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Determination of 17.1.2002

ALTERATIONS TO BE INTRODUCED FOR SPECIFIC SERVICES PROVIDED WITHIN THE FRAMEWORK OF THE RUO

Upon determination of 28/06/01, PT Comunicações, S.A., was requested to provide the following elements, within a maximum of 10 days:

- (i) Duly justified price proposals for a set of services identified in the RUO (namely, control tests, signal transport service and access to information service);
- (ii) A duly justified price proposal for the provision of external tie cable with lower capacity cables than those specified in PT Comunicações, S.A.'s current proposal, and;
- (iii) A due justification for the price charged for disconnection of the local loop.

PT Comunicações, S.A. subsequently presented the requested information and data on 16/07/01. These items were analysed and it was concluded to be necessary to review the prices presented by PT Comunicações, S.A., in light of the principle of cost orientation and given the methodology and assumptions normally adopted by the Autoridade Nacional de Comunicações when analysing costs.

Within the framework of the determination of 28/06/01, the Autoridade Nacional de Comunicações decided that in regards to the co-location service, that in the event that an Other Licensed Operator (OLO) so desires, it may dispense with respective metallic division ("cages"). Despite the fact that PT Comunicações, S.A. foresees this possibility, the RUO does not identify the applicable prices. In this context, on the basis of cost information and following the methodology normally adopted by the Autoridade Nacional de Comunicações, it is considered to be necessary to define the prices applicable to the co-location service in the cases in which the OLO dispenses with metallic division.

On 22/11/2001, the Autoridade Nacional de Comunicações's Board of Directors approved a "Draft Decision on Alterations to be Introduced in the Prices for Specific Services to be Provided within the Framework of the RUO 2001", having carried out prior hearings with interested parties, under the terms of the Administrative Procedure Code.

Hence, the Autoridade Nacional de Comunicações's Board of Directors under the terms of paragraph a), of no. 2 and no. 3 of article 4 of Regulation (EC) no. 2887/00 of the European Parliament and Council, decided, in a regular meeting held on 17/01/02, to alter/define the prices of the following services provided within the framework of the RUO 2001, which should be integrated within the RUO, within a maximum of 10 days:

SIGNAL TRANSPORT	INSTALLATION	MONTHLY CHARGE
Multi-operator components (up to 4 operators)	€ 7.668,27 (PTE 1.537.350)	€ 79,96 (PTE 16.030)
Individual components	€ 2.859,06 (PTE 573.190)	€ 12,02 (PTE 2.410)
EXTERNAL TIE CABLE WITH 300 PAIR CABLE , UNDER FULL UNBUNDLING ACCESS	INSTALLATION	MONTHLY CHARGE
Initial installation (300 pairs)	€ 19.918,37 (PTE 3.993.275)	€ 82,25 (PTE 16.490)

Additional 300 pairs	€ 8.063,74 (PTE 1.616.635)	€68,41 (PTE 13.715)
PHYSICAL CO-LOCATION SERVICE	INSTALLATION	MONTHLY CHARGE
5 m ² modules without metallic	€ 2.673,13 (PTE 535.915)	€ 512,94 (PTE 102.835)
SERVICE OF FULL UNBUNDLING ACCESS TO THE LOCAL LOOP	PRICE	
Disconnection of the local loop	€ 8,08 (PTE 1.620)	

In regards to the Access to Information Service, the definition of the additional information to be provided by PT Comunicações, S.A. should be subject to wide discussion, in light of the Autoridade Nacional de Comunicações's recommendation on this matter and the contributions of various interested parties, namely within the Consultative Working Group for Local Loop Unbundling.

Without prejudice to the terms stipulated in the Autoridade Nacional de Comunicações's previous recommendation and the results of the discussions to take place within the Consultative Working Group, PT Comunicações, S.A. must include the following elements at this stage, within the set of minimum information to be provided to OLOs, after they have expressed interest in a group of exchanges and on the occasion of communication to the Autoridade Nacional de Comunicações and the OLOs of the results of the attribution carried out, and global and specific budgets for each exchange (i.e. Stage 5 of the Contingency Procedure, described in Annex 5 of the RUO). The information elements are as follows: (i) no. of local loops in use, no. of pairs in the distribution frame, no. of pairs in operation, no. of reserve lines, minimum, maximum and average length of local loops and calibres of cable for the most representative configurations of the access network, per MDF, (ii) no. of broadband accesses, broken down by technology and by MDF, and (iii) updated information, in a suitable format, regarding the numbering associated to remote concentration units dependent upon a specific exchange, whenever this is technically feasible.

Within the framework of the determination of 28/06/01, it was decided, specifically considering the existence of PT Comunicações, S.A.'s offer of DSL services in the market, that the information on access conditions when provided to entities of the PT Group, should be provided on request to OLOs, given the non-discrimination principle, whenever this is relevant within the framework of operationalisation of Local Loop Unbundling and related services. In this manner, PT Comunicações, S.A. must present an offer proposal for the provision to OLOs of the results of tests (to be) carried out, within the framework of the offer of the "PT ADSL Network" and the LLU.

In relation to Control Tests, it was decided that, without prejudice to carrying out all tests required for the proper functioning of the local loops, it will not be necessary to define, at this time, a price for this service. The various prices included within the RUO will be evaluated as a whole, in light of relevant regulatory principles, experience gathered in the meantime and information on costs that is made available.