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Determination of 22.11.2001

DRAFT DECISION

CONCERNING ALTERATIONS TO BE INTRODUCED IN THE PRICES OF SPECIFIC SERVICES PROVIDED WITHIN THE FRAMEWORK OF THE RUO 2001

As a result of ICP's decision of 28/06/01, PT Comunicações, S.A was requested to present the following elements within a period of 10 days:

- (i) Duly justified price proposals for a set of services described in the RUO (namely, control tests, signal transportation service and access to information service);
- (ii) A duly justified price proposal applicable to the offer of external connection with lower capacity cable than that contained in PT Comunicações, S.A.'s present proposal, and;
- (iii) Justification for the price of uninstalation of the local loop

PT Comunicações, S.A. subsequently presented the requested information and data on 16/07/01, which was analysed, and it was decided that it is necessary to review the prices presented by PT Comunicações, S.A., in light of the principle of cost orientation using the methodology and assumptions normally adopted by ICP when analysing costs.

In the framework of the decision of 28/06/01, ICP decided that in relation to the co-location service that if an Other Licensed Operator (OLO) so wishes, the metallic divisions ("cage") may be dispensed with. Although PT Comunicações, S.A. foresees this possibility, the RUO does not include the applicable prices. It is thus considered necessary to determine the prices to apply to the co-location service in the event that the OLO dispenses with the need for metallic divisions.

Hence, ICP's Board of Directors, under the terms of paragraph a) of point 2 and point 3 of article 4 of the Regulation (EC) no. 2887/00 of the European Parliament and Council, decided, in a regular meeting held on 22/11/01, to alter/define the prices of the following services provided within the framework of the RUO 2001, which should be included within the respective offer within a maximum of 10 days:

SIGNAL TRANSPORT	INSTALLATION	MONTHLY CHARGE
Multi-operator components (up to 4 operators)	€7.668,27 (1.537.350\$)	€9,96 (16.030\$)
Individual components	€2.859,06 (573.190\$)	€12,02 (2.410\$)
EXTERNAL CONNECTION WITH A CABLE OF 300 PAIRS, IN FULL LOCAL LOOP ACCESS	INSTALLATION	MONTHLY CHARGE
Initial Installation (300 pairs)	€19.918,37 (3.993.275\$)	€2,25 (16.490\$)
Extension of 300 pairs	€8.063,74 (1.616.635\$)	€8,41 (13.715\$)
PHYSICAL CO-LOCATION SERVICE	INSTALLATION	MONTHLY CHARGE
Modules of 5 m ² without metallic division	€2.624,43 (526.150\$)	€12,94 (102.835\$)
Modules of 8 m ² without metallic division	€2.624,43 (526.150\$)	€21,35 (164.665\$)
SERVICE OF FULL LOCAL LOOP ACCESS	PRICE	
Uninstalation of the Local Loop	€8,08 (1.620\$)	

In relation to the Access to Information Service, the definition of additional information to be provided by PT Comunicações, S.A. should be subject to wide discussion, in light of ICP's

recommendation on this matter and the contributions of the various interested parties, namely within the LLU Consultative Working Group.

Without prejudice to the terms of ICP's previous recommendation and the results of discussions to be held within the Consultative Working Group, PT Comunicações, S.A. should include the following elements, at this stage, as part of the set of minimum information to be provided to OLOs, when they manifest their respective interest in a set of exchanges: (i) number of local loops in utilisation, number of pairs in the distribution frame, number of pairs in operation, number of reserve lines, minimum, maximum and average length of the local loop and calibres of cable of the configurations that best represent the access network via MDF and (ii) number of HDSL and HDB3 accesses, per exchange.

In the framework of the decision of 28/06/01, it was decided that in regards to the existence of the PT Comunicações, S.A.'s DSL market offer, information about conditions of access made available to entities of the PT Group must be made available to OLOs on request, in light of the principle of non-discrimination, when such information is seen to be relevant to the operability of LLU and correlated services. As a result, PT Comunicações, S.A. must present an offer proposal for the provision to OLOs of the results of any tests carried out, within the framework of both the "ADSL PT Network" supply and that of the LLU.

In relation to Control Tests, it was decided that, without prejudice to the pursuit of all tests needed for the proper functioning of the local loops, it is not necessary to decide a price for this service at the present time. At a later date, the various prices contained within the RUO shall be evaluated as a whole, in light of relevant regulatory principles, experience acquired in the interim period and available cost information.