

Approval of the Reference Offer for Wholesale Broadband Access

EETT has approved through its Decision No. 437/001/01-06-2007 (Government Gazette 1013/B/21-6-2007), the Broadband Reference Offer (RBO).

The obligation for publication of the Reference Offer for the provision of Wholesale Broadband Access, was one of the regulatory obligations of OTE following the analysis of the said market by EETT (Decision No. 389/51/2006). The particular Decision was the outcome of a process for the definition and analysis of the Wholesale Broadband Access Market as well as the choice of the appropriate regulatory measures according to the European framework on Electronic Communications. Additionally, the above process included several consultations with all bodies of the market while a series of complaints from separate end users, was also taken into consideration.

EETT Decision resulted in important amendments to the Reference Offer that had been submitted by OTE, so that the said document would cover the current needs of the telecommunications market, for the benefit of competition and the end-user.

Through the Offer, specific procedures and time schedules are specified based on which OTE provides Wholesale Broadband Access services to third providers, ensuring their capability to offer services to end users, similar to the ones that OTE provides through its retail operation. It is important to mention at this point that apart from the procedures, mechanisms and quality indicators are also applied for ensuring non-discriminatory treatment of the providers and transparency in procedures, as well as in the terms - conditions for the provision of the services. Through this framework, EETT believes that there will be possibility for greater mobility on investments level from the market players, with immediate results as to the increase of competition, the benefits for the end consumer and finally a further penetration of Broadband services in our country.

One of the main characteristics of the Offer, which is expected to cause immediate results at retail level, is the dramatic

reduction of the obligatory contract period from one year to one month. Although the said Reference Offer is not regulating contractual relations at retail level between providers and the subscribers, EETT considers that the said amendments will trigger a relevant reduction of the obligatory contract term at retail level, thus releasing the subscribers and increasing mobility. The abovementioned regulation, in combination with the one-stop-shop procedure for Broadband Access service migration from one provider to the other, based on a relevant application by the subscriber, is expected to boost competition. An important aspect of the relevant procedure is of course the minimum interruption of services provision to the end user, to the extent that this is possible as to technical point of view.

Furthermore, based on the new procedures, the time within OTE is obliged to offer and support the relevant services (failure reporting) is greatly reduced, while at the same time the payment of penalties to telecommunication providers is also provided in case of non-compliance.

In the text of the Offer, particular importance has been given to the definition of the financial terms that refer to the provision of the Wholesale Broadband Access service, through explicit billing - repayment procedures and resolution of differences on financial issues. Finally, the terms relevant to the provision of letters of guarantee are also set out. All above amendments aim at creating a clear-cut field for the terms governing business activity of the providers and OTE towards the development and expansion of the market.

The new Reference Offer is expected to contribute to the establishment of effective competition in the electronic communication market, setting out the procedures based on which the alternative providers shall receive products of Wholesale Broadband Access by OTE.

Approval of OTE's Reference Interconnection Offer

EETT has approved OTE's 2007 Reference Interconnection Offer (RIO) through Decision No. 437/002/01-06-2007 (Government Gazette 1014/B/21-6-2007).

The particular Decision by EETT refers to wholesale markets for interconnection of public fixed networks (Call origination, Terminating and Transit) and is mainly regulating the relations between the Electronic Communication Providers and OTE in matters of interconnection. In this framework, EETT has made important amendments to the relevant text proposed by OTE, so that the new RIO, that replaces the version of 2003, may cover the current needs of the telecommunication market, for the benefit of competition and the consumer.

The obligation for publication of the RIO is stipulated by EETT Decision No. 406/34/11-10-2006 (Government Gazette 1669/B/18-7-2006) and is one of the most important regulatory obligations of OTE, as the Operator with Significant Power in wholesale interconnection markets. The RIO must include the description of the products/ services offered per item according to the needs of the market, as well as a description of the relevant terms and conditions, including prices, aiming at ensuring non-discriminating treatment of other operators by OTE.

Interconnection between public fixed networks safeguards, among others, the consumers as to the possibility of communicating with the end users of other networks, their access to Carrier Selection/ Pre-Selection services, as well as access to non-geographic numbers

of other networks (such as, e.g. shared cost number of 801 series, Freephone numbers of 800 series, Premium Rate Numbers of 90 series, short codes, etc.).

The new Reference Offer specifies the terms and conditions, based on which OTE provides the necessary services and relevant facilities to electronic communications network and services providers so that the latter may be able to provide competitive services to consumers in relation to OTE.

On that condition, the particular interconnection offer sets out the following:

- The alternatives for implementing physical interconnection circuits between networks.
- The rules according to which the cost of the interconnection circuits is distributed.
- The rules that govern the separate call origination, termination and transit wholesale services.
- The trading procedures for management of the providers' requests, relevant to the provision of information, the application for initial interconnection, the implementation of particular interconnection circuits, as well as the provision of co-location facilities.

At the same time the financial terms that refer to the interconnection are clearly specified, including the process of involving - repayment, the process of solving any financial differences, as well as the terms that are relevant to the provision of letters of penalties.

Finally, the new reference offer includes the terms, the conditions and the obligations of the Basic Service Level Agreement (SLA) on matters relevant to the provision of services as well as fault reporting and recovery, and the relevant penalties.

The new Reference Offer is expected to contribute to the establishment of effective competition conditions in the electronic communication market ensuring that the alternative operators have access to clear and explicit procedures on interconnection services provided by OTE.

Public Consultation for Issues Relevant to the Application of the Voice Over Internet Protocol (VoIP) Technology

In May 2006, EETT has launched a Public Consultation on issues relevant to the application of the VoIP technology, in the framework of which many matters were evaluated, such as architecture and classification of VoIP telephony services, particular characteristics of services with special emphasis on the nomadic nature of the services, as well as matters such as numbering and emergency number calls.

Considering the developments in the Greek and International Market and aiming at providing prompt handling of issues relevant to national resources management and the protection of the consumers' interests, EETT has identified the need for a special regulation regarding VoIP services or/and Voice over Internet, in the framework of the modification of the General Licensing Regulation.

To this end, from May 2nd to June 4th 2007, EETT has held a Public Consultation as to the terms of the General Authorisations that refers, among others, to the provision of VoIP or/and Voice over Internet Services.

The following electronic communications network or services providers and consumer bodies participated and submitted their views during the particular Public Consultation:

1.	EKPIZO
2.	KEPKA
3.	OTE
4.	ALTEC
5.	Cosmoline
6.	Cosmote
7.	Forthnet
8.	Hellas On Line
9.	Netone
10.	On Telecoms
11.	Teledome
12.	Tellas
13.	Vodafone
14.	Wind

Considering the comments and proposals of the participants at the Public Consultation, EETT proceeded in July 3rd 2007, with the amendment of the EETT Decision No. 390/3/13-6-2006 "Regulation on General Authorizations" (Government Gazette 748/B/21-6-2006).

The amendment of the Regulation on General Authorizations sets out the additional obligations for the provision of VoIP or/and Voice over Internet services.

The most important obligations are:

- Obligation to include an explicit mention in the contract document stating that the said service is depending on the Network and the Internet connection and therefore the service may cease to operate in case of power cut.
- Reference to the fact that the user is not allowed to make any permanent nomadic use of the geographic numbers that have been assigned for VoIP services outside the geographic area for which the number is assigned.
- As to the possibility of making emergency calls to number "112", obligation of indicating on the first page with clear letters the provider's statement as to the following:
 - > Whether the provider has the possibility of carrying out calls to the emergency number "112".
 - > Whether the provider has the possibility to send information on the caller's location to the Competent Authority.
 - > The possibility of risk of call delivery delay or delivery failure to the Emergency Service.

Additional obligations refer to detailed charging information, pricing, directory information services.