
Determinations of 23.2.2006 and 21.4.2006

Measures regarding the Zapp PTT service

ANACOM has determined upon AR TELECOM – Acessos e Redes de Telecomunicações, SA, and Radiomóvel - Telecomunicações, SA, the adoption of measures in the scope of the Zapp PTT service, by determinations of 23 February and 21 April 2006, respectively. These measures follow on from the determination issued by ANACOM on 20 October 2005.

By determination of 23 February 2006, and following determination dated 20 October 2005, which namely determined the establishment of interim measures and the notification of Jazztel Portugal – Serviços de Telecomunicações, SA (now AR TELECOM – Acessos e Redes de Telecomunicações, SA), to voice its opinion on the infringements verified in the scope of the provision of the Zapp PTT service and to remedy such breaches, the following decisions were taken, having assessed the facts and having the interested party been heard:

- Pursuant to paragraph 3 of article 110 of Law no. 5/2004, of 10 February, to determine upon AR TELECOM – Acessos e Redes de Telecomunicações, SA, as holder of the geographic numbering allocated primarily by ICP-ANACOM, and as such, responsible for compliance with the conditions attached to the respective rights of use, to take all necessary measures, within a 10-working-day time limit, to guarantee that such conditions are complied with as regards the geographic numbers transferred to Radiomóvel – Telecomunicações, SA, and used by the latter for the provision of the Zapp PTT service, namely, if necessary, to terminate such contract based on the incorrect use of geographic numbering; in this case, the period for advance notice potentially required should be complied with. This time limit having expired, the company must inform ICP-ANACOM of the measures taken and, having elapsed twenty working days, the results achieved must also be notified.
- To repeal the provisional and urgent determination issued to AR TELECOM – Acessos e Redes de Telecomunicações, SA, on 20.10.2005, under article 111 of the mentioned Law no. 5/2004.

Subsequently, by determination of 21 April 2006 and also following determination dated 20 October 2005, in the part concerning the establishment of interim measures

and the notification of Radiomóvel – Telecomunicações, SA, to voice its opinion on the signs of infringements verified in the scope of the provision of the Zapp PTT service and to provide specific information to ANACOM, the following decisions were taken, having assessed the facts and having the interested party been heard:

- To notify Radiomóvel – Telecomunicações, SA, pursuant to paragraph 1 of article 110 of Law no. 5/2004, of 10 February, that this Authority deems that the company does not comply with the allocation of frequencies to the trunking mobile service, a condition provided for in point a) of paragraph 1 of article 32, and consequently that the company must voice its opinion on this matter within a one-month period, and remedy such breaches where appropriate.

- Pursuant to paragraph 3 of article 110 of Law no. 5/2004, of 10 February, to determine upon Radiomóvel – Telecomunicações, SA, that it ceases within a one-month period the resort to the geographic numbering range in the scope of the offer and provision of the Zapp service, after the necessary advance notice to current users has been issued.