

DECISION ON THE CONDITIONS AND SPECIFICATIONS GOVERNING THE FOLLOWING UNIVERSAL SERVICE COMPONENTS: (i) CONNECTION TO A PUBLIC COMMUNICATIONS NETWORK AT A FIXED LOCATION AND PROVISION OF A PUBLICLY AVAILABLE TELEPHONE SERVICE THROUGH THAT CONNECTION; AND (ii) PROVISION OF PUBLIC PAYPHONES

On 07.02.2019, the Government and ANACOM launched a joint public consultation on the process of designation of the provider(s) of the electronic communications universal service (USP) and the conditions and specifications governing the following universal service (US) components: (i) connection to a public communications network at a fixed location and provision of a publicly available telephone service through that connection; and (ii) provision of public payphones, which closed on 07.03.2019.

The goal of the aforementioned consultation was to allow all stakeholders to contribute their opinions concerning USP designation procedure and the desired characteristics of the service components in question, for the purpose of defining adequate specifications.

It should be noted that ANACOM issued a recommendation to the Government on 09.05.2018, whereby the latter was requested not to designate USP for all services included within the scope of the US, having stressed that the lack of designation of any given USP would entail a change to the existing legislation, such as to allow this solution and specify the terms and requirements governing the decision of the Government to abstain from designating one or more USP or opt for any other means of ensuring that the goals of the US in question would be effectively achieved.

Should the aforementioned change to the existing legislation not be made, the Government will be required to designate all PSU and take responsibility for the respective designation procedure(s), in which case ANACOM, as the National Regulatory Authority, will be required to define a series of specifications applicable to the US components involved.

Under the conditions described and following an adequate review of the two US components in question, conducted for the purpose of making the required adjustments in

order to meet current customer needs and ensure that the most efficient and adequate solutions are implemented, such as to minimise market distortion, ANACOM determined that changes should be made to chapters 2 and 3 of the ANACOM decision of 07.02.2012, on the conditions and specifications governing US components, in what concerns the designation of provider(s) of the electronic communications universal service (decision changed and republished through the decisions of 23.03.2012 and 05.07.2012), under the terms specified in the annex to this decision.

Therefore, according to the responsibilities specified in article 8, point 1, paragraphs h) and i), of the ANACOM Regulations, as approved by Decree-Law number 39/2015, of 16 March, as well as the regulatory goals defined in point 1, paragraphs a) and c); point 2, paragraph a); and point 4, paragraphs a) and e), of article 5 of Law number 5/2004, of 10 February, as per its current text, **the Board of Directors of ANACOM**, under the terms of the competences conferred thereupon by articles 86, point 3; 88, point 4; 90, point 1; 91, point 3; 92, points 4 and 5; 93, points 1 and 3; 94; and 95, all of the aforementioned Law number 5/2004, and considering the opinions expressed in the general consultation, **decided** the following, under the terms of article 26, point 1, paragraph q), of the ANACOM Regulations:

- To approve the conditions and specifications governing the following universal service components: (i) connection to a public communications network at a fixed location and provision of a publicly available telephone service through that connection; and (ii) provision of public payphones, which should be complied with by the entities designated to provide the services in question, following completion of the tender process specified in article 99 of Law number 5/2004.
- To determine that the approved change shall only apply to future selection procedures concerning the providers of the aforementioned US components. In this sense, the changes in question are thus introduced to chapters 2 and 3 of the decision of 07.02.2012, on the conditions and specifications governing US components, in what concerns the designation of provider(s) of the electronic communications universal service, under the terms specified in the annex to this decision.
- To establish that universal service net costs (USNC) resulting from tender processes shall be considered excess costs and thus be paid in accordance with the terms and

conditions specified in the tender documentation and as established by Law number 35/2012, of 23 August, as per its current text.

Annex to the decision on the conditions and specifications governing the following universal service (US) components: (i) connection to a public communications network at a fixed location and provision of a publicly available telephone service through that connection; and (ii) provision of public payphones

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1. Background

The conditions and specifications defined by this Authority, taking into account the contributions received from the stakeholders as a result of the public consultation conducted and reviewed in the respective report, which is an integral part of this decision and constitutes the grounds thereof, are described in the following sections.

2. US component (i): connection to a public communications network at a fixed location and provision of a publicly available telephone service through that connection

2.1. Service specifications

2.1.1. Connection to a public communications network at a fixed location and provision of a publicly available telephone service through that connection

As specified in article 87, paragraph a), of the LEC, connection to a public communications network at a fixed location and provision of a publicly available telephone service through that connection must be included within the scope of the universal service (US).

In this sense, and as specified in article 88 of the LEC, the contracting party should be able to meet all reasonable demands pertaining to the establishment of a connection to a public communications network at a fixed location and provision of a publicly available telephone service through that connection.

For the purposes of the previous paragraph, the establishment of a connection and provision of the associated services at the main residences or head offices of final users are considered reasonable demands.

Connection to the network and provision of the associated services should allow the following:

- a) Connection and use of adequate terminal equipment;
- b) The ability to make and receive national telephone calls, more specifically to and from geographic and non-geographic numbers, in compliance with the National Numbering Plan, and international telephone calls;
- c) The ability to send and receive fax communications;

- d) Installation of a data communications system whose speed must allow Internet access;
- e) Access to emergency services, under the terms specified by Law, through the national emergency number defined in the National Numbering Plan or any other numbers specified by ANACOM;
- f) Access to a full telephone directory enquiry service, provided under the terms of article 89, point 1, paragraph c), of the LEC.

The contracting party shall be responsible for providing simple telephone terminals, in order to allow access to the service, as well as ensure the respective installation and maintenance, when required, for which they should be adequately remunerated.

For US provision purposes, connection to a public communications network consists of providing customers with a connection to the network whereby each terminal is identified through an address (physical) associated with the name of each subscriber. The services made available to customers should be provided at a fixed location corresponding to the aforementioned terminals, in compliance with the National Numbering Plan.

Service provision may be based on any technology, including wireless.

2.1.2. Affordability

The US should be affordable, in order to ensure access by final users to a public communications network at a fixed location and to the telephone services provided through the network in question.

Pricing is based on the principle of non-discrimination, such as to ensure that all users are treated equally, and on the principle of geographic uniformity, as detailed below.

In order to meet general accessibility requirements and comply with the principles of non-discrimination and price uniformity, as detailed below, the contracting party should define “Universal Service Rates”, applicable across the entire Portuguese territory.

2.1.2.1. Connection price, monthly rates and call rates

The contracting party shall be required not to exceed the following rates (excluding VAT):

- Connection price: €71.83
- Monthly rate: €12.66
- Call rates to national fixed networks:

	First minute		Following minutes	
	Peak hours	Off-peak hours	Peak hours	Off-peak hours
Fixed network operated by the contracting party	€0.0700	€0.0000	€0.0318	€0.0000
Other fixed networks	€0.0700	€0.0700	€0.0371	€0.0012

Peak Hours: Mon-Fri, 09:00-21:00

Off-peak Hours: Mon-Fri, 21:00-09:00; Saturdays, Sundays and Bank Holidays, 0:00-24:00.

Rates charged per second after the first minute.

- Call rates to national mobile networks - €0.0608, charged per second after the first minute.

2.1.2.2. Free services

The contracting party shall be required to provide the following free services:

- a) Calls to the national emergency number and any other emergency numbers specified in the National Numbering Plan;
- b) Calls to the technical support and complaint services.

2.1.3. Service features

In compliance with article 94 of the LEC, the contracting party shall be required to provide a series of resources and means deemed essential for US customers to monitor charges associated with the use of a public communications network and the publicly available telephone service provided through that network.

Given the aforementioned goals, the contracting party shall be required to provide the following resources and/or means to Universal Service customers, under the terms of article 94 of the LEC:

- a) Itemised billing;
- b) Free selective blocking of incoming/outgoing calls to/from predefined types of numbers, premium-rate SMS or MMS services or other message-based value added services or applications, at the request of the subscriber, without prejudice to the provisions included in article 45 of the LEC;
- c) Pre-paid access to the public communications network and the publicly available telephone service provided through that network;
- d) Payment of the price charged for connection to the public communications network in instalments;
- e) Measures applicable to non-payment of telephone bills, under the terms of articles 52 and 52-A of the LEC;
- f) Customer advice service, allowing subscribers to receive information on more affordable rates and/or better conditions;
- g) Control of telephone service costs, including the sending of free alerts to customers when use is abnormally high compared to average.

For the purposes of the service referred to in paragraph a), the contracting party shall be required to ensure the following itemisation level, as a minimum requirement, without prejudice to ANACOM decisions concerning this issue and applicable legislation pertaining to personal data protection and privacy:

- a) Initial price of connection to the public communications network at a fixed location and provision of a publicly available telephone service through that network, if applicable;
- b) Subscription rate, if applicable;
- c) Use charges, including traffic categories and individual call charges;
- d) Equipment rental rate, if applicable;
- e) Price of installation of additional equipment requested after the start of service provision;

- f) Amounts debited to the subscriber;
- g) Refunds.

The contracting party may, at the request of the subscriber, offer higher itemisation levels, free of charge or at a reasonable rate. Free calls, namely calls to emergency services, should not be included within this scope.

2.1.4. Offers available to people with disabilities

In compliance with the provisions included in article 91 of the LEC, the contracting party shall be required to offer special rates to people with disabilities, such as to ensure equal access to publicly available telephone services by these customers, including access to emergency services and directory enquiry services.

Persons are considered disabled if they have a physical or mental impairment, namely blindness, visual impairment, deafness, severe hearing loss, muteness, severe speech disorders, cognitive impairment or motor disability.

For the purposes of the previous paragraphs, the contracting party shall be required to offer the following services, at the request of the subscriber:

- a) Sound amplifier adequate to any terminal equipment, in order to increase sound volume up to 10 times, for people with hearing loss;
- b) Visual call indicator, which consists of a device that activates a visual signal when a call is received;
- c) Simple invoices in Braille;
- d) Fixed-destination calls, in order to allow customers to automatically call a preconfigured number by pressing the call key or lifting the receiver, if no number is dialled within 10 seconds.

The aforementioned offers will be made available to all final users presenting a multipurpose certificate of disability, issued under the terms of Decree-Law number 202/96, of 23 October, as per its current text; the membership card of any association of people with disabilities; or a medical certificate of disability, at-risk patient or patient with special needs as a result of advanced age or physical or mental impairment.

2.2. Service quality parameters and performance targets

Service quality parameters and performance targets applicable to US components, i.e. connection to a public communications network at a fixed location and provision of a publicly available telephone service through that network, which the contracting party is required to provide, without prejudice to compliance with Regulation number 46/2005, published on 14 June (Service Quality Regulation)¹, are specified in the following sections.

Service quality parameters (SQP) should be measured on a national level.

Without prejudice to the obligation to produce quarterly reports, the period specified for assessment of compliance with SQP is one year, counting from the start date of service provision. In the eventual case of extension of the period of service provision, the time period considered for assessment of compliance with SQP shall be the extension period.

2.2.1. Connection time (SQP1)

The “connection time or period of installation of a first connection”² (SQP1) is defined as the time period (days) elapsed between the date on which a customer submits a valid request for connection to the public communications network at a fixed location to the contracting party and the effective establishment of the connection requested.

For SQP1 measuring purposes, the establishment of a connection to a public communications network at a fixed location consists of the effective establishment of a connection to a first terminal, intended for exclusive use by the customer, or the establishment of a connection to the customer’s network, under the terms of the legislation currently applicable to telecommunications infrastructures in buildings.

A valid request for establishment of a connection shall be understood as a request submitted to the contracting party and accepted by the latter concerning the establishment of a new connection (first connection for a new customer or new connection due to change of address of an existing customer). Any situations where a new connection to the public communications network at a fixed location is requested simultaneously with the provision

¹ Regulation applicable to access to the public telephone network at a fixed location and provision of a publicly available telephone service, as changed by Regulation number 372/2009, published on 28 August, and republished through Declaration number 2457/2009, of 6 October.

² For the purposes of this decision, a “first connection” is understood as any situation where connection and service activation occur simultaneously, as well as any situation where only service activation takes place.

of other electronic communications services must also be considered for SQP1 measuring purposes.

Temporary connections, i.e. connections established during a period not longer than one month, are not considered for SQP1 measuring purposes.

SQP1 data to be provided by the contracting party must include the following: (a) connection delays corresponding to the 95th and 99th fastest connection time percentiles, when no target date is specified by the customer; (b) percentage of connection requests fulfilled up to the dates agreed with customers, when target dates are specified by the latter; and (c) ratio between the number of first connections with target dates specified by customers and the total number of first connections established.

For SQP1 measuring purposes, a target date specified by a customer is understood as any date requested by the customer that is later than the date resulting from the average time period required for the establishment of a first connection. This information should be published and made available to customers, under the terms of article 40 of the LEC, and included in the agreement signed between the customer and the contracting party, in compliance with article 48, point 1, paragraph b), of the LEC.

Additionally, the start date of the connection time should be considered as either the date on which the request is received by the contracting party; the date on which any changes or additions are made to existing agreements; or the date agreed with the customer, if applicable. In the latter case, the date agreed with the customer is understood as any date requested by the customer and accepted by the contracting party, or any date scheduled by the contracting party and not refused by the customer. Should the date agreed with the customer be postponed and a new date scheduled for any reason attributable to the contracting party, the first date shall be considered for SQP1 measuring purposes.

The following should not be considered for SQP1 measuring purposes: (i) time elapsed between the date on which the contracting party is informed or determines that the customer's premises do not fulfil the required conditions for the establishment of a connection and the date on which the situation in question is resolved; and (ii) any delays in the installation of the first terminal, intended for exclusive use by the customer or the respective network, under the terms of the legislation currently applicable to telecommunications infrastructures in buildings, when the contracting party is not

responsible for the installation in question. In the first situation, the contracting party shall be liable for any time periods elapsed between the time intervals for which the customer is responsible, if applicable. In this sense, the former time periods will be considered for SQP1 measuring purposes.

SQP1 applies to all accesses included within the scope of Universal Service Rates.

A definition of this parameter, as well as the respective indicators and the measurement method to be used by the contracting party, are summarised in the table below:

Parameter	Measurement	
	Indicators	Method
Connection time (SQP1)	<p>(a) Connection delays corresponding to the 95th and 99th fastest connection time percentiles, when no target date is specified by the customer</p> <p>(b) Percentage of connection requests fulfilled up to the dates agreed with customers, when target dates are specified by the latter</p> <p>(c) Ratio between the number of first connections with target dates specified by customers and the total number of first connections</p>	Total number of occurrences over the assessment period

The following performance targets are set for SQP1:

Indicators	Target
(a1) Connection delays corresponding to the 95th fastest connection time percentile, when no target date is specified by the customer	21 days
(a2) Connection delays corresponding to the 99th fastest connection time percentile, when no target date is specified by the customer	43 days
(b) Percentage of connection requests fulfilled up to the dates agreed with customers, when target dates are specified by the latter	85%

2.2.2. Fault rate per access line (SQP2)

The “fault rate per access line” parameter (SQP2) is defined as the number of valid faults communicated to the contracting party’s technical support service by customers. Valid faults are understood as service interruptions or failures resulting from faults in the contracting party’s network or any public network connected to the latter and involved in the provision of the services considered for SQP2 measuring purposes.

For SQP2 measuring purposes, the contracting party’s technical support service is understood as the service provided to customers for the purpose of communicating faults.

A fault communicated by a customer is considered valid if the contracting party: (i) is able to confirm the fault in question by conducting tests; or (ii) is able to determine the respective occurrence, should the fault no longer be detected when tests are conducted.

Moreover, all accesses should be considered when calculating the number of faults for SQP2 measuring purposes, even if such faults are communicated by the same customer. Regarding faults affecting several customers, the number of communications received in connection with each fault should be considered. Nevertheless, communications pertaining to a given access should be counted as a sole communication until the fault in question is repaired by the contracting party.

Any faults resulting from problems occurred at base stations or involving any other network components, as well as customer card faults attributable to the contracting party (e.g. faults resulting from remote card reconfiguration not requested by the user) should also be considered.

The following should not be considered for SQP2 measuring purposes: (i) customer equipment faults; and (ii) network faults occurring downstream of the first terminal intended for exclusive use by the customer, under the terms of the legislation currently applicable to telecommunications infrastructures in buildings (customer card faults not attributable to the contracting party, if applicable, are included within this scope).

In what regards SQP2, the contracting party shall be required to provide information on the total number of faults per access communicated over the assessment period.

SQP2 is calculated by dividing the total number of faults communicated over the assessment period by the average number of accesses available during this period, unless the number of accesses is not greater than 10, in which case no more than one fault will be considered. For SQP2 measuring purposes, all accesses made available to Universal Service customers should be considered.

A definition of this parameter, as well as the respective indicator and the measurement method to be used by the contracting party, are summarised in the table below:

Parameter	Measurement	
	Indicator	Method
Fault rate by access line (SQP2)	Total number of faults communicated per access	Total number of occurrences over the assessment period

The following performance target is set for SQP2:

Indicator	Target
Total number of faults communicated per access (when the number of accesses is greater than 10) (1)	0.10

(1) If the number of accesses is not greater than 10, no more than one fault will be considered.

2.2.3. Fault repair time (SQP3)

The “fault repair time” parameter (SQP3) is defined as the time, in consecutive hours, elapsed between the moment a valid fault in the contracting party’s network, or in any public network connected to the latter and involved in the provision of the services considered for SQP3 measuring purposes, is communicated to the contracting party’s customer support service by a given customer and the time the service in question is fully restored. The following is understood for SQP3 measuring purposes: (i) the contracting party’s customer support service is the service provided to customers for the purpose of communicating faults; (ii) a service is considered fully restored when normal operation has been resumed, i.e. once the issue communicated by the customer has been resolved, the contracting party

has informed the customer that the fault in question has been repaired and the latter has not contested this information within 5 business days. Similarly, valid faults communicated by customers shall be as defined in connection with SQP2.

SQP3 is calculated based on the moment when a fault is communicated to the contracting party for the first time. This definition is particularly relevant when a given fault is communicated more than once, by the same or different customers.

The time elapsed between the date or time of repair of a given fault, as initially scheduled by the contracting party, and a later date or time scheduled by the customer, for their convenience, should not be considered for SQP3 measuring purposes.

All valid faults repaired over the assessment period should be considered for SQP3 measuring purposes, regardless of the respective communication dates.

The following situations should not be considered for SQP3 measuring purposes: (i) if the service cannot be resumed for reasons attributable to the customer after the latter has been informed that a service technician/team is on the way; and (ii) when the contracting party provides a faster repair service at an additional cost.

SQP3 data to be provided by the contracting party include the following: (a) repair times pertaining to local access network faults corresponding to the 80th and 95th fastest repair time percentiles; (b) repair times pertaining to other faults corresponding to the 80th and 95th fastest repair time percentiles; and (c) percentage of faults repaired within the fault repair time set as target by the contracting party. The contracting party shall also be required to provide information to customers concerning the fault repair time set as target over the assessment period, as well as technical support service numbers for communication of faults.

A definition of this parameter, as well as the respective indicators and the measurement method to be used by the contracting party, are summarised in the table below:

Parameter	Measurement	
	Indicators	Method
Fault repair time (SQP3)	(a) Repair times pertaining to local access network faults corresponding to the 80th and 95th fastest repair time percentiles (b) Repair times pertaining to other faults corresponding to the 80th and 95th fastest repair time percentiles (c) Percentage of faults repaired within the fault repair time set as target by the universal service provided	Total number of occurrences over the assessment period

The following performance targets are set for SQP3:

Indicator	Target
(a1) Repair time pertaining to local access network faults corresponding to the 80th fastest repair time percentile (hours)	72
(a2) Repair time pertaining to local access network faults corresponding to the 95th fastest repair time percentile (hours)	165
(b1) Repair time pertaining to other faults corresponding to the 80th fastest repair time percentile (hours)	47
(b2) Repair time pertaining to other faults corresponding to the 95th fastest repair time percentile (hours)	108
(c) Percentage of faults repaired within the fault repair time set as target by the universal service provided	80%

2.2.4. Call failures (SQP4)

As defined in version 1.3.2 of document ETSI EG 202 057-2, “call failures” (SQP4) are defined as the number of attempts to make telephone calls to valid numbers, correctly

dialled, when no calling or busy tone is heard up to 30 seconds after the required information for establishing the connection is received by the contracting party's network.

SQP4 data to be provided by the contracting party include the following: (a) total number of telephone calls considered in SQP4 calculation, itemised by national and international calls; (b) percentage of national call failures; and (c) percentage of international call failures.

SQP4 should be measured at local telephone exchanges or equivalent infrastructures, or at network terminal points, using a representative sample of actual outgoing calls (a week per month, on a 24/7 basis, over the year).

Calls outsourced by the contracting party to indirect access providers should not be considered for SQP4 measuring purposes.

A definition of this parameter, as well as the respective indicators and the measurement method to be used by the contracting party, are summarised in the table below:

Parameter	Measurement	
	Indicators	Method
Call failures (SQP4)	(a) Total number of telephone calls considered in SQP4 calculation, itemised by national and international calls (b) Percentage of national call failures (c) Percentage of international call failures	Monitoring of actual outgoing calls using a representative sample at local telephone exchanges or equivalent infrastructures, or at network terminal points (a week per month, on a 24/7 basis, over the year).

2.2.5. Call set-up time (SQP5)

As defined in version 1.3.2 of document ETSI EG 202 057-2, the "call set-up time" (SQP5) is defined as the time, in seconds, elapsed between the time the required information for establishing the connection is received by the contracting party's network and the time the caller hears a calling or busy tone.

SQP5 data to be provided by the contracting party include the following: (a) total number of telephone calls considered in SQP5 calculation, itemised by national and international calls;

(b) average national call set-up time; (c) national call set-up time corresponding to the 95th fastest call percentile; (d) average international call set-up time; and (e) international call set-up time corresponding to the 95th fastest call percentile.

As described in version 1.3.2 of document ETSI EG 202 057-2, SQP5 should be measured at local telephone exchanges or equivalent infrastructures, or at network terminal points, using a representative sample of actual outgoing calls (a week per month, on a 24/7 basis, over the year).

The following should not be considered for SQP5 measurement purposes: (i) call failures; and (ii) calls outsourced by the contracting party to indirect access providers responsible for their subsequent handling and billing. On the contrary, calls to ported numbers should be considered.

A definition of this parameter, as well as the respective indicators and the measurement method to be used by the contracting party, are summarised in the table below:

Parameter	Measurement	
	Indicators	Method
Call set-up time (SQP5)	(a) Total number of telephone calls considered in SQP5 calculation, itemised by national and international calls (b) Average national call set-up time (c) National call set-up time corresponding to the 95th fastest call percentile (d) Average international call set-up time (e) International call set-up time corresponding to the 95th fastest call percentile	Monitoring of actual outgoing calls using a representative sample at local telephone exchanges or equivalent infrastructures, or at network terminal points (a week per month, on a 24/7 basis, over the year).

2.2.6. Complaints resulting from billing errors (SQP6)

As defined in version 1.3.1 of document ETSI EG 202 057-1, “complaints resulting from billing errors” (SQP6) are defined as the number of invoices pertaining to services included within the US scope originating complaints by users in connection with alleged billing errors.

For SQP6 measuring purposes, all invoices originating complaints over the assessment period should be considered, regardless of the result of review and the period to which they refer. Requests for information concerning invoices should not be considered.

Complaints pertaining to invoices referring to services included within the US scope but issued by other entities, particularly wholesale line rental (WLR) operators, if applicable, should only be considered if the issue in question concerns data sent by the contracting party to the entities in question for invoicing and billing purposes.

Complaints resolved over the telephone or directly with customers should be considered for SQP6 measuring persons.

In general terms, a given invoice should only be considered once for SQP6 measuring purposes, with the exception of complaints concerning new facts, albeit involving invoices originating prior complaints, already analysed and replied to by the contracting party.

SQP6 data to be provided by the contracting party include the total number of valid complaints pertaining to invoices referring to services included within the SU scope, together with information concerning the issuing entity, i.e. the contracting party or any other entity, particularly WRL operators, if applicable.

SQP6 should be determined by dividing the number of invoices originating complaints over the assessment period by the total number of invoices issued during the same period, unless the number of accesses is not greater than 2, in which case no more than one invoice will be considered.

A definition of this parameter, as well as the respective indicator and the measurement method to be used by the contracting party, are summarised in the table below:

Parameter	Measurement	
	Indicator	Method
Complaints resulting from billing errors (SQP6)	Percentage of invoices originating complaints (relatively to the number of invoices issued)	Total number of occurrences over the assessment period

The following performance target is set for SQP6:

Indicator	Target
Percentage of invoices originating complaints (relatively to the number of invoices issued) (if the number of accesses is greater than 2) (1)	0.04%

(1) If the number of accesses is not greater than 2, no more than one invoice will be considered.

2.2.7. Information to be provided to customers by the contracting party

The contracting party shall be required to disclose performance levels, based on measurement of the aforementioned parameters, within 1 month from the end of the initial agreement period. Should the agreement period be extended, this information should also be disclosed within 1 month from the end of the extension period.

The aforementioned information refers to a period of one year, counting from the date of start of service provision, or to the extension period.

Service quality information should be published on the contracting party's Internet site, where it should be clearly visible and easily identifiable.

2.3. Information to be submitted to ANACOM

The contracting party shall be required to submit quarterly performance reports to ANACOM, including detailed information concerning subscribers, Universal Service Rates, traffic, customers with disabilities and service quality parameters, as described in the following sections.

2.3.1. Universal Service Rates

Information should be provided by the last business day of the month following the end of each quarter (of the agreement period), including the following items:

- a) Number of Universal Service customer accesses to the public communications network, itemised by type and technology, at the end of each month (of the agreement period), on a national level;
- b) Number of minutes and calls, itemised as follows:
 - i. Calls made from Portugal to national destinations through the national fixed network;
 - ii. Calls made from the contracting party's network to mobile networks in Portugal;
- c) Weight of each component in total revenues.

This information must be provided for each month of the agreement period.

2.3.2. Customers with disabilities

The contracting party shall be required to submit information to ANACOM on the number of customers with disabilities accessing the free services provided within the scope of the agreement by the last business day of the month following the end of each quarter (of the agreement period).

2.3.3. Service quality parameters

The contracting party shall be required to submit service quality parameter reports to ANACOM, including monthly values, by the last business day of the month following the end of each quarter of service provision. The contracting party shall also be required to submit service quality parameter reports referring to the assessment period, i.e. 12 months, counting from the start date of provision of the services defined in the agreement; or the duration of the extension period, if applicable; by the last business day of the month following the end of the assessment period.

Monthly values shall refer to each month of the agreement period.

The contracting party shall be required to provide ANACOM with a link to the Internet page where quality service information is published, as specified in point 1.2.7., by the last business day of the month preceding the end of the agreement period. Should the aforementioned link be changed in case of extension of the agreement period, the contracting party shall be required to provide ANACOM with the new link, prior to its change.

Should any unforeseen situations occur, such as natural disasters or other force majeure events, the contracting party shall be required to provide the following information:

- a) Natural disasters or other force majeure events occurred;
- b) Detailed service quality information, including actual parameter values and values calculated after exclusion of the periods/occurrences mentioned in a), together with a justification of the differences observed.

3. US component (ii): public payphones

3.1. Service specifications

3.1.1. Public payphones

According to article 87, paragraph c), of the LEC, the US must include the provision of an adequate public payphone network.

Under the terms of article 90 of the LEC, the contracting party shall be required, in compliance with point 3 of the aforementioned article, to ensure that the public payphone service provided within the scope of the US includes the following features:

- a) National telephone calls to geographic and non-geographic numbers, in compliance with the National Numbering Plan, and international telephone calls;
- b) Free access to emergency services, through European emergency number «112» or any other emergency numbers specified in the National Numbering Plan, without entailing the need to use coins, cards or other payment methods; and
- c) Access to a full telephone directory enquiry service, provided under the terms of article 89, point 1, paragraph c), of the LEC.

Communication with all final users involved in the aforementioned situations must be ensured, regardless of the respective service providers.

Public payphones should be available 24 hours a day.

The contracting party shall be required to ensure that the public payphone network installed within the scope of the US provided complies with technical standards concerning urban accessibility and with the legal provisions applicable to the use of public areas and installation of publicly available equipment on public roads (namely the provisions included in Decree-Law number 163/2006, of 8 August, as per its current text). The contracting party shall also be required to ensure that the public payphones installed are adequate to sheltering users from adverse weather conditions, taking into account the respective locations.

3.1.2. Specifications

The public payphone network to be installed and maintained by the contracting party is restricted to parish councils, predominantly rural. A public payphone should be installed per parish council; the parish councils in question are listed in an annex.

The contracting party shall be required to install a total of 175 public payphones at 175 parish councils, predominantly rural, and on all islands comprising the Autonomous Regions of the Azores and Madeira. The parish councils in Mainland Portugal included within this scope correspond to locations where unemployment rates and average age fall within the upper quartiles, which also occurs in the parish councils located in the Azores and Madeira.

For the purposes of fulfilling this obligation, installation of public payphones during the agreement period should be based on the administrative boundaries of the parish councils involved, as specified in the Official Administrative Map of Portugal of 2017.

Despite being allowed to install public payphones where several payment methods may be used, the contracting party shall be required to ensure that 95% of the public payphones installed are equipped to accept coins.

The public payphones installed should also accept telephone cards from other operators, when required by the latter.

The contracting party shall be required to ensure that all public payphones are clearly signed or, if this is not possible, that signals are visible at nearby locations. Information on call rates, accepted payment methods and ability to give change must also be provided.

Without prejudice to the obligations pertaining to the number of public payphones to be installed and the respective locations, should the contracting party deem necessary for a given public payphone to be removed, the respective notice should be visibly placed on the payphone in question or, if this is not possible, at a nearby location, at least one month before the intended date of removal.

Similarly and without prejudice to the obligations pertaining to the number of public payphones to be installed and the respective locations, should removal of the only public payphone installed at a given location be intended, the contracting party shall be required to consult the respective users prior to this decision, namely the local councils.

In case of public payphone removal or relocation, the contracting party shall be required to provide grounded information to ANACOM prior to proceeding with these operations.

3.1.3. Call rates

Installation of public payphones as part of the US provided should be based on the need to ensure that final users are offered affordable access to a public communications network and are able to make telephone calls through the latter.

Pricing shall be based on the principle of non-discrimination, such as to ensure that all users under the same circumstances are treated equally, and on the principle of geographic uniformity.

Given the need to ensure accessibility and the principles of non-discrimination and uniformity of rates, the contracting party shall be required to specify universal rates, applicable to all parish councils where the service is provided.

Maximum rates (excluding VAT) charged by the contracting party are as follows:

Region	Mainland		Autonomous Region of Madeira		Autonomous Region of the Azores	
	Fixed – Fixed	Fixed – Mobile	Fixed – Fixed	Fixed – Mobile	Fixed – Fixed	Fixed – Mobile
Pulse (euros)	0.0569	0.0569	0.0574	0.0574	0.0593	0.0593

Region	Mainland		Autonomous Region of Madeira		Autonomous Region of the Azores	
	Fixed – Fixed	Fixed – Mobile	Fixed – Fixed	Fixed – Mobile	Fixed – Fixed	Fixed – Mobile
Initial rate (pulses)	2	2	2	2	2	2
Initial time (seconds)	60	30	60	30	60	30
Timing (seconds)	22.1	9.1	22.4	9.2	23.4	9.6

Valid rates per pulse (excluding VAT) in Mainland Portugal and the Autonomous Regions of Madeira and the Azores.

3.1.4. Information disclosure

After the start of service provision, the contracting party shall be required to publish detailed information on the 175 public payphones available, by parish council, council and district, including the respective addresses, by the end of the first quarter (of the agreement period).

The aforementioned information should also include the payment methods accepted by the public payphones involved, ability to give change, features specifically installed for users with special needs and other features, if applicable.

This information should be updated every quarter.

3.2. Service quality parameters and performance targets

Without prejudice to the obligation to ensure compliance with Regulation number 46/2005, published on 14 June (Service Quality Regulation)³, the contracting party shall be required to comply with the following service quality parameter: “Percentage of coin- and card-operated public payphones in good operating condition” and the respective performance target.

This parameter (SQP) should be measured on a national level.

Without prejudice to the obligation to produce quarterly reports, the SQP assessment period shall be one year, counting from the start date of service provision. In case of agreement extension, the SQP assessment period shall be the extension period.

³ Changed by Regulation number 372/2009, of 28 August, and republished through Declaration number 2457/2009, of 6 October.

3.2.1. Percentage of coin- and card-operated public payphones in good operating condition

As defined in version 1.1.1 of document ETSI EG 201 769-1, the “percentage of coin- and card-operated public payphones in good operating condition” is calculated as the average time period (days) where all existing public payphones are in good operating condition.

For SQP measuring purposes and as defined in version 1.1.1 of document ETSI EG 201 769-1, a public payphone is considered to be in good operating condition when users are able to use all telephone services listed as available. In this sense, operating conditions include the physical condition of the equipment in question, the existence of a dial tone, the ability to make calls and correct call charging. A coin- and card-operated public payphone is considered faulty if either or both of these payment methods are unavailable.

Regarding this SQP, the contracting party shall be required to provide information on the total number of full days during which the existing public payphones were in good operating condition over the assessment period. Reliable, auditable failure records, including the respective details and duration, should be kept for all public payphones for this purpose.

This SQP is calculated by dividing the total number of full days during which the existing public payphones were in good operating condition by the number of days during which the public payphones in question should have been available.

A definition of this parameter, as well as the respective indicator and the measurement method to be used by the contracting party, are summarised in the table below:

Parameter	Measurement	
	Indicator	Method
Percentage of coin- and card-operated public payphones in good operating condition (SQP)	Percentage of full days during which the existing public payphones were in good operating condition, relatively to the number of days during which the public payphones in question should have been available	Total number of occurrences over the assessment period

The following performance target is set for this SQP:

Indicator	Target
Percentage of full days during which the existing public payphones were in good operating condition, relatively to the number of days during which the public payphones in question should have been available	90%

3.2.2. Information to be provided to customers by the contracting party

The contracting party shall be required to disclose performance levels, based on measurement of the aforementioned parameter, within 1 month from the end of the first agreement period. Should the agreement period be extended, this information should also be disclosed within 1 month from the end of the extension period.

The aforementioned information refers to a period of one year, counting from the date of start of service provision, or to the extension period.

Service quality information should be published on the contracting party's Internet site, where it should be clearly visible and easily identifiable.

3.3. Information to be submitted to ANACOM

The contracting party shall be required to submit quarterly or annual performance reports to ANACOM, as specified below, including detailed information on the existing public payphones, traffic, public payphones adapted for disabled access and service quality parameters, as described in the following sections.

3.3.1. Information on public payphones

The contracting party shall be required to submit the statistical data listed below to ANACOM, on a quarterly basis, up to the end of the month following each quarter (of the agreement period):

- a) Public payphones installed, by parish council (including six-digit identifiers) and by payment method accepted, including addresses;
- b) Number of new public payphones installed and public payphones removed over the quarter in question, by parish council.

3.3.2. Telephone traffic information

The contracting party shall be required to provide information on the total number of minutes and calls made on each public payphone up to the last business day of the month following the end of each quarter (of the agreement period). This information should include all telephone calls made on each public payphone, excluding those pertaining to fault management systems. Therefore, the information reported include calls to geographic and non-geographic numbers (including free calls), national and international calls, calls made using telephone cards, calls to emergency numbers and reverse charge calls.

This information must be provided for each month of the agreement period.

3.3.3. Public payphones adapted for disabled access

The contracting party shall be required to submit information to ANACOM on the number of public payphones adapted for disabled access by the last business day of the month following the end of each quarter (of the agreement period), including detailed information on available features, by parish council.

3.3.4. Service quality parameters

The contracting party shall be required to submit service quality parameter reports to ANACOM, including monthly values, by the last business day of the month following the end of each quarter of service provision. The contracting party shall also be required to submit service quality parameter reports referring to the assessment period, i.e. 12 months, counting from the start date of provision of the services defined in the agreement; or the duration of the extension period, if applicable; by the last business day of the month following the end of the assessment period.

Monthly values shall refer to each month of the agreement period.

The contracting party shall be required to provide ANACOM with a link to the Internet page where quality service information is published, as specified in point 2.2.2, by the last business day of the month preceding the end of the agreement period. Should the aforementioned link be changed in case of extension to the agreement period, the contracting party shall be required to provide ANACOM with the new link prior to its change.

Should any unforeseen situations occur, such as natural disasters or other force majeure events, the contracting party shall be required to provide the following information:

- a) Natural disasters or other force majeure events occurred, which should be communicated within 5 business days of the respective occurrence;
- b) Detailed service quality information, including actual parameter values and values calculated after exclusion of the periods/occurrences mentioned in a), together with a justification of the differences observed.

Annex – Public payphone service conditions and specifications

Parish councils where public payphones should be made available within the scope of the US provided

Parish council Code	Parish councils where public payphones should be made available
020103	Messejana
020205	Santa Cruz
020206	São Barnabé
020902	Corte do Pinto
021103	Sabóia
021107	São Martinho das Amoreiras
021119	Santa Clara-a-Velha
021208	União das Freguesias de Panoias e Conceição
040121	União das Freguesias de Agrobom, Saldonha e Vale Pereiro
040124	União das Freguesias de Gebelim e Soeima
040224	Mós
040229	Parâmio
040230	Pinela
040251	União das Freguesias de Castrelos e Carrazedo
040253	União das Freguesias de Parada e Faílde
040254	União das Freguesias de Rebordainhos e Pombares
040311	Parambos
040312	Pereiros
040316	Seixo de Ansiães
040318	Vilarinho da Castanheira
040323	União das Freguesias de Lavandeira, Beira Grande e Selores
040542	União das Freguesias de Espadanedo, Edroso, Murçós e Soutelo Mourisco
040543	União das Freguesias de Podence e Santa Combinha
040544	União das Freguesias de Talhinhos e Bagueixe
040605	Genísio
040611	Picote
040702	Abreiro
040703	Aguieiras
040704	Alvites
040712	Cedães
040714	Fradizela
040724	Passos
040728	São Salvador
040732	Vale de Gouvinhas
040740	União das Freguesias de Barcel, Marmelos e Valverde da Gestosa
040741	União das Freguesias de Franco e Vila Boa
040742	União das Freguesias de Freixeda e Vila Verde

040808	Castro Vicente
040826	Vila de Ala
040831	União das Freguesias de Remondes e Soutelo
040910	Larinho
041022	União das Freguesias de Valtorno e Mourão
041203	Candedo
041206	Edral
041215	Paçó
041227	Vale das Fontes
041229	Vila Boa de Ousilhão
041236	União das Freguesias de Curopos e Vale de Janeiro
041237	União das Freguesias de Moimenta e Montouto
041239	União das Freguesias de Quirás e Pinheiro Novo
050105	Maçainhas
050227	União das Freguesias de Escalos de Baixo e Mata
050230	União das Freguesias de Ninho do Açor e Sobral do Campo
050408	Barroca
050411	Capinha
050420	Orca
050432	Três Povos
050435	União das Freguesias de Póvoa de Atalaia e Atalaia do Campo
050436	União das Freguesias de Vale de Prazeres e Mata da Rainha
050502	Aldeia de Santa Margarida
050505	Ladoeiro
050506	Medelim
050512	Rosmaninhal
050519	União das Freguesias de Monfortinho e Salvaterra do Extremo
050704	Aranhas
050707	Meimão
050708	Meimoa
050712	Vale da Senhora da Póvoa
050911	Pedrogão Pequeno
051102	Perais
060119	União das Freguesias de Cepos e Teixeira
061207	Pessegueiro
061702	Lavegadas
070702	Cabeção
070909	União das Freguesias de Amieira e Alqueva
080802	Alte
080901	Alferce
081306	São Marcos da Serra
090227	Vale da Mula
090231	União das Freguesias de Azinhal, Peva e Valverde



090232	União das Freguesias de Castelo Mendo, Ade, Monteperobolso e Mesquitela
090312	Prados
090502	Casal Vasco
090518	União das Freguesias de Juncais, Vila Ruiva e Vila Soeiro do Chão
090602	Arcozelo
090614	Ribamondego
090617	São Paio
090619	Vila Cortês da Serra
090626	União das Freguesias de Melo e Nabais
090717	Famalicão
090718	Fernão Joanes
090729	Pega
090734	Ramela
090748	Vela
090757	Gonçalo
090764	União de Freguesias de Pousade e Albardo
090804	Vale de Amoreira
090915	Ranhados
091015	Pala
091028	Agregação das Freguesias Sul de Pinhel
091031	Valbom/Bogalhal
091034	Vale do Massueime
091101	Águas Belas
091111	Bismula
091201	Alvoco da Serra
091335	União das Freguesias de Vilares e Carnicães
101301	Graça
101303	Vila Facaia
120104	Cunheira
120202	Esperança
120310	União das Freguesias de Benavila e Valongo
120605	Monte da Pedra
120903	Comenda
120905	Margem
121201	Alpalhão
121205	Montalvão
121211	União das Freguesias de Arez e Amieira do Tejo
121301	Galveias
121302	Montargil
121304	Foros de Arrão
140118	Fontes
140119	Carvalhal
140121	União das Freguesias de Aldeia do Mato e Souto

140123	União das Freguesias de São Facundo e Vale das Mós
140705	Vale de Cavalos
140902	Couço
160105	Cabana Maior
160305	Cristoval
160604	Britelo
160627	União das Freguesias de Entre Ambos-os-Rios, Ermida e Germil
170116	Vila Chã
170120	União das Freguesias de Carlão e Amieiro
170309	Cimo de Vila da Castanheira
170316	Mairos
170327	Sanfins
170329	Santa Leocádia
170334	São Vicente
170345	Vilarelho da Raia
170348	Vilela Seca
170603	Cervos
170609	Ferral
170618	Negrões
170625	Reigoso
170639	União das Freguesias de Paradela, Contim e Fiães
170641	União das Freguesias de Venda Nova e Pondras
170703	Fiolhoso
170704	Jou
170708	Valongo de Milhais
170902	Canedo
171201	Água Revés e Crasto
171211	Fornos do Pinhal
171234	Sonim e Barreiros
171304	Bragado
180313	Moledo
180608	Freixiosa
181102	Castelo de Penalva
181616	Sul
181802	Carregal
181811	Lamosa
181819	União das Freguesias de Fonte Arcada e Escurquela
181913	Sendim
182310	Cota
490101	Corvo
480202	Cedros
470102	Castelo Branco
460303	Santo Amaro



450104	Santo Antão
440102	Luz
430107	Doze Ribeiras
420203	Lomba da Fazenda
420311	Mosteiros
410102	Santa Bárbara
320101	Porto Santo
310904	São Jorge
310603	Ribeira da Janela