

DECISION

Adjustment to the switch-off timetable for the 1st phase of the Switch-Off Plan (PSO)

1. Framework

By Resolution of the Council of Ministers No 26/2009¹, published on 17 March, it was determined that the termination of analogue terrestrial television broadcasting throughout national territory should occur by 26 April 2012.

The same RCM determined that ICP-ANACOM should publish, as part of its spectrum management remit, a detailed plan for termination of the analogue terrestrial broadcasting of each transmitter or relay station, hearing for this purpose, specifically, the holder of the right of use for frequencies for the digital terrestrial television broadcasting service, associated with Multiplexer A, holders of rights of use for frequencies for the analogue terrestrial television broadcasting service and the respective operators of the network for transport and distribution of the analogue terrestrial television signal (paragraph 2).

In compliance with the afore-mentioned determination, by determination of the Management Board of 24 June 2010², a final decision on the detailed plan for termination of analogue terrestrial broadcasting (switch-off plan - PSO) was approved, approval having also been given to the report of the prior hearing and of the public consultation to which the corresponding draft decision was submitted, further to determination of 15 April 2010³.

According to the PSO, termination of analogue terrestrial broadcasting must take place in three phases, as follows:

The 1st phase, starting **12 January 2012**, covers the coastal area of the mainland territory;

The 2nd phase, to occur on **22 March 2012**, covers the Autonomous Regions of the Azores and Madeira;

The 3rd and last phase will take place on **26 April 2012**, covering the remaining mainland territory.

Specifically as regards the 1st phase, the PSO provided that it would not be feasible «*to disconnect all stations simultaneously (...)*», thus establishing that «*in a first phase, on 12 January, transmitters will be switched off which do not supply any relay installed outside this area, namely São Macário, Reguengo do Fetal, Lisboa, Palmela and Fóia and the relays which are supplied by the transmitters of Monte da Virgem, Montejunto, Marão and Lousã. Seven days later the relays supplied by transmitters which were switched off will themselves be switched off, and will therefore stop transmitting on 12 January*».

¹ <http://www.anacom.pt/render.jsp?contentId=979705>

² <http://www.anacom.pt/render.jsp?contentId=1033345>

³ <http://www.anacom.pt/render.jsp?contentId=1021604>

2. Need to adjust the timetable for the 1st phase of the PSO

The complexity of the termination operation under consideration, resulting in particular from the relationship of interdependence between transmitters and relays, and the undisputed social sensitivity of the process of migration to the digital terrestrial platform, have justified a permanent monitoring by ICP - ANACOM, in order to assess, in each moment, whether defined procedures are appropriate.

In this context, in the light of the latest data available to this Authority, which concern the end of December 2011⁴, ICP - ANACOM deems it appropriate to adjust the switch-off timetable for the 1st stage of the PSO, which is due to start, as scheduled, on 12 January 2012.

In parallel, expressions of concern have come to the attention of ICP - ANACOM in the last few days, which were also publicly disclosed - namely by the media -, on the part of the most varied actors involved, as regards the preparation of populations for the forthcoming migration, which, associated to the fact that the 1st phase of the PSO will be implemented soon, reinforces and justifies the need for quick action by ICP - ANACOM in order to reduce, as much as possible, the impact associated to the ongoing operation.

This conclusion is in line with the results of surveys carried out in last December, which show that there is still a considerable percentage of homes covered by the 1st phase of the PSO that require preparation for receiving DTT and which declare not to have made such preparations nor to intend making them.

This fact is without prejudice, however, to the effectiveness of the communication strategy put in place to inform populations on the migration process, which collected data has also proved.

ICP - ANACOM thus believes, in line with the rest of the PSO determinations, that in this 1st phase, and while maintaining the intended date of 12 January, that there are grounds for breaking down the several scheduled switch-offs, in order to increase the possibility of addressing any shortcomings and to reduce the impact associated to the ongoing operation.

Moreover, the implementation schedule now defined, breaking down the 1st phase of the PSO, at a time when information on the need for preparing for the switch-off is stepping up, allows people living on those areas to become aware of how change is inevitable and how urgent it is to acquire the means required for migration.

In the light of the above, and without questioning, in essence, the objectives of the 1st phase of the approved PSO, namely the starting date of the switch-off operation, the involved territorial area and associated transmitters and relays, ICP - ANACOM hereby breaks down the time-table for this phase, as follows:

- a) On **12 January 2012**, the following stations shall be switched-off:
Transmitter: Palmela;
Relays: Alcácer do Sal, Melides and Sesimbra.

⁴ “Estudo de avaliação do processo de *switch-off* da televisão analógica na faixa litoral de Portugal continental” (Assessment study of the switch-off process in the coastal area of the mainland territory), dated 29 December 2011, requested by ICP - ANACOM to Marktest, reporting the collection of information for the period between 5 December and 19 December 2011.

- b) On **23 January 2012**, the following stations shall be switched-off:
Transmitter: Fóia - Monchique;
Relays: Santiago do Cacém, Cercal do Alentejo, Odemira, Odeceixe, Monchique, Aljezur and Silves.
- c) On **1 February 2012**, the following stations shall be switched-off:
Transmitter: Lisboa-Monsanto;
Relays: Areeiro, Barcarena, Caparica, Carvalhal, Cheleiros, Estoril, Graça, Montemor-o-Novo, Odivelas, Sintra, Malveira, Sobral de Monte Agraço, Coruche and Cabeção.
- d) On **13 February 2012**, the following stations shall be switched-off:
Transmitter: Reguengo do Fetal;
Relays: Vale de Santarém, Sobral da Lagoa, Mira de Aire, Candeeiros, Alcária, Tomar, Ourém, Caranguejeira, Leiria, Alvaiázere, Avelar, Pombal, Castanheira de Pera, Espinhal, Senhora do Circo, Padrão, Ceira dos Vales, Vale de Açôr, Vila Nova de Ceira, Ceira, Coimbra, Caneiro, Cidreira, Lorvão, Penacova, Mortágua, Avô and Benfeita.
- e) On **23 February 2012**, the following stations shall be switched-off:
Transmitter: São Macário;
Relays: Préstimo, Viseu, Cedrim, Vouzela, Vale de Cambra, Covas do Monte, Santa Maria da Feira, Arouca, Rio Arda, Lalim, Vila Nova de Gaia, Foz, Valongo, Santo Tirso, Caldas de Vizela, Caldas de Vizela II, Amarante, Gondar, São Domingos, Ancede, Caldas de Aregos, Resende, Lamego and Santa Marta de Penaguião.

In the present case, there are urgent reasons that justify, as regards the adjustment now being determined, that the prior hearing of interested parties (article 103, paragraph 1a) of the Administrative Procedure Code, hereinafter APC), as well as the general consultation procedure (provided for in article 8 of the ECL) are not carried out. In fact, only an immediate approval of the switch-off dates will enable the safeguard of the public interest associated to the switch-off process, the start of which is set for 12 January 2012, allowing at the same time operators of the network for transport and distribution of the terrestrial analogue television signal - in this case, PT Comunicações, SA and TVI - Televisão Independente, SA - to implement the technical and operational measures required for their proper performance.

In this opportunity, the situation of the Malhada relay must also be analysed, as its switch-off is scheduled in the PSO to take place during the 1st phase. In fact, as this relay feeds the Malhada II relay, the switch-off of which occurs only during the 3rd phase of PSO, ICP - ANACOM takes the view that the Malhada relay should not be switched-off on the 1st phase, but only later on the 3rd phase.

3. Decision

In the light of the above, in the scope of powers provided for in article 6, paragraph 1 c) of ICP - ANACOM Statutes, published in annex to Decree-Law number 309/2001, of 7 December, and under article 15 of Law number 5/2004, of 10 February, as amended by Law number 51/2011, of 13 September, article 26, paragraph I) of its Statutes and paragraph 2 of Resolution of the Council of Ministers No 26/2009, and having regard to article 103, paragraph 1a), of the APC, the Management Board of ICP - ANACOM hereby determines:

1. To define the following time-table for the 1st phase of the switch-off:

- a) On **12 January 2012**, the following stations shall be switched-off:
Transmitter: Palmela;
Relays: Alcácer do Sal, Melides and Sesimbra.
- b) On **23 January 2012**, the following stations shall be switched-off:
Transmitter: Fóia - Monchique;
Relays: Santiago do Cacém, Cercal do Alentejo, Odemira, Odeceixe, Monchique, Aljezur and Silves.
- c) On **1 February 2012**, the following stations shall be switched-off:
Transmitter: Lisboa-Monsanto;
Relays: Areeiro, Barcarena, Caparica, Carvalhal, Cheleiros, Estoril, Graça, Montemor-o-Novo, Odivelas, Sintra, Malveira, Sobral de Monte Agraço, Coruche and Cabeção.
- d) On **13 February 2012**, the following stations shall be switched-off:
Transmitter: Reguengo do Fetal;
Relays: Vale de Santarém, Sobral da Lagoa, Mira de Aire, Candeeiros, Alcaria, Tomar, Ourém, Caranguejeira, Leiria, Alvaiázere, Avelar, Pombal, Castanheira de Pera, Espinhal, Senhora do Circo, Padrão, Ceira dos Vales, Vale de Açôr, Vila Nova de Ceira, Ceira, Coimbra, Caneiro, Cidreira, Lorvão, Penacova, Mortágua, Avô and Benfeita.
- e) On **23 February 2012**, the following stations shall be switched-off:
Transmitter: São Macário;
Relays: Préstimo, Viseu, Cedrim, Vouzela, Vale de Cambra, Covas do Monte, Santa Maria da Feira, Arouca, Rio Arda, Lalim, Vila Nova de Gaia, Foz, Valongo, Santo Tirso, Caldas de Vizela, Caldas de Vizela II, Amarante, Gondar, São Domingos, Ancede, Caldas de Aregos, Resende, Lamego and Santa Marta de Penaguião.

2. The Malhada relay shall only be switched-off on the 3rd stage of the Switch-Off Plan.

Lisbon, 5 January 2012.