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Determination of 14.12.2005

### **Draft decision on the information to be decision on the information to be gathered to monitor the market in the scope of the local loop unbundling**

Following the determination of ICP-ANACOM dated 8 November 2005, on the conditions for the deployment of the local loop unbundling (LLU), this Authority deems fundamental to be provided with access to up-to-date and detailed information, submitted by operators that take part in the offer, on time limits practised for several services related to the LLU, in order to ensure a swift intervention in case of need, to impose remedies and to protect the interests of end-users. This should occur without prejudice to the obligation of PT Comunicações, SA to send the quarterly report on the levels of quality of service provided in the scope of the RUO and on compensations incurred, according to the provisions of the referred determination.

Having regard to the targets and grounds mentioned above, ICP-ANACOM takes the view that the information to be requested is appropriate for the intended purposes and is proportional.

Thus, the Board of Directors of ICP-ANACOM, in the scope of assignments provided for in points b) and c) of article 9 of the Statutes thereof, approved by Decree-Law no. 309/2001, of 7 December, and taking into account 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 pursuant to article 108 of Law no. 5/2004, hereby determines to submit this determination the prior hearing of interested parties, under articles 100 and 101 of the Code of Administrative Procedure, establishing a maximum 10-working-day period, so that interested parties, if they so desire, may express their opinions, in writing, on the following:

1. PTC and OSP who are beneficiaries of the RUO shall submit to ICP-ANACOM the information provided for in the tables attached hereto, on a monthly basis, and by the end of the month following that to which it corresponds;
2. The information referred to in the preceding paragraph shall be submitted to ICP-ANACOM from February 2006 onwards, which implies that the information concerning the month of February 2006 shall be provided by the end of March 2006.