

Calculation of fees due for the provision of publicly available electronic communications networks and services, pursuant to point b) of paragraph 1 of article 105 of Law No. 5/2004, of 10 February¹

Correction of t2 contribution rate for 2013, subsequent to receipt of information, on 5 August 2016, on relevant revenues reported by Atena T, S.A.

1. The lack of timely data on relevant revenues on the part of Atena T, S.A., under paragraph 5 of article 105 of ECL, requires an adjustment of fees for 2013, resulting in the reimbursement of sums overcharged, in proportion to relevant revenues used to calculate fees already settled. The correction of the value of relevant revenues had an impact on the t2 value, according to calculations in the table below:

Formula: $t2 = (C-t1n1) / \sum R2$;

C= Total regulation costs resulting from the provision of electronic communications networks and services, for 2013 = 27,505,374 €;

$\sum R0$ = Value of relevant revenues of bodies of step 0, for 2012 = 710,369 €;

T1 = Fee due by bodies of step 1 (relevant revenues \leq 1,500,000€) = 2,500 €;

n1 = number of bodies of step 1= 28;

$\sum R$ = Value of relevant revenues of all providers of electronic communications networks and services for 2012 = 5,015,493,933 €;

$\sum R1$ = Total value of relevant revenues of bodies of step 1, for 2012 = 15,801,325 €;

$\sum R2$ = Total value of relevant revenues of bodies of step 2, for 2012 = 4,998,982,239 €;

T1n1 = 2,500€ x 28 = 70,000€;

t2 = Fee due by bodies of step 2 (relevant revenues $>$ 1,500,000€) = (27,505,374 € - 70,000 €) / 4,998,982,239€ = 0.5488%

The value of fees to be settled results from applying the 0.5488% rate to the relevant income of each operator in step 2.

¹ Republished by Law No. 51/2011, of 13 September, as amended by Law No. 10/2013, of 28 January, by Law No. 42/2013, of 3 July, by Decree-Law No. 35/2014, of 7 March, by Law No. 82-B/2014, of 31 December, by Law No. 127/2015, of 3 September and by Law No. 15/2016, of 17 June.

2. The new t2 contribution rate requires the reimbursement of sums overcharged, in proportion to relevant revenues used to calculate fees already settled, under paragraph 5 of article 105 of ECL. As such, amounts settled in 2013 by providers of electronic communications networks and services must be reviewed, a procedure which ANACOM will immediately put in place.