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## 2013 ANACOM CONFERENCE - 1 JULY

The sixth international conference organised by the Autoridade Nacional de Comunicações will take place this 1 July at Lisbon's Oriente Museum; the theme topic is 'Financing the Future'. This initiative aims to encourage debate about the future of the communications sector, specifically including solutions for growth, regulation and investment sources, sustainable development of next

generation networks and new business models.

Speakers with relevant experience will attend, covering a broad range of entities such as the European Commission (EC) and other international organisations, financial bodies and service providers.

Participation is free and open to all interested parties, though subject to prior registration online by 28 June. (+)

## REFERENCE OFFER FOR ACCESS TO PTC POLES - CONSULTATION

Under the reference poles access offer (RPAO), PT Comunicações (PTC) imposed on that offer's beneficiaries, ZON TV Cabo (ZON) and Cabovisão - Televisão por Cabo (Cabovisão), penalties for non-compliance. They openly disagreed with that measure and requested ANACOM intervention.

By determination dated 16 May 2013 ANACOM approved a

draft decision on PTC's invoicing and collection of penalties from RPAO beneficiaries. The draft was submitted to prior hearing of interested parties and public consultation, with a 20-working-day period set for both cases. Comments are thus received up to 21 June 2013 and should preferably be sent by email to [orap@anacom.pt](mailto:orap@anacom.pt). (+)

## DIGITAL TERRESTRIAL TELEVISION (DTT)

### FINAL DECISION ON NETWORK EVOLUTION

ANACOM approved by determination dated 16 May the final decision on evolution of the DTT network. The phased evolution will be toward a multi-frequency network (MFN) comprising small single frequency networks (MFN of SFNs), as that solution enables more comprehensive mitigation of impacts caused by atmospheric phenomena that more significantly change propagation conditions.

This solution is apparently also the natural evolution of the current situation, as it implies the integration of emitters installed in the scope of the temporary network licence awarded to PT Comunicações (PTC) in the nationwide DTT network.

This decision takes force upon expiration of the temporary

network licence awarded to PTC by determination dated 18 May 2012 and renewed by determination dated 16 November 2012. (+)

### MONITORING ACTIONS AND SPECTRUM CONTROL

ANACOM has made available the overall report containing results of actions carried out to inspect and control the DTT switchover process, conducted between January 2011 and March 2013, as well as the individual reports resulting from each monitoring action.

These spectrum monitoring and control actions helped identify problems and resolve DTT access difficulties affecting about 1,800 users. (+)

# COMMUNICATIONS IN PORTUGAL

## NEWS

### ADMINISTRATIVE OFFENCE CASES

As administrative infractions were verified involving breaches of the respective obligations for installing telecommunications infrastructures in buildings (the Portuguese acronym is ITED) according to plan and the applicable technical standards, the following penalties were imposed by decision of the Autoridade Nacional de Comunicações (ANACOM):

- Fernando Eduardo Gomes Canarim Nogueira - a fine of 730 euros. As the fine was not paid voluntarily, the case was passed on to the Competition, Regulation and Supervision Court for execution; (+)
- José Alberto Martins Henriques - a reprimand, which has become final;
- António José da Silva Alves - a reprimand, which has become final;
- Eduardo Manuel Trindade Moreira - a reprimand, which has become final.

The practice of administrative infractions was also verified in matters involving electronic communication services and the following penalties applied:

- Telemo Comunicaciones - a reprimand penalty for failing to send ANACOM information about the implementation or not of a set of measures concerning security and integrity of networks and services;
- ZON TV Cabo Açoreana - a fine of 7,500 euros upon proving that the company did not respond within a 24-hour period to 49 of 391 electronic portability requests submitted to it by other operators, for a 12.53 percent lack of response rate regarding electronic portability requests. The company has appealed to the Competition, Regulation and Supervision Court;
- ZON TV Cabo Madeirense - a fine of 8,500 euros upon proving that the company did not respond within 24 hours to 98 of 774 electronic portability requests submitted to it by other operators, for a 12.66 percent lack of response rate regarding electronic portability requests. The company has appealed to the Competition, Regulation and Supervision Court;
- ZON TV Cabo Portugal - a fine of 36,000 euros upon proving that the company did not respond within 24 hours to 1916 of 26,432 electronic portability requests submitted to it by other operators, for a 7.25 percent lack of response rate regarding electronic portability requests. The company has appealed to the Competition,

Regulation and Supervision Court;

- Iridium Italia - a fine of 4,000 euros for non-compliance with the obligation to provide ANACOM with information needed to evaluate the security and integrity of electronic communication networks and services; the company proceeded to pay the respective amount;
- Atena T - a single fine of 7,500 euros, for non-compliance with the obligation to provide ANACOM with information about relevant income obtained in years 2009 and 2010; the company has appealed.

Lastly, administrative infractions were also noted in matters affecting audiotext services. Beltrónica II - Companhia de Comunicações was reprimanded for non-compliance with the obligation to guarantee at the moment of access to audiotext service information for the user in the form of an oral message, specifically a recording with a fixed length of ten seconds and at the price of the telecommunications service on which it is supported; the company has appealed the decision.

### TITLES ISSUED BY ANACOM

ANACOM issued last 9 May a declaration allowing the company URBENCOMENDA - Transportes, Sociedade Unipessoal to provide postal services.

The licence allowing the company LORDTRANS - Transportes Urgentes to provide postal services was also issued on 9 May. (+)

A licence allowing the company Urbanos - Distribuição Expresso to provide postal services was issued on 20 May. (+)

On the same date a declaration was issued allowing Stewart, Dobinson, Abbarado & Rodriguez - Redes Informáticas to supply telephone traffic resale, internet access and nomad voice over internet (VoIP) services. (+)

On 27 May declarations were issued to Transalcainça to provide postal services and to WAVECREST to supply virtual calling card service. (+)

On 8 May a declaration was issued allowing Globe Logistics to provide postal services. (+)

### EXPIRATION OF AUTHORISATIONS

An ANACOM order dated 20 May 2013 declared expired the registration allowing Maria da Conceição Luiz Reis to provide audiotext services. (+)

## PROVIDERS OF COMMUNICATION NETWORKS AND SERVICES

### PROVIDERS OF ELECTRONIC COMMUNICATION SERVICES

	No. of authorised entities (a)	No. of operational entities (b)
Television signal distribution service c)	13	11
Mobile telephone service		
Mobile network operators (MNO)	3	3
Virtual mobile network operators (MVNO)	6	3
Telephone service at a fixed site	19	15
Trunking mobile service	1	1
Internet access service		
Fixed broadband	56	39
Mobile broadband	7	5
Nomad voice over internet service (nomad VoIP) d)	21	11
Public payphone service	16	9
Virtual calling card service	33	13

### POSTAL SERVICE PROVIDERS

	No. of authorised entities (a)	No. of operational entities (b)
Express mail services	61	53 e)
Services not covered by the express mail category	13	11

a) Situation at 31 March 2013.

b) Situation at 31 December 2012.

c) Includes service provided in the scope of CDNs (8 operational providers) and via other platforms (3 operational providers).

d) Services provided by recourse to the '30' numbering range.

e) Includes 16 companies providing the service under the MRW brand on a franchising basis (the company IBERCOURIER owns the MRW brand), 15 companies providing the service under the NACEX brand on a franchising basis (the company LOGISTA owns the NACEX brand) and 3 companies providing the service under the ENVIALIA brand on a franchising basis.

## NEW RATES FOR PUBLISHED MAIL SERVICE

By determination dated 16 May 2013 the Autoridade Nacional de Comunicações approved the decision on the proposed price tables for services included in universal service, thereby not

opposing the new rates put forward by the Portuguese postal service CTT - Correios de Portugal. These new prices take force on 1 June 2013. (+)

## NEWLY ENACTED LEGISLATION

**Order no. 7079/2013** (Series II - *Diário da República* of 31 May) - of the Ministry of Economy and Employment, which delegates to the State Secretary for Public Works powers for the practice of acts concerning the procedure of the tender limited by prior qualification to select the company or companies responsible for providing the universal service of connecting a public communications network at a fixed site and telephone services accessible to the public. (+)

**Regulation no. 169/2013** (Series II - D.R. of 15 May) - sets the rules for using 18xy numbers from the National Numbering Plan for information services - other directories. (+)

**Ruling no. 152/2013** (Series II - D.R. of 14 May) - does not deem constitutional the standard from section 7 of Administrative Rule no. 126-A/2005 of 31 January, together with the respective appendix (radio spectrum usage rate). (+)

# COMMUNICATIONS AROUND THE WORLD

## EUROPEAN UNION

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### COMMISSION PRESENTS PLANS FOR GIPO

The European Commission (EC) released last 13 May plans for the Global Internet Policy Observatory (GIPO), an online platform meant to foster knowledge and participation by interested parties worldwide in debates and discussions regarding lines of conduct to impose on the internet. GIPO will be developed by the EC along with a core of countries and non-governmental organisations involved in governing the internet. Plans call for the platform to be launched in early 2014. (+)

### EMERGENCY RESPONSE CENTRE INAUGURATED

The EC opened last 15 May in Brussels the Emergency Response Centre (ERC), whose aim is to coordinate humanitarian aid and civil protection actions of the European Union (EU). The centre will allow a more coordinated, rapid and efficient response to natural and human disasters in Europe and other countries, enabling the EU to respond to catastrophes, acts of terrorism and technological, radiological or environmental accidents, coordinating the available resources of each state involved. (+)

### PUBLIC SPEECHES BY NEELIE KROES

The most recent public speeches on sector-related topics by Commissioner Neelie Kroes have been posted, among them: "The Politics of Completing the Telecoms Single Market" before the Internal Market and Consumer Protection Committee (IMCO) at the European Parliament (Brussels, 30 May); "The Economic and Social Benefits of Big Data", at the Webcast Conference on Big Data (Brussels, 23 May); "Electronics for Europe", at the press conference marking the launch of the European strategy for micro- and nano-electronic components and systems. (+)

### ELECTRONIC PUBLIC ADMINISTRATION IMPROVES

The European Commission (EC) published last 28 May the tenth comparative report on electronic governance. The study showcases the situation in the 27 European Union (EU) member states plus Croatia, Iceland, Norway, Switzerland and Turkey. The report also examines ease of use, transparency and vital facilitating elements. Finally, the report evaluates electronic services associated to three important lifetime events: loss/search for work, creation of a company and studies. (+)

## STUDIES

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- Mobile Wireless Performance in the EU & the US, by the Global System for Mobile Association (GSMA), which shows the low performance of European markets in terms of quality, especially compared to favourable evolution in the USA. Investment in mobile networks is another area where Europe seems behind the USA. The study claims that European operators are unable to exploit economies of scale and range, which also ends up hurting consumers. (+)
- Mobile Wireless Performance in the EU & the US, by Kleiner Perkins Caufield & Byers (KPCB). It describes overall growth in the number of internet users, which in 2012 accounted for about a third of the world's population, as well as the rapid growth in created and shared information, much of it in video format. (+)

- National Fibre Strategies - National economic imperative or just another private industry task?, by Arthur D. Little. It identifies national models for strategic development of fibre and among others highlights those that most benefit users and all stakeholders, specifically including regulators and governments. (+)
- 2013 Acquisition & Retention Study Report, by Nokia Siemens. It covers 8,700 survey respondents in Denmark, the United Kingdom, South Korea, Japan, the USA, Brazil, Colombia, Russia and India, indicating that 39 percent of users seem ready to switch mobile telephone service (MTS) provider and that 34 percent are satisfied with their provider. Voice quality, network coverage and rate plans are the basis for loyalty to the MTS provider. (+)

# COMMUNICATIONS AROUND THE WORLD

## NEW ENISA REGULATION

The European Union (EU) Council of Ministers held on 13-14 May 2013 approved a regulation establishing a new mandate for the European Network and Information Security Agency (ENISA), following the agreement reached with the European Parliament (EP).

Given that ENISA's current mandate expires on 13 September 2013, the new regulation frames the agency's tasks, strengthens its administrative structure and streamlines procedures to improve efficiency. It covers a period of seven years. (+)

## STRONGER SECURITY AND INCREASED SPEED

The PURSUIT project has been awarded the Future Internet Prize for its exceptional contribution to internet architecture, presenting a redefinition of stronger online security for users, while at the same time increasing

broadband speed.

This EU-financed project received the prize at the 10<sup>th</sup> Future Internet Assembly held last 9-10 May in Dublin during the Irish EU presidency. (+)

## EU COUNCIL OF MINISTERS

The European Union (EU) Council of Telecoms Ministers was held last 6 June in Luxembourg. Among other issues, the agenda covered the following: proposed directive on accessibility of public body websites; presentation of the EU's view about the best way to prevent and respond to disruptions and cyber attacks; new rules proposed by the European Commission (EC) in June 2012 for electronic commerce in the European space; and the EC's modification of its initial proposed budget for 2014-2020 regarding investment in high speed broadband networks. (+)

## BEREC

### INTERNATIONAL ROAMING

BEREC prepared a questionnaire about application of the international roaming regulation, which the service providers sent to the Autoridade Nacional de Comunicações (ANACOM) last 20 June. The questionnaire's aim is to evaluate how the roaming regulation has been implemented in the European Union/European Economic Area (EU/EEA) countries. (+)

### MARKET (3) IN GERMANY

The Body of Regulators for Electronic Communications (BEREC) published last 17 May an opinion regarding the European Commission's notification of Germany under article 7 of the Framework Directive.

The EC expressed serious doubts about a proposal put forward by the German regulator, Bundesnetzagentur (BNetzA) to revise the market for call termination in individual public telephone networks at a fixed site (market 3), and opened a phase II investigation, submitting

to discussion the draft amendment of the regulation, in accordance with the procedure set by the Framework Directive.

The document now published by BEREC results from close collaboration with the EC in analysis of those matters. (+)

### BEREC - CONSULTATION

BEREC conducted from last 14 May to 4 June a public consultation on the draft guidelines regarding regulation of roaming services at retail level, more specifically with respect to articles 4 and 5 of the regulations. To that end, it published the following documents: "BEREC GUIDELINES on the Separate Sale of Regulated Retail Roaming Services and the Implementation of Separate Sale of Regulated Retail Roaming Services under Article 4 & 5 of the Roaming Regulation - a consultation"; and "BEREC GUIDELINES ON ROAMING REGULATION (EU) NO 531/2012 (Third Roaming Regulation) (Articles 4 and 5 on Separate Sale of Roaming Services)". (+)

## ANACOM INTERNATIONAL ACTIVITY

The Autoridade Nacional de Comunicações (ANACOM) represents the Portuguese communications sector before international sector-related organisations and took part in recent meetings in the scope of the European Union (EU), the Independent Regulators Group (IRG), the Body of European Regulators for Electronic Communications (BEREC), the European Regulators Group for Postal Services (ERGP), the European Conference of Postal and Telecommunications Administrations (CEPT), the Radio and Telecommunications Terminal Equipment Compliance Association (R&TTE CA), the North Atlantic Treaty Organisation (NATO), the International Telecommunication Union (ITU), the European Telecommunications Satellite Organisation (EUTELSAT IGO) and the Postal Union of the Americas, Spain and Portugal (UPAEP).

### EU

The following meetings were held under the Communications Committee:

- 54<sup>th</sup> COCOM meeting - 7 May in Brussels; (+)
- 4<sup>th</sup> RSPG meeting - 29-30 April in Madrid; (+)
- 5<sup>th</sup> RSPG meeting - 22-23 May in Mainz, Germany. (+)

### IRG

The Contact Network met on 15 May in Paris. (+)

### BEREC

In the scope of BEREC's work, the following groups held meetings:

- Contact Network - 15-16 May in Paris; (+)
- EWG NN drafters group - 22 May in Brussels; (+)
- EWG-CEA drafters group - 23 May in Brussels; (+)
- a BEREC working group together with the EC and BNetzA - 2 May in Brussels. (+)

### ERGP

The working group on End-to-End Competition and Access Regulation met on 7 May in Bonn, Germany. (+)

### CEPT

The following meetings were held in the scope of work carried out by the Electronic Communications Committee (ECC):

- PT TRIS meeting - 21 May in Warsaw; (+)
- 2<sup>nd</sup> meeting of CPG 15 PT-C - 16-19 April in London; (+)
- WG FM PT44 meeting - 16-18 April in Rome; (+)
- SRD/MG meeting - 24-26 April in Helsinki; (+)
- ECC PT1 meeting - 2-3 May in Berlin; (+)
- 3<sup>rd</sup> meeting of CPG 15 PT-D - 6-8 May in Berlin; (+)
- WG FM meeting - 9 May in Copenhagen; (+)
- 64<sup>th</sup> meeting of WG SE - 13-17 May in Lugano, Switzerland. (+)

The 8<sup>th</sup> meeting of the European Communications Office (ECO) was held on 29-30 May in Istanbul. (+)

The European Committee for Postal Regulation (CERP) held a plenary meeting on 23-24 May in Kristiansand, Norway. (+)

### R&TTE CA

The R&TTE CA and EUANB held a meeting last 2-3 May in Dublin. (+)

### NATO

C3B and CaP3 met on 25-26 April in Brussels. (+)

### ITU

The World Telecommunications Policy Forum (WTPF-13) was held on 13-17 May in Geneva. (+)

### EUTELSAT

The 38<sup>th</sup> EUTELSAT IGO Assembly of Parties was held on 15-16 May in Paris. (+)

### UPAEP

The UPAEP Advisory and Executive Council met last 15-17 May in Montevideo, Uruguay. (+)

## AICEP GENERAL ASSEMBLY

The General Assembly of the International Association of Portuguese Language Communications (AICEP) and

the 21<sup>st</sup> AICEP Forum were held on 2-3 May in Maputo, Mozambique. (+)

## WORKSHOP DO EMERG

A Euro-Mediterranean Regulators Group (EMERG) workshop on financing universal service obligations was held on 22-

23 May in Cairo, Egypt. (+)



# NEWS FROM OTHER COUNTRIES

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## **GERMANY - Bundesnetzagentur (BNetzA)**

- The regulator published on 10 May guidelines meant to ensure more transparency for broadband users, specifically regarding contract content and the kind of service to be expected from providers. These guidelines are under consultation until 2 September 2013. (+)
- Legislation associated to free call waiting took force on 1 June. Since that date call waiting for special service numbers can only be used if such calls have a set price or are free for callers. (+)

## **BELGIUM - Institut Belge des Services Postaux et des Télécommunications (IBPT)**

- The regulator presented on 30 May the economic situation of the telecoms sector in 2012, indicating a 4.8 percent drop in total telecommunications and broadcasting business volume with respect to the eleven selected operators. (+)

## **BRAZIL - Agência Nacional de Telecomunicações (ANATEL)**

- ANATEL published on 31 May a set of measures meant to extend broadband, thereby expanding the internet market in Brazil. The changes involve simpler procedures for authorisations and encompass fixed broadband, fixed telephony and subscription TV. They are also meant to enable free internet connection service for providers with more than 50,000 users. (+)

## **SPAIN - Comisión del Mercado de las Telecomunicaciones (CMT)**

- The regulator published on 21 May information about mobile portability, recording a continuation of the historic highs in the month of March, with mobile operator porting for 581,860 users, following January's record figure of 633,616. (+)
- On 6 May the CMT approved the analysis of the wholesale market for delivery of television signal, the former market 18. The company Abertis continues to be the operator with significant market power (SMP) and is therefore subject to regulatory obligations imposed by the CMT. (+)

## **USA - Federal Communications Commission (FCC)**

- The FCC adopted on 17 May rules requiring mobile operators and other operators who provide text message services (SMS) to automatically send a message with information on non-availability whenever sending an SMS to the emergency number (911) is not possible. The message should also contain information about means to use for that purpose. (+)

## **FINLAND - Finnish Communications Regulatory Authority (FICORA)**

- The regulator decided on 31 May to stop ex-ante regulation of the wholesale market for call origination in the public telephone network accessible at a fixed site, starting on 1 January 2014. Finland is the first European Union (EU) member state to withdraw ex-ante regulation in that market. (+)

## **FRANCE - Autorité de Régulation des Communications Électroniques et des Postes (ARCEP)**

- ARCEP announced on 17 May that the net cost of universal service in 2011, 28.5 million euros, which is borne by France Telecom, had fallen 7.6 percent year-on-year from the previous year's 30.8 million euros. (+)

## **GREECE - Hellenic Telecommunications & Post Commission (EETT)**

- The Greek regulator launched a public consultation to run from 29 May to 28 June on the regulations for managing and allocating numbering resources from the national numbering plan. (+)

## **IRELAND - Commission for Communications Regulation (ComReg)**

- The regulator published on 20 May a consultation on the form and manner of requesting financing from the universal service provider AnPost associated to the net costs of providing that service. (+)

## **UNITED KINGDOM - Office of Communications (Ofcom)**

- Ofcom launched on 9 May a consultation, to run until 19 June, on spectrum use in the 2400 MHz band for licence-exempt devices, thereby fulfilling the government's plans to free spectrum for civilian uses - about 500 MHz by 2020 - and to respond to the increased demand for spectrum usage due to smartphones and tablets. (+)
- The regulator published on 16 May a report on the availability/coverage of different communication services (fixed, mobile, fixed and mobile broadband, digital TV, radio and postal) in the United Kingdom. (+)
- The consultation on the method for accrediting rate comparison tools was published on 29 May; contributions must be sent in by 15 July. The aim is to help consumers obtain clear and precise information to compare the prices of communications providers and services. The consultation considers the current accreditation mechanism, the Price Comparison Websites (PCWs), implemented by Ofcom in 2006 and now being revised. (+)

## 1<sup>ST</sup> QUARTER 2013 MOBILE SERVICE STATISTICS RELEASED

### MOBILE SERVICES

Mobile service penetration rose to 158.4 per 100 inhabitants, while the penetration rate for effectively used mobile stations was 124 per 100 inhabitants. Effective mobile broadband users rose by 7.5 percent compared to the same quarter of the previous year. (+)

### INTERNET ACCESS SERVICE

There were 2.4 million fixed internet accesses at end 1Q13, up 1.4 percent over 4Q12. Year-on-year growth was 6.1 percent. (+)

### FIXED TELEPHONE SERVICE

At end 1Q13 the penetration rate of main telephone accesses stood at 43 accesses per 100 inhabitants. Despite the tendency for a gradual increase in penetration since 2Q2009, due to the development of alternative networks

and multiple play offers, in the last two quarters this service's penetration has dropped slightly. (+)

### POSTAL SERVICES

During the quarter under analysis total postal services traffic involved about 255.2 million objects; 96.5 percent of all objects distributed were for the national market, while the remaining 3.5 percent were sent to other countries. (+)

### SUBSCRIPTION TELEVISION SERVICE

The total number of subscription TV service subscribers was nearly 3.13 million. Cable TV distribution service accounted for 46.2 percent of total subscribers, while satellite TV service (DTH) accounted for 20.7 percent and the group of DSL family technologies (xDSL) for 19.9 percent. Fibre optics (FTTH/FTTB) accounted for 13.2 percent of total subscribers. (+)

## 2013 WORLD TELECOMMUNICATIONS AND INFORMATION SOCIETY DAY

World Telecommunications and Information Society Day was celebrated last 17 May at the Portuguese Foundation for Communications (FPC), with collaboration from the Association for Promotion and Development of the Information Society (APDSI). The institutional session was attended by the chair of the ANACOM board of directors, Fátima Barros, who

also heads the FPC general council, as well as other figures. The commemorations focused on the theme topic of 'ICTs and improving road safety', as set out by the International Telecommunication Union (ITU). The event included the inauguration of an exhibition of works from Portugal Telecom's contemporary art collection. (+)



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Participação gratuita limitada à capacidade da sala.  
Free participation limited to the room capacity.

ANACOM  
AUTORIDADE NACIONAL DE COMUNICAÇÕES

# SPECTRU

PUBLISHER  
AND OWNER:  
ICP - Autoridade  
Nacional de  
Comunicações

HEADQUARTERS:  
Av. José Malhoa, 12  
1099-017 Lisboa  
[info@anacom.pt](mailto:info@anacom.pt)  
[www.anacom.pt](http://www.anacom.pt)

DIRECTOR:  
Fátima A. Botelho

PRODUCTION:  
companhia dos riscos,  
design lda