verizon and representatives of AT&T; Digital 4EU Stakeholder Forum organized by the European Commission - 25 February in Brussels; workshop and 26th BEREC plenary meeting - 24-26 February in Rotterdam, the Netherlands.

Board member Hélder Vasconcelos attended on 2-3 February in Brussels the EU High Level Dialogue On Spectrum-Related Issues, and on 22-25 February in Barcelona the Mobile World Congress 2016.

OPERATORS/PROVIDERS OF COMMUNICATIONS NETWORKS AND SERVICES

PROVIDERS OF ELECTRONIC COMMUNICATION SERVICES

	No. of authorised entities ^(a)	No. of operational entities ^{(a) (b)}
Television signal distribution service ^(c)	14	10
Mobile telephone service		
Mobile network operators (MNO)	3	3
Mobile virtual network operators (MVNO)	9	4
Telephone service at a fixed location	17	14
Internet access service		
Fixed broadband	54	41
Mobile broadband	10	7
Nomad voice over internet service (nomad VoIP) ^(d)	22	13
Public payphone service	9	5
Virtual calling card service	21	9

POSTAL SERVICE PROVIDERS

	No. of authorised entities ^(a)	No. of operational entities ^(a)
Postal services outside the scope of universal service	75	62 ^(e)
Postal services covered by the scope of universal service	15	11

a) Situation at 31 December 2015.

b) Includes operational entities with retail and/or wholesale offering.

c) Includes service provided in the scope of CDNs (8 operational providers) and via other platforms (2 operational platforms).

d) Services provided with recourse to the '30' numbering range.

e) Includes 22 companies providing the service under the MRW on a franchising basis (the company IBERCOURIER owns the MRW brand), 15 companies providing the service under the NACEX brand on a franchising basis (the company LOGISTA owns the NACEX brand) and 2 companies providing the service under the ENVIALIA brand on a franchising basis.

RENEWAL OF FREQ. USAGE RIGHTS AWARDED IN THE 2100 MHZ BAND

The Autoridade Nacional de Comunicações (ANACOM) approved by final decision dated 18 February the renewal for 15 years of the frequency usage rights awarded in the 2100 MHz band to NOS Comunicações, MEO - Serviços de Comunicações e

Multimédia and Vodafone Portugal - Comunicações Pessoais for terrestrial electronic communication services. The renewal will take effect in mid-2018. (+)

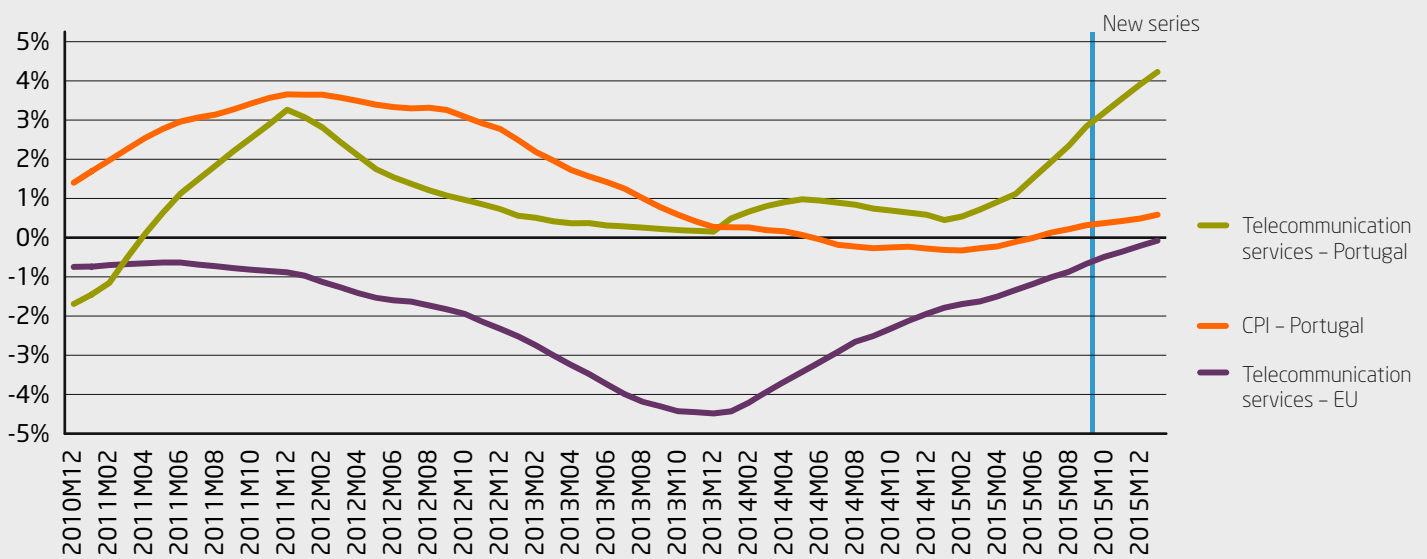
NEWLY ENACTED LEGISLATION

Notice no. 2412/2016 (*Diário da República* Series II Part E of 25 February) - concerning the draft regulation for operation of the Radio Data Transmission System. (+)

Administrative Rule no. 21/2016 (D.R. Series I of 9 February) - establishes how ANACOM's net results from 2014 will be applied and approves the modification of the respective budget for 2016. (+)

The Council of Ministers of 4 February approved the proposed State Budget Law for 2016, the accompanying report, the Major Planning Options and the Multiannual Budget Programming Table. (+)

AVERAGE ANNUAL PRICE PERFORMANCE - TELECOMMUNICATIONS



Source: INE, EUROSTAT. Unit: %

Note: As from EUROSTAT's publication last 25 February of figures referring to January 2016, the reference year of the HICP series was changed from 2005 to 2015. Until October 2015 the series was calculated using the base period 2005 and the indicator "European Union (28 countries)" was used to calculate the EU values. But starting in November 2015 the series has been calculated using the base period 2015 and the indicator "European Union (EU6-1972, EU9-1980, EU10-1985, EU12-1994, EU15-2004, EU25-2006, EU27-2013, EU28)" for the EU values. Differences in the series may arise due to rounding.

EUROPEAN UNION

EU-USA PRIVACY SHIELD - POLITICAL AGREEMENT

The European Commission (EC) and the United States of America (USA) have reached agreement on a new framework for trans-Atlantic personal data transfers: the EU-USA Privacy Shield. The respective provisions aim to protect the fundamental rights of European citizens whenever their personal data are transferred to the USA and to guarantee legal security for businesses. This agreement was supported by the European Internet Services Providers Association. (+)

RESULTS OF PUBLIC CONSULTATIONS

The EC has released the results of two recent public consultations, one on the broadband needs of Europeans and the other on the telecommunications regulatory framework review. Regarding

broadband, the responses received indicate that user needs are still not entirely satisfied with respect to internet speed and quality. (+)

STATE AID

The EC has begun an in-depth investigation to examine whether measures applied by the Spanish state in favour of the postal operator Correos since 2004 comply with the state aid rules of the European Union (EU). (+)

5G - AGREEMENT BETWEEN THE EU AND BRAZIL

The EU and Brazil signed an agreement on 23 February to develop the fifth mobile internet generation (5G). The EC has also begun to draw up an action plan with a view to establishing 5G technology in the EU by 2020. (+)

OJEU

Opinion of the European Economic and Social Committee 2016/C 071/11 of 24 February, concerning the Commission Communication to the European Parliament, to the Council, to the European Economic and Social Committee and to the Committee of the Regions - Strategy for the Digital Single Market in Europe. (+)

COMMUNICATIONS AROUND THE WORLD

ONLINE DISPUTE RESOLUTION

The European Commission (EC) has launched a platform to help consumers and merchants settle disputes arising from goods and services acquired online, without having to go to court. The website is free and managed by the EC. Complaints sent to this platform are forwarded to dispute resolution bodies duly registered with national authorities and selected in accordance with quality criteria. (+)

POSTAL SECTOR CHALLENGES IN EUROPE

A report released by the European Regulators Group for Postal Services (ERGP) highlights postal sector development differences in European countries, even though some challenges are common. One of the problems stems from the fact that express mail growth is not strong enough to compensate for the downturn in posted correspondence and non-express mail. (+)

PORTUGAL IS THE EU'S 14TH MOST DIGITAL COUNTRY

The EC has released results of the Digital Economy and Society Index for 2016 (DESI 2016). The conclusions show that since the Digital Single Market Strategy was published in 2015 the member states have made progress in areas such as connectivity and digital skills, as well as in public services.

Portugal is among the five European Union countries that have made the most progress in the last year, with above average results in the digital area, and has risen to the 14th post in the European ranking. (+)

eGOVERNMENT 2016-2020 ACTION PLAN

The EC published on 23 February the contributions and preliminary results from the public consultation on the new eGovernment Action Plan for 2016-2020, which ran from 30 October 2015 to 22 January 2016. A number of trends can be observed even without more detailed consultation of the final results to be published in March. (+)

DRAFT REGULATION ON DATA PROTECTION

The European Council confirmed on 12 February the agreement signed in the negotiations between the Council, the European Parliament and the EC concerning the draft regulation on data protection, which updates and modernises the principles set out in the 1995 Data Protection Directive. It specifically determines the rights of individuals and establishes the general obligations of those responsible for processing personal data and those who carry out that processing. It also establishes methods to guarantee compliance and the scope of sanctions imposed on offenders. (+)

BEREC

16TH INTERNATIONAL ROAMING REPORT

The Body of European Regulators for Electronic Communications (BEREC) has released the 16th report on international roaming in European public mobile telephone networks. The report, approved at the 26th BEREC plenary meeting, presents results of the 16th campaign to gather data on roaming, which was carried out via the national regulatory authorities between April and September 2015. (+)

RESULTS OF THE 26TH PLENARY MEETING

At its 26th plenary meeting, held on 25-26 February in Rotterdam, the Netherlands, BEREC approved the following documents: 16th International Roaming BEREC benchmark data report April - September 2015; BEREC Report on wholesale

roaming market; BEREC Guidelines on the application of the Roaming Regulation as amended by TSM regulation; BEREC Report on OTT Services; BEREC Report on the outcome of the public consultation on the draft Report on OTT Services; BEREC Report on the outcomes of the public consultation on the draft Report on enabling Internet of Things; BEREC Report on enabling Internet of Things. (+)

REVIEW OF THE REGULATORY FRAMEWORK

BEREC and the Radio Spectrum Policy Group have responded to the EC's requests for opinion on the electronic communications regulatory framework review. BEREC and the ERGP share the goal of ensuring that all European citizens have fast access to the next generation of mobile services. (+)

ANACOM INTERNATIONAL ACTIVITY

The Autoridade Nacional de Comunicações (ANACOM) represents the Portuguese communications sector before relevant international organisations and took part in recent meetings in the scope of the European Conference of Postal and Telecommunications Administrations (CEPT), European Union (EU), International Telecommunication Union (ITU), Body of European Regulators for Electronic Communications (BEREC) and Universal Postal Union (UPU).

CEPT

In the context of the ECC's work, the following meetings were held:

- meeting of WG SE PT7 - 12-14 January in Copenhagen; (+)
- 18th meeting of the Maritime Forum Group - 26-28 January in Biel-Bienne, Switzerland; (+)
- 84th meeting of WG FM, 1-5 February in Cluj-Napoca, Romania. (+)

EU

The following meetings took place in the EU scope:

- of the RSPG on efficient use and award of spectrum bands harmonised for electronic communication services and RSPP - 28 January in London; (+)
- 42nd of TCAM, 23rd of the EMC Working Party and 8th of the

TCAM expert group - 3-4 February in Brussels. (+)

ITU

Geneva hosted the following meetings within the ITU:

- 6th of CWG FHR - 24-26 February; (+)
- WG of the Council - 15-19 February; (+)
- WP 6A of ITU-R - 25 January-3 February; (+)
- TSAG of ITU-T - 1-5 February; (+)
- SG2 of ITU-T - 20-29 January. (+)

BEREC

The following meetings were held under BEREC:

- teleconference between MEA EWG drafters - 11 February; (+)
- NN EWG meeting - 11-12 February in Brussels; (+)
- EWG NGN meeting - 18 February in Brussels; (+)
- Regulatory Framework EWG meeting - 18 February in Brussels; (+)
- 26th plenary meeting and General Assembly of the IRG - 25-26 February in Rotterdam. (+)

UPU

The joint CA/POC meeting was held on 22-26 February in Berne, Switzerland. (+)

5TH CONGRESS ON PROTECTION AGAINST RADIATION - CPLP

The fifth Congress on Protection against Radiation of the Community of Portuguese Language Countries (CPLP) was held on 10-12 March at the Lajinha Serafim Auditorium of the Civil Engineering Department of the Faculty of Sciences and

Technology of the University of Coimbra, organised by the Portuguese Society for Protection against Radiation and the Brazilian Radiological Protection Society. ANACOM was present in the Honorary Committee. (+)

CT-163 PLENARY MEETING

The plenary meeting of the technical committee on standardisation - information systems security (CT-163) was held on 10 March at the Society of Engineers Auditorium in

Lisbon, organised by the Portuguese Association of Information Technology Service Management (itSMF Portugal), (+)

ITU CONTEST FOR YOUNG INNOVATORS - 2016

In the context of the ITU Telecom World 2016 event (14-17 November in Bangkok), the ITU is promoting the annual ITU Telecom World Young Innovators Competition. The contest targets young entrepreneurs from 18 to 30 years old, who

should submit projects associated to the application of big data technology in the health area. Contestants can submit their project information until 22 March. (+)

NEWS FROM OTHER COUNTRIES

AUSTRALIA - Australian Communications and Media Authority (ACMA)

- The auction to award frequency usage rights in the 1800 MHz band (basically used for 4G telecommunications) was completed, bringing in more than 543.5 million Australian dollars (about 365 million euros). After 179 rounds, the auction was won by the companies Optus Mobile, Telstra, TPG Internet and Vodafone. (+)

BELGIUM - Belgian Institute for Postal Services and Telecommunications (BIPT)

- The decision on revision of the wholesale prices for cable network access services, namely the rates the operators Brutélé, Nethys (VOO) and Telenet charge operators who intend to offer broadband and cable TV services, was published on 22 February. (+)

BRAZIL - Agência Nacional de Telecomunicações (ANATEL)

- Some 1.4 million complaints by internet telecommunication service consumers were recorded in 2015, up nearly 90 percent over the 737,000 recorded in 2014. (+)
- The authorisation period for using drones to fight the Aedes aegypti mosquito (transmitter of dengue, chikungunya and Zika) has been reduced from 60 to 9 days. Such devices help identify possible mosquito breeding sites that are hard to access. (+)

COSTA RICA - Superintendencia de Telecomunicaciones (SUTEL)

- A platform has been set up in partnership with mobile operators and the Global System for Mobile Communications Association, which enables verification (via the international identity of mobile equipment) of whether a telephone has been listed as stolen or lost. This measure aims to discourage theft and fraudulent sale of equipment. (+)

CANADA - Canadian Radio-television and Telecommunications Commission (CRTC)

- Information has been published about the electronic tool that helps Canadians choose the providers of fixed telephone, mobile telephone, internet and television services that best meet their needs. (+)

CROATIA - Croatian Regulatory Authority for Network Industries (HAKOM)

- The associations of tenants and cities have published an informative guide with useful hints concerning electronic communications infrastructure in residential buildings, considered very important for the implementation of new broadband networks. (+)

ESPAÑA - Comisión Nacional de los Mercados y la Competencia (CNMC)

- Telefónica has been fined 50,000 euros for failing to comply with established rules regarding the Reference Interconnection Offer, a wholesale offering that regulates the link between two networks so that users can freely communicate with each other. (+)

UNITED STATES OF AMERICA - Federal Communications Commission (FCC)

- The legislative bill meant to stimulate competition and innovation in the set-top boxes market has been approved. The proposal aims to eliminate anti-competitive barriers, enabling software, equipment and other innovative solutions to compete with set-top boxes, offering pay-TV service customers alternative ways to access their channels. (+)

FINLAND - Finnish Communications Regulatory Authority (FICORA)

- Trial radio licences have been granted to the University of Aalto and to Ericsson to develop, research and test 5G products. The licence granted to the university permits the use of radio transmitters in a 5G test network, while Ericsson's centres on the use of higher frequencies and larger bandwidths. (+)

FRANCE - Autorité de Régulation des Communications Électroniques et des Postes (ARCEP)

- An observatory has been set up to monitor implementation of the 2G, 3G and 4G mobile network in relatively unpopulated areas with a view to ensuring connectivity in all regions of France. This measure is framed by efforts to provide more extensive mobile coverage of the territory, for citizens' benefit. (+)

MEXICO - Instituto Federal de Telecomunicaciones (IFT)

- The concentration allowing Grupo Televisa to acquire all shares of Televisión Internacional has been authorised, subject to compliance with the respective conditions. (+)

UNITED KINGDOM - Office of Communications (Ofcom)

- The first conclusions of the Strategic Review of Digital Communications have been published. Its aims are to identify actions that can improve telecommunications quality and coverage in the United Kingdom. The opening of networks by British Telecom so that its competitors can take fibre to homes and businesses, the reform of the operator Openreach to better serve consumers and companies and better quality of service for all customers were identified as priorities. (+)

4TH QUARTER 2015 STATISTICS RELEASED

ELECTRONIC COMMUNICATIONS SERVICE PACKAGES

The number of subscribers to package offers rose to 3.25 million, up 10.1 percent over end 2014. An estimated 8 of every 10 classic families had a multiple play package, up 7.3 percentage points year-on-year. The most used service package mode continues to be triple play (3P), accounting for 41.6 percent of the total, followed by quintuple play (5P), with 38.4 percent, and double play (2P), with 15.4 percent. The 3P packages have 1.35 million subscribers, while 5P has 1.2 million customers. In 2015 the number of 2P and 3P subscribers declined while subscribers to 4P and 5P packages increased, with the latter mode growing the most (28 percent). NOS led in the 2P, 3P and 4P modes, while MEO led in the 5P mode, in terms of both subscribers and revenue. (+)

PAY-TV SERVICE

Pay-TV service totalled 3.52 million subscribers, 167,000 more customers than in 2014. The service's penetration rate stood at 86.6 subscribers per each 100 classic families, up 4.1 percent over the previous year. The service's growth vis-à-

vis more than 185,100 subscribers was mainly due to offers borne on fibre optics (FTTH/FTTB - fibre to the home/fibre to the building), which at end 2015 accounted for 23.1 percent of total subscribers, becoming the second ranking form of access. Nearly 87.8 percent of subscribers had the service bundled in a package. (+)

TELEPHONE SERVICE AT A FIXED LOCATION AND NOMAD VOIP

Fixed telephone service counted nearly 4.7 million main accesses, 94,000 more than at end 2014. Fixed telephone service's penetration rate stood at 45.1 accesses per 100 inhabitants, up 0.9 percent over the previous year. This is the highest penetration rate recorded since the Autoridade Nacional de Comunicações (ANACOM) began compiling that information. The higher penetration resulted from growth in the number of VoIP/VoB (256,000 more) and GSM/UMTS/LTE (19,000 more) accesses. An average of 92 minutes per month were accounted for with respect to fixed-fixed calls per average main access, 9 minutes for fixed-mobile calls, 6 minutes for calls to short numbers or non-geographic numbers and 8 minutes for international calls. (+)

OVER-THE-TOP SERVICES

ANACOM published on 23 February the report on use of over-the-top (OTT) services (instant messaging and voice and video calls over the internet) in Portugal and the European Union in 2015.

The information released includes figures on changes in the percentage of OTT service users broken down by age, household social class, education level and employment status. (+)

WORKSHOP

Study on content and application services (OTT)

29 March 2016 | Lisbon

ANACOM  AUTORIDADE NACIONAL DE COMUNICAÇÕES

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