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<http://www.anacom.pt/template31.jsp?categoryId=267342>

Determination of 30.1.2008

Final decision on the set of statistical items to be sent to ICP-ANACOM by the providers of subscription television services

Preamble

1. The “Quarterly statistical information in respect of the activity of operator of Cable Distribution Network”, as currently defined, is collected from the operators of cable distribution networks and services under the terms of the form approved for this purpose on 7 May 2003.¹

The current form only covers the cable television (CATV) and satellite television (DTH) services.

2. In the meantime, the technological development of the sector means that the television and video signal can now be distributed, but only by cable and satellite, but also over the public telephone network or through FWA. Likewise, the introduction of Digital Terrestrial Television and television of the mobile networks is also envisaged².

Although the number of customers using these services remains relatively small (compared to the number of CATV or DTH customers), it is seen as important that the new television subscription services should now be regularly monitored. In fact, in the analysis and decision on Market 18 (Wholesale market of broadcasting services for the delivery of content transmitted to final users³) ICP-ANACOM sets out that the evolution of these types of services and products should be closely monitored, in

¹ See <http://www.anacom.pt/template12.jsp?categoryId=68671#3>

² Note that the compilation of statistical information aims only to cover the television services set out in Law no 27/2007 of 30 July (Television Law), excluding communication services operating on individual demand, as set out in point a) of paragraph 2 of article 2 of said law (available at <http://www.anacom.pt/template20.jsp?categoryId=5522&contentId=515876>)

³ See http://www.anacom.pt/streaming/merc18_delib2ag07.pdf?categoryId=235382&contentId=507471&field=ATTACHED_FILE

recognition of their importance and dynamic: *“This Authority will perform detailed supervision of the evolution of products supported on xDSL/IP, DTT and FWA platforms, taking into account their potential effects on and relevance to the wholesale and retail market of television broadcasting services over cable distribution networks”*.⁴

Furthermore, the European Commission, subsequent to the analysis of Market 18, *“invit[ed] ANACOM to monitor the developments in this market”* especially, *“the emerging broadcasting technologies, such as for example FWA and xDSL/IP”*, and to assess the effects *“of the alternative broadcasting platforms in terrestrial broadcasting”*⁵. Meanwhile, ICP-ANACOM has been receiving requests for information on these services to which it needs to respond.

3. Therefore, ICP-ANACOM has defined a statistical questionnaire in order to monitor the subscription television service (see annex).

Emphasis should be given to the conceptual difference between a free-to-air product and a product of the subscription television service: In the first case no payment is made⁶ by the final user to the operator of networks and services, while in the case of subscription television, there is association with the contractual obligation of a payment by the final user, whether the product is provided individually or bundled with other electronic communication services (double, triple or multiple play).

The offer of packages of services, whose commercial name leads to the interpretation that the television service is provided free of charge, with only an overall value being charged for the package of services, also falls within the concept of “subscription television” given that payment of a sum by the final user is not abolished and the provision of television is therefore not *free-to-air*.

4. The proposed questionnaire contained in the annex includes the following indicators:

⁴ See references set out on pages 49, 55 and 100 of the final decision of ICP-ANACOM.

⁵ See http://www.anacom.pt/streaming/merc18_coment_comissao27july07.pdf?categoryId=235382&contentId=507466&field=ATTACHED_FILE

⁶ The fee charged on a monthly basis on the bill for electric energy consumption – “Contribuição para o Audiovisual” (Audiovisual contribution) – is hereby safeguarded. This fee is used to finance the public service of radio and television broadcasting, updated annually in line with inflation. Consumers whose annual consumption of electricity does not exceed 400 kWh are exempt.

- a) The number of customers of the television service provided through cable, satellite (DTH) and other technologies, as well as the number of cabled households, by municipality, ensuring that the evolution of the service and respective geographical penetration can be monitored;
- b) Revenue of the service by platform constitutes a global indicator at the level of use of a service with different instalment payments and distinct tariff plans.

It is further noted that in the case in which service is offered through a package of electronic communication services (i.e. *double play*, *triple play*, etc...), it is necessary to provide a breakdown of the revenues from these packages. ICP-ANACOM will, at a later date, consider, and in accordance with the objectives of the analysis to be performed, proceed with an allocation of revenues by service using criteria which ensure the comparability of results. The number of the packages of services is likewise compiled. These values will allow the evolution of the bundled offers to be monitored.

5. In this reformulation of the statistical items of the subscription television services, the indicators on supplementary package subscribers are discontinued, the conclusion having been reached that this type of information is of limited usefulness.
6. The providers of the service will be given a period of 60 days to implement these indicators, following which period, the providers concerned shall send this information on a regular basis.

Where the information is not immediately available, these operators must send estimates of the values concerned, indicating the bases used for their respective calculation and give a forecast of when they expect the definitive data to be sent.

7. The information compiled in this way will be published.
8. Pursuant to article 108 of Law 5/2004 of 10 February, and to point f) of paragraph 1 of article 109 of the same law, this set of indicators must be sent to ICP-ANACOM by the providers of these services no later than the thirtieth day following the end of each quarter, by email to dee.stats@anacom.pt, or in paper format to:

ICP-ANACOM

DIE – Direcção de Informação e Estatística

Av. José Malhoa, 12

1099-017 Lisbon

In case of query, ICP-ANACOM can also be contacted at these addresses for any required clarification.

Quarterly statistical information to be sent by providers of the Subscription Television Service¹

Company:
People responsible for completing this questionnaire:
Telephone contacts of the people responsible for completion:
E-mail:

1. CABLE TELEVISION DISTRIBUTION SERVICE

1.1. Number of subscribers to the cable television service and cabled households per municipality

	Quarter x 2	Cabled households ³	Total number of subscribers ⁴	(of which) subscribe to the service in digital format ⁵
1.1.1	Municipality A 6			
1.1.2	Municipality B			
1.1.3	Municipality C			
(...)	(...)			
	TOTAL			

Unit: 1 household; 1 subscriber

1.2. Revenues from the cable television service and number of packages

	Quarter x 2	No of Packages ⁷	Revenues ⁸
1.2.1	Individualised cable television service⁹		
	<i>Where it is not possible to individualise the value of revenues from the cable STVS, complete point 1.2.2. on the provision of cable STVS included in a package of services:</i>		
1.2.2	Packages of combined services¹⁰ which include the cable television service¹¹		
1.2.2.1	Package _____		
1.2.2.2	Package _____		
1.2.2.3	Package _____		
1.2.2.(...)	Package (...)		
	TOTAL (1.2.1 + 1.2.2)		

Unit: 1 package

Unit: euros

2. SATELLITE TELEVISION DISTRIBUTION SERVICE (DTH)

2.1. Number of subscribers to the satellite television service (DTH) per municipality

	Quarter x 2	Total number of subscribers ⁴
2.1.1	Municipality A 6	
2.1.2	Municipality B	
2.1.3	Municipality C	
(...)	(...)	
	TOTAL	

Unit: 1 subscriber

2.2. Revenues from the satellite television service (DTH)

	Quarter x 2	Revenues ⁸
2.2.1	Revenues from the individualised satellite television service (DTH)	

Unit: euros

3. TELEVISION DISTRIBUTION SERVICE OVER THE PUBLIC TELEPHONE NETWORK (xDSL/IP)

3.1. Number of subscribers to the television service over the public telephone network (xDSL/IP), per Municipality

	Quarter x 2	Total number of subscribers ⁴
3.1.1	Municipality A 6	
3.1.2	Municipality B	
3.1.3	Municipality C	
(...)	(...)	
	TOTAL	

Unit: 1 subscriber

3.2. Revenues from the television service over the public telephone network (xDSL/IP) and number of packages

	Quarter x 2	No of Packages ⁷	Revenues ⁸
3.2.1	Individualised television service over the public telephone network (xDSL/IP)⁹		
	<i>Where it is not possible to individualise the value of revenues of STVS over xDSL/IP, complete point 3.2.2. on the provision of STVS over xDSL/IP included in a package of services:</i>		
3.2.2	Packages of combined services¹⁰ which include the television service over the public telephone service (xDSL/IP)¹¹		
3.2.2.1	Package _____		
3.2.2.2	Package _____		
3.2.2.3	Package _____		
3.2.2.(...)	Package (...)		
	TOTAL (3.2.1 + 3.2.2)		

Unit: 1 Package

Unit: euros

Quarterly statistical information to be sent by providers of the Subscription Television Service¹

4. TELEVISION DISTRIBUTION SERVICE OVER FWA

4.1. Number of subscribers to the FWA television service, per Municipality

	Quarter x 2	Total number of subscribers 4
4.1.1.	Municipality A 6	
4.1.2.	Municipality B	
4.1.3.	Municipality C	
(...)	(...)	
	TOTAL	

Unit: 1 subscriber

4.2. Revenues from the FWA television service and number of packages

	Quarter x 2	No of Packages 7	Revenues 8
4.2.1	Individualised FWA television service⁹		
<i>Where it is not possible to individualise the value of revenues from FWA STVS, complete point 4.2.2. on the provision of FWA STVS included in a package of services:</i>			
4.2.2	Packages of combined services¹⁰ which includes the FWA television service 11		
4.2.2.1	Package _____		
4.2.2.2	Package _____		
4.2.2.3	Package _____		
4.2.2.(...)	Package (...)		
	TOTAL (4.2.1 + 4.2.2)		

Unit: 1 Package

Unit: euros

5. DIGITAL TERRESTRIAL TELEVISION (DTT) BROADCASTING SERVICE

5.1. Number of subscribers to the digital terrestrial television (DTT) broadcasting service per municipality

	Quarter x 2	Total number of subscribers 4
5.1.1.	Municipality A 6	
5.1.2.	Municipality B	
5.1.3.	Municipality C	
(...)	(...)	
	TOTAL	

Unit: 1 subscriber

5.2. Revenues from the digital terrestrial television (DTT) broadcasting service

	Quarter x 2	Revenues 8
5.2.1	Revenues from the digital terrestrial television (DTT) broadcasting service	

Unit: euros

6. OTHER SUBSCRIPTION TELEVISION OR BROADCASTING SERVICES

6.1. Number of subscribers to the television service¹², by municipality

	Quarter x 2	Total no of subscribers 4
6.1.1.	Municipality A 6	
6.1.2.	Municipality B	
6.1.3.	Municipality C	
(...)	(...)	
	TOTAL	

Unit: 1 subscriber

6.2. Revenues and number of Packages

	Quarter x 2	No of Packages 7	Revenues 8
6.2.1	Individualised subscription television service⁹		
<i>Where it is not possible to provide a breakdown of value of STVS revenues, please complete point 6.2.2 on the offer of STVS included in a package of services:</i>			
6.2.2	Combined packages of services¹⁰ which include the subscription television service 11		
6.2.2.1	Package _____		
6.2.2.2	Package _____		
6.2.2.3	Package _____		
6.2.2.(...)	Package (...)		
	TOTAL (6.2.1 + 6.2.2)		

Unit: 1 package

Unit: euros

NOTES:

- 1 All services of television signal distribution or broadcasting which are not free-to-air, including services included in packages of services whose subscription/use incurs the payment of a fee.
- 2 Indicate the period being reported. E.g.: "2Q07".
- 3 No of households suitably prepared to receive cable television.
- 4 No of customers covered by at least one current contractual relationship, including in the form of subscription to the subscription television service or a package of services which includes the subscription television service (for example double play, triple play or multiple play), at the end of the quarter concerned. Calculate "1 subscriber" per address, irrespective of the number of services or packages of services subscribed to.
- 5 Indicate the number of subscribers given in the previous column who receive the signal in digital format (in respect of the use of a signal decoder - set-top-box - or equivalent equipment).
- 6 Identify each municipality and provide a breakdown for each municipality where the operator is active.
- 7 Calculate, as number of packages, the number of current contractual relationships which allows the use of packages of services at the end of the period being reported. The shaded cells indicate that this report does not apply to the individualised offer of the service and that the total number of packages should be reported in the aggregation indicator.
- 8 Values from the provision of services and the sale of goods and products associated with the provision of the subscription television services, accumulated to the end of the quarter, in euros, net of any discounts. Where the subscription television service is sold as part of a package of services (for example double play, triple play or multiple play), the global revenue derived from the package of services concerned should be reported.
- 9 Revenues from the subscription television service not offered as part of a package of services.
- 10 "Package of Services" means a commercial offer from a single operator which includes 2 or more services, only one of which needs to be the subscription television service, but which also has a combined tariff and a single bill: For example: subscription television service and Internet access service; subscription television service and fixed telephone service.
- 11 Indicate the commercial designation of the offer and report values individually for all the forms of the various packages and combinations of packages which are included in the operator's product range, i.e. both the values for the individual subscription television service and the values for packages of electronic communication services which include the subscription television service should be reported – double play, triple play and multiple play. (E.G.: "Pack TV+Net"; "Pack TV+Voz"; "Duplo TV+Net 2Mb"; "Duplo TV+Net 8Mb"; "Duplo TV+Net 25Mb"; "Duplo Light TV+Net 2Mb"; "Duplo Light TV+Net 8Mb"; "Duplo TV+Tel"; "Duplo Light TV+Tel"; "Pack TV+Net+Voz"; "Tripla 2Mb"; "Tripla 8Mb"; "Tripla 25Mb"; "Tripla Light 2Mb"; "Tripla Light 8Mb"; "Promoção TV+Net+Fone"; "Promoção TV+Internet+Telefone S"; "Promoção TV+Internet+Telefone M"; "Promoção TV+Internet+Telefone L").

Below an example is given of completion. Note the fact that all the offers available from the operator concerned should be included.

2Q07	No of packages	Revenue
Revenue from the individualised subscription television service		5.000 €
Revenues from packages of combined services which include the subscription television service	910	7.100 €
(Commercial designation:) "Pacote TV + NET 2Mb"	10	500 €
"Pacote TV + NET 4Mb"	20	500 €
"Pacote TV + NET 12Mb"	30	500 €
"Pacote TV + NET 24Mb"	40	500 €
"Pacote TV + VOZ FIXA"	50	400 €
"Pacote TV + NET 2Mb + VOZ FIXA"	60	600 €
"Pacote TV + NET 4Mb + VOZ FIXA"	70	600 €
"Pacote TV + NET 12Mb + VOZ FIXA"	80	500 €
"Pacote TV + NET 24Mb + VOZ FIXA"	90	500 €
"Pacote TV + NET 2Mb + VOZ FIXA + VOZ MÓVEL"	100	600 €
"Pacote TV + NET 4Mb + VOZ FIXA + VOZ MÓVEL"	110	600 €
"Pacote TV + NET 12Mb + VOZ FIXA + VOZ MÓVEL"	120	600 €
"Pacote TV + NET 24Mb + VOZ FIXA + VOZ MÓVEL"	130	700 €
TOTAL		12.100 €

Unit: 1 package

Unit: euros

- 12 Differentiate between television signal distribution or broadcasting technology/network. E.g. powerline, fibre optic, 3G mobile networks, etc.