



Consultation for the Amendment of the Carrier Preselection Regulation

EETT carried out a Public Consultation in the period from March 5th to April 4th 2008, on the amendment of the Carrier Preselection (CPS) Regulation in the Greek Market (EETT Decision 366/48/8-12-2005).

The consultation was aimed at recording and utilizing the views and comments of the involved parties for the issuance of the EETT's Decision on the amendment of the CPS Regulation.

The main proposed amendments of the Regulation are:

- Introduction of the CPS Option for all types of calls (with any exceptions where considered necessary).
- Preservation of the existing CPS Option which comprises international calls, local calls, long-distance calls and calls to mobile numbers.
- Integration of the existing CPS Options 1 and 2 into a new Option.
- Determination of the transition method from the previous to the new CPS Options.
- Updating of the CPS Regulation according to the provisions of Law 3431/2006.
- Clarification of consumer protection issues.

It is reminded that according to the EETT Decision 394/18/6-7-2006, the beginning of the implementation of the CPS Option comprising all types of calls is suspended until the review of the Access, Interconnection and CPS obligations and the approval by EETT of the new OTE's Reference Interconnection

Offer (RIO), following the Market Analysis according to the legislation in force.

Given that all preconditions of the above Decision are now met, since market analysis has been completed and EETT has approved OTE's RIO and in view of the upcoming approval by EETT of the Wholesale Line Rental (WRL) Reference Offer, the implementation/start of effect of the Option of the Preselection Scheme "All Calls" is still pending. It is proposed that all international calls, local calls, long-distance calls and calls to non-geographic numbers (including calls to mobile numbers) will be included in this Option (with the exception of calls to numbers of the 807 series), so that combined with the provision of Wholesale Line Rental, it will be possible for the preselected operators (that will also rent from OTE the lines of their subscribers) to issue single bills to their customers. Furthermore, EETT considers that calls to emergency short codes (i.e. 112) must also be included in the exceptions from the Option "All Calls", taking into consideration OTE's proposals for the Reference Offer for Wholesale Line Rental.

Furthermore, according to market information received by EETT, EETT has proposed in the Consultation to preserve the existing CPS Option that comprises all international

calls, local calls, long-distance calls and calls to mobile, given that it is by far the most widespread Preselection Option. The preservation of this Option reduces the disturbance of users/consumers as a result of the upcoming changes in the CPS Options to the minimum level possible. In addition, taking into consideration the fact that the vast majority of consumers that currently preselect Option 1 with a certain operator also preselect Option 2 with the same operator, EETT proposes to integrate these two Options into a single one. As a result, once again, three (3) CPS Options will be offered in the market.

Moreover, EETT receives complaints by subscribers who claim that, despite the fact that they had cancelled CPS according to the procedure foreseen by the CPS Regulation, they still receive bills by the (previous) preselected operator. This happens because certain operators offer telephony services through CPS with monthly fixed fees. In case of cancellation of preselection by the subscriber, some operators do not consider the contract as terminated, as the Contract foresees that, after the cancellation of the CPS, the subscribers will be able to handle their calls by these operators through Carrier Selection. For this reason, until the subscribers are informed that they must terminate



the contract with the preselected carrier in writing, they are asked to pay monthly fixed fees even after the cancellation of CPS, despite the fact that they no longer use the operator's services. In order to resolve these issues, EETT proposes the introduction of a provision to the CPS Regulation, according to which, the submission of a request for cancellation of CPS to OTE and the communication of this cancellation to the preselected operator will automatically result in the termination of the respective contractual relationship between the subscriber and the preselected operator, with regards to the provision of fixed telephony

services through Preselection or/and Carrier Selection, on the condition that these services are offered on the basis of monthly fixed fees. If a subscriber wishes to continue receiving telephony services by the cancelled operator through Carrier Selection on the basis of monthly fixed fees, after the cancellation of CPS, he must submit a relevant request to the operator.

In addition, especially for the clarification of issues pertaining to the protection of the consumer, EETT clarifies in the text of the Public Consultation that during conversation over the telephone, regarding the submission of a CPS request, all

data foreseen for the completion of the application, as approved by EETT and all data necessary for the valid remote conclusion of the Contract, according to Law 2251/1994 (FEK 191/A/1994), as in effect, must be recorded.

Finally, given that the existing CPS Regulation was issued before the promulgation and commencement of effect of Law 3431/2006 "On Electronic Communications and other Provisions", EETT proposes the amendment of the CPS Regulation, so that the respective provisions are in accordance with the framework specified by Law 3431/2006 that is currently in effect.

