
Determination of 13.4.2005

DETERMINATION CONCERNING THE ALTERATIONS OF PRICES TO BE INTRODUCED IN THE RUO

The development of the Local Loop Unbundling (LLU) is a main factor for the promotion of competition in the local access market, by enabling operators and service providers (OSPs) to launch innovative and differentiated telecommunications offers, specially broadband offers, with clear benefits to the consumer, and also by promoting infrastructure-based competition, which is one of the purposes of the current regulatory framework.

Aiming at achieving these goals, ICP-ANACOM has closely monitored the evolutions in this market, both at national and Community level.

Since the second half of 2003, following the last Determinations of ICP-ANACOM concerning the LLU, a gradual evolution in the number of unbundled loops has taken place, as a result of new offers publicized at retail level.

Having regard to alterations of prices in downstream wholesale offers, to evolutions at the LLU offer, namely in the information systems and automatic processing of orders, and to price reduction in some Member States, an assessment of prices of the wholesale offer currently in force has been carried out, leading up to the alterations defined herein for the RUO.

In the light of the above, on 9 February 2005, the Board of Directors of ICP – ANACOM approved the draft decision concerning the alterations of prices to be introduced in the RUO, interested parties having been notified to assess the issue within a 10 working-day-time limit, pursuant to articles 100 and 101 of the Code of Administrative Procedure. The comments received, the analysis thereof and grounds for the decision are comprised in the “Report of the prior hearing granted to interested parties on the draft decision concerning the alterations of prices to be introduced in the RUO”, which is an integral part of this determination.

Considering the decision of ICP – ANACOM, of 31.03.2005, on the maintenance of regulatory obligations in the wholesale unbundled access market, namely the obligation for cost orientation of prices, and having regard to the regulation objectives provided for in article 5 of Law no. 5/2004, of 10 February, namely to promote competition in the provision of electronic communications networks and services, to ensure that users derive maximum benefit in terms of choice, price and quality, and to encourage efficient investment in infrastructure, and to promote innovation; and in the scope of the

assignments provided for in points b) and f) of article 6 of the Statutes, approved by Decree-Law no. 309/2001, of 7 December, and pursuant to point a) of paragraph 3 of article 68 of Law no. 5/2004, the Board of Directors of ICP-ANACOM hereby deliberates:

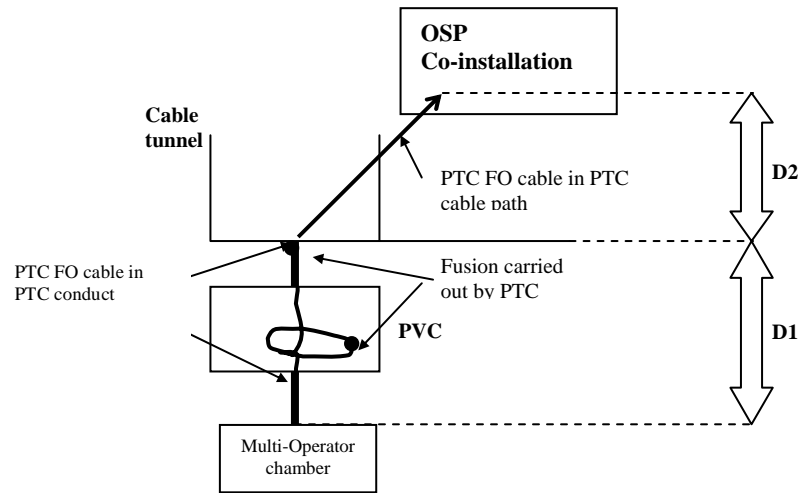
I. To determine upon PT Comunicações, S.A., that within 10 days it alters the RUO as follows:

1. To define the following maximum prices applicable to full access and shared access.

Installation of the local loop ^(a)	38,00
Monthly payment of the local loop in the full access modality	9,72
Uninstallment of the local loop	0,00

Note ^(a): Including assessment of eligibility.

2. To make optional the qualification tests in the shared access.
3. To remove the provision that imposes that, in case loops are transferred between operators, the local loop shall revert at an interim stage to PTC, and to provide for a simplified and swift procedure within the RUO for the transfer of loops between operators:
 - a. the OSP receiving the loop shall have access to the relevant information necessary to place his order, to be made available by the OSP where the transfer is made from;
 - b. as regards the transfer order, PTC shall only verify the basic information regarding the numbering and the switching exchange under consideration; and
 - c. The transfer must be carried out within at the most 5 working days (for orders without number portability and without tests).
4. To alter the signal transfer service as follows:
 - a. Support infrastructure of the signal transport service:



D1: Distance, in meters, from the central entrance (cable tunnel) to the PVC of PTC. Where there is no available space in the PVC of PTC, D1 shall correspond to the distance up to the multi-operator chamber (yet to be constructed).
D2: Length of the cable path of the FO cable within the central;

b. Maximum installation price for the signal transport service:

$$\text{Installation (€)} = \text{CF_MO} + \text{CF_O} + (\text{D1} \times 79,55) + (\text{D2} \times 19,62)$$

Multi-Operator (MO) and Operator (O) fixed components:

i. with installation of multi-operator chamber

$$\text{CF_MO} = \text{€}2.382,85$$

$$\text{CF_O} = \text{€}1.248,14$$

ii. without installation of multi-operator chamber

$$\text{CF_MO} = \text{€}1.194,51$$

$$\text{CF_O} = \text{€}1.248,14$$

c. A monthly payment of 1% of the installation price of the signal transport service shall be provided for.

II. The offer conditions shall enter into force on the day the offer is altered and notified.