

**NOTIFICATION OF INTENDED MEASURES UNDER ARTICLE 57 OF LAW  
NUMBER 5/2004, OF FEBRUARY 10<sup>TH</sup>  
(CONSISTENT WITH ARTICLE 7, NUMBER 3 OF DIRECTIVE 2002/21/EC)**

1. On February 25<sup>th</sup> 2004, ICP-ANACOM Board of Directors approved the draft measure concerning the relevant market definition and SMP assessment concerning transit services in the fixed public telephone network.
2. On the same date, it was approved the request of the opinion of the National Competition Authority – Autoridade da Concorrência –, within 30 days, according to article 61 of Law number 5/2004, of February 10<sup>th</sup>.
3. According to article 8 of Law number 5/2004, of February 10<sup>th</sup>, the approved draft measure is available at ICP-ANACOM website<sup>1</sup>, granting interested parties 20 working days to comment on it.
4. According to number 1 of article 57 of Law number 5/2004, of February 10<sup>th</sup>, and according to number 3 of ANACOM consultation procedures, approved by decision of February 12<sup>th</sup>, 2004, and within the context of number 3 of article 7 of Directive 2002/21/EC, of the European Parliament and of the Council, of March 7<sup>th</sup>, ICP-ANACOM promotes as well the specific consultation procedure, within one month, making the draft measure available to the European Commission and to the national regulatory authorities in other Member States, together with the reasoning on which the measures are based.
5. As required by the Commission Recommendation 2003/561/EC of July 23<sup>rd</sup>, regarding notifications, time limits and consultations previewed in article 7 of Directive 2002/21/EC, of the European Parliament and of the Council, of March 7<sup>th</sup>, the draft measure is accompanied by a summary notification form, which was drafted according to Annex I of the Recommendation.
6. In this context, the following documents are made available:
  - “Summary notification form - Wholesale transit services in the fixed public telephone network”
  - Mercado de Trânsito na Rede Telefónica Pública num Local Fixo – Definição de mercado relevante e avaliação de PMS – Projecto de Deliberação

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[http://www.anacom.pt/streaming/mercadotransito.pdf?categoryId=142805&contentId=258374&field=ATTACHED\\_FILE](http://www.anacom.pt/streaming/mercadotransito.pdf?categoryId=142805&contentId=258374&field=ATTACHED_FILE)