



EETT

HELLENIC TELECOMMUNICATIONS & POST COMMISSION

# ANNUAL REPORT 2012



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**EETT Management**

This annual report presents the work, initiatives and actions of the Hellenic Telecommunications and Post Commission (EETT) for the period from January 1<sup>st</sup> to December 31<sup>st</sup>, 2012. In this period, EETT's composition was as follows:

**Leonidas Kanellos**

President

**Constantine Delicostopoulos**

Vice-President for the Electronic Communications Sector  
(assumed office on 12-01-2012)

**Michael Sakkas**

Vice-President for the Postal Services Sector

**Panagiotis Kottis**

Member

**Ioannis Papaioannou**

Member

**Nikolaos Papaoulakis**

Member

**George Papapavlou**

Member

**Ioannis Tzionas**

Member

**Konstantinos Tsigaridas**

Member

(assumed office on 20-01-2012)

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## I. Message from the President

In a crucial year for our country, the Hellenic Telecommunications and Postal Commission (EETT) undertook targeted initiatives and actions in the telecommunications and postal services markets that it regulates and supervises. In 2012, our Independent Authority continued to support investments, competition, development and innovation in the market, to protect the rights of consumers, to invest in the competitive management of rare national resources and to contribute to European regulatory policy making.

Indeed, 2012 proved to be a landmark year for EETT. At national level, the Authority's role and competences were greatly strengthened with the adoption of Laws 4053/2012 and 4070/2012. At international level, the successful Vice-Chairmanship of the Body of European Regulators for Electronic Communications (BEREC) and assumption of the Chairmanship of the Body in 2013 have brought EETT to the very heart of regulatory developments at a pan-european level.

In the sector of electronic communications, EETT's regulation of the fast VDSL technology internet in the Greek market allowed consumers and enterprises to enjoy, under competitive terms, fixed broadband access to the internet at high speeds up to 50 Mbps. In mobile broadband, the allocation of the 900 and 1800 MHz band spectrum frequencies for mobile telephony, through a successful tender auction at the end of 2011, resulted in 4G/LTE services being commercially available in the Greek market much earlier than in other European countries. The reduction in wholesale call termination fees is another important development, that is expected to also decrease the retail price of calls from land lines to mobile phones. The savings for fixed line subscribers are estimated at approximately 47 million euro for 2013, whilst up to 2015, the savings could be even greater, as the end price will be 1.099 cents /minute.

In the postal services sector, EETT, in collaboration with competent bodies and companies, participated in the drafting of the new Postal Law, formulated the secondary legislation and publicized proposals for a liberalized and competitive Greek postal market as of January 1<sup>st</sup>, 2013.

Focusing on consumers and ensuring their access to qualitative and competitive services, EETT responded, during 2012, to approximately 10,000 demands, allegations and complaints, issued recommendations to consumers in order to avoid unfair charges and also imposed penalties on businesses that violated the law. In order to further improve consumer protection, the Authority issued a new General Authorisation Regulation increasing the obligations of electronic communication providers on user information and protection matters, in line with recent European Directives.

At the same time, it continued to develop easy-to-use tools, available on its website that enable consumers to check the quality, charges and availability of services offered. HYPERION, the System for Performance Evaluation of Broadband Connection Services (SPEBS), comprises an innovative application on a European-wide basis. This application permits the assessment, geographical recording and comparison of quality features of ADSL or VDSL connections by the users themselves. By developing NSRF resources, EETT was quick to make progress in developing the Retail Price Observatory for Telecommunications & Postal Services. This is an innovative electronic service that will enable consumers to evaluate and mainly compare products and the prices at which they are marketed, so as to choose the most appropriate based on their needs.

In 2012, EETT upgraded its Geographic Information System (GIS) for the postal network and issued information on the obligations of the Hellenic Post (ELTA) with respect to the registered mail service. At the same time, in order to facilitate the businesses that are members of courier company networks, EETT developed a new electronic application that issues indefinite term licenses instead of six-month licenses for private trucks, so as to facilitate the delivery of goods and commercial transactions in general.

In more detail, in electronic communications, EETT approved the Reference Offers of OTE for Local Loop Unbundled Access, Wholesale Broadband Access and Wholesale Leased Lines. At the same time, EETT issued the Regulation for General Authorisations, the management and assignment of the Numbering Resources of the National Numbering Plan and the Spectrum management and Power Injection in the Access Network to avoid interference. Additionally, in the context of its supervisory duties, our Authority performed a series of checks on electronic communications companies with respect to Number Portability, prepaid calling cards, Premium Rate Services (PRS) and the registration of [.gr] Domain Names.

With respect to the radiofrequency spectrum, EETT continued, consistently, to perform its competences with respect to licensing, supervision and control, whilst after the enactment of Laws 4053/2012 and 4070/2012, it has undertaken to adapt the related secondary legislation. To this end, EETT put to public consultation and subsequently issued a new Regulation on Licenses for Constructing Antenna Masts, that specified the procedures and regulated the details of the new legislative framework. EETT developed and put into operation the Electronic Submission of Antenna Construction Applications System (SILYA) which functions as a one-stop shop incorporating e-governance into Greek public administration, by applying a modern, transparent and stable framework for licensing the construction of antennas. Moreover, it reviewed the Regulation on the Use and Granting of the Radiofrequency Rights of Use under the General Authorisation for Electronic Communication Networks and Services, harmonising it with the relevant provisions of the new Law.

In order to support Greece's smooth transition to digital television, EETT supervised the end of analog television broadcasting at Hymettus and Hortiatis broadcasting centres, whilst at the same time it also located and stopped illegal digital and analog transmissions. In total, with the assistance of its regional offices in Thessaloniki, Patras and Heraklion, EETT confirmed the operational readiness of its staff by terminating the operation and confiscating the equipment of 64 broadcasting stations, which were operating illegally in 15 prefectures nationwide, protecting the uninterrupted operation of sensitive networks. Moreover, EETT increased by 20% checks on radio-equipment and telecommunications terminal equipment (wireless devices, communication devices, mobile phones, wireless network devices, children's games etc.) in order to enhance consumer protection and safety.

In light of the liberalization of the postal services market, EETT, on the basis of its institutional role and enhanced competences stemming from the new legislative framework, guarantees the smooth transition and competitive development of the sector. In the postal sector, EETT actively participated in drafting the new postal Law which transposes European Directive 2008/6/EC into national law. The new law provides, inter alia, for the end of the existing monopoly of ELTA as of January 1<sup>st</sup>, 2013, and the complete opening of the postal market to competition, whilst ensuring the delivery of Universal Service, i.e., basic service to citizens nationwide. At the same time, EETT formulated the secondary legislation with respect to the regulatory framework of the General and Special Authorisations, the Ethics Code, as well as matters of user protection, whilst it publicized a bundle of proposals for the competitive development of the Greek postal market.

At international level, EETT's role was further strengthened both through the successful Vice-Chairmanship of the Body of European Regulators for Electronic Communications (BEREC), as well as the systematic preparation to take on the Chairmanship of the Body in 2013. In the framework of the Vice-Chairmanship, EETT definitively contributed in shaping a common strategy for the single European electronic communications market, with recommendations and crucial interventions to the European institutions, promoted issues, such as Internet neutrality and the role of the radiofrequency spectrum in market

development, whilst it also assumed organisational matters at the BEREC, the European body with registered offices in Riga, Latvia. In parallel, EETT took part in the work of the Independent Regulators Group (IRG), the Euro-Mediterranean Regulators Group (EMERG), as well as a host of other Committees and Groups of the European Union (EU) on electronic communications issues.

In the light of assuming the Chairmanship of BEREC, on January 1<sup>st</sup>, 2013, which is a great distinction for the Authority and for our country, EETT prepared in 2012 the 2013 annual programme for the Body's work, which was unanimously approved and focuses on three axes: (a) the development of New Generation Access Networks under fair competition conditions (b) strengthening consumer protection rights and (c) the promotion of the single service market in Europe.

With respect to international activities, it is also worth mentioning that in 2012, with the support of EETT, Greece was, for the first time, elected to sit on the Board of Directors of the Universal Postal Union (UPU). EETT also actively participated in the work of the European Regulators Group for Postal Services (ERGP), the Postal Directive Committee (PDC), the Plenary of the European Committee for Postal Regulation (CERP), as well as the proceedings of the 25<sup>th</sup> Universal Postal Congress.

In order to improve its efficiency and effectiveness and further cut back on its operating cost, in 2012, EETT took significant initiatives such as the renegotiation and further reduction of the lease on the building, that houses its headquarters, with the purpose of cutting back its total operating expenses. At the same time, in order to provide comprehensive, objective and timely information to all interested parties, EETT renewed and enriched its website, [www.eett.gr](http://www.eett.gr), incorporating best electronic governance practices for interactive communication with the public. The dynamic, independent and extroverted activity of EETT, for yet another year, shows the commitment of its Management to its purposes and objectives, as well as the high quality and effectiveness of its executives in fulfilling this mission. For this purpose, the Management carried out staff training programmes in new technologies, new management practices and modern management techniques.

In an era of rapid changes and continuous challenges for Greek society, its economy and market, EETT is firmly at the side of citizens and businesses and is driven by vision, strategy, consistency, know-how and a sense of great responsibility to protect their rights. Despite the difficulties in its path, the Authority is committed to protecting public interest and ensuring the principles of "fair play". EETT is committed to maintaining regulatory stability and promoting investments in modern infrastructure and innovative services with the purpose of a speedy transition of businesses to the Digital Economy and the equal participation of citizens in the Knowledge Society and participatory democracy.

Dr. Leonidas I. Kanellos

March 2013

## II. EETT's Profile

The Hellenic Telecommunications and Post Commission (EETT) is an Independent Administrative Authority. It acts as the National Regulator monitoring, regulating and supervising: (a) the electronic communications market, which comprises activities of fixed and mobile telephony, wireless communications and Internet access providers, and (b) the postal market, which comprises the activities of postal services and courier service providers. Moreover, EETT is entrusted with the competences of the Competition Committee that relate to those markets.

The Authority was established in 1992 by Law 2075/1992 originally named Hellenic Telecommunications Committee (EET) and its competences initially focused on the supervision of the liberalized telecommunications market. It became operational in the summer of 1995. With the enactment of Law 2668/1998 that defined the organization and operation of the postal services, EET was also entrusted with the responsibility of supervising and regulating the postal services market and was renamed Hellenic Telecommunications and Post Commission (EETT).

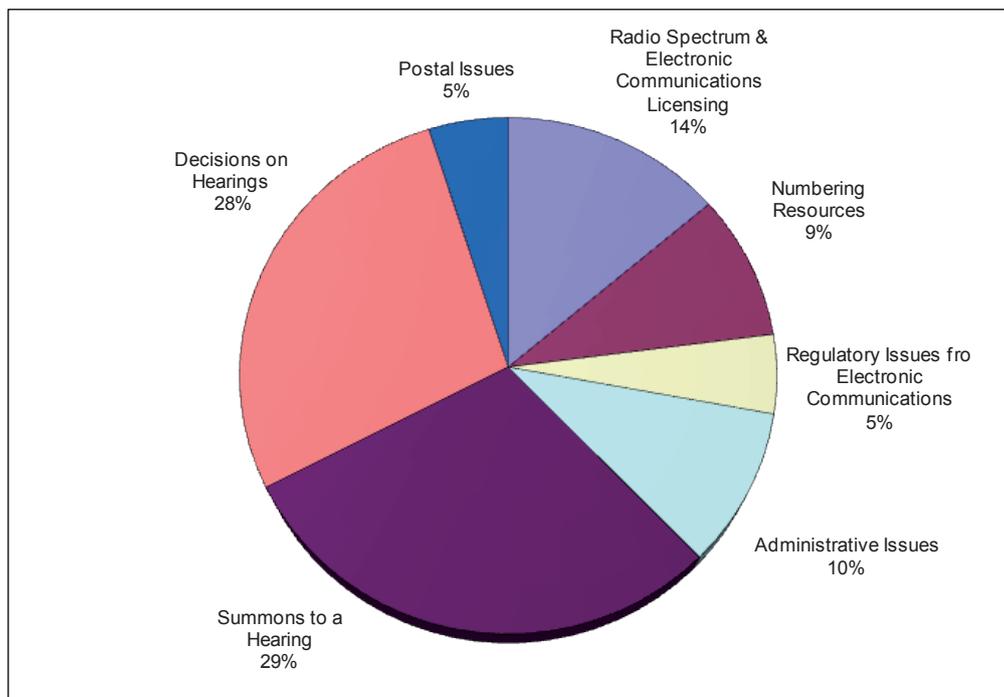
Law 2867/2000 enhanced EETT's supervisory, monitoring and regulatory roles. Law 3431/2006 on electronic communications that incorporates the newer European regulations, defined the framework for the provision of electronic communications networks and services and related facilities in Greece, and further expanded EETT's competences. By virtue of the currently applicable Laws 4070/2012 on electronic communications and 4053/2012 on the postal market and electronic communications issues, the role of EETT is further enhanced, as the new framework provides for more competences, whilst transparency and effectiveness are further solidified.

### III. Administration

EETT's administrative body is the Plenary which consists of nine members: the President, two Vice-Presidents competent for the sectors of Electronic Communications and Postal Services respectively, and six members. All Plenary members enjoy full personal and operational independence in exercising their duties.

According to the new Law 4070/2012, the President, the Vice-President and the members of EETT are elected by decision of the Meeting of Presidents of the Greek Parliament, upon the recommendation of the Parliamentary Commission for Institutions and Transparency. The Minister of Competitiveness, Infrastructure, Transport and Networks (MCITN) is notified of the decision of the Meeting of Presidents of the Greek Parliament, who must issue an act for their appointment within 15 days. The individuals selected as members of EETT are persons of established authority and wide public acceptance who stand out for their scientific expertise and professional competence in the technical, economic or legal sector. All EETT Plenary members serve a four-year term, while no member can be appointed for more than two consecutive terms. EETT's Plenary meets regularly, mainly on a weekly basis. In 2012, it held 42 meetings and reached a total of 2,025 decisions, referring primarily to hearing procedures, electronic communication and radiofrequency spectrum licensing, regulatory electronic communications issues, managing number allocation resources, postal market and administrative issues. The thematic breakdown of EETT's Plenary decisions is illustrated in detail in the following chart.

**Chart I: Plenary Decisions by Subject (2012)**



Source: EETT

The agenda of the Plenary meetings as well as EETT's decisions are posted on its website as well as the website of "Clarity" (DIAVGEIA). The Decisions related to regulatory acts are published in the Official Government Gazette (OGG).

#### IV. EETT's Contribution to the Greek Economy

EETT enjoys administrative and financial independence. EETT's revenues constitute a section of the State revenues and originate from collecting administrative fees, usage fees and fines. According to the legislation in force, the above fees cover EETT's total administrative expenses.

Particularly and pursuant to the relevant Laws<sup>1</sup> and the respective Regulations, EETT collects fees for:

- General and Individual Licenses for electronic communications and postal services network providers.
- Assignment and use of numbers.
- Allocation and use of radiofrequency rights.
- Private Mobile Radio networks.
- Domain Names.
- Antenna Mast Construction licenses.

It is also noted that, EETT, in the context of its monitoring responsibilities, imposes fines to operators of electronic communications and postal services who breach their relevant obligations, which are either paid directly to EETT by the operators responsible or collected in accordance with the stipulations of the Code for the Collection of Public Revenue(s)<sup>2</sup>. Particularly, the total amount collected from fees by EETT from 2006 to date, amounts to 91,311,936.54 Euro (Table I).

**Table I: Fines Collected by EETT (in Euro)**

Year	Collected Amount
2006	7,390,050.90
2007	4,893,342.12
2008	21,459,009.06
2009	3,920,182.51
2010	29,232,063.85
2011	5,408,576.28
2012	19,008,711.82
<b>Total</b>	<b>91,311,936.54</b>

**Note:** The considerable variations in the above collected amounts are due to the large time lag between the time of submission, trial and collection of the fine, as well as to large fines imposed in exceptional cases.

Besides the aforementioned fees and fines, EETT's total operational revenues include also the financial income accrued through effective management of its reserves and the collection of interests in arrears, as presented in more detail in Table II.

<sup>1</sup> L. 4070/2012 (GG Issue 82/A/10-04-2012), L. 2668/1998 (OGG Issue 282/A/18-12-1998).

<sup>2</sup> Decision 1104800/5972/0016 of the Minister of Finance (OGG 2198/B/22-12-1999).

**Table II: Financial Income (in Euro)**

Year	Collected Amount	Interest in Arrears
2006	3,564,319.27	143,770.44
2007	5,598,262.02	63,207.43
2008	8,678,871.20	60,404.42
2009	5,622,349.01	65,140.53
2010	8,495,188.08	571,866.16
2011	13,007,178.56	183,061.29
2012	11,815,243.13	580,066.95
<b>Total</b>	<b>56,781,411.27</b>	<b>1,667,517.22</b>

In 2012, EETT's operating cost amounted to 14,400,357.76 Euros, decreased by 4.83% as compared to 2011. It should be noted that EETT's overall operating cost has been reduced by 21.67% in the six-year period 2007-2012 (Table III) despite the continuously increasing competences taken on by the Regulatory Authority.

**Table III: EETT's Total Operating Cost (in Euro)**

Year	Total Cost
2007	18,383,609.16
2008	20,263,763.79
2009	19,430,845.08
2010	17,667,919.77
2011	15,131,772.25
2012	14,400,357.76

The expenses are annually budgeted by EETT's Directorates and independent Departments and approved by the Plenary. All expenses are audited in accordance with the provisions of EETT's Financial Management Regulation<sup>3</sup> and Expenditure Management Directive<sup>4</sup>.

Budget goals and execution are monitored periodically by the respective Directorates and Departments and are audited annually by the Body of Chartered Auditors (the 2012 audit is already under way) and the Court of

<sup>3</sup> Joint Ministerial Decision no. 62189/2001, "Regulation for the Financial Management of the Hellenic Telecommunications and Post Commission". OGG Issue 1391/B/22-10-2001.

<sup>4</sup> EETT's Decision no 237/84/03-12-2001 "Regulation for the Management of EETT's Expenditure and Provision of related Authorisations", OGG Issue 1701/B/18-12-2001.

Audit (the expenses audit has been completed up to 2011 and a report from the auditing team is expected for the two-year period 2010 - 2011), and their audit reports are submitted to the Minister of Development.

Up to 80% of EETT's annual financial surplus accrued when subtracting total expenses from the above revenues is contributed<sup>5</sup> every two years to the National Budget, as state revenue.

In May 2012 for the two-year period 2010-2011, the amount of 76,572,003.04 Euros was contributed to the state budget. The total amount that EETT have given to the state budget to date, through its surplus, is 348,490,718.61 Euros.

**Table IV: EETT's Contribution to the State Budget (in Euro)**

<b>Year</b>	<b>Financial Result</b>	<b>Contribution of Reserves</b>
2000	67,818,154.48	
2001	17,810,935.22	
2002	27,423,902.72	
2003	25,024,608.99	
2004	22,998,415.65	
2005	26,048,858.30	
<b>2000-2005</b>	<b>187,124,875.36</b>	<b>149,699,900.29</b>
2006	33,445,871.42	
2007	30,313,384.20	
<b>2006-2007</b>	<b>63,759,255.62</b>	<b>51,007,404.50</b>
2008	54,194,966.75	
2009	34,819,296.73	
<b>2008-2009</b>	<b>89,014,263.48</b>	<b>71,211,410.78</b>
2010	50,466,154.55	
2011	45,248,849.25	
<b>2010-2011</b>	<b>95,715,003.80</b>	<b>76,572,003.04</b>
<b>Total</b>		<b>348,490,718.61</b>

Moreover, EETT grants, under certain restrictions, radiofrequency spectrum rights, through auctions that are organized and carried out exclusively with its own resources and staff. Each auction proceeds collected by EETT are immediately paid into the National Budget, after subtracting the administrative costs of the auction.

<sup>5</sup> As set out in par.6 of art.75 of L. 4070/2012 "Regulations of Electronic Communications, Transport, Public Works and other provisions", OGG Issue 82/A/10-04-2012.

The total amount from auction proceeds that EETT has contributed to the National Budget to date is 1,017,903,998.45 Euro (Table V), while an additional amount of 63,609,900.00 Euro has been secured and will be collected and paid in three equal annual instalments of 21.203.300,00 for the years 2015, 2016 and 2017 respectively.

**Table V: EETT's Contribution to the State Budget in the form of Auction Proceeds (in Euro)**

<b>Auction Proceeds (Granting Frequencies)</b>		
3 <sup>rd</sup> UMTS / 2 <sup>nd</sup> DCS/GSM	August 2001	644,113,598.81
TETRA	July 2002	2,794,510.20
E-GSM	July 2002	37,918,258.60
Fixed Wireless Access at 3.5 GHz	July 2006	16,152,530.84
GSM 900 & DCS 1800	November 2011	316,925,100.00
<b>Total Proceeds</b>		<b>1,017,903,998.45</b>

## Introduction

### Electronic Communications Sector

A development of major importance in 2012 was the enactment of new Laws 4070 and 4053, which greatly broadened the competences of the Hellenic Telecommunications and Post Commission (EETT) and shaped a more operational and transparent framework for electronic communications. Besides these legislative developments, during the year, the Authority's actions focused on two axes: on the one hand ensuring and bolstering healthy competition and on the other protecting consumers rights.

On the front of ensuring competition, EETT, in the context of the second and third cycle of market analysis, analysed the Leased Line wholesale and retail markets and the voice call termination market in mobile telephony networks respectively. Of great importance is the cost oriented determination of the wholesale mobile call termination rates to all mobile networks and their gradual convergence to a target price (1.099 Euro cents/second in 2015), which is expected to result in a significant drop of retail termination rates. At the same time, EETT approved OTE's Reference Offers for Local Loop Unbundling (LLU), Wholesale Broadband Access (WBA), and Wholesale Leased Lines (WLL) and issued Regulations (new or amended) on General Authorisations, the management and assignment of Numbering Resources of the National Numbering Plan (NMP) and the Access Network Frequency Plan. Additionally, in the context of its supervisory duties, EETT inspected electronic communications companies for matters pertaining to Number Portability, prepaid calling cards, Multimedia Information Services (MIS) and the registration of [.gr] Domain Names.

2012 was a milestone for electronic communications and particularly for fixed broadband since EETT successfully introduced the New Generation Access Networks, by effectively regulating the terms of VDSL provision to the benefit of consumers and businesses.

In mobile broadband, the liberalization of the technologies used in the mobile telephony frequency spectrum for the bands of 900 and 1800 MHz, due to the successful completion of the relative auction in November 2011, resulted in the commercial provision of 4G/LTE services, much earlier than in other European countries.

EETT undertook a series of actions to effectively protect consumer rights. These actions include the design and development of the Retail Price Observatory for Telecommunications & Postal Services, an innovative electronic service by EETT, that permits consumers to assess and mainly to compare products and prices of telecommunications and postal services.

In parallel, EETT upgraded the System for Performance Evaluation of Broadband Connection Services (SPEBS), which is now called "HYPERION" and comprises a valuable tool for the assessment, the geographical mapping and comparison of quality features of broadband connections by the users themselves. Additionally, in the context of monitoring the performance of providers, the revised Electronic Communications Quality Index was applied. Finally, the effective operation of EETT's Consumer Service Sector (CSS) continued, which, during 2012, received and handled approximately 10,000 written requests, allegations and complaints.

### Radiofrequency Spectrum Sector

EETT continued to consistently exercise its competences in the licensing, supervision and monitoring of the radiofrequency spectrum, as well as the monitoring of Radio and Telecommunications Terminal Equipment (RTTE). After Laws 4053 and 4070 were issued in 2012, EETT undertook, amongst other things, to adapt the

secondary legislation that governs the operation of the radiofrequency spectrum. Towards this end, EETT put to Public Consultation and subsequently issued a new Regulation on Licenses for Constructing Antenna Masts, that specified the procedures and regulates the details of the new legislative framework.

EETT also developed and put into operation the Electronic Submission of Antenna Construction Applications System (SILYA) which is a one stop shop and applies a modern, transparent and consistent framework for licensing the construction of antenna masts. This web based platform simplifies red tape procedures and significantly reduces the time of licensing the antenna systems. SILYA constitutes an innovative way for the submission and processing of requests, not only in the sector of licensing the construction of antenna masts, but also in general in Greek public administration.

In parallel, EETT submitted to the Ministry of Development, Competitiveness, Infrastructure, Transport and Networks a Joint Ministerial Decision (JMD) draft proposing certain categories of antenna constructions be excluded from licensing obligations, thus facilitating the development of wireless networks. Moreover, it reviewed the Regulation on the Use and Granting of the Radiofrequency Rights of Use under the General Authorisation for Electronic Communication Networks and/or Services, harmonising it with the relevant provisions of the new Law.

In the spectrum supervision sector, EETT supervised the end of analog television broadcasting at Hymettus and Hortiatis broadcasting centres, and at the same time located and stopped illegal digital and analog broadcasting in order to support Greece's smooth migration to digital television. Moreover, EETT attended to the smooth entry into operation of the new frequencies that were provided to mobile telephony companies in November 2011, and continued to work together with the Civil Aviation Authority (CAA) and the Armed Forces, to ensure the uninterrupted operation of their networks. In total, with the assistance of its regional offices in Thessaloniki, Patras and Heraklion, EETT terminated the operation and confiscated the equipment of 64 broadcasting stations that were operating illegally in 15 prefectures nationwide, proving the operational readiness of its executives.

Finally, EETT increased checks on the RTTE market (wireless devices, communication devices, wireless networks devices, mobile phones, children's games, etc.) in order to enhance consumer protection and safety.

### **Postal Service Sector**

In March 2012, the new postal Law 4053 was put into effect, which transposes European Directive 2008/6/EC into national law and provides for, inter alia, the existing monopoly of the Hellenic Post to be abolished on 01-01-2013 and the full opening of the postal market to competition. At the same time, it ensures the delivery of Universal Postal Service to citizens nationwide, wherever they may be located. The new Law gives EETT the competence, by virtue of its Regulations, to regulate any issue related to licensing businesses that wish to provide Postal Services (standard mail or courier) as well as consumer protection issues. Moreover, it gives EETT the responsibility of monitoring and controlling the postal market, as regards its compliance with the regulatory framework and competition law. EETT went on to prepare the secondary legislative framework and put it to Public Consultation within 2012.

EETT also issued the 2011 annual study on the postal market, that included the sector's figures and financial data. Furthermore, in view of the forthcoming deregulation, EETT conducted in collaboration with a firm of consultants, a qualitative survey, with the aim of showcasing the needs and prospects of the sector, as well as formulating proposals that will contribute to its competitive development.

With a view to protect consumers and to enhance their information and service, in 2012, EETT upgraded again its Geographic Information System (GIS) for the postal network and issued information both on the obligations of the Hellenic Post (ELTA) with respect to the registered mail service and on the courier companies deleted from the Registry. Moreover, in the context of designing and implementing the Retail Price Observatory for Telecommunications & Postal Services, EETT met with the largest postal market suppliers to exchange views mainly on technical matters. At the same time, in order to facilitate the businesses that are members of courier company networks, EETT developed a new electronic application that enables the issue of indefinite term licenses instead of six month licenses for private trucks, as was the case so far.

Finally, in the context of its auditing role, EETT intensified market audits and in 2012 conducted 16 hearings and imposed fines for competition rule violation, illegal operation and other violations. In addition, in 2003, it sent 203 letters for inspecting companies providing postal services, with respect to fees and financial data of the previous years and four letters for inspecting non licensed companies, one of which suspended its operation, another requested a license, whilst it was ascertained that the other two did not provide postal services.

### **International Activities**

In 2012, EETT developed a host of activities on a European and international level, decisively upgrading its role and broadening its scope of activities. The Vice-Chairmanship of the Body of European Regulators for Electronic Communications-BEREC provided an important opportunity for actively intervening and jointly shaping European developments. It should be further noted that EETT's President assumes the Chair of the Body of European Regulators for Electronic Communications (BEREC) for 2013, which is a great distinction for the Authority and for Greece.

In the framework of the Vice-Chairmanship, EETT contributed definitively in shaping a common strategy for the single European electronic communications market, through its recommendations and crucial interventions to European institutions, promoted issues, such as Internet neutrality and the role of the radiofrequency spectrum in market development, whilst it also assumed organisational matters at BEREC. In view of the 2013 Presidency, EETT prepared the Body's Work Programme, which focused on three axes: (a) encouraging the development of network infrastructures, by focusing on the Next Generation Access Networks (NGAs) and ensuring sound competition therein, (b) empowering consumers and protecting their rights and finally, (c) promoting a single service market in Europe.

In parallel to its participation in BEREC, EETT took part in the work of the Independent Regulators Group (IRG), the Euro-Mediterranean Regulators Group (EMERG), as well as a host of other Committees and Groups of the European Union (EU) on electronic communications issues, as well as participating in international events and conferences.

In the postal services sector, EETT also participated in the project teams of the European Regulators Group for Postal Services (ERGP), Postal Directive Committee (PDC), the Plenary of the European Committee for Postal Regulation (Comité Européen de Réglementation Postale-CERP), as well as the proceedings of the 25<sup>th</sup> Universal Postal Congress – which is organized every four years and is the supreme decision making body of the Universal Postal Union(UPU). It should be noted that Greece was elected for the first time as a member of the Board of Directors of UPU and will be represented by EETT.

**Other Actions fostering Business Improvements and Efficacy**

In 2012, significant initiatives were taken to drastically cut EETT's operating cost, by renegotiating the lease on the building, where its headquarters are housed with the purpose of cutting back on its total operating expenses. Special importance was attached to continued education and training of staff, as well as the protection of health and safety at the workplace.

Aiming at the full, objective and timely information of every interested party, in 2012, EETT renewed and enriched its website, [www.eett.gr](http://www.eett.gr). The new website incorporates improved e-governance practices with a modern, attractive design and improved navigation, whilst also providing easy-to-use tools, that make it even more visitor friendly. The increase in visits recorded in the period following its renewal, proves that it was favourably welcomed by the public.

The following chapters present in detail EETT's actions per sector and provide information on the extent and efficacy of its interventions in the markets within its responsibility.

## 1. Consumers are EETT's Top Priority

### Introduction

Protecting consumer rights and informing consumers in a timely manner on issues within its responsibility constitute a top priority for EETT. In 2012, EETT's interventions yielded significant benefits to consumers, such as lower wholesale call termination rates with positive impact also on the retail market and their protection from arbitrary charges in mobile telephony, minimizing interference that could reduce connection quality and simplifying procedures for more immediate service. With respect to informing the public, in 2012, EETT undertook significant initiatives such as upgrading the System for Performance Evaluation of Broadband Connection Services (SPEBS) and the Geographic Information System (GIS) for the Postal Network, as well as designing and implementing the Retail Price Observatory for Telecommunications & Postal Services.

Furthermore, the Consumer Service Sector (CSS), which handles all the queries and complaints received by EETT, in a highly consistent, effective and reliable manner played a critical role in the communication between EETT and the consumers, providing reliable and prompt information.

### 1.1. Consumer Service Sector: First Line Support

EETT's Consumer Service Sector with a valuable seven year experience under its belt is considered as a significant reference point for consumers in the electronic communications and postal services markets. Furthermore, CSS enables a series of EETT's supervisory and regulatory interventions to the benefit of the market and consumers.

To assess CSS's quality of service, EETT has set the following key performance indicators:

- KPI1 Indicator: Refers to the rate of consumer satisfaction with the telephone service provided by CSS. In 2012, KPI1 exceeded 98.75%, compared to 99.6% the previous year.
- KPI2 Indicator: Refers to the time required for processing written complaints filed with CSS. In 2012, KPI2 stood at 4.51 working days compared to 4.92 working days the previous year.
- KPI3 Indicator: Refers to the rate of complaints which were handled by CSS and were answered in favor of consumers. In 2012, KPI3 was 45.57% compared to 43.30% the previous year.

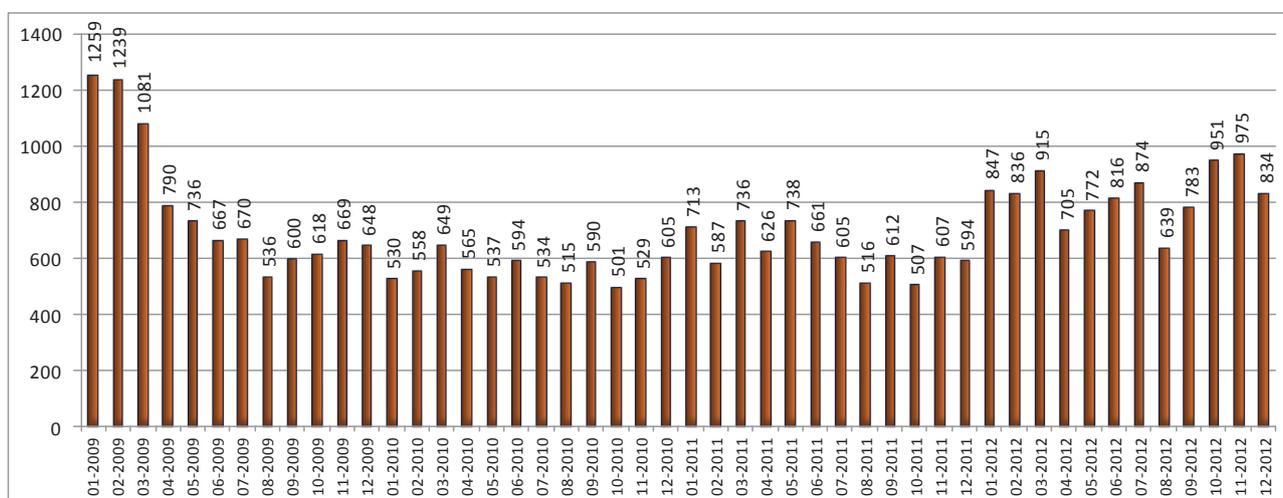
During 2012, the CSS recorded and processed 9,947 written complaints (compared to 9,694 the previous year) of which 76.67% were related to mobile and fixed telephony services or the internet, 15.27% concerned radiofrequency spectrum issues, 1.72% concerned the postal services and the remaining 6.34% pertained to general information requests (Table 1.1).

**Table 1.1:** Classification of Written Requests/Complaints (2004-2011)

	2004	2005	2006	2007	2008	2009	2010	2011	2012
<b>Radio frequency Spectrum (Antennas)</b>	54	36	17	6	6	13	17.5	20	<b>15.27</b>
<b>Electronic communications services</b>	36	57	76	90	89	78	75.1	75	<b>76.67</b>
Internet	7	11	21	10	10	3	4.5	2.1	1.4
Mobile Telephony	10	5	6	3	4	12	17	17.2	19.7
Fixed Telephony	18	40	48	77	75	63	48	50.5	48.2
Premium Rate Services	0	0	0	0	0	0	5.6	5.2	7.2
<b>Postal Services</b>	2	1	1	1	1	2	2.1	2.4	1.72
<b>General Information</b>	8	6	6	3	4	7	5.2	2.6	<b>6.34</b>

Source: EETT

An overall picture for the electronic communications market is presented in Chart 1.1. According to the Chart, recorded requests/complaints have followed an upward trend in 2012 with a monthly average up to 829 cases as compared to 625 per month in 2011.

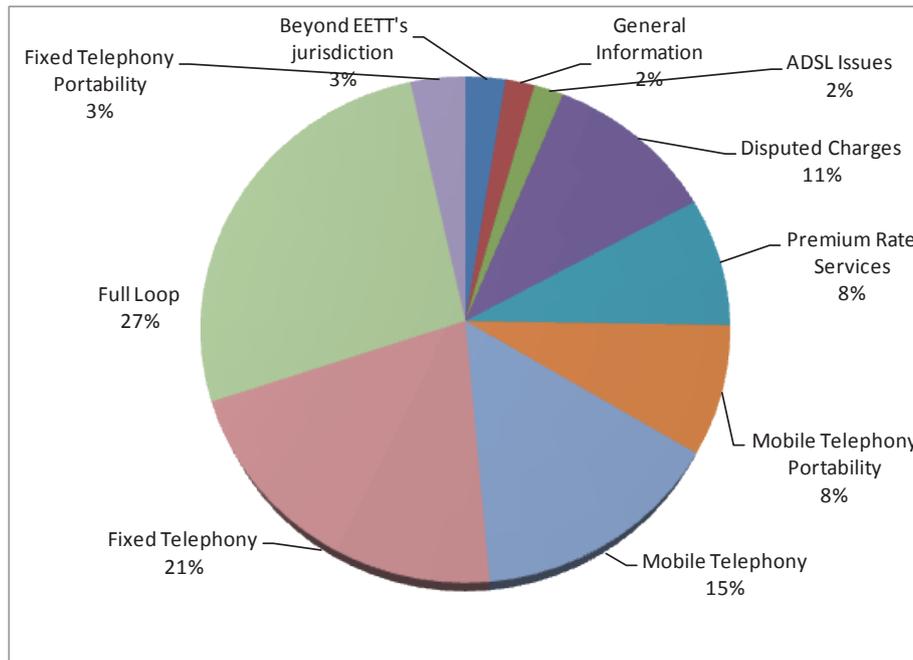
**Chart 1.1:** Monthly Evolution of the Total Number of Written Complaints concerning electronic communications Services (2009-2012)

Source: EETT

In 2012, 65% of complaints concerning electronic communications services were related to Local Loop issues (e.g., faults, connection cancellations, disputed charges, deficient customer service, arbitrary connection activations, charges for Premium Rate Services (PRS), rejection of portability requests, etc.) while roughly 21% concerned fixed telephony issues (e.g., faults, disputed bills, activation delays, cancellations). A large number of the overall complaints pertained to the rejection of portability requests by the operators

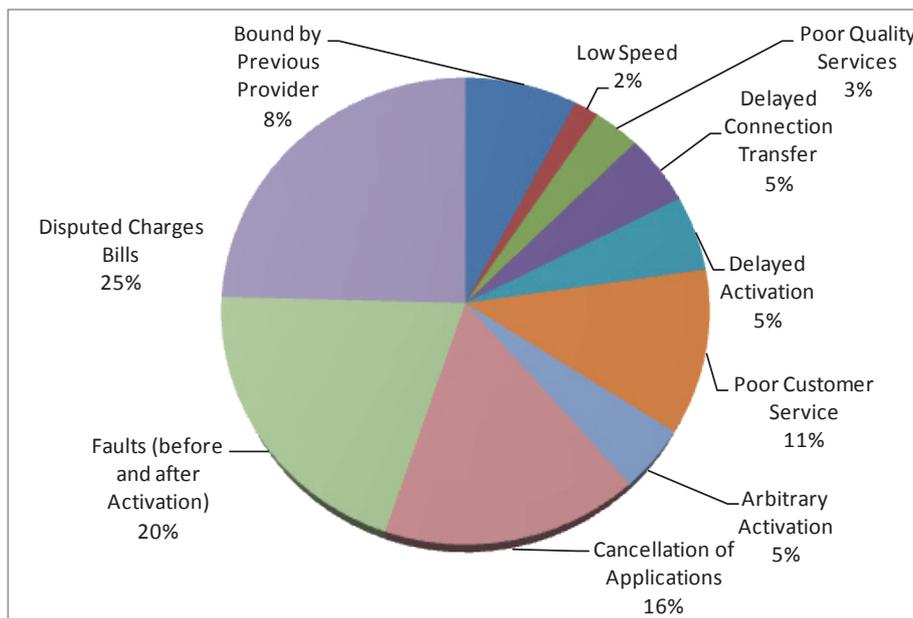
(11.72%), disputed charges (10.82%) and faults (10.93%). Chart 1.2. shows complaints on electronic communications issues broken down by category and Chart 1.3. complaints about Local Loop issues.

**Chart 1.2:** Breakdown of Written Complaints concerning Electronic Communications Issues per Category (2012)



Source: EETT

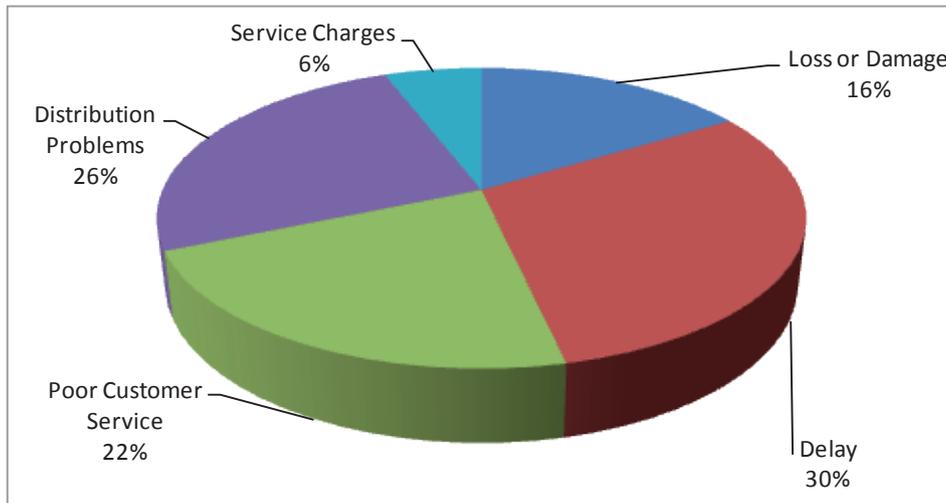
**Chart 1.3:** Classification of Complaints concerning Local Loops (2012)



Source: EETT

With respect to the radiofrequency spectrum, 1,519 written complaints were received concerning radio and telecommunications issues and the construction of mobile telephony antennas. As regards postal services, EETT received 172 written requests/complaints, 64% of which were related to problems in the provision of Universal Service (such as delay in the delivery of postal items, distribution problems, improper customer service, loss or damage of items). The complaints regarding courier services as a rule pertained to delayed delivery of the item and other issues such as loss or damage and improper customer service. A detailed breakdown of all written complaints about postal services is presented in Chart 1.4.

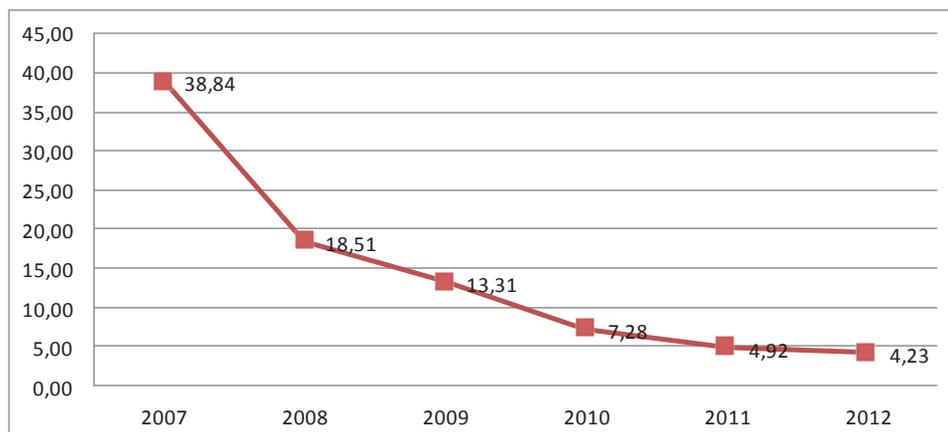
**Chart 1.4:** Classification of Written Complaints/Requests concerning Postal Services (2012)



Source: EETT

Proof of CSS's immediate response is its response time to written complaints. As illustrated by the respective indicators (Chart 1.5.), EETT responds to consumers or forwards their requests to providers in approximately four working days from the day they were dispatched to EETT.

**Chart 1.5:** EETT's Response Days to Written Complaints (2007 – 2012)



Source: EETT

## **1.2. EETT's Interventions for the Benefit of Consumers**

EETT's top priority is to protect consumer rights and ensure qualitative and innovative services for the benefit of consumers. In 2012, EETT undertook a large number of actions and initiatives along these lines. EETT's regulatory actions bolstered fair competition and specific actions were organized with the purpose of informing the public on issues of the electronic communications and postal services sectors. These actions are described below.

### **Reduction of Mobile Network Call Termination Rates**

EETT, issued a Decision, imposing the gradual reduction of wholesale mobile call termination rates to all mobile networks. Therefore, as of January 1<sup>st</sup>, 2013, the final price is set at 1.269 Euro cents/second from 4.95 Euro cents/second in 31 July 2012.

This decision is expected to result in prices being reduced in the retail call market from fixed lines to mobiles, bringing about significant savings for the end consumer. In total, the subscriber bills are expected to be reduced by approximately 47 million Euro in 2013.

### **Sanctions imposed on Mobile Telephony Companies for Arbitrary Charges to Consumers**

After investigating complaints for arbitrary and excessive charges that arose against subscribers mainly as regards internet access services, through mobile devices, EETT imposed fines up to a total amount of 6,650,000 Euro on the three mobile telephony companies, i.e., 3.5 million Euro to COSMOTE, 2.5 million Euro to VODAFONE and 650 thousand Euro to WIND respectively.

For violating the automatic activation daily charge package to subscribers, who had not chosen a similar package the fine amounted to 2 million Euro for COSMOTE ("Internet Day Pass") and 1.5 million Euro for VODAFONE ("Internet all day"). Additionally, a fine in the amount of 150 thousand Euro was imposed on WIND for arbitrary activation of fixed telephony services for subscribers who had not filed a relevant application.

### **Spectrum Management Regulation for Wired Access Networks**

An important development in favour of the consumers and operators in the market of fixed broadband access was the Access Network Frequency Plan issued by EETT in March 2012. The scope of this Regulation is to minimize interferences arising from the co-existence of different technologies on the network which may possibly result in poor connection quality and impair the value of existing as well as new investments, particularly with the penetration of VDSL products in the Greek market.

The said Regulation safeguards quality and provides more options for consumers, both for the current and future broadband services at higher access speeds. The application of the Regulation across the board promotes new investments, without however impairing the value of older investments, because it ensures access to infrastructures on an equal footing and regulatory stability, whilst it also encourages the introduction of innovative services. Additionally, technology is used more effectively, with maximum broadband service geographic coverage, as well as network development in a technology-neutral manner, as set forth in the European regulatory framework.

### **New General Authorisation Regulation**

In December 2012, EETT issued a new Regulation for the terms of authorization and operation of electronic communications operators, in accordance with the revised European and Greek regulatory framework and based on protecting consumer rights and controlling charges for telephony and Internet subscribers.

Specifically, the new Regulation imposes higher obligations to operators with respect to their analytical and prompt information before any increases in charges and changes in the terms of the contract for connections/packages. Moreover, the Regulation provides for, inter alia, the automatic return of the corresponding fixed rate in the event of delayed repair of the fault, the amount of the charges during a temporary suspension of services and early termination of the contract, as well as no charge for calls queuing for directory enquiries. Furthermore and with the aim of subscribers being served faster, the Regulation sets forth that the operator must respond in writing and within 20 days to each written complaint or allegation. In the event of the operator not responding, the subscriber may contact EETT.

### **Interim Measures against Algonet for Consumer Protection**

EETT issued interim measures against Algonet Telecommunications SA, in April 2012, calling upon the company to uphold its legal obligations to the consumers and to the Authority itself, as it ceased operating and ceased providing telecommunications services. Specifically, Algonet was called upon to notify its subscribers, both individual and corporate clients, making it easier for them to get transferred to the operator of their choice. At the same time, Algonet was called upon to immediately notify EETT of any forthcoming termination of operation as well as to confirm that measures for its subscribers would be taken in a timely manner.

It should be noted that EETT took interim measures against Algonet with the purpose of achieving smooth market operation, safeguarding the continuous provision of telecommunications services to consumers and avoiding financial or operational problems to their detriment.

### **Upgrading the System for Performance Evaluation of Broadband Connection Services (“HYPERION”)**

EETT upgraded the “System for Performance Evaluation of Broadband Connection Services” (SPEBS) and invited users to contribute through their measurements in the development of the first digital broadband coverage map of Greece. In the context of its advertising campaign, the System is now called “HYPERION” and its new version offers enhanced and more user friendly applications for the assessment, geographical mapping and comparison of quality features of ADSL and VDSL broadband connections by the users themselves.

Analytically, the upgraded System offers users two new tools: (a) the Network Diagnostic Tool (NDT), which measures actual download and upload speed of the user’s connection, round trip time (RTT) and packet loss, etc., and (b) the glasnost (transparency) tool, which checks whether the user’s telecommunications operator restricts certain services, such as P2P or video streaming. Moreover, through the M\_Lab Notifier the user activates the reminder to conduct periodic measurements, as repeated measurements are essential for ensuring greater precision.

In this context, users can compare their actual speed with the maximum speed that their connection can theoretically support, depending on the distance to the closest local exchange.

Through this application, EETT aims at strengthening healthy competition, as well as transparency between consumers and fixed broadband operators.

### **Retail Price Observatory for Telecommunications and Postal Services**

With the purpose of promoting competition and transparency in the market, to assist consumers and to improve the quality of services, EETT held a public consultation for the Retail Price Observatory for Telecommunications & Postal Services and specifically about the draft international tender notice for selecting the contractor for the specific project.

The Price Observatory is an innovative electronic service by EETT, that enables consumers to assess and compare products and prices of telecommunications and postal services. With a budget of around 0.5 million Euro, the project is included under the NSRF and comprises (a) the Electronic Price Observatory that will be updated by operators with primary pricing data for their electronic services and (b) the Electronic Standardized Pricing Data Repository that will inform consumers, as well as third companies or bodies (in open government mode).

### **New Upgrade of the Geographic Information System (GIS) for the Postal Network**

EETT upgraded its Geographic Intelligence System (GIS) for the Postal Network, adding information and making the application more user friendly and functional for consumers. Through it, consumers can seek the closest postal service point in their area of interest.

EETT's Postal Network GIS enables navigation in a specially designed map or a search for ELTA branches and all courier companies based on the address. In the upgraded edition, detailed information has been added, whilst enhanced geographical mapping of the postal branches has been included. Specifically, for the areas where correspondence is not delivered door-to-door, EETT has specially marked the points where ELTA post boxes have been installed, through which the residents of the surrounding area can be served. The upgraded version and the operation of the Geographic Information System for the Postal Network aim at providing direct and reliable information to consumers, shaping conditions for healthy competition and protecting the rights of consumers for enhanced postal services.

### **EETT relaunches its website**

With the purpose of the reliable and prompt information of the users, EETT relaunched its website "www.eett.gr", to make it friendlier and more accessible. Visitors may navigate the three major sections, specially tagged "for consumers", "for electronic communications operators" and "for postal services operators". The structure of the content, in Greek and in English, was enriched in order to cover the ever increasing information needs of the market, the Press and consumers. Additionally new options for presenting the information were added so as to make navigation easier for the visually impaired.

EETT's new internet site incorporates the optimum e-governance practices, as its most important decisions are publicized and available to the public. Furthermore, contact with citizens and operators has become faster and simpler through the electronic submission of General Authorisations or complaints. Visitors can now find at "www.eett.gr" all the electronic services of EETT.

### **1.3. Informative Actions**

In 2012, EETT took important initiatives to responsibly inform consumers on electronic communications and postal services issues. In particular the following initiatives were realised:

## **(a) Events**

### **7<sup>th</sup> International Conference entitled “Digital Investments for Competitiveness and Recovery”**

On 14 and 15 June 2012, EETT organised the 7<sup>th</sup> International Conference entitled “Digital Investments for Competitiveness and Recovery”. The discussion focused on the development dimension of broadband investments and digital economy. More than 500 executives from the telecommunications and broadcasting media, as well as representatives from the European Union, national regulating authorities and international organizations underscored the dynamics of the sector, as well as the need to implement a National Broadband Strategy, in accordance with the “Digital Agenda 2020” to achieve “broadband coverage everywhere and for everyone”.

Professor S. Simopoulos, at the time Minister for Infrastructure, Transport & Networks, delivered the welcome address and Professor Sokratis Katsikas, Secretary General for Telecommunications and Post, also at the time, was the keynote speaker for the second session.

In the first session on broadband innovation as a factor of economic recovery, Stephen Conroy, Minister for Broadband, Communications and Digital Economy of Australia, addressed a message to the participants in video format, and a round table discussion ensued with the purpose of showcasing effective investment schemes for NGAs.

In the second session, top telecommunications operator managers discussed broadband network development prospects. The third session focused on strategies for the transition from copper to optic fibre with the presentation of national experiences and best cases. Special attention was attached to the fourth session on the Internet economy framework and its business models, both internationally and in Greece. The proceedings of the conference ended with the session on the switch-off to terrestrial digital television and spectrum development.

### **Conference on Postal Services “Last Mile toward the Liberalization of the Postal Market: New Facts, New Initiatives, New Products”**

In April 2012, EETT organized a conference entitled: “Last Mile toward the Liberalization of the Postal Market: new facts, new initiatives, new products”. Growth opportunities in the context of market liberalization, changes arising from the new regulatory framework, anticipated benefits for consumers, as well as market developments and new electronic postal services were presented and discussed. Mr. Makis Vouridis, at the time Minister of Infrastructure Transport and Networks, delivered the opening remarks. Moreover, representatives of the State, Regulatory Authorities, the European Regulators Group for Postal Services (ERGP), as well as the Greek and European postal service market participated as speakers in the conference.

## **(b) Publications**

### **Quarterly Publication of the Bulletin “Communications in High Speed”**

With the aim of communicating regularly with market players and keeping the public abreast of developments, EETT continued to publish “Communications in High Speed”, its successful quarterly bulletin. This bulletin, published in both Greek and English, contains news articles on EETT’s initiatives and actions and also hosts the views of senior State officials and representatives of overseas Regulatory Authorities.

### **EETT'S Electronic Newsletter "NewsIEETter"**

In an effort to stay in touch with the market and to continuously inform on its various actions and initiatives, EETT launched an electronic newsletter, entitled "NewsIEETter". This bulletin is sent electronically to more than 1,800 recipients on a fortnightly basis, including short news and announcements related to the Authority's initiatives, public consultations, decisions and other EETT related developments.

### **(c) Information for Consumers**

#### **Guidelines for the Protection of Telephony and Internet Services Consumers**

EETT addressed guidelines to consumers with the purpose of preventing arbitrary or excessive charges, for choosing telecommunications products that correspond to their needs and enjoying high quality services. The recommendations pertained mainly to bundles that combine (fixed and/or mobile) telephony Internet and IPTV.

Specifically, EETT recommended to consumers to inform themselves in detail about the type, cost and quality of services offered in the package deal of their choice. Moreover, EETT informed them on ensuring quality Internet connection, as well as protection from unwanted or excessive charges, both through the activation of related services and through easy to use tools for consumers available on its website.

#### **Update on ELTA Registered Mail Service**

After a significant number of complaints, EETT informed consumers about the obligations of ELTA with respect to the registered mail service, which is provided in the context of Universal Service (US). Specifically, EETT underscored that according to the existing regulatory framework and the Chart of Obligations to Consumers (COC) of ELTA, (a) the registered mail service provides for compensation in the event of loss, theft or destruction of the postal item and provision of a signed receipt to the sender for the deposit and/or receipt by the recipient or his legal representative, (b) the registered mail service with proof of receipt is subject to a special fee and foresees, with the service of the letter, the return of the signed receipt to the sender, (c) the distribution of registered objects in urban areas is done by the postman only once at the address written on it and the service is made to the recipients themselves or their authorized proxies, with the signature of special ELTA documents, and (d) if the service of the item is not possible, due to the recipient's absence, the postman issues a relevant notice and in the event of the recipient not coming to collect it, the branch issues in three days time another notice which the distributor places in the recipient's post box. The registered item remains in the post office for about 15 days and afterwards, if it is not delivered, it is returned to the sender.

#### **Information on Striking Courier Companies from the EETT Register**

With the purpose of safeguarding consumer rights and fair competition in the postal market, EETT published in March, the list of Courier companies that no longer have the right to provide relevant services to the Greek market. The list which included in total 63 companies resulted from the completion of EETT's annual audit of postal services for 2011.

**Pupils' visit EETT's Headquarters**

In the context of continuously informing consumers on the competences and actions of EETT, two schools conducted field trips to the Athens headquarters. Specifically, in mid March, Arsakeio High School students carried out their field trip, and in mid December the 8<sup>th</sup> Comprehensive High School students. The classes escorted by their professors, were shown around EETT premises and were informed about its mission, aims, operation and activities. The visits contained, inter alia, a show of radio direction finding at the supervision centre and an analysis of mobile telephony operation, a discussion on antennas and radiation, a presentation of the capabilities as well as risks of "smart" mobile phones, Premium Rate Services and mobile broadband, a presentation of broadband networks (ADSL and VDSL) and the "System for Performance Evaluation of Broadband Connection Services" (SPEBS), as well as a presentation of frequency bands, digital television and radio equipment.

## 2. The New Legal Framework for Electronic Communications and Postal Services

### Introduction

In 2012, the legislative developments for the electronic communications and postal services markets were considerably important, given that two new Laws were enacted, namely Laws 4070 and 4053. Inter alia, these Laws upgrade EETT's role and broaden its competences, aiming at the competitive growth of the two markets and the provision of quality services for consumers.

The following subsections, mention the main points of the new legal framework.

### 2.1. Law 4070/2012 on Electronic Communications

In April 2012, the new Law 4070/2012<sup>6</sup>, that transposes European Directives (2009/140/EC and 2009/136/EC) of the European Parliament and Council into Greek Law, was enacted. The Directives pertain to the review of the European Union's regulatory framework for electronic communications networks and services.

The five basic pillars of the new Law are the following:

a) Sustaining the existing model of ex ante regulation based on market analysis which has been proven to be the best way to promote competition, investments and innovation in electronic communications. EETT continues to have at its disposal all the means to promote competition that were laid out in the pre-existing Law 3431/2006<sup>7</sup>, taking into account at the same time the need for an adequate return on capital in cases of risky investments. Additionally, functional separation is introduced as a new remedy of last resort, which could improve competition and resolve the persisting problems and bottlenecks that were not effectively dealt by previous remedies. Following the the revision of the 2003 Recommendation on Relevant Markets, sector regulation is focused on the wholesale markets where the key bottlenecks for effective competition still remain.

b) Introducing significant reforms in radio frequency management and greater flexibility for companies operating in wireless communications, with respect to the technology that they will choose and the services they provide. These regulatory provision will foster competition and reduce the burden incurred by the radiofrequency spectrum users due to unnecessary regulatory restrictions. This will encourage investment and enable operators to introduce new technologies in the radio spectrum bands where they hold rights of use. As a result, it is possible in practice to deploy new technologies and encourage their use by consumers thanks to a wide range of choices and lower prices. Moreover, the new Law gives EETT the competence to manage the radiofrequency spectrum destined for digital terrestrial broadcasting services. Also, the provisions recently enacted, as amendments to Law 3431/2006, remain in effect for more effective and speedier licensing of antenna constructions, as the procedure followed until now had proven extremely time consuming. The new procedure sets up an one-stop shop, while EETT is the service hub. The Interested parties will exclusively contact EETT, which will issue a construction license or will grant a certificate stating that the application was complete, within four months, following the approval of other bodies involved. The Electronic Submission of Antenna Construction Applications System will play a central role in the onestop shop process, by accepting and supporting their management by the competent bodies.

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<sup>6</sup> L. 4070/2012 "Regulations of Electronic Communications, Transport, Public Works and other provisions", OGG Issue 82/A/10-04-2012.

<sup>7</sup> L. 3431/2006 "On Electronic Communications and other provisions", OGG Issue13/A/03-02-2006.

c) Transposing the amendments introduced by European Directives in the market analysis process into the national law. Specifically the current market review process helped create and strengthen the single European electronic communications market achieving a high degree of consistency, particularly with respect to market definition and analysis procedures. However, it has been noted that a respective level of consistency has not been reached with respect to regulatory obligations imposed by National Regulatory Authorities to operators with Significant Market Power (SMP). The National Regulatory Authorities follow different approaches and tactics in handling market failures despite the fact that they choose from a common list of available regulatory obligations set forth in the Regulatory Framework, thus increasing the complexity and the management cost of 27 different national regulatory approaches.

The European Commission ascertained that the fragmentation of regulation and the inconsistencies in the actions of the National Regulatory Authorities (NRAs) threaten not only the competitiveness of the sector, but also greatly reduce the benefits for consumers accrued by cross-border competition. The Commission attached great importance to the continued lack of an internal electronic communications market, and within this context, proceeded to: i) reform the regulatory framework so that it can request an amendment or even withdraw draft measures, in case it finds them inadequately substantiated and b) establish the Body of European Regulators for Electronic Communications (BEREC). BEREC takes on an advisory role in the market analysis process, mainly at a technical level with respect to the consequences of proposed regulations, before the European Commission reaches a Decision. This, in combination with the European Commission's oversight of regulatory obligations imposed by NRAs, is believed to bring about stronger cohesion to the European electronic communications market.

d) Updating and strengthening consumer protection provisions through Universal Service (US) revisions. The amendments introduced aim at ensuring better information with respect to terms of service, as well as transparency in charges. Additionally, EETT has the power to impose obligations on all operators (not only the designated Universal Service Provider) to provide disabled users equivalent access in certain electronic communications services, on a case by case basis. There are also provisions that ensure consumer access to emergency services and other social interest services, as well as certain provision that ensure access to disabled users. Updating and strengthening the users' rights – including disabled users– as well as the consumer protection provisions take into account technological and market developments thereby offering all users enhanced choice and legal certainty. Consumers will benefit by being better informed about prices and services. Increased use and easier access to communications services will lead to higher social participation for users with disabilities and/or special needs as well as the elderly.

e) Updating and strengthening the current privacy and security provisions. These provisions will benefit consumers with higher quality and security of networks and services, as well as more information and transparency, so as to encourage the use of Information and Communication Technologies (ICT).

## **2.2. Law 4053/2012 on the Postal Market and Electronic Communication**

Law 4053<sup>8</sup> enacted in March 2012 redefines, inter alia, the competences of EETT with respect to regulation and supervision of the postal market under the prism of its full liberalization as of 01-01-2013. Moreover, it contains important regulations on electronic communications issues.

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<sup>8</sup> L.4053/2012 "Regulation of the operation of the postal market, electronic communications issues and other provisions" (GG Issue 44/A/07-03-2012).

### Licensing of Antenna Constructions

The new Law contains provisions that amend the existing legislation with respect to licensing antenna constructions. More specifically, the new provisions regulate issues of L. 2801/2000<sup>9</sup>, which remain in effect, as well as of the previous L. 3431/2006<sup>10</sup>, which were replaced by the recent provisions of L. 4070/2012.

The Law amends the provisions of L.2801/2000 with respect to the following points:

- It increases the maximum surface areas of the buildings (sheds) for housing machines: in order to facilitate the joint use of infrastructure – which has multiple benefits, environmental, as well as cost related benefits for the operators, as it reduces the number of antenna constructions, which must be installed in a specific area – the maximum surface area of the built area for housing machines for constructing the antennas is increased by 15% for each operator hosted, and up to a maximum of 35%.
- Provision for the installation of buildings (sheds) by broadband digital network operators: the surface area of these buildings is set at 10 square meters per multiplexer.
- The Law even regulates the issue of installing the buildings in forests and prairies.

Moreover, with article 31, the Law introduces the concept of legally operating antenna constructions, pertaining to:

- The total number of antenna constructions of network operators located outside of the urban fabric, which operated without the necessary licenses and approvals when the Law entered into effect.
- The antenna constructions already installed, which from the time this Law was entering into effect cumulatively fulfilled the following conditions: (a) there was a radio-emission study for the antenna that was granted with the agreement of the Greek Atomic Energy Commission (GAEC) at least one month before the said Law entered into effect, b) an environmental impact study had been submitted to the competent body prior to the Law entering into effect or it fell under the scope of the Standard Environmental Conditions, in accordance with environmental legislation and (c) an application for the construction of the antenna had been submitted to EETT.

The said constructions must have received all necessary licenses and approvals within 24 months from the Law entering into effect, whilst during that period of time the construction is characterized as “legally operating”. These constructions cease to be considered as legally operating, if (a) within the deadline the application for the construction of the antenna is rejected or (b) the deadline expires without the license being issued.

### Postal Services

Law 4053/2012 contains significant regulations on postal services issues, as it transposes European Directive 2008/6/EC into national law and provides for, inter alia, the existing monopoly of the Hellenic Post to be abolished on 01-01-2013 and the full opening of the postal market to competition. It should be noted that the Directive and the full opening of the market have entered into effect since 01-01-2011 or even earlier in 16 EU member states, that represent more than 90% of the European postal market.

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<sup>9</sup> L.2801/2000 “Regulation of issues falling under the competence of the Minister of Transport and Communication and other provisions”, OGG Issue46/A/03-03-2000.

<sup>10</sup> L. 3431/2006 “On Electronic Communications and other provisions”, OGG Issue13/A/03-02-2006.

The enactment of the new Law constituted a successful example of transposing the European Directive into national law, taking into account that the preparation and consultation for the Draft Law was launched in a timely manner by the Ministry of Development, Competitiveness, Infrastructure, Transport and Networks. The participation of stakeholders was substantial and significant improvements were brought about along the way. Moreover, the process for the enactment of the Law was completed ten months prior to the deadline set in the Directive, a fact that permitted, to a large extent, the timely generation of a secondary regulatory framework, so that the market can run smoothly in a fully competitive regime.

The purpose of the new Law is to fully open up the market to competition, whilst also ensuring a qualitative and effective Universal Postal Service for each user, regardless of their geographical location in Greece. More specifically:

- The existing monopoly of Hellenic Post is abolished for letters under 50 grams. Therefore, a postal company may offer, as of 01-01-2013, regular postal services without restrictions as to the weight of objects, in the context of the Individual Licenses that are granted by EETT.
- EETT by virtue of its Regulations can regulate any issue related to licensing companies that wish to provide postal services (simple post or courier), as well as consumer protection issues. Moreover, EETT takes on the responsibility for monitoring and controlling the postal market, as regards its compliance with the regulatory framework and competition law.
- In the framework of developing free competition in the postal market, the Ministry of Infrastructure Transport and Networks ensures that every citizen, regardless of their geographical location in Greece, may enjoy high quality Postal Services on every work day of the week at affordable prices. For this purpose, the Minister of Development and Competitiveness assigns the Universal Service to the Universal Service Provider and awards a contract to it in which the terms and conditions for Universal Service are set, as well as the penalties in case of non compliance with the relevant provisions. EETT is responsible for supervising compliance with the contract terms and imposing penalties.
- The Hellenic Post will remain the USP for 15 years after market opening, i.e., up until 2028, whilst at regular intervals and at least every six years, the Minister of Development and Competitiveness may reconsider, upon EETT's recommendation the terms and the manner in which the Universal Service is provided and request the renegotiation of the pertinent terms of the contract.
- There is a provision regarding the case where the assignment of the Universal Service leads to an unfair financial burden to the Hellenic Post, because of the obligation to provide services throughout Greece. In such a case, the USP notifies EETT, which based on the rules outlined in the Law, checks the information submitted and submits the relevant report to the Minister of Development and Competitiveness. By virtue of a Joint Ministerial Decision by the Ministers of Finance and Development and Competitiveness, the portion of the net cost for delivering the US to be charged to the State Budget shall be set. The same Decision shall set forth, pursuant to an EETT recommendation, the manner of allocating the portion of the net cost to be charged to postal service providers.

It should be noted that the US net cost shall be allocated amongst the USP and the providers with an Individual License and only proportionately to the provision of postal services within the US. As a result whereof, courier service providers, operating on the basis of a General Authorisation, which on a European level is a distinct market other than the universal service, shall not be charged with the cost of financing the US.

### 3. EETT's Initiatives & Actions in the Electronic Communications Sector

#### Introduction

In 2013 and in the context of the second and third round of market analysis, EETT issued decisions on the Leased Line wholesale and retail markets and the voice call termination market in mobile telephony networks respectively. Moreover, EETT determined the cost-oriented termination rate for mobile telephony, updating the target price and determining the glide path, both at a national and European level. At the same time, EETT approved OTE's Reference Offers for Local Loop Unbundling (LLU), Wholesale Broadband Access (WBA), and Wholesale Leased Lines (WLL) and issued Regulations (new or amended) on General Authorisations, the management and assignment of Numbering Resources of the National Numbering Plan (NMP) and the Access Network Frequency Plan.

In addition, EETT, aiming at informing and giving sufficient information to consumers, undertook, on the one hand, the design and development of the Electronic Communications Product Price Monitoring System and, on the other, the upgrading of the System for Performance Evaluation of Broadband Connection Services (SPEBS), which hereinafter is called HYPERION. Finally, the revised context of the Electronic Communications Quality Indicators was implemented in combination with an analysis of the progress of the operators' performance. This chapter describes EETT's overall actions in the Electronic Communications sector in the course of 2012.

#### 3.1. Market Analysis based on the European Regulatory Framework

According to the regulatory framework for the provision of electronic communications and networks services, EETT is responsible for carrying out both a definition and analysis of the relevant markets in Greece, as well as for imposing any necessary regulatory obligations (on a case by case basis) when it ascertains that a certain market is not adequately competitive. During this process, EETT took into consideration the new Recommendation on the relevant product markets<sup>11</sup>, as well as the Guidelines on Market Analysis and Assessment of Significant Market Power of the European Commission<sup>12</sup>.

#### The Market for Voice Call Termination in Individual Mobile Networks

In the context of the third round of electronic communications markets analysis, EETT examined the market of voice call termination market to individual mobile networks (Market 7), taking into consideration the national market conditions shaped by the second round of analysis. The proposed Draft Measures were placed under a public consultation<sup>13</sup> in the period from April 6 to May 14, 2012. EETT provided detailed responses to the main comments of those participating in the consultation<sup>14</sup> and in June 2012 notified<sup>15</sup> the Draft Measures to the European Commission, the Body of European Regulators of Electronic

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<sup>11</sup> European Commission's Recommendation of December 17, 2007, on relevant product and services markets within the Electronic Communications sector amenable to ex ante regulation in accordance with Directive 2002/21/EC of the European Parliament and of the Council on a common regulatory framework for electronic communications networks and services, (EU L 344/65, (2008/879/ EC), 28-12-2007).

<sup>12</sup> Commission guidelines on market analysis and the assessment of significant market power under the Community regulatory framework for electronic communications networks and services.

<sup>13</sup> EETT Decision 646/04/05-04-2012.

<sup>14</sup> EETT Decision 656/04/05-04-2012.

<sup>15</sup> EETT Decision 656/05/12-06-2012.

Communications (BEREC) and the NRAs of the EU member states. Taking into consideration the comments submitted by both the participants in the Public Consultation and the European Commission<sup>16</sup>, EETT issued a relevant decision<sup>17</sup>, maintaining that there are still individual and discreet markets for voice call termination in the network of each mobile telephony operator in Greece. The geographic scope of the markets is the Greek Territory. There is still a lack of effective competition in the said markets with the companies COSMOTE, VODAFONE-PANAFON and WIND maintaining Significant Market Power (SMP) in the defined relevant markets. In this framework, EETT decided to maintain and in certain cases to amend the regulatory obligations imposed on companies with SMP (from the second round of market analysis), so as to deal with possible competition problems.

Specifically, the following regulatory obligations were imposed on the above operators:

- Access provision and use of network related facilities.
- Non discrimination.
- Transparency, including the obligation to publish the Reference Interconnection Offer (RIO) with a defined minimum content.
- Accounting separation.
- Tariff control.

Specifically and in relation to the last obligation, EETT considers that termination rates must be determined on the basis of the expenses of an efficient operator and be symmetrical. In parallel, the assessment of efficient costs must be based on the current cost thus adopting the bottom up approach of the Long-run Incremental Cost (LRIC) models as the relevant cost accounting method. Therefore, EETT concluded that it is reasonable and proportional to impose, from a regulatory viewpoint, the obligation to tariff control under a pricing method that is in accordance with the Recommendation of the European Commission<sup>18</sup>.

In this context, EETT decided<sup>19</sup> to apply benchmarking until the project for updating the model is completed, as set forth in the specific Recommendation, in order, on the one hand, to avoid an abrupt adjustment of mobile termination rates and on the other, to comply with the deadline set forth in the Recommendation (31-12-2012). According to the benchmarking method, the target price, that resulted as the average termination rate of the member states that had already developed the model provided in the Recommendation, was 1.01 Euro cents/minute. Taking into account that the specific target price was significantly lower than the regulated rates in effect and in relation to the time limits set by the EU Recommendation, EETT applied a glide path mechanism in order to ensure maximum regulatory stability in the market. According to that mechanism, each operator must gradually reduce the call termination rates in its network towards the target price by January 1<sup>st</sup>, 2013, following the course described in Table 3.1.

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<sup>16</sup> EETT Decision with prot. no. 26989/16-07-2012 on the subject of "Notification EL/2012/1343: Call Termination in individual Mobile Networks – Comments as per Article 7 paragraph 3 of Directive 2002/21/EC".

<sup>17</sup> EETT Decision 661/7/19-07-2012, OGG Issue2167/B/19-07-20120.

<sup>18</sup> European Commission's Recommendation of 7 May 2009, on the regulatory treatment of fixed and mobile termination rates in the EU (EU L 124/67, 20-05-2009).

<sup>19</sup> EETT Decision 661/7/19-07-2012, OGG Issue2167/B/19-07-2012.

**Table 3.1:** Termination Rate Progress

Termination Rates	Until 31-07-2012	From 01-08-2012 to 15-10-2012	From 16-10-2012 to 31-12-2012	From 01-01-2013
Euro cents/minute	4,95	3,60	2,30	1,01

Finally, as soon as EETT determined the cost-oriented termination rate calculated according to the aforementioned model, it immediately issued a decision<sup>20</sup> updating the target price and determining the glide path for the gradual reduction of termination rates over the next few years (see section 3.2.2).

### Leased Lines Markets

In the context of the second round of electronic communications market analysis, EETT examined the retail and wholesale leased lines markets (Market 7 of the 2003 Recommendation, Market 6 of the 2007 Recommendation and Market 14 of the 2003 Recommendation), taking into consideration the national market conditions shaped by the respective first round. Following the public consultation<sup>21</sup> conducted in the period from December 23, 2011 to January 30, 2012, EETT gave detailed answers on the main points of the observations of those participating therein<sup>22</sup>, whilst in May it notified<sup>23</sup> the Draft Measures to the European Commission, BEREC and the EU member state NRAs. After taking into consideration the comments submitted by both the participants in the public consultation and the European Commission<sup>24</sup>, EETT issued the relevant decision<sup>25</sup>, according to which the following Leased Lines markets continue to exist:

- Retail Leased Lines with capacities up to 2 Mbps.
- Terminating segments of Wholesale Leased Lines with capacities up to 2 Mbps.
- Terminating segments of Wholesale Leased Lines with capacities exceeding 2 Mbps.
- Trunk segments of Wholesale Leased Lines.

The most important change in relation to the previous round of market analysis lies in the fact that the Ethernet technology exclusive capacity lines are included in the relevant markets. After applying the three criteria test to the Leased Lines retail market and the market for trunk segments, EETT concluded that both markets require ex ante regulation. Subsequently, upon examining OTE's relative power, based on its market share both in relation to other operators and the progress of the market, the possibility of potential competition and the lack of counterbalancing purchasing power, EETT concluded that the markets in question are still characterized by lack of effective competition conditions and that OTE maintains SMP in the defined relevant markets. In order to address the current and potential future competition problems, EETT, in its final

<sup>20</sup> EETT Decision 675/10/2012, OGG Issue3330/B/12-12-2012.

<sup>21</sup> EETT Decision 634/136/22-12-2011.

<sup>22</sup> EETT Decisions 652/10/17-05-2012 and 654/14/31-05-2012.

<sup>23</sup> EETT Decisions 652/11/17-05-2012 and 654/13/31-05-2012.

<sup>24</sup> Decision no. EETT 23824/25-06-2012) regarding: "The Commission's Decision regarding case EL/2012/1331: Wholesale market for terminating segments of leased lines in Greece. The Commission's Decision regarding case EL/2012/1332: Wholesale market for trunk segments of leased lines in Greece. The Commission's Decision regarding case EL/2012/1333: Retail market for leased lines with capacities up to 2 Mbps in Greece. Comments pursuant to article 7 paragraph 3 of Directive 2002/21/EC".

<sup>25</sup> EETT Decisions 674/08/29-11-2012 and 674/09/29-11-2012.

decisions, sustained and, in certain cases, amended OTE's regulatory obligations, which are the following for the wholesale markets:

- Access and use of network related facilities.
- Transparency.
- Non discrimination.
- Cost-accounting.
- Accounting separation.

At the same time and in relation to the Leased Lines retail market, EETT, following the comment of the European Commission, withdrew the obligations for cost-accounting and accounting separation and imposed the obligations of non discrimination and transparency on OTE.

## **3.2. Promoting and Ensuring Fair Competition in Networks and Services**

### **3.2.1. Interconnection**

#### **Fixed Telephony**

In the context of ensuring fair competition in networks and services, EETT examined a series of submitted requests for dispute resolution according to the procedure set forth in its relevant decision<sup>26</sup>. The said requests pertained mainly to issues of non adherence to the foreseen negotiation terms. Additionally, a request has been submitted and is under consideration for the settlement of a dispute between OTE and HELLAS ON LINE, pertaining to the correct implementation of the provisions of the Reference Interconnection Offer and specifically, issues of cost sharing for interconnection links.

#### **Mobile Telephony**

EETT has been called upon to resolve the dispute between mobile telephony operators COSMOTE and WIND and the company NEWSPHONE regarding the latter's competence to determine the price of the services, the interconnection cost of the said companies, as well as the possibility of routing NEWSPHONE number series via the mobile telephony networks, in the context of achieving the targets set in article 3 of L. 3431/2006<sup>27</sup>.

Specifically, EETT ruled that NEWSPHONE is entitled to define the retail price of the services it provides to end users – subscribers of mobile telephony companies via the non geographic numbers and short codes assigned to it, given that the company undertakes all the special risks from providing the said services and is obliged to adhere to the additional obligations set forth in the General Authorisation Regulation<sup>28</sup> and the Code of Practice for Multimedia Information Services (MIS)<sup>29</sup> (e.g., information to users with respect to calling charges, operation of a special complaint line, etc.). Conversely, the contribution of mobile telephony companies in providing services to NEWSPHONE consists of routing calls that originate in their network to NEWSPHONE numbers, i.e., it is an interconnection service in the sense of origination, as the call originates

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<sup>26</sup> EETT Decision 506/37/13-01-2009 "Regulation on the determination of terms and conditions for Access and Interconnection provision pursuant to articles 41 par. 3 and 42 par. 3 of L. 3431/2006" OGG Issue 369/ B/03-03-2009.

<sup>27</sup> These include safeguarding the right of every business to provide electronic communications, avoiding market distortion, fostering competition and policies for safeguarding public interest, contribution to the development of the internal market, ensuring interoperability of services and promotion of the interests of end users.

<sup>28</sup> EETT's Decision 676/41/20-12-2012, "General Authorisation Regulation", OGG Issue 298/B/14-02-2013.

<sup>29</sup> EETT Decision 578/29/28-9-2010, "Ethics Code for the Provision of Premium Rate Services", OGG Issue 1651/B/15-10-2010.

e.g., from the WIND network and is transferred by the latter to the interconnection point with NEWSPHONE. Therefore, EETT decided that the mobile telephony companies should pay to NEWSPHONE a reasonable interconnection fee and at the same time created a model to determine it, after collecting and examining thoroughly all the necessary data along with other European practices.

In more detail, the specific model consists of a fixed and a variable charge. The fixed charge consists of the call origination cost and the shared operating expenses that are - directly or indirectly- related to the provision of access-interconnection to NEWSPHONE's services for each mobile telephony operator's customers plus a reasonable mark-up. The calculation of the fixed charge was based on the estimated financial data of the mobile telephony operators regarding the technical network cost, the operational and capital cost (invoicing and receivables collection, customer service, advertising, distribution, sales, common operational expenses and capital expenditure) as well as the total expenses associated with acquiring and retaining subscribers per mobile telephony operator<sup>30</sup>. The cost of the network origination/interconnection cost was calculated based on the "bottom-up"<sup>31</sup> cost model that was updated in 2008, in the context of calculating the termination rates, during the second round of market analysis<sup>32</sup> (0.0495 Euro/min as of 01-01-2011). Finally, the variable rate is applied as a percentage on the retail price of each NEWSPHONE service and entails the variable charges (bad debt) per mobile telephony operator. EETT considered that the reasonable interconnection fees must, inter alia, ensure a balance between the interests of the involved parties to the benefit of end users. This balance is achieved, when both the network provider (mobile telephony companies) and the service provider (NEWSPHONE) offer their services at a comparable or even identical profit margin.

Taking into account and analyzing all the related data,, EETT reached a Decision that includes a capped interconnection fee paid by NEWSPHONE to every mobile telephony company for routing its number series via their networks. This fee is considerably lower compared to the current one (e.g. the reasonable interconnection fee for a multimedia information service with a retail price of 0.50 Euro is calculated to be from 19% up till 29% lower than the current rate, whilst correspondingly for a retail price of 1.00 Euro, the reduction is between 43% and 52%). The new interconnection rate aims at recovering the total operating and network cost incurred by the network provider at a reasonable profit margin, as well as ensuring the sustainability and the sufficient profitability of the content provider. The basic goals are the provision of a wide range of new services from the mobile networks, the development of the internal market for PRS and the promotion of end users' interests.

### **3.2.2. Bottom-up Model for Termination Fees**

#### **Fixed Telephony**

After an international open tender, EETT chose<sup>33</sup> a Consultant to support the creation of a technical economic bottom-up Long Run Increment Cost Model (LRIC Bottom-up) that will determine the termination rates for

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<sup>30</sup> Each mobile telephony company controls access to its subscribers and is obliged, according to the Access and Interconnection Regulation, to negotiate Interconnection in good faith and to provide it with reasonable terms. Therefore, it is entitled initially to recover costs related to its above obligation.

<sup>31</sup> Its calculation is a published and widely accepted figure within the telecommunications market, as this is specified in accordance with the incremental cost approach (LRIC) of the existing service, taking into account that the termination rate presents common cost absorption with the call origination rate, due to the similar use of network resources.

<sup>32</sup> EETT Decision 498/046/15-10-2008, OGG Issue2260/B/05-11-2008.

<sup>33</sup> EETT Decision 641/28/01-03-2012.

fixed telephony, in accordance with the European Commission's Recommendation<sup>34</sup>. In the context of the specific project, EETT prepared and sent to operators the relevant questionnaires for data collection which are already being processed with the purpose of entering them into the model. In parallel, EETT is preparing a text of methodological principles, that will form the basis for the model and will be placed under public consultation.

### Mobile Telephony

According to the European Commission's Recommendation<sup>35</sup>, the ultimate goal is the convergence of fixed and mobile termination rates, both on a national and on a European level. The Recommendation's main objective is to model the current costs incurred by an efficient operator with characteristics designated by each market, by applying the bottom-up approach based on the pure-Long Run Incremental Cost (pure-LRIC), instead of the previous LRIC+ method for the provision of wholesale call termination service.

The main difference of the said model with respect to determining the total long run cost is that it takes into account only expenses related with wholesale voice traffic and therefore, their cost is recovered by the call termination rate, whilst it rejects those that are not related with traffic, such as commercial expenses and shared network operating expenses. In this manner, the Interconnection revenue at a wholesale market can't be used to crosssubsidy other operating sectors of the mobile telephony operators<sup>36</sup>.

According to the results of EETT's model and the relevant Decision<sup>37</sup>, every mobile network operator, that has been determined to have a SMP in the relevant wholesale market for terminating voice calls in its network, is obliged to apply, from 2013 onwards, call termination rates that do not exceed the rates set forth in Table 3.2.

**Table 3.2:** Termination Rates

Time Period	2012	2013	2014	2015
Euro cents/minute)	4.95	1.269	1.168	1.099

The 2014 and 2015 rates will be adjusted respectively, based on the inflation rate of the following years, which is not taken into account in the present model.

The specific regulatory intervention aims, on the one hand, at allocating resources and consequently future investments between the mobile and fixed telephony companies rationally and on the other, at passing by to the end consumer the significant benefit accrued by the reduced charges. In more detail, the drastic reduction of the wholesale termination rates may also lead to respective tariff reductions in the retail market for calls to mobiles. This development will stem either from the mobile telephony companies, which

<sup>34</sup> European Commission's Recommendation of 7 May 2009, on the regulatory treatment of fixed and mobile termination rates in the EU (EU L 124/67, 20-05-2009).

<sup>35</sup> European Commission's Recommendation of 7 May 2009, on the regulatory treatment of fixed and mobile termination rates in the EU (EU L 124/67, 20-05-2009).

<sup>36</sup> Specifically, the subsidy of the cheap, from an operating cost viewpoint, on-net voice traffic by the off-net calls either from another mobile or fixed telephony company.

<sup>37</sup> EETT Decision 675/10/2012, OGG Issue3330/B/12-12-2012.

will have to follow the efficient operator model – in order to offer similar low on-or off-network call rates- or from the fixed telephony companies with respect to retail rates from fixed to mobile phones – due to the proportionate reduction of the regulated retention fee of the fixed telephony operator with SMP (OTE) and consequently of the other alternative operators – as a result of market competition, which is the main goal.

### 3.2.3 Local Loop Unbundling

EETT approved<sup>38</sup> under certain amendments, OTE's Reference Unbundling Offer (RUO). The obligation to submit the specific Offer had been imposed on OTE, by a previous decision of EETT<sup>39</sup>, as a measure for addressing the lack of competition in the wholesale LLU market. EETT placed under public consultation<sup>40</sup> the proposed RUO for the period from December 5, 2011 to January 27, 2012, whilst it coordinated for the period May-October 2012 a work group consisted by members from EETT, OTE and operators that examined specific RUO issues.

The revised Reference Offer defines the terms, conditions and procedures based on which OTE provides the necessary services and access facilities to telecommunications operators in order for the latter to provide LLU services to consumers competitively. In more detail, the new RUO focuses on:

- The process for handling failures, specifying the measurements which the operators and OTE must carry out before announcing and/or repairing a failure. The new procedure also clearly defines the timeline and actions that each party must perform (OTE and operators).
- The new procedures for tackling existing problems, such as those related to handling operator requests in the absence of available last mile infrastructure.
- The terms of the Service Level Agreement (SLA), given that the loop delivery time is reduced for the benefit of the market<sup>41</sup> and the end consumer, whilst the calculation formula and the level of the penalties for loop delivery procedures and failure handling are re-determined.
- The financial terms, such as the payment of invoices and the conditions for submitting a letter of guarantee.
- The inclusion of the procedures for the Virtual Partial Unbundled Loop (VPU), which will make it easier for operators to provide VDSL services to their subscribers.

With respect to LLU issues, EETT conducted the following hearings between:

- FORTHNET and OTE with respect to charges imposed by the former on the latter, due to unnecessary crew visits in cases where they had already performed repeated checks, combined appointments and over handling of failures that were OTE's fault.
- FORTHNET and OTE with respect to a complaint<sup>42</sup> of the former against the latter, for unilateral, arbitrary and non transparent charges related to OTE's unnecessary crew visits to restore local loop failures.

<sup>38</sup> EETT Decision 675/09/11-12-2012, GG Issue GG Issue3402/B/20--12-2012.

<sup>39</sup> EETT's Decision 614/013/28-07-2011 "Definition of the National Wholesale Broadband Market for (Physical) Access to Network Infrastructure (including shared and fully unbundled access) at a fixed location, Identification of Operators with Significant Market Power and their Obligations (3rd Round of Market Analysis)", GG Issue GG Issue1908/B/30-08-2011.

<sup>40</sup> EETT Decision 631/21/01-12-2011.

<sup>41</sup> The delivery time for the active local loop (which is already used for providing access to the public telephone network) is reduced from 10 to 8 days, whilst in the case of an inactive loop (which is not used for services to the subscriber) delivery time is reduced from 15 to 12 days.

<sup>42</sup> Prot. No. 35572/14-09-2011.

- FORTHNET and OTE, with respect to investigating any violation by the latter of the legislation on electronic communications and fair competition, issuing a relevant decision<sup>43</sup>.
- OTE and ON TELECOMS for (a) investigating a complaint<sup>44</sup> by the latter against the former, to ascertain any violation of the legislation on electronic communications and fair competition, and (b) the complaint-related dispute between the two companies (procedure set forth in article 18 of L. 3431/2006), issuing a relevant decision<sup>45</sup>.
- OTE and WIND Hellas for settling a dispute and investigating any violation by the former of the legislation on electronic communications and fair competition, issuing a relevant Decision<sup>46</sup>.
- CYTA Hellas and OTE for ascertaining violations by the latter of the legislation on electronic communications and specifically EETT's relevant decision<sup>47</sup>.

The positive contribution of EETT's actions to the further development of LLU is reflected in the following trends:

- The number of OTE's Local Exchanges (L/E), in which physical collocations of the entitled providers operate, are still 173 according to information as of December 2012 without expecting any further increase, as all commercially interesting L/Es have been covered. At the same time, the number of OTE's L/Es which provide distant collocations increased and amounted to 789 in December 2012.
- The number of local loops operating in the entitled providers' networks increased in December 2012 to 1,760,000 (approximately 24% of the total fixed telephony lines in Greece) compared to 1,660,000 in December 2011.
- The pairs available for activation delivered by OTE to the entitled providers reached 2,779,250 in December 2012 compared to 2,610,000 in December 2011.
- In 2013, EETT will continue to supervise, on the one hand, the operations and procedures set forth in the RUO, such as the smooth delivery of the requested loops at OTE's L/Es and infrastructure extension to meet requests for broadband and on the other, the procedure for operational improvement of the Wholesale Customer Relation Management (WCRM) (procedures, LLU delivery, failure restoring).

### 3.2.4. Wholesale Broadband Access

Following the relevant public consultation, EETT decided<sup>48</sup> to approve OTE's reference offer for Wholesale Broadband Access (WBA) services. The publication of the relevant Reference Offer is one of OTE's regulatory responsibilities in accordance with EETT's relevant decision<sup>49</sup> in the framework of the third round of market

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<sup>43</sup> EETT Decision 600/47/14-04-2011.

<sup>44</sup> Prot. No. 5039/08-02-2010.

<sup>45</sup> EETT Decision 600/49/14-04-2011.

<sup>46</sup> EETT Decision 600/48/14-04-2011.

<sup>47</sup> EETT Decision 573/015/22-07-2010 "Approval of the 2010 OTE Reference Offer for Local Loop Unbundling and Related Facilities, pursuant to EETT Decision 531/065/23-07-2009 (GG Issue 1550/B/28-07-2009)", OGG Issue 1338/B/01-09-2010.

<sup>48</sup> EETT Decision 654/11/31-05-2012, OGG Issue 1846/13-06-2012.

<sup>49</sup> EETT Decision 614/12/28-07-2011, OGG Issue 1983/B/07-09-2011.

analysis (markets 4 and 5 of the EU's Recommendation<sup>50</sup> on relevant markets) and in combination with the selection of the appropriate regulatory measures, in accordance with the European framework on electronic communications. The approved Reference Offer was amended by EETT in accordance with the European framework for the development of Next Generation Access Networks (NGAs) and the principles of fair competition, aiming at protecting consumer rights.

Specifically, the Reference Offer sets out in detail the terms, conditions, quality indicators and procedure to be followed hereinafter by OTE in providing WBA to third party operators for the development and retail sale of competitive VDSL products so as to ensure non discrimination, transparency and equal access to the infrastructure network. By approving OTE's Reference Offer, EETT concluded the procedure, that was launched in the beginning of 2011 and aimed at ensuring the competition in the market of fixed broadband networks, as well as the smooth transition of Greece towards the new electronic communication network infrastructure.

### **3.2.5. Universal Service**

In June 2012, EETT proceeded to an open tender, in order to check the study submitted by OTE pertaining to the determination of the net cost for the provision of Universal Service (US) for 2012. In the context of this project that was launched at the end of November 2012, the Contractor will check OTE's compliance with the US cost-accounting principles approved by EETT, including the check of OTE's upgrade accuracy regarding its fixed assets and the calculation of its benefits as the Universal Service Provider (USP). The Contractor must deliver a complete and substantiated solution for calculating the net cost of US and the project is expected to be completed at the beginning of 2013.

### **3.2.6. Inspections of Electronic Communications Operators**

#### **Identification of Mobiles**

Pursuant to its responsibilities by virtue of L. 3783/2009<sup>51</sup>, EETT inspected the providers to ascertain whether the identification procedure of owners and users of mobile telephony equipment and services is being followed. It should be noted that all mobile telephony providers in Greece bear the responsibility of identification, regardless of whether the used numbering scheme (subscriber number) is Greek or foreign.

#### **Pre-paid Voice Cards**

According to EETT's decision<sup>52</sup>, network providers should not charge users for calling numbers via cards. Moreover, a relevant Decision<sup>53</sup> of the Minister of Development, Competitiveness, Infrastructure, Transport and Networks (MDCITN) defines that the 807 number series is used for seven-digit numbers for calls via phone cards (807 XXXX, X=0-9). EETT conducted a series of inspections, ex officio or pursuant to complaints by

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<sup>50</sup> European Commission's Recommendation of December 17, 2007, on relevant product and service markets within the Electronic Communications sector amenable to ex ante regulation in accordance with Directive 2002/21/EC of the European Parliament and of the Council on a common regulatory framework for Electronic Communications networks and services, (EU L 344/65, (2008/879/ EC), 28-12-2007).

<sup>51</sup> L. 3783/2009 "Identification of the owners and users of mobile telephony equipment and services and other provisions" OGG Issue 136/07- 08-2009.

<sup>52</sup> EETT Decision 441/121/21-06-2007 "Regulation on the Management and Assignment of Numbering Resources of the National Numbering Plan", OGG Issue 1260/B/23-07-2007.

<sup>53</sup> Decision no 26634/924 of the Minister of Transport and Communication "National Numbering Plan for Electronic Communication Services", OGG Issue 768/B/15-05-07.

other operators, to confirm the operators' compliance with the above legal framework. Following EETT's inspections, it was ascertained that six operators provide access to telephone services not via a toll-free number of the 807XXXX series, but via mobile telephony subscriber numbers. The relevant hearings were held and their results are expected in the beginning of 2013.

### **Number Portability**

EETT conducted on-sight investigations at the three mobile telephony companies, COSMOTE, VODAFONE and WIND Hellas with respect to the application of the Number Portability Regulation. The main objective of the investigations was the rejection of Portability applications and the reasons for their rejection. Based on the investigations' findings, EETT summoned the three mobile telephony companies to a hearing in order to ascertain violations of the electronic communications legislation and the competition legislation. The hearings are expected to be conducted in the beginning of 2013.

### **Inspections at Local Exchanges and Infrastructures of OTE**

EETT conducted repeated ex officio audits/inspections at OTE's L/Es in the areas of Halandri, Piraeus, Pangrati, N. Psyhiko, Ippodromos, Ambelokipi, Kamatero, Peristeri, Vyronas, Ilissos, Girokomeio and P. Faliro (Kalamaki), with the purpose of checking the Local Loop delivery and failure handling procedures.

### **VDSL Inspections**

EETT carried out inspections of the responsible operator's (OTE) compliance with the provisions of the Access Network Frequency Plan<sup>54</sup>. During the inspections, special apparatus was used for measuring the power spectral density in active loops. The measuring apparatus is passively connected to the loop without affecting in any way the broadband service provided to the end user for the duration of the measurements. EETT inspection teams conducted on-sight investigations of outdoor distribution frames equipped with xDSL technology in Athens and Crete. Specifically, following the launch of VDSL2 services, the investigations were extended to OTE's new generation network cabinets, either onsite (e.g., Ambelokipi, Kalamaki and Voula) or remotely for the rest of Greece, by gathering and processing information from OTE's Network Management System.

### **Inspections of the Registrars for the Management and Assignmet of [.gr] Domain Names.**

During the second semester of 2012, EETT proceeded with inspecting the registrars in order to ascertain their compliance with the Regulation on the Management and Assignment of [.gr] Domain Names<sup>55</sup>, which came into force on October 30, 2011. The above inspections were deemed necessary, taking into account the new obligations towards the registrants that are set forth in the Regulation. In total, 13 inspections were conducted during which, on the one hand, no serious omissions were found and on the other, the registrars were able to communicate their views and any problems they face during the assignment and management of [.gr] Domain Names to EETT. These views were recorded and will be taken into account by EETT in the subsequent amendment of the relevant Regulation. Inspections will continue throughout 2013.

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<sup>54</sup> EETT Decision 636/37/19-01-2012, OGG Issue 729/B/13-03-2012.

<sup>55</sup> EETT Decision 592/012/03-02-2011, OGG Issue 593/B/14-03-2012.

### **Premium Rate Services (PRS)**

EETT carried on with its initiatives regarding Premium Rate Services (PRS) by conducting inspections either ex officio or pursuant to complaints in order to ascertain the compliance of operators with the regulations of the Code of Practice for the provision of PRS. In particular, it examined the reliability of the information for the consumer by checking the operators' web pages and any form of promotional material, as well as the sound implementation of the procedure governing the provision of PRS. The goal is for the consumers to make a conscious decision when using a PRS and avoid unwanted charges.

Specifically, EETT, in order to address a series of complaints filed in 2012 related to subscriber-only PRS which are being provided via Premium Short Message Services (PSMS) to short codes of the 54XXX series:

- Conducted technical inspections of the services provided by the operators involved in the respective complaints according to the amendment of the Code of Practice for the provision of PRS, which includes special provisions for issues referring to subscriber-only PRS.
- Held hearings for cases in which it deemed it to be expedient with the purpose of further compliance and/or punishment of the companies flagrantly violating the Code of Practice.
- Addressed letters to PRS operators, requesting further compliance with enhanced consumer-friendly practices.
- Issued recommendations to companies with a large number of complaints, so as to correct bad practices and reduce the number of complaints by consumers.
- Admonished and advised PRS operators, in order to sensitise them and bring about self-regulation of the sector.

### **3.2.7. Examination of OTE's Bundled Services / Packages**

EETT's scrutiny of OTE's economy programs aims at deterring practices of price margin squeeze. This examination is carried out by EETT in accordance with the methodology and the model set out in Appendix I "Methodological Definition and General Principles for the Examination Model of Individual and/or Bundled Services Economy Programs of Companies with SMP", set forth in EETT's relevant decision<sup>56</sup>. During 2012, OTE submitted 123 packages of which 92 were approved, 11 were rejected and 20 are being processed.

### **3.2.8. Cost Accounting Audits**

EETT, in cooperation with independent chartered auditors has carried out and completed the 2012 cost accounting audit with actual data for 2010 and forecasted data for 2011 and 2012. The audit started in September 2011 and was completed in February 2012.

EETT decided<sup>57</sup> to approve the results of OTE's cost-accounting audit, stipulating the pricelists for the services with respect to the regulated wholesale markets for which OTE is subject to regulatory obligations for price control, cost accounting and accounting separation on the one hand, and relating to the regulated retail markets for which OTE is subject to the obligation for cost-oriented price control, on the other. This

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<sup>56</sup> EETT Decision 595/013/10-03-2011, "Definition of the national retail markets of publicly available telephone Services at a fixed location, identification of Operators with significant market power and their obligations (2nd round of market analysis)", OGG Issue 533/B/06- 04-2011

<sup>57</sup> EETT Decision 640/016/21-02-2012, GG Issue 755/14-03-2012.

cost accounting audit referred to a range of services<sup>58</sup> whose costs have been defined on the basis of the following two costing methods: (a) Long Run Average Incremental Cost (LRAIC) and (b) Fully Distributed Cost (FDC). Pursuant to the 2012 cost accounting audit and in compliance with EETT's respective Decisions<sup>59</sup>, OTE posted in February 2012 on its website<sup>60</sup>, the cost accounting data and in particular the Reference Models of the LRAIC cost accounting system (LRAIC tables). This action contributes to the promotion of transparency in the electronic communications market, given that it enables other operators to gain an insight to the individual costs comprising the wholesale price of the most significant regulated services, for which OTE has the obligation of cost-orientation.

At the same time, at the end of September 2012, EETT commenced the 2013 cost accounting audit of OTE with actual data for 2011.

### **3.2.9. Regulated Prices Control**

EETT, as part of its competences to check OTE's price lists in the markets where it holds a Dominant Position and its compliance with its related obligations, set<sup>61</sup> the following price cap for the regulated retail access services and telephone services:

#### **Retail Access Services**

The cap for OTE's average retail price was set at 13.94 Euro, not incl. VAT, for the following fixed access products:

- One-off connection fee for PSTN.
- PSTN monthly rental.
- One-off connection fee for ISDN-BRA.
- ISDN-BRA monthly rental.

#### **Retail Services of Publicly Available Local and National Telephone Services at a Fixed Location**

Taking into account the percentage change of the average annual general consumer price index for the year 2011 (3.3%), the following caps were determined for the publicly available local and national telephone services:

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<sup>58</sup> Interconnection, LLU (including Collocation services), WBA, Leased Interconnection Lines, wholesale and retail end-to-end Leased Lines and Number Portability.

<sup>59</sup> EETT Decisions 482/051/26-05-2008 (GG Issue 1151/B/24-06-2008), 562/029/22-04-2010 (GG Issue 668/B/18-05-2010) and 573/11/22-07-2010 (OGG Issue 1348/B/01-09-2010).

<sup>60</sup> [http://www.ote.gr/portal/page/portal/OTEGR/TheCompany/ImportantInfo/Important\\_Info\\_Basket/ypodeigmata\\_anaforas2012](http://www.ote.gr/portal/page/portal/OTEGR/TheCompany/ImportantInfo/Important_Info_Basket/ypodeigmata_anaforas2012)

<sup>61</sup> EETT Decision 640/016/21-02-2012, OGG Issue 755/14-03-2012.

A) The price cap for the following services:

Local calls within OTE's network (on-net)	3.08 Euro cents/minute
National calls within OTE's network (on-net)	5.86 Euro cents/minute
Dial-up calls by OTE subscribers to the Internet (including the Greek Single Access Number) when the ISP is hosted by and/or is interconnected to the OTE network	1.50 Euro cents/minute

Note: The above prices do not include VAT.

b) The price cap for the following services:

Retention fee for local calls by OTE subscribers to subscribers of other operators	2.05 Euro cents/minute
Retention fee for national calls by OTE subscribers to subscribers of other operators	3.94 Euro cents/minute
Retention fee for calls by OTE subscribers to subscribers of mobile telephony network operators	3.74 Euro cents/minute
Retention fee for dial-up calls by OTE subscribers to the Internet (when the ISP is hosted by and/or is interconnected to the network of other operators) and are delivered by OTE at a Local Interconnection level.	1.32 Euro cents/minute
Retention fee for dial-up calls by OTE subscribers to the Internet (when the ISP is hosted by and/or is interconnected to the network of other operators) and are delivered by OTE at a Single Tandem level.	1.64 Euro cents/minute
Retention fee for dial-up calls by OTE subscribers to the Internet when the ISP is hosted by and/or is interconnected to the network of other operators) and are delivered by OTE at a Double Tandem level.	1.88 Euro cents/minute

Notes:

- For the above six services, the charge is per second from the first second of the call.
- The above prices do not include VAT.

### 3.2.10. Competition Issues

In March 2012, VODAFONE filed a complaint before EETT<sup>62</sup> on the violation by COSMOTE of the rules of fair competition in the Greek prepaid mobile telephony market and more specifically the significant distortion of competition observed in recent years (2007-2011) in the prepaid mobile telephony market (pre-paid services). In more detail, VODAFONE alleged that as of 2007, it had faced intense competitive pressure and

<sup>62</sup> EETT Prot. No. 12073/26-03-2012.

barriers that hampered the growth and promotion of its products and services in Greece, due to COSMOTE's aggressive offers on the specific market. Additionally, COSMOTE, through its offers and mainly the prices for its basic prepaid mobile telephony service ("What's up"), has altered during the recent years the competition terms in the Greek market, and consequently has acquired a position of unlimited power to the detriment of the other mobile providers operating in the same market. Therefore, VODAFONE has requested from EETT to investigate whether COSMOTE had abused its Dominant Position in the Greek prepaid mobile telephony market for the period 2007-2011 thus violating the existing legal framework<sup>63</sup>.

EETT decided<sup>64</sup> to summon COSMOTE, VODAFONE and WIND Hellas to a hearing<sup>65</sup> in order to examine ex officio, whether the behaviour of COSMOTE, as described in the relevant complaint, infringes the provisions of telecommunications<sup>66</sup> and competition<sup>67</sup> legislation. The said hearing, following its postponement due to relevant requests filed by two of the involved companies, is expected to be conducted in the beginning of 2013.

### **3.2.11. OTE Accounting Separation**

#### **Fixed Telephony**

Pursuant to EETT's Decision<sup>68</sup> OTE specified and regulated, inter alia, the details governing the obligation for implementing accounting separation in those electronic communications markets that has SMP. In the context of the 2012 cost-accounting audit based on the 2010 actual data, OTE has submitted its accounting separation statements for audit. In the course of the audit, EETT identified certain weaknesses in the implementation and especially in the transfer prices. Subsequently, EETT submitted to OTE some improvement proposals to address these weaknesses, which will be assessed during the 2013 cost accounting audit with actual data as of 2011. Pursuant to the 2012 cost accounting audit and in compliance with EETT's respective Decisions<sup>69</sup>, OTE posted the statements and methodology of accounting separation on its website, in February 2012.

#### **Mobile Telephony**

EETT, taking into account the comments made by the operators in the context of the relevant public consultation, decided<sup>70</sup> to impose the application of the Accounting Separation obligation on the three mobile providers. Consequently, the three providers must provide cost and revenue data for call categories pertaining to the wholesale voice call termination, as well as other wholesale and retail calls and present the revenues and cost allocated to the termination service. The "Fully Distributed Cost – FDC" cost-accounting method is used for the purpose of Accounting Separation.

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<sup>63</sup> Specifically, the applicable provisions of article 2 of L. 3959/2011 on the protection of fair competition and article 102 of the Treaty on the Functioning of the European Union (TFEU).

<sup>64</sup> Summons to a Hearing no. 43244/Φ.391/20-11-2012.

<sup>65</sup> According to article 12 items b, f, h, (34), article 38, article 41 to 54 and article 77 of L. 4070/2012 (OGG Issue 82/A/10-04-2012).

<sup>66</sup> In particular with the provisions of EETT decision 661/007/19-07-2012.

<sup>67</sup> In particular of article 2 of L. 3959/2011.

<sup>68</sup> EETT Decision 482/26/-2008-05-2008, OGG Issue 1151/24-06-2012.

<sup>69</sup> EETT Decisions 482/051/26-05-2008 (OGG Issue 1151/B/24-06-2008), 562/029/22-04-2010 (OGG Issue 668/B/18-05-2010) and 573/11/22-07-2010 (OGG Issue 1348/B/01-09-2010).

<sup>70</sup> EETT Decision 660/04B/12-07-2012 "Application of the Accounting Separation obligation by the three Mobile Network Providers (COSMOTE, VODAFONE, WIND) in the context of EETT Decision 498/046/15-10-2008, OGG Issue 2260/B/05-11-2008", OGG Issue 2426/B/03-09-2012.

### 3.2.12. Number Portability

During 2012, Number Portability decreased approximately by 12.6% compared to 2011. Analytically, out of the 986,419 total ported numbers, 459,941 pertained to fixed telephony numbers (a 15.5% decrease compared to 2011) and 526,478 pertained to mobile telephony numbers (a 9.2% decrease compared to 2011). By the end of 2012, a total of 6,268,081 fixed and mobile telephony numbers were ported. Table 3.3 presents the evolution of the fixed and mobile telephony ported numbers on an annual basis and accumulatively.

**Table 3.3:** Evolution of Fixed and Mobile Telephony Ported Numbers (2004-2012)

Year	Mobile Telephony		Fixed Telephony		Total	
	Number	Accumulatively	Number	Accumulatively	Number	Accumulatively
2004*	16,123	16,123	1,156	1,156	17,279	17,279
2005	49,641	65,764	27,403	28,559	77,044	94,323
2006	117,767	183,531	44,798	73,357	162,565	256,888
2007	358,517	542,048	300,909	374,266	659,426	916,314
2008	362,601	904,649	562,961	937,227	925,562	1,841,876
2009	486,815	1,391,464	544,039	1,481,266	1,030,854	2,872,730
2010	648,074	2,039,538	631,611	2,112,877	1,279,685	4,152,415
2011	506,413	2,545,951	622,834	2,735,711	1,129,247	5,281,662
2012	459,941	3,005,892	526,478	3,262,189	986,419	6,268,081

It refers to data since the operational start (01-03-2004) of the National Reference Database on Number Portability (NRDNP) which is the special database used in facilitating the implementation of Number Portability in Greece.

EETT decided<sup>71</sup> to conduct a public consultation for the period June,15 - July, 30 2012 with respect to its draft decision<sup>72</sup> to amend and codify in a single text the Regulation on Number Portability in the Greek market. The objective of the consultation was to take into account the views and comments of all stakeholders with respect to:

- issues that they consider have arisen during the application of the existing regulatory framework with respect to Number Portability, and
- amendments proposed by EETT, following the stipulations of L. 4070/2012 (article 68) that pertained mainly to the procedure for handling Portability requests and the obligation of operators to

<sup>71</sup> EETT Decision 656/06/12-06-2012.

<sup>72</sup> EETT Decision 566/016/03-06-2010 "Amendment and Codification of the Regulation on Number Portability in the Greek Market into a single text", OGG Issue 967/B/30-06-2010.

compensate subscribers in case of a delay or abuse in porting by the operators themselves or on their behalf.

However, the MDCTIN informed the European Commission that it would amend article 68 of L. 4070/2012. In light whereof, EETT is waiting for the said amendment, so, if necessary, to relaunch the process for the amendment of the Regulation on Portability, in line with the new provisions.

EETT, taking into account that its present contract with the company handling the NRDNP expires in the beginning of 2014, initiated the process for an open public tender in order to award anew the operation and management of the NRDNP. Towards this end, it carried out a series of meetings with the electronic communications service operators in order to be informed about their views on the technical specifications that will be attached to the tender document, as well as the financial terms of the tender, which is expected to be conducted in the beginning of next year.

### 3.2.13. [.gr] Domain Names Assignment

The assignment of [.gr] Domain Names is increasing steadily. The total number of Domain Names, including sub-domains (com.gr, net.gr, org.gr, edu.gr, gov.gr) is presented in Table 3.4. In addition, the same Table presents the number of assignments compared to applications per month for January - December 2012. The 2012 average assignment percentage in relation to applications was 66% compared to 77% in 2011. For reasons of comparability between the figures appearing in the Tables of Domain Names assigned and applied for, the time reference set corresponds to the date the application was submitted rather than the date on which EETT reached an assignment/rejection Decision.

**Table 3.4:** Assigned [.gr] Domain Names (2006-2012)

	2006	2007	2008	2009	2010	2011	2012
.gr	160,734	194,307	239,623	283,643	318,852	351,307	372,757
.com.gr	6,558	8,283	10,142	12,029	13,169	14,041	15,030
.net.gr	645	749	841	895	852	855	1014
.org.gr	551	413	533	599	590	638	733
.edu.gr	342	631	746	902	1016	1131	1266
.gov.gr	93	105	473	605	651	673	689
	<b>168,923</b>	<b>204,488</b>	<b>252,358</b>	<b>298,673</b>	<b>335,130</b>	<b>368,645</b>	<b>391,489</b>

**Table 3.5:** Number of Assigned [.gr] Domain Names in relation to Applications (2012)

Months	Applications	Assignments	Rejections
January	9,302	6,771	2,531
February	9,649	6,849	2,800
March	9,461	8,207	1,254
April	8,170	6,586	1,584
May	8,162	6,580	1,582
June	7,773	5,357	2,416
July	10,581	5,504	5,077
August	7,419	4,258	3,161
September	11,478	6,240	5,238
October	13,950	9,685	4,265
November	19,545	11,890	7,655
December	12,348	6,958	5,390
<b>Total</b>	<b>127,838</b>	<b>84,885</b>	<b>42,953</b>

It should be noted that the automated procedure, which was implemented on the basis of the New Regulation on the Management and Assignment of [.gr] Domain Names<sup>73</sup>, allowed for the examination of almost all of 2012 applications and resulted to the significant reduction of the waiting time for assigning Domain Names. It is also worth mentioning that the period for their assignment is now one day, besides the five day period, given to registrars in order to revoke their statements.

#### **3.2.14. Wholesale Rental of Public Telephone Network Access Lines (WLR)**

EETT decided<sup>74</sup> to approve under certain amendments OTE's Reference Offer for Wholesale Line Rental, taking into account the comments submitted by the interested parties in the context of the relevant public consultation.

The approved Offer introduces new procedures for providing the WLR service to alternative operators, so that an end user can go from LLU to WLR (with or without Number Portability), as well as providing a new connection with WLR. In parallel, the telephony service through WLR is now possible for third operators, which will be able to provide it not only to OTE subscribers, but also to subscribers of other operators, as well as to clients with new connections.

<sup>73</sup> EETT Decision 592/012/03-02-2011, OGG Issue 593/B/14-04-2011.

<sup>74</sup> EETT Decision 654/10/31-05-2012 "Approval of OTE's Reference offer on Wholesale Line rental", OGG Issue 1833/B/11-06-2012.

### 3.2.15. National Numbering Plan

EETT conducted a public consultation, from October 8 to November 11, 2012, with respect to the Regulation on the Management and the Assignment of Numbering Resources of the National Numbering Plan (NNP). The main amendments proposed pertain to the following:

- Introduction of a provision with respect to the settlement of number resource fees.
- A provision on the mandatory submission of applications to assign/rescind numbering resources through the electronic application.
- Exoneration of the second operator from the obligation to pay usage fees in the case of a short code transfer.

The new Regulation is expected to be issued in the beginning of 2013.

### 3.2.16. General Authorisation Regulation

Pursuant to the public consultation held in October 2012, EETT decided<sup>75</sup> in December to issue a new General Authorisation Regulation, aiming at improving provisions regulating procedures and conditions for providing electronic communications networks and services, as well as update the provisions of the Regulation in accordance with the new L. 4070/2012.

The main change in the new Regulation was the simplification of the legalising documents required by EETT for submitting the statement for the General Authorisation's Registration. Great importance was attached to provisions relating to consumer protection issues and imposing obligations on operators. It is indicatively mentioned that, in the event of fraud or abuse, the network and/or electronic communications services operator discontinues its services upon ascertaining the subscriber charges exceed a cap, on the condition that the subscriber has provided the relevant consent upon contract signature.

In parallel, the Regulation sets additional obligations for electronic communications operators with respect to transparency and publicizing information on current prices, price lists and terms for consumers accessing and using their network and services. Additionally, instructions were given with respect to publicizing amendments to price lists, as well as the manner and the time in which consumers should be notified. Furthermore, consumers are able to submit a complaint for the non-fulfilment of the aforementioned obligations by the operator, whilst the operator is obliged to credit the subscribers' account with an amount equal to the difference between new and old price lists for the time period up to the fulfilment of the said obligations and the lapse of the corresponding deadlines. Lastly, three new services were introduced that require licensing and pertain to mobile communications on boats and aircraft, as well as cross border electronic communications services.

### 3.2.17. Electronic Communications Product Price Monitoring System

According to BEREC's report<sup>76</sup>, regulatory authorities are examining the issue of insufficient consumer information and its various forms (insufficient, non transparent or misleading information, information that is difficult to trace). In Greece, the new L. 4070/2012<sup>77</sup> imposed significant obligations on public network

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<sup>75</sup> EETT's Decision 676/41/20-12-2012, "General Authorisation Regulation", OGG Issue 298/B/14-02-2013.

<sup>76</sup> ERG CN (08) 73 Report on Transparency of Tariff Information draft 081104, October 2008.

<sup>77</sup> Article 66 and Appendix IV of L. 4070/2012.

operators and/or publicly available electronic communications services on issues of transparency and publicizing information to citizens. At the same time, it authorized EETT to specify an implementation methodology for the said obligations on behalf of the operators. EETT, taking into account the above points, designed and developed an Electronic Communications Product Price Monitoring System aiming at gathering, recording and making available to third parties the tariff schemes for the electronic communications' products through a single, electronic and automated process.

The System is consisted by two independent structural sections:

- The Electronic Standardized Pricing Data Depository: this section contains the primary pricing data for electronic services entered by operators through a secure web service, that abides by a standardized formatting and tagging model, and enables the automation of the process both during data entry and retrieval by third companies interested in in the digital provision of services regarding the presentation and comparison of tariffs and invoice data for electronic communications products. EETT decided<sup>78</sup> to define the description format of all company programmes, as well as the Depository update procedure.
- EETT's Electronic Observatory: this section aims at providing, on the one hand, an electronic service presenting all publicized information on electronic communications product packages with a single and unified manner and on the other, web services so that the information available can be utilized by third parties automatically. Therefore, consumers who visit EETT's website will be able to see the desired electronic communications products analytically. In the future, the presentation of the packages is expected to evolve into a comparative benchmarking, as EETT has already secured the relevant funding from the operational programme "Digital Convergence" and is about to complete the relevant tender process to find the appropriate contractor for implementing the relevant digital services.

The Electronic Communications Product Price Monitoring System is already in a trial mode and its full-functional version is expected to be launched in the second half of 2013.

### 3.2.18. Quality Indicators for Electronic Communication Services

EETT's new Decision<sup>79</sup> on the publicly available Quality Indicators in specific electronic communications services (fixed telephony, fixed broadband Services (xDSL) and VoIP, customer service and directory enquiries) was fully implemented in the second semester of 2012. It should be noted that a transitional implementation stage had been defined, during which the previous EETT Decision<sup>80</sup> applied for the aforementioned Indicator categories, so as to give operators sufficient time to adapt their measuring systems. At the same time, EETT, on the one hand, communicated with the operators to answer their questions with respect to the new Decision and on the other, created the new model files for the submission of results, as well as the relevant informative websites<sup>81</sup>.

Additionally, EETT performed a first statistical analysis of the subscribers-based Quality Indicator Results received by the major network operators<sup>82</sup>, pursuant to its previous Decision. The main goal was to give an

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<sup>78</sup> EETT Decision 664/11B/10-09-2012, OGG Issue 2973/B/08-11-2012.

<sup>79</sup> EETT Decision 621/011/27-09-2011, OGG Issue 2417/B/01-11-2011.

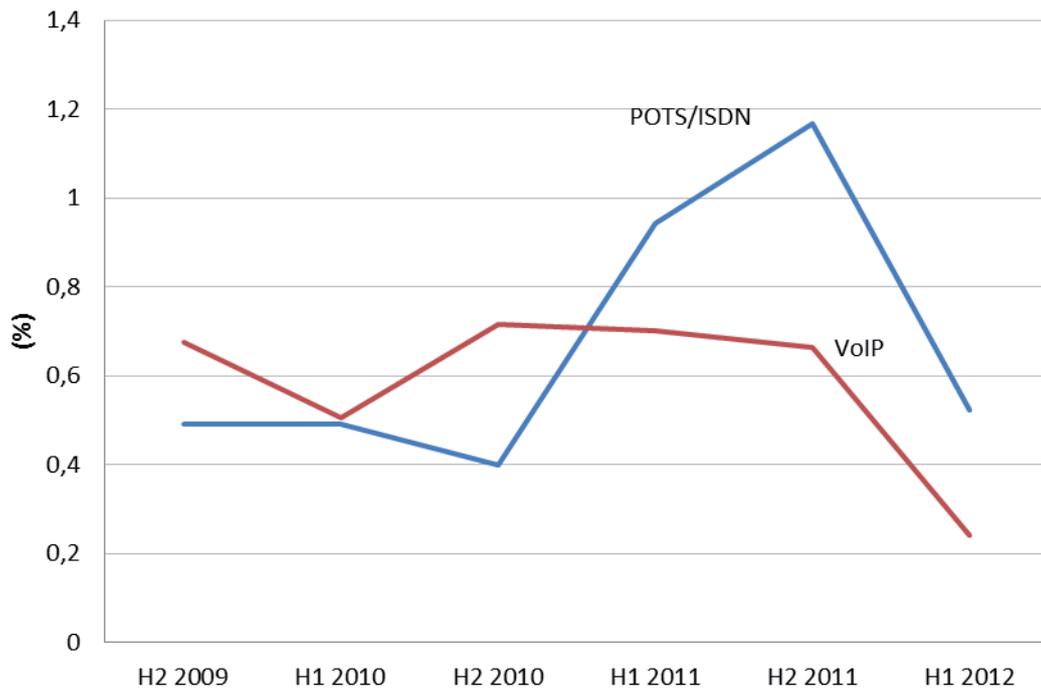
<sup>80</sup> EETT Decision 480/017/13-05-2008, OGG Issue 1153/24-06-2012.

<sup>81</sup> [http://www.eett.gr/opencms/opencms/EETT/Electronic\\_Communications/Telecoms/QualityIndicators/](http://www.eett.gr/opencms/opencms/EETT/Electronic_Communications/Telecoms/QualityIndicators/)

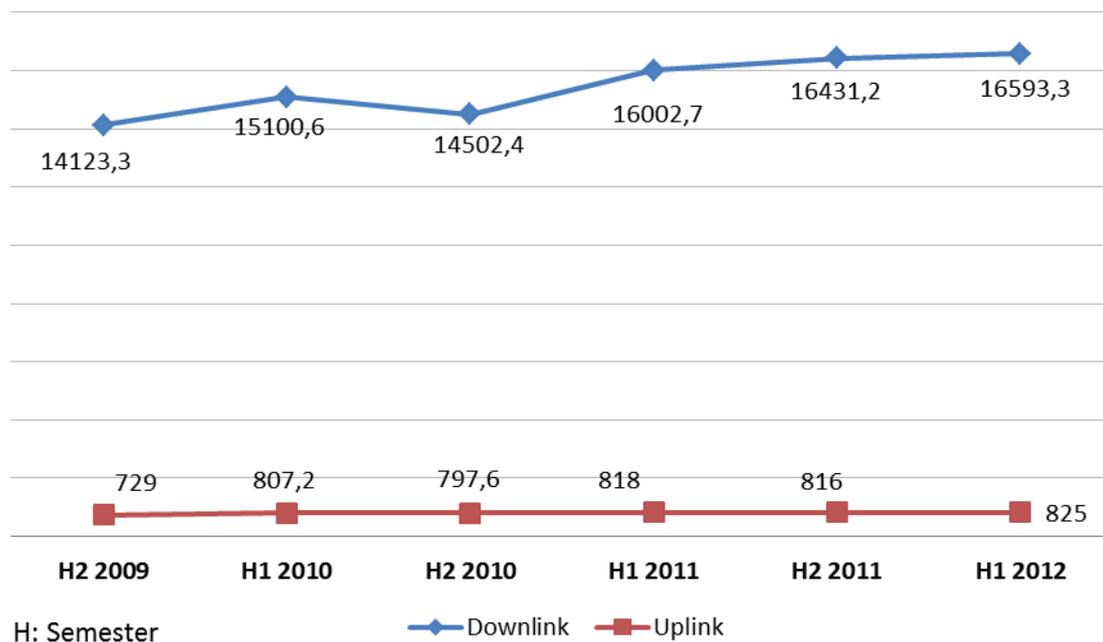
<sup>82</sup> Providers who directly serve more than 50,000 subscribers.

overview of the operators' performance over time, in total and comparatively, i.e., alternative operators compared to the Universal Service Provider (OTE).

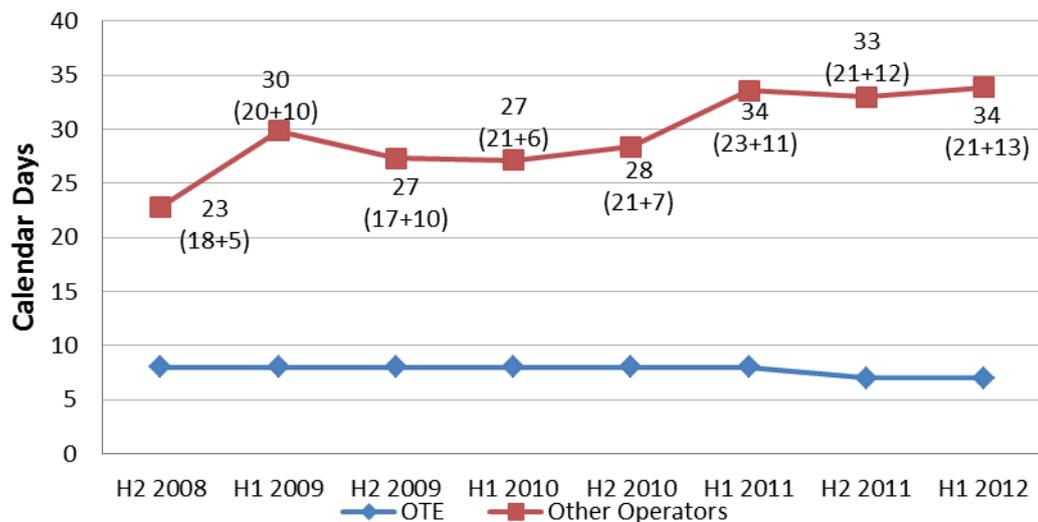
**Chart 3.1: Call Failure Rate**



**Note:** The chart shows the average call failure rate for national calls for all major operators. Results are presented separately for POTS/ISDN (Forthnet, HOL, On Telecoms, OTE, WIND Hellas) (Q.I. F01) and separately for VoIP (Cyta Hellas, On Telecoms) (Q.I. B03). Only voice over IP services packages that originate from the local loop or subloop have been included for VoIP.

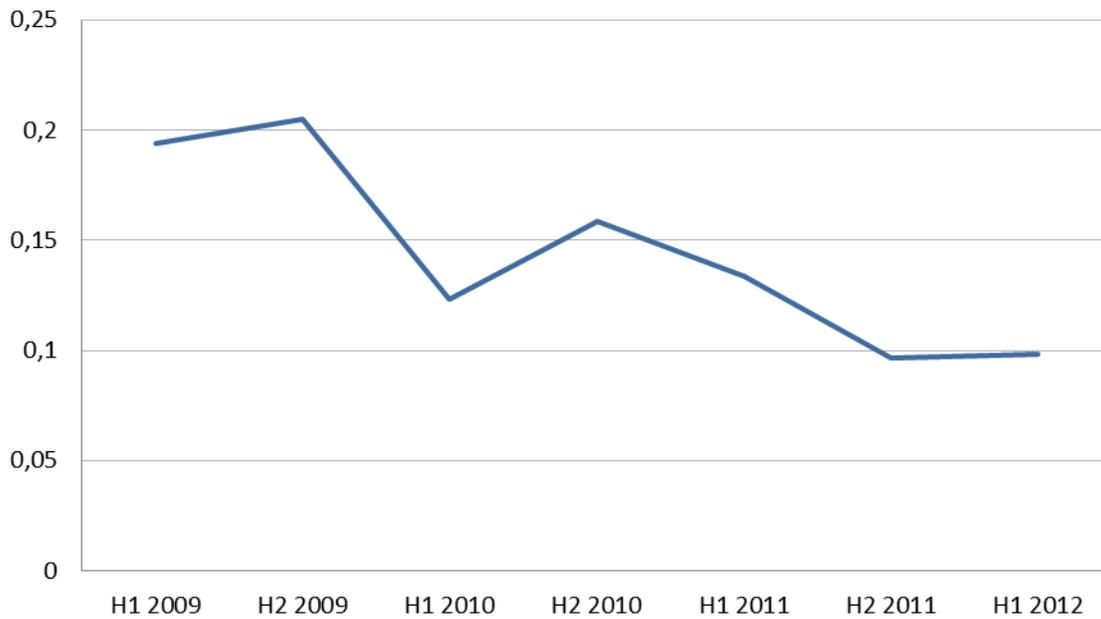
**Chart 3.2:** Average Speed of Transmission from Local Exchange (kbps) (24 Mbps/1 Mbps packages)

**Note:** The chart presents the average speed of data transmission of operators in the joined part of the access network and the backbone network (Q.I. B01). The average of the results for the operators CYTA Hellas, Forthnet, HOL, On Telecoms, OTE, WIND Hellas is presented. The results of Forthnet are available from the first semester of 2010 onwards and for CYTA Hellas as of the first semester of 2011.

**Chart 3.3:** Provision times for Initial Broadband Connection (95 hundredths)

**Note:** The chart shows the provision times for the initial broadband connection (Q.I. B05). The results for the other operators up to the second half of 2010 refer to the companies Forthnet, HOL, On Telecoms. The companies CYTA Hellas and WIND Hellas were added in the first semester of 2011 and onwards. Each point of the other operators' curve presents the average of the results of those operators. In the brackets, the number is broken down OTE days + days of the operators). The results are based on measurements of operators in the direct LLU service.

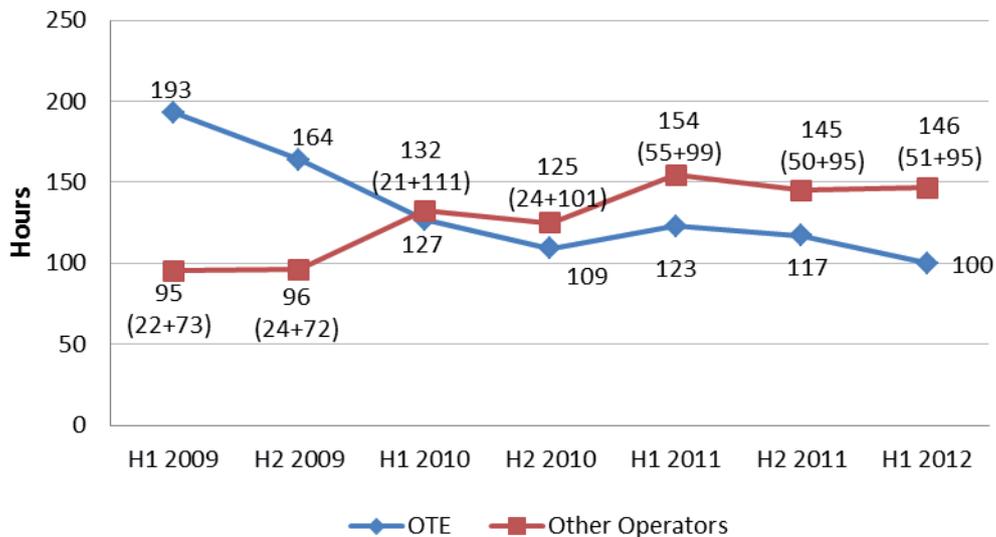
**Chart 3.4:** Frequency of Faults per Access Line



H: Semester

**Note:** The chart shows the number of faults per access line (Q.I. B06). It gives the average for the operators CYTA Hellas, Forthnet, HOL, On Telecoms, OTE, WIND Hellas. The first semester of 2009 does not include CYTA Hellas.

**Chart 3.5:** Fault Repair Time for Broadband Access Lines (80 hundredths)



H: Semester

**Note:** The Chart shows the fault repair time for broadband access lines (Q.I B07). The results for the other operators up to the second semester of 2010 refer to the companies Forthnet, HOL and On Telecoms. The companies CYTA Hellas and WIND Hellas were added in the first semester of 2011 and onwards. Each point of the other operators' curve presents the average of those operators' results. In the brackets, the number is broken down (OTE hours + hours of the operators). The results are based on measurements of operators in the direct LLU service.

### 3.2.19. Regulation on International Roaming

In July 2012, the new Regulation on International Roaming<sup>83</sup> on public mobile telephony networks within the EU entered into effect, with the purpose of further reducing international roaming charges, enhancing transparency and achieving a high level of consumer protection. The new Regulation includes, inter alia:

(a) The maximum wholesale and retail prices for roaming charges. Specifically, as of July 1, 2012, all subscribers to Greek mobile telephony operators travelling to one of the EU countries, as well as to Iceland, Lichtenstein or Norway, will be charged as follows:

- up to 0.29 Euro/minute plus VAT for making a call;
- up to 0.08 Euro/minute plus VAT for receiving a call;
- up to 0.09 Euro/SMS plus VAT for sending an SMS
- up to 0.70 Euro/MB plus VAT for using data services

(b) Rules for enhancing the transparency of roaming prices and providing more information on charges.

(c) Mechanisms for protecting consumers, with the purpose of avoiding excessive charges, due to using the Internet on the mobile or laptop whilst abroad.

(d) Rules for the separate sale of regulated roaming services by the domestic mobile communications services that will enter into effect as of July 1, 2014.

Lastly, EETT examines the compliance of mobile telephony operators with the Regulation and monitors the developments in the international roaming market in collaboration with BEREC and the European Commission.

## 3.3. Broadband Development

### 3.3.1. Broadband Penetration in Greece

The number of broadband connections rose to 2,689,428 at the end of December 2012 compared to 2,464,279 at the end of 2011, registering an increase of 9%. Over the same period, broadband penetration in the population reached 23.8% compared to 21.8% at the end of 2011. It should be noted that Greece, since the end of 2011, ranks 21<sup>st</sup> (instead of 22<sup>nd</sup> in mid 2011) amongst the EU member states, based on broadband penetration.

The broadband lines via LLU have recorded a borderline increase reaching 54.8% of the total broadband lines nationwide in December compared to a share of 44.9% for the ADSL lines (wholesale and retail). It should be noted that the respective shares at the end of 2011 were 54.3% for LLU lines and 45.4% for ADSL lines. Mobile broadband remained at low levels, given that penetration through the use of laptops and Internet access cards stood at 3.6% whilst penetration via 3G networks amounted to 44.9%.

### 3.3.2. Next Generation Access Networks

EETT's main mission is to effectively regulate the market in a way that encourages competitive growth, so that all operators can have equal opportunities in entering and operating in the market and every consumer can have access to competitive services. In this context EETT's priority is Greece's smooth and regulated transition

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<sup>83</sup> Regulation (EU) No 531/2012 of the European Parliament and of the Council of 13 June 2012 on roaming on public mobile communications networks within the Union (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:172:0010:01:EN:HTML>).

to the New Generation Access Networks (NGAs), a complex procedure that will determine the future of high speed broadband access in Greece. Since the beginning of 2011, EETT has already undertaken a set of actions with respect to the wholesale markets for the provision of (physical) access to network infrastructure and broadband access<sup>84</sup> (market analysis, interim measures against OTE). The Authority's goal is to complete, as soon as possible, the regulation of the relevant market regarding the provision of wholesale services through an access network in which a fiber optic has been installed and operates up to the street cabinets (FTTN/VDSL).

During 2012 and in the context of the annual cost-accounting audit, EETT approved<sup>85</sup> two tariff proposals for the wholesale markets, and issued<sup>86</sup> the Access Network Frequency Plan (see section 3.3.3) and finally approved<sup>87</sup> the Reference Offer for the provision of WBA services by OTE to alternative operators. Moreover, in meetings with alternative operators, in July 2012, EETT was asked to consider an alternative solution for the provision of broadband access through VDSL, which would allow them to market products similar to those that OTE planned to offer to its own subscribers. More specifically, alternative operators announced their desire to provide broadband access services through VDSL technology, receiving WBA from OTE in combination with fixed telephony services through LLU, i.e., in a way that would be similar to the relevant services that OTE planned to offer to consumers. Hence, they asked for the regulatory specification of the framework set out by the Decisions of markets 4 and 5, especially regarding the provision of wholesale products by OTE, which would allow operators to offer retail broadband access products through a VDSL network.

In this framework and taking into consideration the critical and difficult economic status of the country and the urgent need for encouraging investments for the recovery of national economy, EETT decided<sup>88</sup> to permit the launch of OTE's VDSL retail products into the Greek market (at speeds of 30 and 50 Mbps), on the condition that the respective wholesale product was available and fully operational for alternative operators. In the same time EETT was set to examine to what extent does this wholesale product ensure the possibility of replicability of the relevant retail product by the these operators.

In November 2012, OTE launched the provision of wholesale and retail VDSL services, while in a relatively short period of time, VDSL services were also launched by alternative operators using the new wholesale product. Lastly, in December 2012, EETT approved<sup>89</sup> OTE's Reference Offer for LLU, which sets the terms, conditions, quality indicators and procedure that OTE will follow in providing the wholesale service to third operators for the development and retail provision of competitive VDSL products, enabling operators to offer combined voice and VDSL services to consumers.

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<sup>84</sup> These are markets 4 and 5 of the European Commission's Recommendation of December 17, 2007, on relevant product and service markets within the Electronic Communications sector amenable to ex ante regulation in accordance with Directive 2002/21/EC of the European Parliament and of the Council on a common regulatory framework for Electronic Communications networks and services, (EU L 344/65, (2008/879/ EC), 28-12-2007).

<sup>85</sup> EETT Decision 640/016/21-02-2012, OGG Issue 755/14-03-2012.

<sup>86</sup> EETT Decision 636/37/19-01-2012, OGG Issue 729/B/13-03-2012.

<sup>87</sup> EETT Decision 654/11/31-05-2012, OGG Issue 1846/13-06-2012.

<sup>88</sup> EETT Decision 665/05/18-09-2012.

<sup>89</sup> EETT Decision 675/09/11-12-2012, OGG Issue 3402/B/20--12-2012.

### Timeline of VDSL Regulation by EETT

- March 2011: EETT takes interim measures against OTE concerning the launch of retail VDSL services.
  - March-July 2011: EETT completes the relevant market analysis within four months.
  - December 2011: EETT approves cost-oriented prices for the wholesale launch of OTE's VDSL services.
  - February 2012: EETT approves two tariff proposals for wholesale markets in the context of the annual cost-accounting audit.
  - March 2012: EETT issues the Access Network Frequency Plan.
  - July 2012: EETT approves the Reference Offer for the provision of wholesale broadband access by OTE to alternative operators.
  - July 2012: EETT hosts a meeting with OTE and alternative operators.
  - September 2012: EETT approves, under conditions, the launch of VDSL retail products by OTE into the Greek market.
  - October 2012: EETT approves the first VDSL products of OTE for the retail market at speeds of 30 and 50 Mbps.
- 26 November: VDSL services are launched into the Greek market.

### 3.3.3. Access Network Frequency Plan

In March 2012, EETT, following a public consultation held in 2011, issued the Access Network Frequency Plan (AFNP)<sup>90</sup>, which defines a group of rules that govern the development and operation of different systems in specific points of the access network (Local Exchanges, outdoor distribution frames Copper Networks-KV and Optical Access Networks- ONUs), end user equipment), in order to minimize the mutual interferences due to the introduction of xDSL technology signals.

These rules will be applied by all operators that offer xDSL technology broadband services via the current access network. The implementation of the AFNP by all operators shall boost new investments, without however impairing the value of older investments, as it ensures equal access to the infrastructure and regulatory stability, whilst fostering the introduction of new innovative services. Additional benefits are that technology will be used more effectively, broadband will cover a larger geographical area, and technology neutrality in network development will be achieved, as stipulated in the European regulatory framework.

It should be noted that the Regulation that delineates the features and mode of operation of the equipment introduced at various points of the access network was finalised after EETT and the operators worked on it for about a year.

### 3.3.4. System for Performance Evaluation of Broadband Connection Services (SPEBS / "HYPERION")

In the second half of 2012, EETT upgraded the "System for the Performance Evaluation of Broadband Connection Services" (SPEBS)<sup>91</sup>, and invited the ADSL or VDSL fixed broadband connection subscribers to contribute with their measurements to developing the first digital map of broadband coverage in Greece. SPEBS is a reliable and easy to use System for the Performance Evaluation of Broadband Connection that offers improved and more user friendly applications for the assessment, the geographical mapping and the comparison of quality features of broadband connections by the users themselves.

<sup>90</sup> EETT Decision 636/37/19-01-2012, OGGI Issue 729/B/13-03-2012.

<sup>91</sup> SPEBS was developed by EETT in collaboration with the Institute of Communication and Computer Systems (ICCS) of the National Technical University of Athens, the Greek Research & Technology Network (GRNET SA) and researchers from the international joint venture Measurement Lab (M-Lab).

With the Network Diagnostic Tool (NDT), users measure actual download and upload speed of their connection, round trip time (RTT) and packet loss in a specific geographical area and time (e.g., low speed at peak hours). In addition, users can compare their actual speed to the maximum speed that their connection theoretically should support, depending on the distance to the closest local exchange.

The upgraded System offers the integrated operation of the “glasnost” tool to the user that checks whether the telecommunications operator implements, in specific applications, traffic shaping practices, which prevent users from fully utilizing the connection speed. In parallel, M-Lab Notifier, an auxiliary programme was added, which facilitates users to carry out frequent measurements of broadband connections and functions as a reminder, whilst it also assesses the connection quality over time.

It should be noted that SPEBS is available by EETT in an open code form, so as to enable its development and widespread use, in collaboration with the development of similar web-based applications by Regulatory Authorities that have already expressed their interest. Specifically, it has already been adapted and is used by NZBT in New Zealand and the Office of the Commissioner of the Electronic Communications and Postal Regulation of Cyprus (OCECPR), and has also been successfully presented at international conferences, receiving particularly positive comments (Internet Governance Forum 2012, Federation of Telecommunications Engineers of the European Community-FITCE etc.).

Within the first six months of 2013, EETT has scheduled a significant upgrade of SPEBS, including improved web design, enriched services and tools as well as communication actions to inform users. As part of this effort the System was renamed “HYPERION”.

### 3.4. EETT's Controlling and Monitoring Actions in Electronic Communications

In the course of 2012, EETT conducted 44 hearings regarding infringements of electronic communications or competition law in relation to market issues. As a result of these hearings, EETT imposed four fines (Table 3.6).

**Table 3.6:** Results of EETT hearings in the Electronic Communications Sector (2012)

Subject	Number of Hearings	Fine	Recommendation	Exemption	Deletion	Other Sanctions/ Decisions
Numbering	1	-	-	-	-	1 (Referral to another hearing)
Interconnection	5	-	-	-	-	5 (Conflict resolution)
Local Loop Unbundling	2	1	-	-	-	1
Licensing	1	-	-	-	-	1 (In file)
Domain names	32	-	-	-	26	6 (2 in file, 4 rejections)
Other	3	3	-	-	-	-
<b>Total</b>	<b>44</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>26</b>	<b>14</b>

### 3.5. Goals for 2013

EETT's priorities for the Greek electronic communications market is to foster competition and encourage the launching of high quality and innovative products, maximizing the consumer benefits and the growth prospects of the Greek economy.

Specifically, the goals for 2013 can be summarised as follows:

1. Encouragement of the transition to New Generation Access Networks:
  - Revision of the Reference Offer for the provision of the Virtual Partially Unbundled (VPU) loop, within the year's first half.
  - Conduct market analysis on (a) voice calls (b) interconnection (c) telephony network access, whilst the need for a similar analysis with respect to wholesale broadband access (definition of VPU and naked VDSL services) and local loop unbundling will be assessed.
2. Regulatory matters and specifying regulatory obligations:
  - Examination of a new issue or revision of the secondary legislation ensuing from L. 4070/2012, after the new Regulation on General Authorizations and National Numbering Plan (NNP) has been issued.
  - Amendment of the Regulation on Domain Names.

- Reconsideration of the Interconnection Regulation based on the new framework.
  - Conduct of a public consultation and recommendation to the Ministry for the determination of reasonable access requests and provision of call services in the US framework.
  - Revision of the Regulation for Universal Service Performance Goals.
  - Issue of the Reference Offer for OTE Leased Lines.
  - Completion of the Bottom up setting of termination rates in fixed networks.
3. Universal Service Issues:
- Evaluation of the study determining the Net Cost of US provision for 2010, submitted by OTE.
  - Auditing OTE's compliance with the US cost-accounting principles approved by EETT, including the upgrade accuracy regarding its fixed assets and the calculation of its benefits as the Universal Service Provider (USP) .
4. Strengthening consumers' trust:
- Quality Indicators.  
Interventions for providing timely, objective and comparable information regarding customer service, as well as the quality of fixed electronic communication services provided in our country by the entitled operators. Specifically, EETT's main objective is to facilitate users, on the one hand, to compare the quality of services delivered by various electronic communications services operators and on the other, to certify, wherever possible, the quality of the provided services.
  - Promotion of the Retail Price Observatory for Telecommunications & Postal Services, an innovative electronic service by EETT, that permits consumers to assess and compare products and prices of telecommunications and postal services.
  - Extension, improvement and development of the new internet applications for consumers and primarily the System for Performance Evaluation of Broadband Connection Services (SPEBS), which permits the measurement of actual broadband speed by the consumers themselves, not only for fixed but also for mobile connections. These measurements pertain to the quality features of their connection – such as the scope of coverage or “actual” speed in geographical areas and locations nationwide – and will be assessed according to international standards.
  - Upgrading of EETT's Consumer Service Sector (CSS) aiming at the efficient management of the complaints on electronic communication issues to the benefit of citizens. To this end, EETT has planned the standardisation and upgrading of customers service procedure, as well as the updating of quantitative and qualitative criteria for the CSS functions.
5. Auditing actions:
- Auditing of OTE's compliance with its obligations for price control/cost-accounting/accounting separation of the regulated services, both at a wholesale and at a retail market level, as these are imposed by the applicable national and EU legislation and the relevant EETT Decisions.
  - Systematic verification of compliance with the Access Network Frequency Plan in combination, if required, with measurements of infused power spectral density, aiming at ensuring the quality of services delivered, so that more options are open to consumers, both with present and future broadband services at higher access rates. These controls become necessary due to the introduction of VDSL technology in the Greek market.

- Examination of Local Loop issues, so as to ensure quality fixed electronic communications services for consumers.
  - Examination of the implementation of the Regulation on Number Portability at the operators' premises with the objective of compliance with the applicable legislation on number portability, which is very important for stimulating competition in the market. These audits ensure the smooth operation of the market regarding portability, serving the consumers' best interest.
  - Conduct of inspections at operator stores/points of sale so that they adhere to their obligations with consumers, as these are set forth in the applicable legislation (Code of Practice, etc.). These inspections will reflect the extent of the operators' compliance and will identify any points requiring EETT intervention.
  - Auditing the economy programs of the operator with SMP in order to investigate margin squeeze practices and also to ensure their "replicability" by alternative operators for the benefit of fair competition.
6. Spectrum Auctions
- Preparation of public consultation, financial studies and tender document for the terrestrial digital television auction.
  - Conduct of terrestrial digital television auction (if the necessary political decisions are reached).
  - Launch of the licensing process for LMDS-WiMAX up to 2015.

## 4. EETT's Initiatives & Actions in the Radiofrequency Spectrum Sector

### Introduction

In 2012, following the issue of Laws 4053 and 4070, EETT adapted the secondary legislation governing the operation of the radiofrequency spectrum. Specifically, it issued a new Regulation on Licensing of Antenna Construction and developed and launched the Electronic Submission of Antenna Construction Applications System (SILYA) that facilitates and simplifies the licensing procedures. EETT focused on monitoring the radio television spectrum so as to achieve a smooth switchover to digital television and market inspections were stepped up, with the purpose on the one hand of ensuring the quality of the services delivered and on the other hand of safeguarding consumers' rights .

### 4.1. Spectrum Management and Monitoring

#### 4.1.1. Regulation for the Use and Granting of the Radiofrequency Use Rights

In the context of its competences regarding the radiofrequency spectrum management, in 2012 EETT amended the Regulation on the Use and Granting of the Radiofrequency Rights of Use under the General Authorisation for Electronic Communication Networks and/or Services. This Regulation sets forth the framework for the use of radio frequencies under a General Authorisation and the procedure for granting individual Rights of Use of specific Radiofrequencies or Radiofrequencies Bands for the provision of electronic communication networks and/or services.

The specific amendment took place in view of the continuous updating of the regulatory framework that governs the use and granting of rights to use the radiofrequencies spectrum and comprises part of EETT's standard activities, aiming at adjusting the Greek regulatory environment to the requirements of the international and European regulatory framework. The final form of the amended Regulation<sup>92</sup> resulted following a public consultation.

The most important change, brought about by the modified version of the specific Regulation, to the use and granting of the aforementioned rights of use is, pursuant to L. 4070/2012, the addition of provisions on the following:

- spectrum storage
- neutrality with respect to the technology used and the service provided
- granting rights to use radiofrequencies to private mobile radio networks

#### 4.1.2. Fixed Service

Fixed service comprises wireless electronic communications networks between specific fixed points. There are two different categories of fixed service depending on the needs of the network they serve:

- providing electronic communications services to the public.
- serving own telecommunications needs.

The radio links of fixed service are widely used, on the one hand by mobile communications networks operators to support their network infrastructure and on the other hand by fixed telephony providers for the wireless interconnection of their networks, mainly in areas where it is not easy to establish a wired network

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<sup>92</sup> EETT Decision 676/30/20-12-2012, "Regulation on the Use and Granting of the Radiofrequency Rights of Use under the General Authorisation for Electronic Communication Networks and Services", OGG Issue 110/B/24-01-2013.

(copper or fibre optics). Moreover, they are used by radio and television stations to transmit the program from the point of its production to the transmission centre.

In the majority of cases, the operation of these networks requires that the relevant radiofrequency right of use to be granted. During 2012, the following were granted:

- 870 new radiofrequency rights of use for point-to-point links, concerning mainly backbone networks of electronic communications service providers
- 32 radiofrequency rights of use for servicing own electronic communications needs, mainly for the transfer of radio or television programs from the production point (studio) to the transmission center

EETT's aim is the optimum technical and economic management of the radio-frequencies spectrum used for fixed service applications. In this framework, EETT continuously harmonises the conditions for the use of the fixed service radiofrequencies spectrum to European practice. During 2012, 480 rights of use for point-to-point links were amended pertaining mainly to the adjustment to the harmonized channelisation plans proposed in the Regulation on the Terms of Use for Individual Radiofrequencies or Radiofrequency Bands<sup>93</sup>.

With regard to legal inspections and interference problems in fixed service systems, EETT received a total of 95 complaints:

- 10 for legal inspections and interference in wireless access systems (Wi-Fi and WiMAX)
- 76 for legal inspections of radio–electric links
- 9 for interference inspections in licensed radio–electric links

Additionally, following ex officio inspections conducted by the Regional Office of Patras, 44 non licensed radio link transmissions for transferring radio-television station signals were found in frequency bands that have been allocated to GSM/DCS/UMTS mobile telephony services, as well as the development of defense systems and aeronautical radio-navigation. Afterwards, the corresponding recommendations were made to the specific stations in order to cease the operation of the above mentioned radio links and to apply for radiofrequency rights of use.

#### **4.1.3. Satellite Services**

The installation and operation of terrestrial satellite stations require national and international coordination with existing terrestrial networks of fixed and satellite service to avoid interference. In this context, EETT implemented all procedures stipulated by the International Telecommunications Union (ITU) and in 2012 also harmonized the domestic and foreign terrestrial satellite services with the existing wireless networks.

Moreover, in 2012:

- Two Radiofrequency rights of use granted to terrestrial satellite stations were amended.
- A request for granting of radiofrequency rights of use was rejected for administrative reasons.

In 2012, within the framework of satellite spectrum monitoring, EETT conducted an inspection as a result of a complaint about interference problems in satellite channel reception in Attica.

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<sup>93</sup> EETT Decision 624/216/20-10-2011 "Regulation on the Terms of Use for Individual Radiofrequencies or Radiofrequency Bands", OGG Issue 2512/B/7-11-2011.

Furthermore, EETT received complaints about interference problems in the 1400-1427 MHz band that is used by the Soil Moisture and Ocean Salinity Satellite (SMOS) system for measurements, from terrestrial signal transmissions at various positions throughout Greece. These inspections showed that most of the problems were caused by terrestrial radio links of the fixed service, as well as due to transmissions of spurious signals during broadband transmissions of radio television stations. EETT proceeded promptly to resolve these problems, whereas it continues the inspections so as to ensure the smooth operation of the SMOS system.

### **Granting Rights for the 28GHz Band**

EETT granted rights for the use of radiofrequencies in this band for the development of the terrestrial satellite stations (HUB/GateWays), serving high capacity traffic and using multiple uplink channels of great range (e.g., 72×40 MHz, 8×125 MHz, 5×250 MHz), through satellites of a non-geostationary orbit.

#### **4.1.4. Mobile Service**

##### **Mobile Telephony Networks**

The mobile telephony networks include wireless digital sound and data transfer systems using cellular technology (GSM/DCS/UMTS/LTE), whose operation requires a radiofrequency right of use from EETT.

In 2011, EETT received 114 complaints related to interferences in the reception frequencies of the base stations that serve mobile telephones. Out of these complaints, 62 concerned interference problems in the prefectures, where EETT headquarters and regional offices are located, and 52 in the other prefectures of the country.

EETT investigated almost all complaints based on their priority to the smooth operation of the mobile telephony networks and carried out inspections by using its fixed and mobile monitoring stations. As a result, almost all the problems concerning interferences were resolved, whereas in a few cases new inspections and further actions were required.

In brief, the main sources of interference were:

- Fixed telephony wireless devices of DECT 6.0 technology.
- Mobile telephony repeater systems.
- Systems preventing the use of mobile telephones (“Jammers”).
- Radio-electric link systems for sound, image and / or data transmission from radio-television stations and military organizations.
- Spurious emissions from radio-television stations broadcasting systems.
- Spurious emissions from domestic television signal amplifier systems.
- Spurious emissions from wireless alarm systems for cars.

##### **Monitoring the Fulfilment of Mobile Telephony Operators’ Obligations**

The owners of radiofrequency rights of use for mobile service are required to submit to EETT a report on network expansion for each semester. These reports include data on the terms of the relevant rights of use, such as the percentage of radio coverage (geographical and demographic) that the provider must fulfill, the quality of service and the quality specifications for the provision of the services network, the

development of a network in the reference semester, as well as technical information on the radio-network, the transmission network and the switching network.

In 2012, EETT examined the network expansion reports that the mobile phone operators submitted on the second half of 2011 and the first half of 2012. With regard to the key parameter of radio coverage, the reports demonstrated that all mobile telephony operators have fulfilled their obligations with respect to both 2<sup>nd</sup> and 3<sup>rd</sup> generation networks.

### **Quality Indicators for Mobile Communications System Services**

EETT decided<sup>94</sup> to amend the Regulation for designating the quality indicators of the electronic communications services delivered to the public, after a relevant consultation with the market. The new Regulation solves problems and vague points arising from the implementation of the previous regulation, and moreover, includes new quality indicators for 3<sup>rd</sup> generation mobile telephony networks, which can give a better picture of the quality of the telecommunication services provided (e.g., quality of internet services in mobile networks).

Recognising the need for objective results from comparing the quality indicators for mobile communications networks, EETT makes the measurement on its own, taking into account international standards and the relevant recommendations.

### **System for Measuring and Presenting the Electronic Communications Quality Indicators**

In order to acquire both the necessary infrastructure for recording, storing, processing and presenting the measurements for the quality indicators of electronic communications networks, as well as the mechanism for updating their prices, at regular time intervals, EETT proposed the implementation of a project entitled “System for Measuring and Presenting Electronic Communications Quality Indicators”, which was included among the projects to be funded by the NSRF.

In the framework of this project, fixed or mobile measuring instruments required for measuring and comparing mobile communications quality indicators, the software for the measurements of each user, as well as the IT platform for the presentation of the results on the internet will be acquired.

The results collected by the measuring instruments will go to the IT system for storing, processing, presenting and comparing of the measurements.

The measuring equipment is distinguished into two subsystems:

- The interactive measurement presentation system for Electronic Communications Quality Indicators, which, through the analytical measurements of mobile services quality indicators, will offer to the users (both home and professional) the provision of information and comparison services for the mobile communications networks operating in Greece per geographical area/location.
- The study of international practices on measuring electronic communications quality indicators for new technologies and their adaptation to the Greek telecommunications market and the regulatory framework that aims at creating a measurement network of quality indicators on broadband services

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<sup>94</sup> EETT Decision with prot. no. 621/011/27-09-2011 “Amendment and codification of the EETT’s Decision with Prot. No. 480/017/13-05-2008 “Designation of the quality indicators for the electronic communications services provided to the public and determination of the content and the form of the information for publication, as well as the manner and time of its publication by the electronic communications services operators (OGG Issue 1153/B/2008)”, OGG Issue 2417/B/01-11-2011.

of mobile communications networks of all operators together in real time. This will consist of a total of 20 transportable measuring stations, which can be placed at selected points. Such points may be airports, ports, major commercial centres and sites for events, in which providers are called upon to serve a large number of people, and therefore problems may arise with respect to coverage and service availability.

### **Private Mobile Radio networks**

Private Mobile Radio (PMR) Networks are used to meet the communication requirements of various professional user groups such as radio-taxi companies, security service providers, etc.

EETT grants Radiofrequency Rights of Use mostly in VHF and UHF bands. These rights cover networks of broader or limited areas. According to the new Law 4070/2012, the installation and operation of special radio-networks is subject to General Authorisation, but no longer requires the filing of a notice of registration with the registry of electronic communications networks and service providers kept by EETT.

In 2012, all requests with complete data were processed and 115 Decisions were finally issued, out of which 95 concerned granting new or amending an existing right, whereas 20 of them concerned the withdrawal of existing rights.

With respect to interference, during 2011, EETT received 17 complaints for interference in PMR networks of radio-taxi associations, municipalities and private companies. Most of the problems were due to the use of non-licensed frequencies of fixed or mobile services, as well as spurious emissions of radio networks and radio-television stations broadcasting systems. In addition, 32 complaints were submitted concerning interference control in remote control systems and electronic devices at home, as well as the legality of radio network antenna systems.

In all aforementioned cases, EETT carried out technical inspections, promptly scheduled the actions required for resolving the problems, and where needed, imposed sanctions.

#### **4.1.5. Ancillary Services to Broadcasting and Program Making**

The ancillary services to broadcasting and program making are an important category of services. Examples of such services are the transfer of radio-television program from the production point to the transmission network, the coverage of sports events, outdoor performances or other special events. Coverage of these events requires radio equipment, such as wireless cameras and microphones, as well as portable microwave links and voice transmission systems. EETT grants permanent radiofrequency rights of use to radio or television stations (signal transmission links) or temporary radiofrequency rights of use to cover scheduled events with a maximum duration of two months.

In 2012, pursuant to relevant requests, temporary radiofrequency rights of use were granted to nine satellite news gathering stations. These are mainly transportable satellite stations for image and sound transmission by international users for TV coverage of special events (e.g., VIPs visits), sports events (Champions League 2012 qualifiers), as well as other events such as parliamentary elections and the Olympic Flame Lighting Ceremony.

Moreover, in the framework of the radio-television coverage of the Olympic Flame Lighting, after the relevant applications were filed, temporary radio frequency rights of use were granted to wireless cameras, special radio networks, wireless microphones and sound return systems.

#### 4.1.6. Radio and Television

##### Granting Rights of Use to Television Stations

Since 2007, EETT has been responsible for monitoring the radio television spectrum and for granting radiofrequency rights of use to:

- analog national television stations, at locations not declared to the Greek National Council for Radio and Television (NCRTV)<sup>95,96</sup> and
- analog local and regional<sup>97</sup> television stations upon application by the interested party.

EETT's competence of granting rights of use is temporary and ends upon the entry into force of the Frequency Maps for analog and/or digital television<sup>98</sup>.

In 2012, EETT with regard to the implementation of the aforementioned:

- Updated its database, maintained since 2008, in which all the broadcasts of legally operating national, regional and local television stations are registered, now including over 5,400 registrations.
- Received<sup>99</sup> 30 new applications by television stations for granting rights of use in new broadcasting locations (sites). Moreover, seven rights of use for television channels have been granted in response to the relevant requests submitted, while nine applications were not processed or they were sent back because granting the requested broadcast locations does not fall under the scope of Law 3548/2007<sup>100</sup>. In addition, two requests were rejected on grounds of interference with licensed television stations, or with the Greek Radio Television (ERT), or with a digital broadcasting television network. Finally, EETT renewed 22 granted rights of use of television channels.
- EETT received 30 notification letters by network providers broadcasting digitally for digital television channels (MUXs), based on the obligation<sup>101</sup> of national, regional and local television stations to submit to EETT before starting their digital transmission, the technical parameters of this transmission as well as specifications about the power and the antenna system used.
- EETT gave its opinion<sup>102</sup> on five amendments to Joint Ministerial Decision (JMD)21161/12-08-2008, pertaining to :
  - the availability of television channels for the digital transmission of TV signal from the Hymettus transmission center in view of the cessation of the analog television transmissions.
  - the replacement of a television channel for digital TV signal transmission in the transmission centers of Hortiatis and Filippio.

<sup>95</sup> As set forth in article 9 of L. 3548/2007 "Publication of announcements of Government agencies in the prefectural and local Press and other provisions".

<sup>96</sup> According to the provisions of Article 4 of L. 1866/1989.

<sup>97</sup> That fulfil the terms and conditions of Article 17 of L. 2644/1998.

<sup>98</sup> With the publication of Joint Ministerial Decisions by the Minister of Development, Competitiveness, Infrastructure, Transport and Networks and the Minister who has been assigned the responsibilities of the Minister for the Press and the Media

<sup>99</sup> In the context of the implementation of the "Regulation on granting Channel rights of use to National Television stations holding a license of establishment and operation according to the provisions of article 4 of Law 1866/1989 and to regional and local television stations fulfilling the terms and conditions of article 17 of Law 2644/1998 and the framework of their use pursuant to Law 3548/2007".

<sup>100</sup> As set forth in article 9 of L. 3548/2007 "Publication of announcements of Government agencies in the prefectural and local Press and other provisions" (OGG Issue 68/A/20.03.2007).

<sup>101</sup> As set forth in L. 3592/2007, "Merger and licensing of Media businesses and other provisions", OGG Issue 161/A/19-07-2007.

<sup>102</sup> EETT Decisions 638/3/2-2-2012, 646/1/5-4-2012, 654/2/31-5-2012. 665/1/18-9-2012, 674/2/29-11-2012.

- the process of designating the television programmes per channel for the legally operating television stations.
  - the procedure for the high definition transmission and the designation of a temporary secondary transmission site located in Vari.
  - the replacement of television channels for digital TV signal transmission in the transmission centers of Doliana and Anavryti.
- EETT made a positive recommendation<sup>103</sup> on the Draft JMD on the subject of: “Frequencies Map for Terrestrial Digital Television Signal Broadcasting”<sup>104</sup>.

## Complaints

In 2012, EETT received 1,140 documents and complaints regarding radio-television issues (241 concerning the Attica region, 28 the rest of Greece, nine international interferences, 335 within the jurisdiction of EETT’s headquarters in Athens, 347 within the jurisdiction of EETT’s regional office in Thessaloniki, 157 within the jurisdiction of EETT’s regional office in Heraklion and 23 within the jurisdiction of EETT’s regional office in Patras), which referred to interferences, illegal broadcasts and illegal radio-television stations and antenna installations. From these complaints and EETT’s ex officio inspections and documentation, 754 new cases have emerged concerning:

- 51 radio stations in the Attica region, 65 radio stations in Thessaloniki region, 104 regional radio stations within the jurisdiction of EETT’s headquarters in Athens and 216 radio stations within the jurisdiction of EETT’s regional office in Thessaloniki, 25 radio stations within the jurisdiction of EETT’s regional office in Patras and 38 radio stations within the jurisdiction of EETT’s regional office in Heraklion. In addition, three cases involved international interference issues and two involved the entire country.
- 51 television stations in the Attica region, 17 television stations in Thessaloniki region, 52 regional television stations within the jurisdiction of EETT’s headquarters in Athens and 46 television stations within the jurisdiction of EETT’s regional office in Thessaloniki, nine television stations within the jurisdiction of EETT’s regional office in Patras and 18 television stations within the jurisdiction of EETT’s regional office in Heraklion. In addition, three cases involved international interference issues and two involved the entire country.
- 22 inspections of antennas and broadcasting centers in the Attica region, 2 in the Thessaloniki region, nine in the region within the jurisdiction of EETT’s Athens headquarters, one within the jurisdiction of EETT’s regional office in Thessaloniki, 20 within the jurisdiction of EETT’s regional office in Patras and two within the jurisdiction of EETT’s regional office in Heraklion.

EETT investigated the majority of the above complaints, whereas in certain cases requiring immediate inspection and related to problems in remote areas of the country with respect to EETT’s two offices, the assistance of the Local Authorities was requested<sup>105</sup>.

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<sup>103</sup> EETT Decision 667/4-10-2012.

<sup>104</sup> JMD 42800/5-10-2012 “Frequencies Map for Terrestrial Digital Television Signal Broadcasting”.

<sup>105</sup> Hellenic Police, NCRTV, PPC, Public Prosecutor’s Office, Decentralised Administrations, Regions.

In the framework of EETT competences concerning control and monitoring of radio-television broadcasting, the recorded results were assessed on the basis of the decisions and the technical data provided by the NCRTV and the legislation, whereas the infringing stations were summoned to comply. The NCRTV was notified of all recorded radio-television broadcastings in order to make lists with the positions and the operating frequencies of radio and television stations having a certificate of legal operation.

Following consignment of relevant letters of compliance, administrative control was conducted for 75 not registered occupations of analog television channels and two digital repeaters in the jurisdiction of Athens and 74 not registered occupations of analog television channels in the jurisdiction of the Regional Office of Heraklion, as well as 70 analog television channels and five digital repeaters in the jurisdiction of the Regional Office of Thessaloniki. Out of these channels, 62 analog and two digital repeaters in the jurisdiction of Athens and seven analog and three digital within the jurisdiction of the Regional Office of Thessaloniki, as well as five digital repeaters (in total 18 channels) within the jurisdiction of the Region of Patras, were occupied by repeaters of legal television stations operated by local authorities.

Moreover, 55 cases (24 for antennas and 31 for radio broadcasting) in the jurisdiction of the Athens headquarters, 22 cases concerning radio broadcasting within the jurisdiction of the regional office of Heraklion and 30 cases (10 for antennas and 20 for radio broadcasting) within the jurisdiction of the Regional Office of Thessaloniki gave rise to administrative control by EETT.

In 11 cases of radio-television stations (two of which broadcasted digitally) falling within the jurisdiction of Athens, in 27 cases within the jurisdiction of the regional office of Thessaloniki, nine cases within the jurisdiction of the regional office of Patras - for which the NCRTV opined that they were operating illegally - EETT notified in writing the competent public prosecutors and police authorities about the implementation of the prescribed criminal procedures.

In cooperation with the competent prosecutors and the police authorities, a number of operations were carried out to terminate illegal transmissions. During those operations, broadcasting equipment was confiscated from:

- 16 radio and 11 television broadcasts, as well as four wireless cameras in Attica.
- six radio and one digital television repeater in the broader Athens area.
- one radio and four television broadcasts in the broader jurisdiction of the Regional Office of Heraklion.
- eight radio and one television broadcasts in Thessaloniki and in the broader jurisdiction of the Regional Office of Thessaloniki.
- six radio, two analog television and three digital television broadcasts in the broader jurisdiction of the Regional Office of Patras.

### **Recording of the Radio and Television Stations throughout the Country**

In the absence of licensing, mapping the broadcasting centres throughout the country, as well as the frequencies used by radio and television stations are important tools for the management and monitoring of the radio – television spectrum.

In 2011, EETT's technical teams conducted 45 operations outside of Attica (for a total of 141 days), six trips outside of Heraklion (for a total of 9 days) and 66 outside of Thessaloniki (for a total of 104 days), in order to resolve cases and conduct registrations in 50 prefectures and islands. The results were reported to the NCRTV, which is the competent Regulatory Authority for investigating the legality of operation of the radio – television stations. Based on recorded findings, the number of privately owned radio stations operating

in each prefecture is on average three to four times higher than the number of broadcasts stipulated in the frequency Maps. This results in an increased risk of interference to legal spectrum users, as well as the respective degradation in the service quality.

In addition, EETT continued updating the mapping of radio–television broadcast infrastructures in broadcasting centres throughout Greece. The purpose of this updating was to notify EETT and all competent bodies regarding the current conditions in the broadcasting centres both in Athens and Thessaloniki, as well as in other major broadcasting centres, in order to deal faster and more efficiently with the problems caused by illegal broadcasts. In the same context, in border areas, EETT continued to record the broadcasts from neighbouring countries and notified the Ministry of Development, Transport, Infrastructure, Transport and Networks (MDCTIN) regarding the findings in order to undertake action at international level.

EETT, in collaboration with the Athens and Piraeus Prosecutor's Office, the State Security Division of the Hellenic Police, conducted a series of repeated inspections to illegal radio–television broadcasting stations infrastructures in the area of Pirovolia of Mount Egaleo, on Mount Pikilo, on Mount Hymettus and in the area of Tourkovounia. The result of these operations was the termination of all illegal broadcasts, confiscation of the active equipment and dismantling of the antennas. The Public Power Corporation (PPC) was notified on the findings of the inspections in order to suspend electrical power supply to all facilities not owned by legal users.

On the occasion of the analog television signal termination from the Hymettus broadcast center, EETT in collaboration with television stations operating from Hymettus, fully recorded in detail the television broadcasting facilities. EETT, in the context of its competences, took actions to be completed within 2013, for the removal of any television station installation that is not used for legal broadcasting, in the framework of completing migration to digital television.

During 2012 and in the context of smooth operation of the radio–television spectrum, EETT actively participated in the following projects of the MDCTIN:

- The coordination of the switchover process to digital television (MDCTIN).
- Collaboration with the Union of Owners of Private Radio Stations of Athens (EIIRA) on the correct operation of the radio stations in Attica, aiming at sufficient coverage within the Attica prefecture, the limitation of mutual interferences with radio stations of neighbouring prefectures and mainly, the protection of EETT monitoring stations and of the Civil Aviation Authority (CAA) receivers.

Specifically, with respect to the area of Patras, inspections were completed with the purpose of precisely mapping the broadcasting site and power supply details of the radio and television stations in the broadcasting centers of Ainos, Cephalonia and Agios Petros, Aitolokarnania.

#### **4.1.7. State Services Networks**

The smooth operation of wireless networks related to the protection of human life as well as public and national safety is a top priority for EETT. This category includes the state networks of emergency services [Hellenic Police (ELAS), the Hellenic Fire Service and the National First Aid Service (EKAV)] of the transport safety networks (air navigation, sea navigation and railways) as well as of the Armed Forces. Among the state networks, the CAA faces the majority of the problems, as the spectrum that has been granted to the air navigation networks (108 -137 MHz) is contiguous with the radio broadcast band (87.5 – 108 MHz). Most of the interferences appearing in these networks are due to lack of technical specifications regarding

operation frequency and other important broadcasting parameters, which in turn is due to the absence of licensing of radio stations.

In 2012, interference problems were encountered in the following wireless systems of the CAA:

- Area control service communication systems (telecommunication centers).
- Airport communication systems.
- Radio Aids.

EETT carried out 21 operations to deal with written complaints regarding interferences in the wireless systems of CAA. Out of these complaints, 18 were related to terrestrial communication receivers, whereas three were related to radio aids. EETT acted promptly and resolved all cases of interference related to terrestrial communication receivers and radio aids.

It is noted that the interference problems of the CAA are expected to be limited only when countrywide licensing of the radio stations is going to be implemented and regional planning rules and inspection of the antenna installations at the broadcasting centers are imposed accordingly.

Regarding the cases of interference in the operating frequencies of the other state safety and emergency networks, three complaints were submitted to EETT in 2012, which were examined in priority and were immediately resolved. More specifically, EETT received two complaints by the “GREEK MISSIONS CONTROL CENTER” (GRMCC) of the Search and Rescue Directorate of the Ministry of Merchant Marine for interference problems in the operating frequencies of the emergency satellite system, one complaint by the Air Force and one complaint by the Hellenic Fire Service.

#### **4.1.8. Radio Amateurs**

In 2012, EETT received 35 complaints over radio amateur interference in communication systems and 20 complaints for legality inspection of the relevant antenna systems. EETT carried out technical inspections for all these cases, promptly scheduled the actions required for resolving the problems, and where needed, imposed sanctions. The majority of the problems investigated and resolved by EETT were caused by spurious emissions from electromechanical, electrical or electronic devices, spurious emissions of radio networks and radio – television stations broadcasting systems, as well as by illegal use of frequencies.

## **4.2. Antenna Mast Constructions**

### **4.2.1. Antenna Mast Construction Regulation**

#### **Electronic Submission of Antenna Construction Applications System**

The new Regulation on Antenna Construction Licenses entered into effect by virtue of a relevant decision of EETT<sup>106</sup>, following a public consultation that ran from 06-06-2012 to 06-07-2012. The Regulation sets forth the procedures and regulates details of the new legislative licensing framework for antenna constructions, based on Laws 4053/2012 and 4070/2012, taking into account the provisions of environmental legislation (particularly L. 4014/2011) and focusing on issues arising due to:

- The creation of a one-stop shop for licensing antenna constructions through the Electronic Submission of Antenna Construction Applications System (SILYA). The applicant will now submit a complete file

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<sup>106</sup> EETT's Decision 661/2/19-07-2012, "Regulation for Licensing the Construction of Antennas on Land", OGG Issue 2529/B/17-09-2012.

with the individual studies and applications to all competent services, which will be examined through internet access to SILYA.

- Establishment of the certificate attesting to the file for the antenna construction license being complete, which permits its installation, four months after the submission of the complete file, provided that the application has not been rejected by the competent service and the approvals have been given with respect to safety of aviation, compliance with the electromagnetic radiation limits and the use of radiofrequencies.
- Establishment of a special provisional legal operation status for the antenna constructions, that had been installed without the required licenses prior to L. 4053/2012 entering into effect, but which had approvals with respect to safety of aviation, compliance with the electromagnetic radiation limits, as well as applications for environmental licensing and licensing by EETT or for antenna constructions which had been installed outside the urban fabric and where used by legally operating radio television stations.
- Maintenance of the legislative framework prior to L.4053/2012 on licensing the construction of antennas falling under the special temporary legal operating status set forth in article 31 of L.4053/2012<sup>107</sup>.
- Establishment of a new environmental licensing procedure for antenna construction installation projects with local and non significant consequences to the environmental impact, which envisages the submission of a declaration to EETT, as the Licensing Authority, stating that the said project meets the standard environmental commitments.

In particular for SILYA, the Regulation contains provisions concerning e-governance issues (see section 7.2) as well as details about the implementation of the one-stop shop through the relevant web application.

In addition, the Regulation provides for individual administrative procedures, such as the conditions for revoking a complete file certificate or license, the procedure for amending an existing license, cases in which the construction of an antenna must be suspended, the procedure for transferring antenna constructions, as well as matters related to sanctions.

Moreover, the Regulation has transitional provisions for regulating matters that arise with respect to the implementation of the one-stop shop procedure (submission of printed applications to EETT and the jointly competent services, procedure for granting certificates related to the file being complete), construction of antennas that fall within the scope of article 31 of L. 4053/2012 (establishment of the obligation to declare said constructions, specification of documents and procedures for granting the license) and the applications pending before EETT prior to L. 4053/2012 being issued.

#### **4.2.2. Evolution of the Licensing Process**

Throughout 2012, 1,017 applications for new antenna mast constructions licensing and/or modification of already licensed constructions were submitted to EETT. The submission of applications was done according to the provisions of L. 3431/2006 (664 applications) and L. 4070/2012 (353 applications).

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<sup>107</sup> According to L.4053/2012 "Regulation of the operation of the postal market, electronic communication issues and other provisions" (OGG Issue 44/A/07-03-2012), and specifically article 31 par. 1, 2 and 3 thereof, the construction of antennas that have been established by electronic communications services operators and network providers and were operating when the above law entered into effect without the required permits and approvals and which fulfil the specific conditions, are considered as operating legally for a time period of 24 months from the above Law entering into effect (i.e. 7 March 2012).

In total, 256 antenna construction licenses were granted and 334 were amended, whilst 65 respective applications were rejected. Moreover, 48 licenses were revoked, in the majority of the cases by request the license holder.

Licensing requests remain in pending status mainly due to the lack of Environmental Terms Approval (ETA) and secondarily the need for supplementary data.

#### **4.2.3. Illegal Mobile Telephony Antenna Installations**

In 2012, 1,099 complaints were submitted to EETT relating to mobile telephony antenna constructions. Out of these, 708 fell under the jurisdiction of the Spectrum Monitoring Department in Athens and 391 pertained to areas within the jurisdiction of the Regional Office in Thessaloniki.

Following a thorough investigation, it was found that 587 cases within the jurisdiction of Athens were related to legally operating antennas, and the complainants/applicants were informed of the legality of those antennas, 85 pertained to cases that fall within the jurisdiction of the Regional Office of Thessaloniki, whilst 121 cases in Athens and 306 in the regional office of Thessaloniki concerned non-licensed constructions.

Teams of technicians of EETT's Spectrum Monitoring Department conducted 308 on site inspections in total at mobile telephony base stations, out of which 226 were performed in the Attica region and 82 outside Attica prefecture. In addition, 15 on site inspections were conducted by teams of technicians from the Regional Office of Patras and 10 from the technical teams from the Regional Office of Heraklion. Furthermore, 106 on site inspections were conducted by teams of technicians from the Regional Office of Thessaloniki, out of which 36 were conducted in the Thessaloniki region and 70 cases outside, whereas in seven of the cases outside the Thessaloniki region, the inspections were carried out by the competent prefecture authorities.

In the cases of non-licensed antenna constructions, for which on site inspections had been performed, EETT imposed administrative sanctions.

#### **4.2.4. Standardized Antenna Mast Constructions**

Following the relevant Regulation being issued in 2011<sup>108</sup> setting out the documents and the licensing procedure of the standardized antenna construction (SAC), EETT posted on its website a template for a standardized application.

During 2012, 20 applications were submitted to EETT for antenna construction licenses by the three mobile communications operators. EETT rejected two of them, as the terms foreseen for licensing were not fulfilled. In the other cases, as there were inconsistencies and errors in various stages of the procedures and many supplementary applications for designs and plans were required, the process was significantly delayed.

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<sup>108</sup> Regulation on the individual procedures and the required documents in the framework of the licensing process for Standardized Antenna Construction in implementation of the joint ministerial decision no. 11926/226, OGG Issue 453/B/22-03-2011.

### 4.3. Radio and Telecommunications Terminal Equipment (RTTE)

In 2012, EETT stepped up by 20% compared to 2011 its inspections on RTTE retailers and checked a total of 156 samples, of various types of RTTE equipment (such as mobile phones, PMRs, short range devices, wireless toys). Then, EETT imposed sanctions to companies in breach of the Law.

It should be noted that EETT conducts regular inspections in the Radio and Telecommunications Terminal Equipment (RTTE) market to locate and confiscate illegal equipment and prevent potential harmful interference. In this context, EETT monitors the compliance of RTTE that is available and sold in the Greek market with the requirements set by the Presidential Decree (PD) 44/2002.

### 4.4. EETT's Monitoring and Supervisory Actions in the Radiofrequency Spectrum

In 2012, EETT conducted 415 hearings regarding violations in radio frequency spectrum issues. As a result, 265 fines were imposed (Table 4.1).

**Table 4.1:** Results of EETT hearings in the Radiofrequency Spectrum Sector (2012)

Subject	Number of Hearings	Fine	Recommendation	Exemption	License Withdrawals	Other Sanctions/Decisions
Mobile Telephony Antenna Constructions	211	210	-	1	-	-
Other Antenna Constructions	27	4	8	15	-	-
Radio Equipment	69	19	42	3	-	5 (3 in file)
Monitoring of Radio-Television Stations	108	32	56	20	-	-
<b>Total</b>	<b>415</b>	<b>265</b>	<b>106</b>	<b>39</b>	<b>0</b>	<b>5</b>

### 4.5. Goals for 2013

EETT's goals with respect to the radiofrequencies spectrum are the optimum utilization of this scarce resource, at both a technical and business/economic level, on the basis of spurring competition and at the same time providing new services. In this context, EETT's actions for 2013 aim at implementing the following objectives:

(a) Launch of innovative services through new wireless networks

- Licensing of terrestrial digital broadcasting network operators  
Eager for a smooth transition to digital television, EETT will conduct the procedures for granting terrestrial digital broadcasting television channels. The procedure is expected to proceed in the first quarter of 2013, as it is included in Greece's bail out obligations. The licensing of the digital operators will result in the switch off of analog television broadcasting and will free up a significant portion of the radio spectrum (digital dividend).
- Granting of new frequencies rights of use

EETT will launch an auction for granting new radiofrequency rights of use in the 3.6-3.8 GHz band, which are mainly destined for providing mobile and nomadic broadband services. The utilization of the specific band has been included in the EU Radio Spectrum Policy Program (RSPP). In parallel and for the same purpose, the 3.4-3.6 GHz band will be re-auctioned - the rights granted in this band expire in 2015.

- Development of the digital dividend

Towards the end of 2013, EETT will prepare the required texts for the process of auctioning the 800 MHz band of frequencies for use by fourth generation mobile broadband services (4G and LTE), which is expected to attract new investments.

(b) Strengthening consumers' trust:

- Quality Indicators

For the first time within 2013, EETT will conduct measurement operations for the mobile telephony network quality indices in pre-selected areas, in collaboration with the successful bidder of an open tender. At the same time, EETT will launch a tender on a "System for Measuring and Presenting the Electronic Communications Quality Indicators" funded by the NSRF. The measurements will pertain to the quality features of the connection – such as the scope of coverage or "actual" speed in geographical areas and locations nationwide – and will be published through a Geographic Information System (GIS) on EETT's website.

- Radio equipment monitoring and inspection

In the RTTE market, EETT aims to conduct even more inspections in the market, for the safety of users and the protection of legal networks from harmful interference. In parallel, EETT will actively participate in international actions such as the European wide campaign for WLAN 5 GHz equipment inspections and the revision of European Directive 99/5/EC.

(c) Improvement of in-house procedures and operational readiness:

- Electronic Submission of Antenna Construction Applications System (SILYA)

EETT continues its effort to simplify and improve the antenna construction licensing procedure with the implementation of SILYA. The purpose for the new year is to fully integrate the system with the addition of new functions and the inclusion of involved state bodies, with the purpose of faster licensing for the development of wireless networks.

- Upgrading the Radiofrequencies Spectrum Management System

EETT will launch an international tender to upgrade the "Radiofrequencies Spectrum Management System" with an incorporated "Platform for the Electronic Submission of Requests" and financing by the NSRF. This project pertains, inter alia, to keeping a National Radiofrequencies Registry and an Antenna Construction Registry, supporting EETT in granting radiofrequencies rights of use and licensing the construction of antennas.

- Monitoring and control equipment

With the purpose of the optimum protection of legal spectrum users from illegal users, EETT upgraded part of the monitoring equipment in its fixed stations, as well as its transportable monitoring devices. At the same time, it will install new equipment in its offices in Patras and Heraklion.

## 5. EETT's Initiatives & Actions in the Postal Services Sector

### Introduction

A major development in 2012, was the enactment of Law 4053/2012, which transposes the 3<sup>rd</sup> Postal Directive (2008/6/EC) into national law and provides for, inter alia, the existing monopoly of the Hellenic Post to be abolished on 01-01-2013, thus allowing the full opening of the postal market to competition, whilst ensuring at the same time an effective and transparent framework for Universal Postal Service. By virtue of the new Law, EETT prepared the secondary regulatory framework, so that the market can operate smoothly in a fully competitive regime. At the same time, EETT undertook actions pertaining to the simplification of procedures for registering and searching for businesses that are members of the Postal Business Registry network, as well as issuing relevant licenses. Moreover, EETT recorded and analysed basic problems regarding the operation of the postal market with the aim of improving the services delivered and their competitive growth.

### 5.1. Development of Postal Service Market and Ensuring a Competitive Environment

#### 5.1.1. Public Consultation for the Regulation for Calculating the Net Cost of Universal Postal Service Provision

EETT, in accordance with L. 4053/2012<sup>109</sup>, decides the method of calculating the Net Cost of Universal Service (NCUS) to be followed. NCUS relates to all necessary and relevant costs for providing Universal Service (US) and is a function of the difference between the net operating cost of the Universal Service Provider (USP) including US provision and the operating cost of the same body without it (the so-called reference model). The method of calculation must ensure objectivity, transparency, impartiality, proportionality, as well as the avoidance to the greatest extent possible of any distortions to competition and user demand. With this in mind, EETT ran from 12 to 21 September 2012, a public consultation with respect to drafting a Regulation on determining the methodology for calculating NCUS. After the conclusion of the public consultation, EETT made changes to the Regulation, taking into account the input of the participants. On this issue, EETT continues its ongoing cooperation and exchange of views with European regulators by participating in the European Regulators Group for Postal Services (ERGP), in order to create a common European practice for formulating the reference model, as well as methods and principles for its assessment.

#### 5.1.2. Public Consultation on the Terms for Providing Postal Services and the New Regulatory Framework

Based on the competences assigned to EETT by L. 4053/2012 and with the aim of establishing a competitive postal market, the Authority held a public consultation from 10 to 31 October 2012 with respect to the terms of providing postal services and specifically: (a) the Regulation of the terms for the provision of services under the General Authorization, (b) the Code of Ethics, governing the provision of postal services, (c) the Regulation on settlement of disputes, that arise between postal services providers, between providers and users, and, on exercising the arbitration competences for dispute resolution among postal service providers, as well as procedures for handling complaints by users (d) the Decision for regulating user

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<sup>109</sup> L.4053/2012 "Regulation and operation of the postal market, electronic communication issues and other provisions" (OGG Issue 44/07-03-2012).

protection matters in the postal services sector. The comments of the participants are taken into account in the final formulation of the regulatory texts.

Moreover, EETT held from 30 November to 17 December 2012, a public consultation regarding the draft Regulations on: (a) the service delivery terms under the Individual License (b) the conduct of EETT hearings, the establishment and operation of standing committees for hearings on postal issues, immediate and emergency measures for safeguarding the smooth operation of the postal market, as well as the designation of any kind of procedure for the conduct of investigations or other inspections by EETT, in order to ascertain violations of L. 4053/2012.

### **5.1.3. Annual Postal Market Review for the Year 2011**

In 2012, EETT published an annual review on the course and outlook of the Greek postal market, based on 2011 statistics. The study describes the steps towards postal market's liberalization with references to the legislative framework and the new postal law. It also provides the figures and financial data that EETT collected from the licensed postal companies. The analysis of market conditions records the competition framework and gives ideas and proposals for growth. Moreover, it gives a comparative review of the European postal market.

The number of companies that operated in the Greek postal market increased in 2011 as compared to the previous year, mainly due to an increase in the number of companies with an Individual License. On 31 December 2011, 1,405 Postal Businesses were active in total, including the companies that are members of provider networks licensed by EETT. In 2011, these companies employed approximately 17,200 persons, i.e., 9.6% fewer than in 2010. The largest reduction in personnel was noted in the USP and pertained to part time personnel, whilst the reduction of staff in couriers mainly affected full time personnel.

In 2011, there was a large drop in the number of postal items handled and the total revenues of the market. This drop, besides the extensive use of electronic communications means, was attributed to the general recession of the Greek economy. More analytically, compared to 2010, there was a 13% reduction in the number of items handled in the postal market and a corresponding fall in the revenues by 9.1%. The total number of items handled in 2011 was 590.6 million versus 678 million in 2010, whilst total revenues were 642 million Euro versus 706 million Euro in 2010.

**Table 5.1:** Revenues of the Greek Postal Market (in Euro)

	2009	2010	2011	2011/10
Universal Service Provider	448,630,625	417,133,906	370,863,941	-11.1%
Operators with Individual License	2,549,272	2,497,758	4,066,429	62.8%
Courier Sector	291,907,160	286,149,111	266,611,909	-6.8%
<b>Total</b>	<b>743,087,057</b>	<b>705,780,774</b>	<b>641,542,279</b>	<b>-9.1%</b>
Annual Change Rate (%)	-1.3%	-5.0%	-9.1%	

**Table 5.2:** The Greek Postal Market (items)

	2009	2010	2011	2011/10
Universal Service Provider	671,668,468	622,525,829	531,342,754	-14.6%
Operators with Individual License	6,710,881	6,765,362	10,933,377	61.6%
Courier Sector	49,986,523	49,186,647	48,286,382	-1.8%
<b>Total</b>	<b>728,365,872</b>	<b>678,477,838</b>	<b>590,562,513</b>	<b>-13.0%</b>
Annual Change Rate (%)	-6.2%	-6.8%	-13.0%	

#### 5.1.4. Study on the Development of the Greek Postal Market

In light of the postal market liberalization in 01-01-2013, EETT conducted together with a consulting firm, analytical study of the sector's needs and prospects. The findings of the study, which were presented in June 2012, were based on interviews with the sector's players (postal companies, major clients, public services), as well as on the benchmarking of the Greek postal market against the corresponding European ones. Moreover, the sector's trends, needs and problems were investigated and the proposals of users for the provision of new or upgraded services were recorded.

The results of the study were included in a brief memorandum, which outlines the anticipated benefits, the actions required and the prerequisites for their implementation by the stakeholders. Specifically, the following 11 proposals were formulated for the competitive growth of the postal market:

1. New VAT application framework for postal services.
2. Redefinition of the Universal Services' (US) range and mechanism for the Universal Service (US) net cost sharing.
3. Regulation of postal companies access to the Public Postal Network.

4. Free access of privately owned trucks belonging to postal companies to the centre of Athens.
5. Creation of temporary parking lots at central points of cities.
6. Possibility for postal companies to issue licenses for trucks over 4 tns.
7. Reorganisation of the system and development of centralized management for Postal Codes (PC).
8. Tackling of contribution evasion by postal companies.
9. Establishment of quality measurement procedures for postal services.
10. Updated, competitive and effective customs clearance procedures for all postal companies.
11. Balancing quality of customer service and cost of services, with emphasis on e-commerce.

EETT in the context of its institutional role, utilised the findings of the study by forwarding them to competent bodies with aim the further development of the market.

#### **5.1.5. Electronic Postal Services Price Observatory**

With a view to the ongoing and reliable updating of consumers, EETT decided to create the Electronic Postal Services Price Observatory, which offers consumers, and all interested parties, the possibility of directly comparing the retail postal services for items sent domestically and abroad. The Price Observatory will be available through EETT's website in Greek and in English, whilst it will be updated by the postal businesses with primary tariffs for the services provided through a secure online service. Users will enter the details of the item they want to send and will receive a detailed presentation of the alternative ways of sending it based on (a) the time of delivery of the postal item and (b) the cost of the service provided. Afterwards, and if the users should want to send the item, they can go directly to the website of the provider of their choice. Alternatively users will be able to access the contact details of the closest post office of the provider of their choice.

In the context of the best possible preparation of the tender document for the project "Electronic Telecommunications and Postal Services Price Observatory" – which is co-financed by the EU through the 2007-2013 NSRF – EETT held meetings in September and October 2012 with 10 major players in the courier market, as well as the ELTA. The aim of these meetings was to inform providers about the project and its requirements, exchange views, mainly on technical matters and investigate the level of readiness of the providers' IT systems. The project is expected to be submitted at the beginning of 2013 to the Special Secretariat for Digital Planning of the Ministry of Development, Competitiveness, Infrastructure, Transport and Networks and specifically the Managing Authority for the Operational Program Digital Convergence.

#### **5.1.6. Web based Search Application for Businesses – Members of the Postal Network**

In December 2012, EETT launched a new web application, which enables searching and verifying the legality of businesses that are members of licensed postal business networks. This application will make it easier for regional transport services of the Ministry to issue licenses for trucks for private use of courier services.

The search is conducted with one or more criteria (Tax ID, name, title, city, prefecture), whilst the results of the search provide the name of the company, as well as the licensed company, to whose network it belongs. According to the latest Ministerial Decision (MD)<sup>110</sup>, the registration documents for private trucks will be

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<sup>110</sup> MD A11/22070/2450 (OGG Issue B'2328/16-08-2012) "Amendment of Ministerial Decision no. A2/29542/5347/1991 (OGGIssue B 707) on "Granting private truck licenses according to L.1959/91".

granted to companies – members of courier networks for an indefinite period of time whilst pursuant to the previous MD they had to be renewed every six months. Moreover, the obligation of postal network members to have a copy of the EETT certificate in the trucks for private use, for roadside control checks, attesting to the fact that they are members of a network, is abolished, given that the check can be performed at any time by the regional transport services through EETT's e-application.

### 5.1.7. Electronic Newsletter addressed to Postal Businesses

The Postal Directorate of EETT regularly sends an e-newsletter to more than 300 postal companies on issues related to the postal market. This newsletter contains information on legislative and regulatory developments, the news of EETT or other bodies, such as the Ministry of Development, Competitiveness, Infrastructure, Transport and Networks, articles from abroad, studies, presentations, etc.

## 5.2. Universal Service Quality Assurance

US is provided to citizens – whatever their geographical location is – on a permanent basis, affordable price, with a transparent and uniform pricing policy and with specific quality. According to new Law 4053/2012, ELTA SA remain the USP until 31-12-2028, while US includes at least the following individual services:

- a) the collection, transport, sorting and distribution of letter post weighing up to 2 kg
- b) the collection, transport, sorting and distribution of parcels weighing up to 20 kg, with the possibility of special regulations for door-to-door delivery of such parcels pursuant to a decision of EETT, and
- c) the services of registered letters and insured items.

The user's right to Universal Service is ensured by:

- a) specifying the density of the points of contact, access and collection, based on the users' needs, geographical particularities and social conditions.
- b) providing the postal service five working days a week except in exceptional circumstances or particular geographical conditions.
- c) performing one collection and one delivery per day to the home or registered offices of any natural or legal person at least, or by derogation, and under conditions to the appropriate facilities.

As defined in the relevant MD <sup>111</sup> on the quality specifications and the terms for US provision, whose validity was extended<sup>112</sup> to 31-12-2012, US quality control pertains to the handling time for the first priority domestic and international mail.

Quality measurements for 2012 were performed jointly with ELTA according to the relevant MD, however after the new Law entered into effect, quality measurements fall under the exclusive jurisdiction of EETT, as of 2013.

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<sup>111</sup> MD 58134/2275/08-01-2010 "Redefining the quality specifications and the terms for universal Postal Service provision.

<sup>112</sup> MD 9023/192/21-02-2012 "Extension of the validity of MD 58134/2275/08-01-2010 (OGG IssueB' 42) "Re-designating the quality specifications and terms for the provision of Universal Postal Service" (OGG Issue OGG IssueB 613/5-3-2012).

## 5.2.1. Universal Service Quality Measurement Results

### Domestic First Priority Mail

The domestic Universal Service quality measurements pertain to the Hellenic Post's delivery time for domestic first priority mail from the point of deposit to the point of delivery (from end to end). Measurements are in complete compliance with the specifications of the European quality standard EN 13850. The measurement was implemented by an internationally acclaimed third party, it was reliable and gave statistical measurements with a specified level of accuracy. It was based on the handling of more than 60,000 letters per year throughout Greece, thus ensuring 95% reliability of the measurements.

The measurements for 2012 demonstrate that the delivery percentage of Domestic First Priority Mail achieved by ELTA within a working day from the day of deposit (D+1) is 91.7% and within three working days (D+3) is 99.7%. In 2012, ELTA achieved the goals that have been set for both delivery categories of Domestic First Priority Mail.

**Table 5.3:** Domestic First Priority Mail

	Hellenic Post (ELTA) Obligation (D+1)	Hellenic Post (ELTA) Results (D+1)	Hellenic Post (ELTA) Obligation (D+3)	Hellenic Post (ELTA) Results 2012 (D+3)	Average Delivery Time 2012 (in days)
2009(*)	87%	81,5%	98%	98,2%	1,13
2010		87,7%		98,9%	1,03
2011		87,3%		99,1%	1,06
2012		91,7%		99,7%	1,01

D+1: within a working day

D+3: within three working days

Source: PWC "Measurement Results of the Handling Time of Domestic First Priority Mail according to the European Standard EN 13850:2002"

(\*) The source of the 2009 results is the Hellenic Post. The results stem from measurements conducted according to the Standard EN 13850:02 without including exceptions

### International First Priority Mail

International First Priority Mail quality measurements are conducted for all 35 European countries<sup>113</sup> by the International Post Corporation (IPC). According to the IPC UNEX measurement system, the delivery percentage of International First Priority Mail within three working days (D+3) from posting the item, reached 93.1% whereas the percentage for deliveries taking place within five working days was 98.1% (D+5). Both results have outperformed the targets set by the EU Postal Directive, in which the goal for delivery within three days (D+3) is 85% and for five working days (D+5) 97%. Furthermore, the average delivery time was 2.2 days for the 35 countries.

<sup>113</sup> Measurements pertain to the 27 EU member states, as well as Island, Norway, Switzerland, Bosnia and Herzegovina (partially), Croatia. The Former Yugoslav Republic of Macedonia, Serbia and Turkey.

Tables 5.4 and 5.5 below give a break down of the results for the delivery of international first priority mail originating from Greece for the year 2012. The measurements were conducted in 30 countries and the results pertain to:

- a) The delivery percentages of International First Priority Mail within three working days (D+3) and within five working days (D+5) from the working day of item deposit, as provided by the MD 58134/2275/2010 (OGG Issue 42/B/20-01-2010) whose validity was extended by MD 9023/192/21-02-2012 (OGG Issue 613/B/05-03-2012) and comprise an obligation to be fulfilled by the USP.
- b) The delivery percentages achieved by the USP for the International First Priority Mail, within three working days (D+3) and within five working days (D+5) from the working day of the item deposit.
- c) The average delivery time from the working day of the item deposit.

**Table 5.4: Mail Delivery in “Zone A” Countries**

Country of Destination (from Greece)	Outgoing (D+3)		Outgoing (D+5)		Average Delivery Time (in days) 2012
	Hellenic Post (ELTA) Obligation based on MD <sup>113</sup> (in %)	Hellenic Post (ELTA) Results 2012 (in %)	Hellenic Post (ELTA) Obligation based on MD <sup>113</sup> (in %)	Hellenic Post (ELTA) Results 2012 (in %)	
<u>Zone A*</u>					
Austria	85%	86.3%	97%	98.1%	2.5
Belgium	85%	92%	97%	99.2%	2.2
Bulgaria	85%	91%	97%	96.6%	2.4
France	85%	95.3%	97%	98.8%	2.2
Germany	85%	90.9%	97%	99.6%	2.3
Switzerland	85%	93.4%	97%	100%	2.2
UK	85%	94.4%	97%	99.5%	2.2
Spain	85%	80.5%	97%	97.4%	2.8
Italy	85%	90.4%	97%	98.2%	2.5
Cyprus	85%	79.0%	97%	95.6%	3.0
Holland	85%	90.2%	97%	98.8%	2.5
Romania	85%	72.6%	97%	96%	3.1
Slovakia	85%	70.2%	97%	96.9%	3.2

D: day of deposit, \*Zone A: Countries with daily direct flights from Greece -all the countries (according to Hellenic Post data)

**Table 5.5: Mail Delivery in “Zone B” Countries**

Country of Destination (from Greece)	Outgoing (D+3)		Outgoing (D+5)		Average Delivery Time (in days) 2012
	Hellenic Post (ELTA) Obligation based on MD <sup>113</sup> (in %)	Hellenic Post (ELTA) Results 2012 (in %)	Hellenic Post (ELTA) Obligation based on MD <sup>113</sup> (in %)	Hellenic Post (ELTA) Results 2012 (in %)	
<i>Zone B*</i>					
Denmark	80%	90.5%	95%	97.1%	2.4
Estonia	80%	47.4%	95%	81.6%	4.4
Ireland	80%	72.5%	95%	94.6%	3.1
Iceland	80%	69.4%	95%	96.4%	3.3
Croatia	80%	48.8%	95%	86.0%	3.9
Latvia	80%	26.3%	95%	56.6%	5.5
Lithuania	80%	41.8%	95%	85.5%	4.1
Luxembourg	80%	94.9%	95%	99.2%	2.2
Malta	80%	66.7%	95%	92.8%	3.3
Norway	80%	50.9%	95%	92.8%	3.6
Hungary	80%	80.5%	95%	98.9%	2.7
Poland	80%	57.9%	95%	92.5%	3.6
Portugal	80%	88.7%	95%	98.4%	2.4
Slovenia	80%	62.6%	95%	90.1%	3.5
Sweden	80%	90.9%	95%	98.5%	2.3
Czech Republic	80%	86.4%	95%	97.0%	2.4
Finland	80%	67.0%	95%	93.5%	3.3

D: day of deposit, \*Zone B: Countries without daily direct flights from Greece (according to Hellenic Post data)

The following are noted with respect to the results:

- in 15 out of 30 countries (50.0%), the delivery percentage within three (3) working days from the day of deposit (i.e., the speed indicator), is higher or equal to the corresponding indicator that the USP (ELTA S.A.) is obliged to achieve pursuant to MD 58134/2275/2010 for 2012.
- In 11 out of 30 countries (37.0%), the speed indicator is better in 2012 compared to 2011.

- in 16 out of 30 countries (53.3%), delivery percentage within five (5) working days from the day of deposit (i.e. the reliability indicator), is higher or equal to the corresponding indicator that the USP (ELTA S.A.) is obliged to achieve pursuant to MD 58134/2275/2010 for 2012.
- In 13 out of 30 countries (43.3%), the reliability indicator is better in 2012 compared to 2011.
- in 19 out of 30 countries (63.3%), the average days of delivery are better in 2012 compared to 2011.

### **5.2.2. Cost Accounting Control of ELTA**

EETT approves and reviews the accounting system used by the USP and issues a Regulation with respect to the specification of objective cost accounting methods, which are applied in its internal accounting system.

EETT executives held meetings with executives of ELTA's Finance and IT Departments, aiming to improve the cost accounting system. In the context of this collaboration, ELTA responded, improving the following points:

- Improvement and automation of the collection mechanism for the data entered into the cost accounting system.
- Updating the entry data for the cost accounting system was conducted on a monthly, six-monthly or annual basis.
- Specification of profitability/efficacy of the stores or business units and use of the Total Resulting Productivity Indicator in the framework of the US tariff adjustment approval process.
- Transfer pricing analysis.
- Provision of additional analyzes with respect to the management of terminal dues, the accounts receivable and the discount subsystem.

### **5.2.3. ELTA Price List Audit**

EETT, as part of its competences, assesses and approves the US price lists on an annual basis. Therefore, in April it approved the adjustment of the US price lists of ELTA for the year 2012, based on actual and estimate cost information.

### **5.3. EETT's Control and Monitoring Actions for Postal Services**

During 2012, as part of its monitoring role, 219 companies providing postal services were summoned to a hearing to investigate their compliance with the existing regulatory postal framework and competition framework. Specifically:

- A fine was imposed and recommendations were made to a company in breach of competition rules.
- A fine was imposed on a company, which did not hold a postal service provision license from EETT.
- A fine was imposed on companies for violating the GAR.
- A fine was imposed for breaching USP and the provisions of the Law on US and specifically the registered post service.
- Decisions were issued with respect to differences in the payment of charges in 2012 in four cases.

- A case on the provision of postal services without a license was put on file for lack of sufficient evidence.
- On the remaining cases decisions are expected to be issued within 2013.

In parallel, four inspections of non licensed companies were conducted, out of which one ceased activities, another applied for a license, whilst for the other two, it was verified that they did not provide postal services.

#### **5.4. Goals for 2013**

The complete liberalization of postal services as of 1 January, 2013 changes the landscape in the market and sets new regulatory challenges. EETT's main priorities in the postal services sector are the following:

1. Implementation of the new regulatory framework, pursuant to the new Law 4053/2012 and provision of advice and clarifications to companies and consumers in order to ensure the smooth operation of the market.
2. Improvement and simplification of the electronic submission of applications for the provision of postal services, granting of documents, submission of questionnaires, electronic submission of charges and their automatic payment thereof.
3. Implementation of the Electronic Postal Services Price Observatory.
4. Enhancement and additions to the application on US in the existing GIS system and expansion thereof to include mobile phones.
5. Conduct of the study for the creation of a USP operating framework, so as to set the terms and conditions with which the postal services providers will provide access to its services and infrastructure.
6. Conduct of the study on the requirements and the design of an information system and management procedures for postal codes as a public good, as well as a study for designing the quality measurement/assessment system for courier services, if the relevant competence is given to EETT.
7. Drafting of an annual study on the postal market for 2012.
8. Launch a tender to award the implementation of the quality measurements for US for the years 2013-2014.
9. Assessment of ELTA's actuals for 2012, adjustment of US tariffs and monitoring of the implementation and operation of its new cost accounting system.
10. Conducting studies on issuing Regulations with respect to the distribution of postal items and the price list for US.
11. Completion of company inspections, which commenced in 2012.
12. Conduct of regular and extraordinary inspections of companies with postal activities to investigate their compliance with the regulatory framework and suspension of any illegal postal activities.

## **6. A Strong Presence in International Developments**

### **Introduction**

In 2012, EETT undertook a series of actions and initiatives at European and international level, strengthening significantly its presence and scope of action. The Vice-Chairmanship of the Body of European Regulators for Electronic Communications (BEREC) and the election of EETT President, Dr. Leonidas Kanellos, to the position of the Chair for 2013, comprised important opportunities for the Authority to actively participate and jointly shape the developments in a period of major challenges in the European electronic communications market. Besides its participation in BEREC, EETT developed a broad network of contacts and collaborations, in telecommunication and postal services issues, strengthening its efficacy and further upgrading its role and international presence.

### **6.1. EETT holds the Vice-Chairmanship of the Body of European Regulators for Electronic Communications-BEREC**

In 2012, EETT's role in the Body of European Regulators of Electronic Communications (BEREC) was significantly reinforced. During the 9<sup>th</sup> BEREC Meeting, on 8-9 December 2011, Dr. Leonidas Kanellos, EETT President was elected Chair of the Body for 2013. As a result of this election and according to BEREC's Regulation, the EETT President also assumed the position of Incoming Chair of the Board of Regulators and the Management Committee of the BEREC Office for the 2012. At the same time, he was responsible for human resources management at the BEREC office.

In the framework of the Vice-Chairmanship, EETT significantly contributed to shaping a common strategy for the single European electronic communications market and the work of BEREC, particularly with respect to recommendations and crucial interventions to the European institutions. These interventions focused on matters of great importance, such as international roaming, internet neutrality, New Generation Access Networks, etc. BEREC's actions and initiatives confirmed the prestige and critical role that BEREC plays in the European course to Information Society.

In light of its incoming Presidency, EETT prepared the Body's Work Program for 2013, which was set to European public consultation for the period 28 September – 25 October 2012 and presented officially in Brussels to the representatives of the European market on 15 October 2012. The Work Program was finally approved during the 13<sup>th</sup> Meeting of the Board of Regulators on 6 - 7 December 2013.

The 2013 Work Program's main objectives are the recognition of BEREC's crucial role for the consistent application of the European regulatory framework, the Body's engagement for the Digital Agenda 2020 targets, as well as its readiness to provide specialised and high level opinions on European institutions (Commission, European Parliament and Council of Ministers), as well as the National Regulatory Authorities. The Body's work for 2013 focus on three main themes, namely (a) the development of Next Generation Access Networks, (b) protecting consumers and (c) strengthening the single European market.

By invitation of the European Commission, EETT President in his capacity as Vice-Chair of BEREC, represented the Body in bilateral talks between Europe and India in March 2012, on issues related to Information Society. High ranking officials from the European Commission and Indian Government took part in the summit. Among the topics discussed were the prospects of European investments in the fast developing market of India. Furthermore, there was a presentation of the European regulatory models and an exchange of views with the purpose of establishing a mutually beneficial cooperation.

By participating and playing a central role in a crucial European body, EETT is acquiring new know-how, which it capitalizes on in its regulatory and supervisory work. At the same time, EETT showcases Greece's European role.

## 6.2. International Cooperations in the Electronic Communications Sector

### 6.2.1. Independent Regulators Group (IRG)

EETT, through its participation in the Independent Regulators Group (IRG), continued during 2012 its cooperation with its European partners in exploring the prospects for further development of the electronic communications single market. IRG consists of the Regulatory Authorities of the 27 member states of the EU, the four member states of the European Free Trade Association (Switzerland, Iceland, Liechtenstein and Norway), as well as the four candidate countries for EU membership (Croatia, Montenegro, FYROM and Turkey).

It should be noted that during 2012, EETT President as Vice Chair of BEREC (see section 6.1) also acted as Vice Chair of IRG.

### 6.2.2. Euro-Mediterranean Regulators Group (EMERG)

EETT is a founding and active member of the Euro–Mediterranean Regulators Group (EMERG). The Group aims to develop the electronic communications in the region, in a way that is inspired by the European model of transparency and regulatory stability and also enhances equitable access for all citizens in the Knowledge Society.

In the framework of its participation in EMERG, EETT organised on 10-11 October, in Athens, a two-day conference on Universal Service funding. Eighteen persons from 12 countries and the European Commission participated. The objective of the conference was to inform and exchange views on the framework for Universal Service provision, as well as investigating measures that have been taken with respect to such funding.

### 6.2.3. Other Official Committees

In 2012, EETT's presence and contribution in European developments were particularly vigorous, through its participation in the work of the following EU Committees and Groups:

**Forum of European Supervisory Authorities for Electronic Signatures (FESA):** This Forum aims at the cooperation between competent agencies, the exchange of views and the development of common positions on issues arising from the application of electronic signatures

**Working Group Frequency Management (WGFM):** This is a Working Group of the Electronic Communications Committee (ECC) that is responsible for frequency management at the level of the member states of the European Conference of Postal and Telecommunications Administrations (CEPT). WGFM issues regulations (decisions, recommendations and reports) on all matters regarding radio spectrum management, such as fixed, mobile, satellite and broadcasting services, short range devices, ultra wideband devices, as well as new technology issues and applications in the use of radio–frequencies, such as the cognitive radio systems, land – aircraft broadband communication systems, etc.

**Radio Spectrum Committee (RSC):** RSC was established by Decision of the European Commission to specify harmonized conditions on the availability and efficient use of the radio spectrum, which is necessary for the establishment and functioning of the internal market in Community policy areas, such as electronic communications, transports, and research and development. EETT participated in the work of the Committee along with the Ministry of Development, Competitiveness, Infrastructure, Transport and Networks (MDCITN), in shaping pan–European positions on issues such as the establishment of an integrated database for the use of the spectrum at European level, the harmonized use of the spectrum for supporting broadcasting services, as well as the optimum use of the 2 GHz band for the provision of public electronic communications.

**Joint Working Group of BEREC and the Radio Spectrum Policy Group (RSPG):** As a product of the cooperation between BEREC and the RSPG of the European Commission, this joint working group aims at addressing issues and reporting on the effects of radio frequency spectrum management on the competition level in the electronic communications market. The main objective of this joint Group is to use the experience of its members, including EETT, in managing the frequency spectrum, and capitalise on this knowledge to identify best practices.

**Project Team PT FM22 of the CEPT/ECC:** This Project Team belongs to the Working Group for Frequency Management (WGFM) of the Electronic Communications Committee (ECC) of CEPT. The team's work centers around spectrum monitoring measurements, as well as supervision regulation and spectrum control issues.

Due to the subjects that PT FM22 addresses, representatives from European Regulatory Authorities dealing with the monitoring of the radio frequencies spectrum participate therein. The results from its works are submitted to the WG FM for approval and then forwarded to the ECC to be adopted as official ECC documents (Recommendations, Reports, Directives).

In the last 8 years, EETT participates in PT FM22 together with two officials from the Spectrum Monitoring Department and the Regional Office in Thessaloniki. Participation in these meetings allow for exchange of experiences, views and concerns among officials of European Regulators on issues of common interest.

In March and November 2012, the twice-yearly meetings of PT FM22 took place in Copenhagen, Denmark and in Kiev, Ukraine respectively. In these two meetings, various topics on spectrum monitoring were discussed, the most important being:

- The formulation of a Draft Recommendation on conducting compliance measurements for BEM (Block-Edge Mask) in order to measure various technical parameters of a transmission, with the purpose of avoiding interference between transmissions in neighboring channels.
- The formulation of a Draft Recommendation for Determining the effective isotropic radiated power (eirp) through measurements in the 500-2500 MHz band.
- Revision of Recommendation ITU-R SM-574 with respect to the protection of fixed spectrum monitoring stations from the operation of transmitters nearby.
- Issues pertaining to recent technological developments (e.g., interference caused to the radio-communications networks by the operation of wind turbines).
- The collection of statistics on cases of interference in frequencies submitted to the regulatory authorities in each country in order to draw the relevant conclusions.
- The formulation of a Reference Plan on "Spectrum Management during major events".

EETT representatives actively participate in Drafting Groups, focused on the last two issues. Especially with regard to the issue of "Spectrum Management during major events", EETT's contribution to the report, builds on the expertise and know-how gathered during the highly successful, in terms of spectrum management and monitoring, organization of the "Athens 2004" Olympic Games.

**Working Group on the "Authorization and frequency Rights of Use – AUTH" of the Communications Committee – COCOM:** In the context of its participation in AUTH, EETT worked on transposing EU legislation into Greek Law on the issues of Mobile Satellite Services (MSS) and Mobile Communications on board Vessels (MCV). Analytically:

### i) Mobile Satellite Services (MSS)

Based on the European Communities Decision 2009/449/EC<sup>114</sup> two mobile satellite services operators were selected to provide services in 27 member states. For the first time, the operators are centrally selected by the European Commission on a harmonized frequency band. The MSS authorisation is performed under a general authorisation status and the appropriate rights to use the radio frequencies are granted to the two chosen operators, in accordance with Decision 2009/449/EC<sup>115</sup> and national legislation. The member states were required to respond directly in order to facilitate the development of the MSS. EETT responded to this obligation and since 13 May, 2011, has applied the MSS authorisation framework issuing two relevant Decisions<sup>116</sup>.

### ii) Mobile Communications on board Vessels (MCV)

Based on the Commission Decision 2010/166/EC<sup>117</sup> and Recommendation 2010/167/EU<sup>118</sup> the development of pan-European communications services was enhanced to provide continuous coverage to mobile subscribers on board vessels during a journey, including members of the crew. The specific regulatory texts aim at:

- Harmonizing the technical terms for the availability and the effective use of the radio spectrum of 900 and 1800 MHz bands for systems providing mobile communication services on vessels within the EU territorial waters.
- Coordinating national licensing terms and procedures in regard to the radio spectrum use for mobile communication services on board vessels (MCV services) within the territorial waters of the member states, thus facilitating the installation of these services in the EU and avoiding harmful interferences caused by MCV services to land mobile communications.

In Greece, the systems providing MCV services will operate at a frequency bands of 1748 – 1750 MHz and 1843 – 1845 MHz in accordance with the National Frequencies Band Regulation.

**Telecommunications Conformity Assessment and Market Surveillance Committee (TCAM):** TCAM was established to assist the European Commission and issue opinions on implementation issues related to Directive 1999/5/EC on Radio and Telecommunications Terminal Equipment (RTTE) and if deemed expedient to issue guidelines on individual matters.

**Administrative Cooperation Group (ADCO):** ADCO's basic responsibility is to analyze and address problems concerning the supervision of the RTTE market, formulating directives to facilitate the work of the competent authorities in the single European market.

<sup>114</sup> “Commission Decision of 13 May 2009 on the selection of operators of pan-European systems providing mobile satellite services”

<sup>115</sup> “Commission Decision of 13 May 2009 on the selection of operators of pan-European systems providing mobile satellite services”

<sup>116</sup> (a) EETT Decision 598/2/31-03-2011 “Amendment of 521/32/05-05-2009 EETT Decision “Regulation on the Terms of Use of Single Radio frequencies Use or Radio Frequencies Bands’ (OGG Issue OGG Issue1010/ B/28-05-2009)”, GG Issue GG Issue841/B/ 13-05-2011 and (b) EETT Decision 598/3/31-03-2011” Amendment of 276/49/14-02-2003 EETT Decision “Regulation on Determining Usage Fees and Radio Frequencies Assignment Fees” (OGG Issue OGG Issue256/B/04-03-2003)”, OGG OGG Issue Issue 841/B/13-05-2011).

<sup>117</sup> “Commission Decision of 19 March 2010 on harmonised conditions of use of radio spectrum for mobile communication services on board vessels (MCV services) in the European Union”.

<sup>118</sup> “Commission Recommendation of 19 March 2010 on the authorisation of systems for mobile communication services on board vessels”

### **6.3. International Cooperations in the Postal Services Sector**

#### **6.3.1. European Regulators Group for Postal Services (ERGP)**

EETT has been dynamically involved in the work and activities of the European Regulators Group for Postal Services (ERGP), which has now been operating for two years. EETT's objective is to capitalize on the know-how and experience from the best practices in other countries for the competitive development of postal services in the Greek market in light of its liberalisation. The ERGP groups in which EETT is involved pertain to issues of costing, cross border mail service, regulation of access to the public postal network and market monitoring and end user satisfaction.

EETT participated in the ERGP Plenary Session held in November 2012, in Stockholm, on shaping a liberalized and competitive postal market within the EU. During the Plenary Session, the ERGP 2013 Work Program was prepared focusing on user satisfaction from postal services and market monitoring. This Work Program, as well as two more reports on VAT exemption in the postal sector and on the common costs allocation were put for public consultation, which ran from 29 November 2012 to 9 January 2013. Moreover, in concluding its work for 2012, ERGP approved four reports on the quality of service and user satisfaction, complaints handling, postal market indicators methodology and access to the postal network.

It should be noted that ERGP is comprised of the national regulatory authorities of the 27 EU members, countries of the European Economic Area (EEA) and candidate countries for EU accession.

#### **6.3.2. Universal Postal Union (UPU)**

EETT participated in the 25<sup>th</sup> Universal Postal Congress held from 24 September to 15 October 2012 in Doha, Qatar. It should be noted that the Universal Postal Congress takes place every four years and constitutes the supreme decision making body of the Universal Postal Union (UPU), which is a specialized inter-governmental body of the United Nations. The 25<sup>th</sup> Universal Postal Congress adopted the "Doha Postal Strategy", i.e., the roadmap that will govern the Union's policy and strategy until the next congress in 2016. On the basis of the proposals approved, the UPU Acts will be amended as follows: a) constitution, b) general regulations, c) Universal Postal Contract, d) regulations for letter and parcel post and e) postal payment services agreement.

Pursuant to the elections for member states to sit on UPU's Council of Administration and the Postal Operations Council, Greece was elected for the first time as a member of the Council of Administration and was re-elected to the Postal Operations Council.

#### **6.3.3. Postal Directive Committee (PDC)**

EETT participated in two meetings of the Postal Directive Committee (PDC) of the Internal Market and Postal Services DG. In the first meeting (January 2012) two surveys were presented, which were conducted on behalf of the European Commission. The first survey pertained to calculating the net cost of Universal Service (US) and specifically determining the main elements for calculating the cost and assessment of the required data and current practice. The second survey pertained to the pricing policy of the universal service bodies at a European wide level and the factors that affect it, such as competition, technological developments, pricing regulation, VAT policy. Moreover, the consequences on postal services supply and demand were considered.

The second meeting was held in November 2012, in which the member states presented the final results of these surveys, which EETT will draw on in order to draft the secondary legislation.

### **6.3.4. European Committee for Postal Market Regulation (CERP)**

EETT participated in the Plenary Session of CERP (Comité Européen de Réglementation Postale), which was held in May 2012 in Belgrade, Serbia. During the meeting, the following issues were presented: Memorandum of Understanding between CERP and UPU, regulatory developments in flight security, issues related to duties, whilst issues requiring decisions being reached at the Universal Postal Congress of UPU were prepared, such as termination rates, security and electronic postal services.

### **6.3.5. Participation in Conferences**

#### **Post Expo 2012**

In September 2012, EETT participated in Post-Expo 2012, an International Exhibition on Postal Markets, which was held in Brussels on the central theme of Delivering the future of postal technology.

In parallel to the exhibition, the World Postal Business Forum was conducted in the same venue, in collaboration with the Universal Postal Union, on Mastering the Future: New Models for a Sustainable Postal Sector.

Representatives of postal services companies (e.g. Group La Post, Swiss Post, Postal NL etc.), UPU representatives, representatives of chambers of commerce, regulatory authorities etc. The topics discussed concerned, inter alia:

- Innovation and its critical role in the survival and prosperity of postal businesses.
- The transition from physical to digital post.
- The development of e-commerce and its consequences for the postal market.

#### **20<sup>th</sup> Conference on Postal and Delivery Economics**

EETT participated in the 20<sup>th</sup> Conference on Postal and Delivery Economics organised by Rutgers University and the Center for Research in Regulated Industries. The conference was held in the UK in May 2012.

The conference enabled the systematic discussion on matters related to regulation, control and future prospects in the postal market, such as postal services econometric demand models, volume forecast methodology and transactional mail cost, ex-post regulation (estimating Long Run Incremental Costs in the Postal Sector) as well as sophisticated/non linear optimum pricing policy models.

### **6.4. Goals for 2013**

The election of EETT in the chairmanship of BEREC and IRG constitutes a major factor for goal setting on international cooperation issues for 2013. In this light, EETT's main goal is to have a successful term that will showcase EETT's European role, its credibility and prestige.

Moreover, EETT sets the following goals for 2013 with respect to international collaborations:

- Active participation in shaping the regulatory developments in the field of electronic communications, primarily through its role in the Chairmanship of BEREC and IRG.
- Ongoing cooperation with the European Commission and international organizations on issues related to its responsibilities in the areas of electronic communications, particularly in view of EETT holding the Chairmanship of BEREC and IRG.

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- Participation in regional cooperation initiatives and development of bilateral cooperations, particularly in the area of the Balkans and the Mediterranean, taking into consideration EETT's enhanced role in BEREC and IRG.
  - Assistance to the Ministry of Development, Competitiveness, Infrastructure, Transport and Networks and to the State overall, so as to represent the country in European and international organizations.
  - Strong presence in European and international affairs on spectrum and radio frequency and regular monitoring of the European outlook for spectrum and radiofrequency matters.
  - Ongoing cooperation with the European Commission and international organizations on issues related to the postal services sector and contribution to shaping relevant European developments through active participation in bodies such as ERPG, CERP and PDC.
  - Active participation in project teams of UPU's Council of Administration.

## 7. EETT: Organizational Development & Improvement of Operational Efficiency

### Introduction

EETT is an Independent Administrative Authority, enjoying administrative autonomy and financial independence. EETT's goal is, on the one hand, to ensure the two markets' smooth operation in a competitive environment and, on the other, to safeguard consumer rights. In order to achieve this goal, EETT attaches great importance on continuing to strengthen its business capability to the benefit of consumers and the market, capitalising on its well trained staff and the resources at its disposal.

### 7.1. Internal Organization

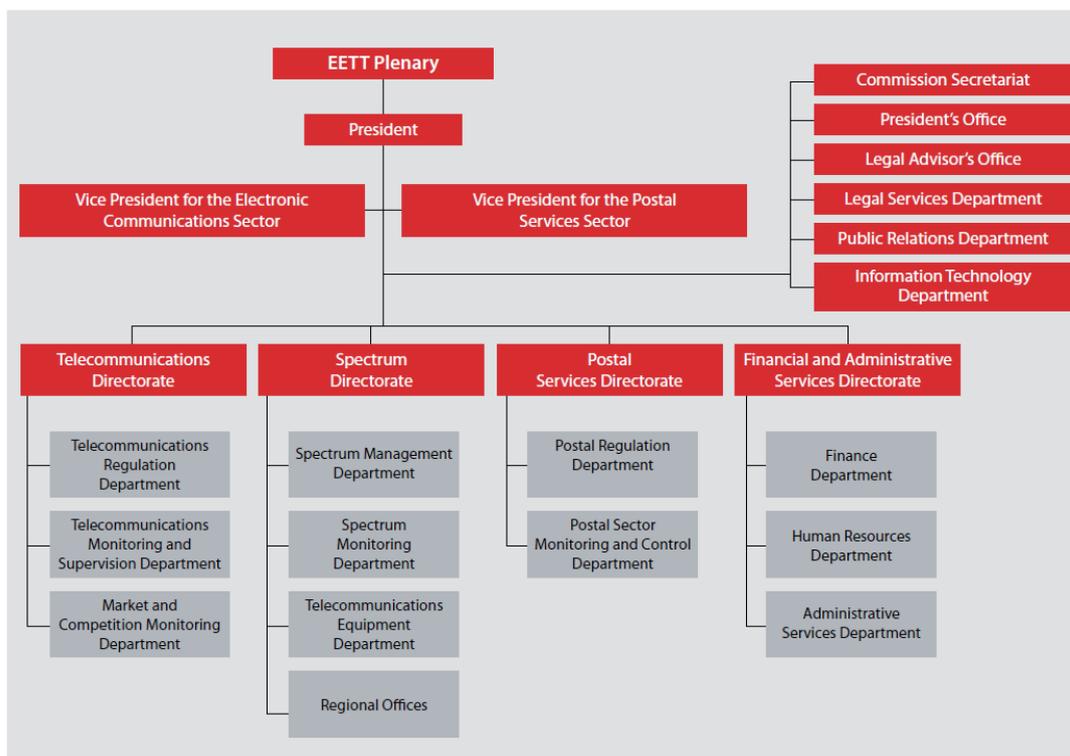
#### 7.1.1. Organizational Structure

EETT is composed of:

- The nine-member Plenary, consisting of the President, the Vice-President for Electronic Communications, the Vice-President for Postal Services and six more members.
- The Scientific Experts.
- The Permanent Staff, with an Indefinite Term contract governed by Public or Private Law.

The organizational structure of EETT is presented in detail in Chart 7.1

**Chart 7.1: EETT's Organizational Chart**



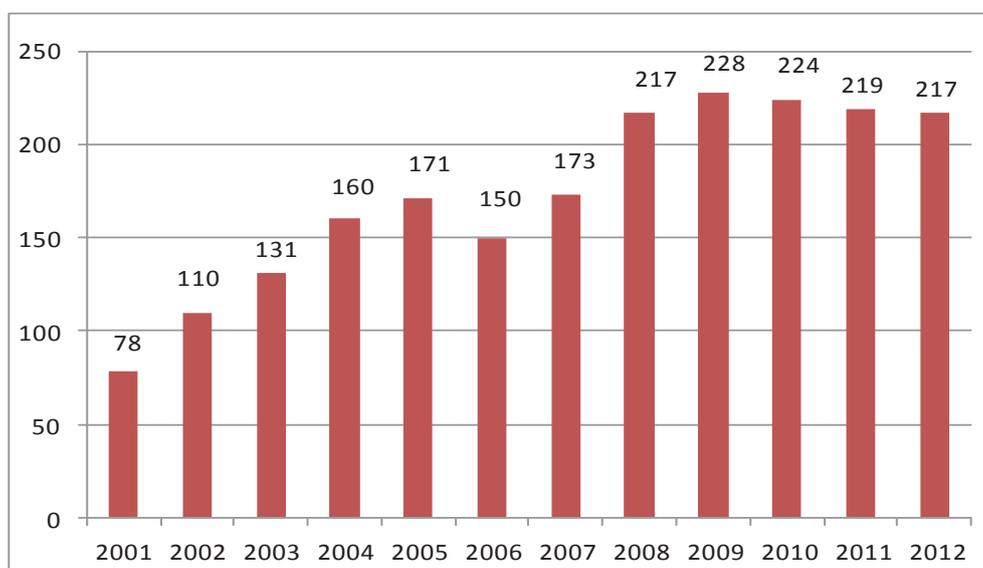
#### 7.1.2. Human Resources

At the end of 2011, EETT had 217 employees compared to 219 at the end of 2011. Out of the above, 212 were engaged on a permanent basis, while three were trainee lawyers on traineeship at the legal department of EETT and two were seconded policemen covering relevant needs in spectrum monitoring. In the first two months of 2012, seven in-house lawyers were engaged upon completion of the relevant tender process.

Furthermore, at the end of the year two permanent employees falling within the category of Secondary Education were engaged in the call center, after the relevant tender conducted by Greece's Manpower Employment Organization (OAED) for people with disabilities.

The evolution of EETT's human resources is presented in Chart 7.2. and the number of the employees engaged per staff category is shown in Table 7.1

**Chart 7.2: Evolution of EETT's human resources (2001 – 2011)**

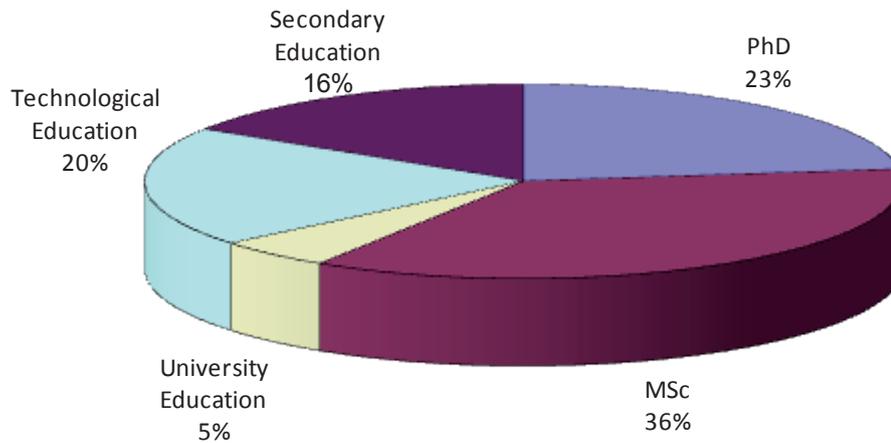


**Table 7.1: Employee Distribution per Staff Category (2003 – 2011)**

Staff Category	31/12/04	31/12/05	31/12/06	31/12/07	31/12/08	31/12/09	31/12/10	31/12/11	31/12/12
Scientific Experts	64	70	69	85	83	99	106	108	105
In house Lawyers	0	0	0	0	0	0	0	0	7
Permanent Staff (Open ended contracts governed by Public and Private Law)	42	60	63	65	66	63	98	98	100
Seconded Staff	0	3	3	3	3	3	3	3	2
Temporary Staff/Traineeship	34	0	0	0	0	0	0	0	3
External Associates (Members of Working Groups)	20	38	15	20	65	63	17	10	0
<b>Total</b>	<b>160</b>	<b>171</b>	<b>150</b>	<b>173</b>	<b>217</b>	<b>228</b>	<b>224</b>	<b>219</b>	<b>217</b>

The educational level of EETT's personnel is depicted in Chart 7.3.

**Chart 7.3:** educational level of EETT's Staff



### 7.1.3. Training Programs

In the context of constantly training its employees in subjects related to their specialty and job description, EETT supports a broad educational program, which includes attendance in training seminars, participation in workshops and international conferences etc.

Throughout 2012, a large number of EETT staff participated in international conferences and seminars related to their line of work. Personnel's attendance was particularly high in courses run by the Institute of Training (INEP) that belongs to the National Center for Public Administration and Local Government (ESDDA).

### 7.1.4. Health and Safety at the Workplace

In order to protect the safety and health of its employees, a safety inspector and an occupational medicine doctor are available. The aim is to minimize occupational risks and prevent accidents at work, by taking the necessary measures and informing employees.

EETT takes all the necessary measures to improve the working conditions, following the safety inspector's recommendations and in cooperation with the Committee on Health and Safety at the workplace, consisting of employee representatives. Furthermore, the safety inspector and the occupational medicine doctor advise employees on individual precaution measures.

## **7.2. E-governance and Transparency at EETT**

### **7.2.1. “CLARITY” Program (DIAVGEIA)**

In line with the Greek government’s “Clarity” program (DIAVGEIA), EETT continued to post all acts specified in the relevant Law<sup>119</sup> on a specially designed webpage at <http://sites.diavgeia.gov.gr/EETT>. During 2012, 570 acts were posted, related to budget, expenses, establishment of collective bodies, procurements / services assignment, other regulatory actions, project contracts, etc.

### **7.2.2. Electronic Submission of Antennas Construction Applications System (SILYA)**

The Electronic Submission of Antennas Construction Applications System (SILYA) is a web based platform that was created by the IT Department of EETT and launches a one-stop shop in licensing the construction of antennas.

Specifically SILYA comprises an innovative application concerning on the one hand the submission and handling of applications to construct antennas by the applicant providers and on the other hand issuing the relevant approvals and licenses by the involved parties, in accordance with the principles of e-governance<sup>120</sup> and the relevant regulatory framework<sup>121</sup>. In the context of the process the interested operators will now only contact EETT, submitting a full file with the individual studies and applications to all competent services, which will be examined through internet access to SILYA.

As of November 2012, applications for the construction of antennas are submitted and examined exclusively through SILYA. Besides EETT, the Civil Aviation Authority (CAA) and the Greek Atomic Energy Commission (GAEC) participate in the examination of the applications. One of EETT’s next objectives is for SILYA to gradually include all public bodies that also participate in the application examination process.

### **7.2.3. Application for Postal Businesses – Network Members**

This is an internet application developed by EETT for searching for details of businesses- members of postal business networks. The user can now search for businesses using a set of criteria such as Tax ID, corporate name, title, town and prefecture and be able to see the details of the courier branch, as well as the licensed postal business to which it belongs.

## **7.3. EETT’s Website**

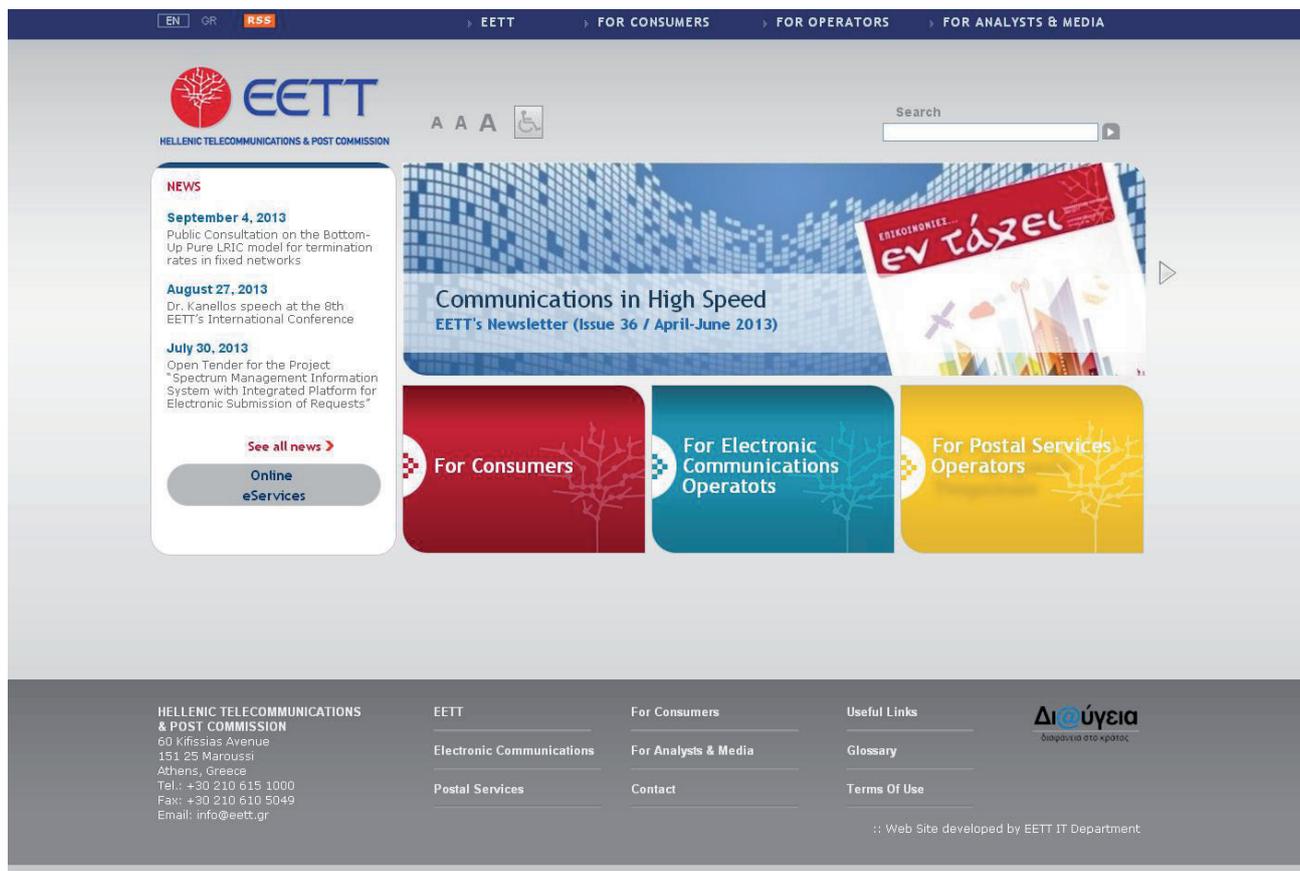
In July 2012, EETT’s renewed website was launched. EETT used its own resources and capitalized the knowledge and experience of its staff in order to design and develop the website. In designing the website, international best practices were followed and the comments and recommendations of its visitors were taken on board. Its implementation was based on an open-source (free) software platform, which meant zero implementation and maintenance costs.

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<sup>119</sup> L. 3861/2010 “Strengthening transparency by the obligatory posting of laws and acts of the governmental, administrative and self-administrative bodies on the internet on “Clarity Program” and other provisions”, OGG Issue 112/A/13-07-2010.

<sup>120</sup> L.3979/2011 “On e-governance and other provisions”, OGG Issue138/A/16-06-2011.

<sup>121</sup> L.4053/2012 “Regulation and operation of the postal market, electronic communication issues and other provisions” (OGG Issue GG Issue44/A/07-03-2012), L.4070/2012 “Regulation of Electronic Communications, Transport, Public works and other provisions” (OGG Issue 82/A/10-04-2012), EETT Decision 661/2/19-7-2012 “Regulation for Construction of Antennas on Land” (OGG Issue 2529/B/17-09-2012).



Picture 7.1: EETT's new website

The structure of the new website was set up according to the main groups of visitors, as each group has different information needs and interests. The content was organized into four main sections with information on (a) consumers, (b) electronic communication operators, (c) postal services providers, (d) analysts and Mass Media. To make navigation easier, each section has its own colour.

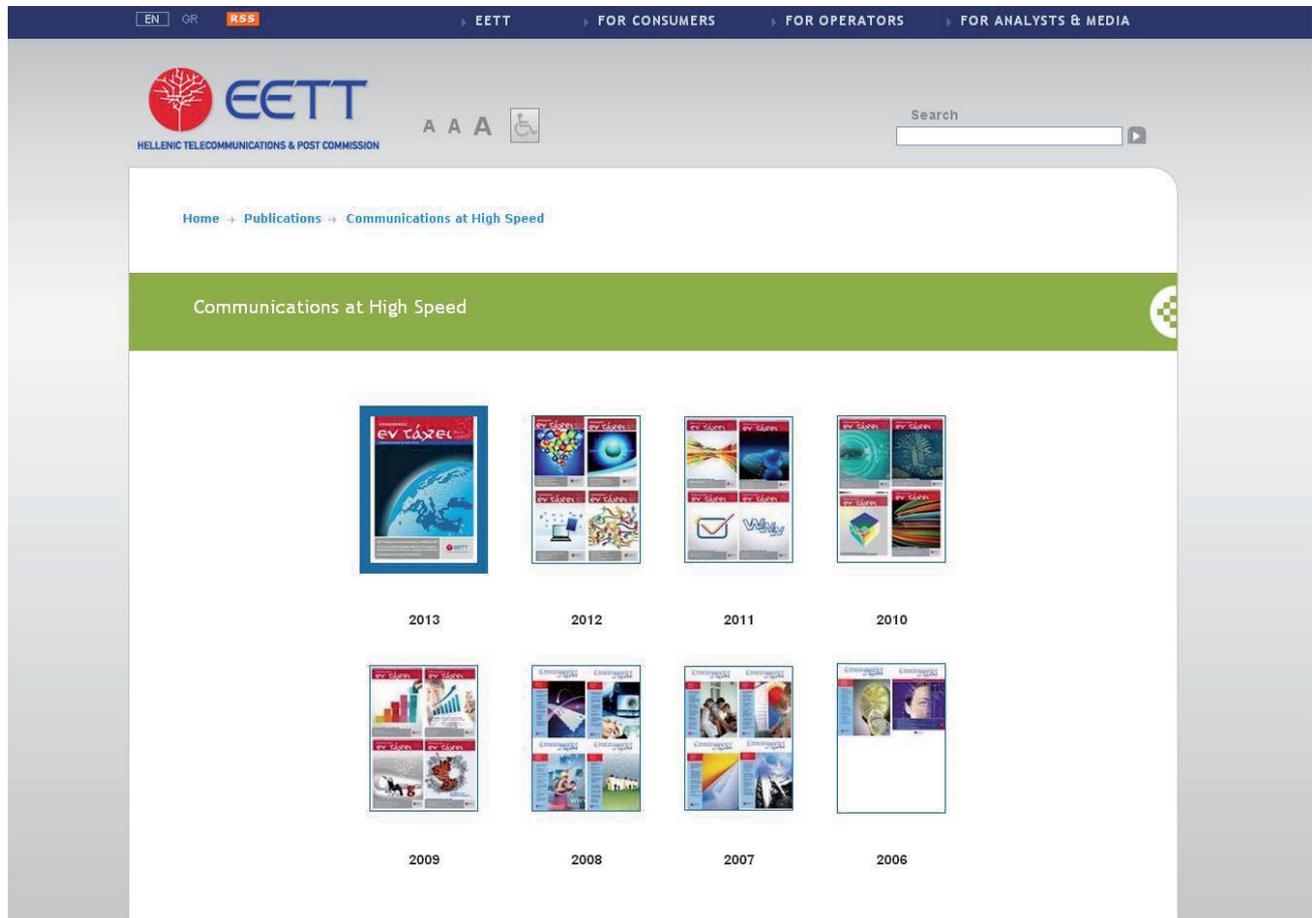
The visual layout was simplified, so that the content of each page is easier to follow and use. Special importance was attached to the home page, whose set up changed significantly. The purpose is for users to be able to find their bearings easily and immediately through simple, attractive and modern visual layout.

The "Online eServices" were created, which brings together EETT's electronic tools that are particularly helpful for consumers and electronic communications and postal services operators. In brief, the electronic services addressed to consumers are the following:

- Geographic Broadband System (GIS): Provides information on the development of fixed broadband nationwide (e.g. access speed).
- System for Performance Evaluation of Broadband Connection Services (SPEBS which was renamed "HYPERION"): Users measure on their own the actual speed of their broadband connection and assess its characteristics.
- Premium rate numbers search tool: Permits users to check the premium rate numbers in order to avoid unfair or excessive charges with respect to Premium Rate Services (PRS).
- Geographic Postal System (GIS): Provides information on the closest postal service point, depending on the user's geographical location.
- Electronic submission of complaints by electronic communication and postal services consumers.

The electronic services addressed to operators, include:

- Electronic submission of applications pertaining to telecommunications or postal services licenses, applications for registering Domain Names, etc.
- Electronic Submission of Antennas Construction Applications System (SILYA) for the submission and handling of applications for the construction of antennas, as well as the relevant approvals and licences.



**Picture 7.2:** EETT's "Communications at High Speed"

The updated website enables efficient navigation and many different access routes to information, as well as enhanced content searches through keywords. Moreover, individual search mechanisms were created for Press Releases, announcements, decisions, legislative framework and public consultations, which operate with the help of optional selection filters (such as time period, document category, keywords). Additionally news classification tools on an annual basis, as well as, mechanisms for the automatic archiving of obsolete information in files accessible to interested visitors were developed.

In order to meet the needs of people with vision impairment, access instructions, content enlargement and color contrast adjustment functions were added.

The English version of the website was designed in the same concept as the Greek version. The content was enriched significantly, whilst it is now possible to submit complaints, questions or comments in English.

During the year, EETT promoted its events through its website. In April the conference entitled "Last Mile toward the Liberalization of the Postal Market" was promoted through its website. In June, a microsite was developed for the 7<sup>th</sup> International Conference of EETT entitled "Digital Investments for Competitiveness and

Recovery”, which also offered live streaming of the conference. Additionally, as of December EETT's electronic Newsletter (“NewsIETTer”) started being posted.

The website analytics, over the six month time period that the redesigned website operated in 2012, showed that it attracted 12% more unique visitors compared to the same period last year, whilst the number of pages visited increased by 3%. Over the year, the following pages received the largest number of visits, in decreasing order: the section on consumers and particularly the pages guiding citizens on electronic communication issues, the list with the companies registering domain names, the search engine and the page with EETT contact details. From amongst the main subject categories, the most visits were recorded in “Telecommunications” and “[.gr] Domain Names”, followed by “Press Releases” in English and in Greek. A significant number of visits was also noted to “Number Assignments”, information addressed to operators and “Plenary Agendas”.



### 7.5. Goals for 2013

The Directorate of Financial and Administrative Services supports Management and the operational units, helping them accomplish their daily work and contributing to the smooth operation of the Service.

In the context of optimizing the support services, in 2013 importance will be attached to further developing EETT's human resources and re-engineering procedures that are human resource intensive.

The Directorate's most important goals for 2013 are:

1. Improvements to EETT premises in order to further improve health and working conditions for the employees.
2. Further development of the upgraded call centre in order to support the Consumer Service Sector (CSS).
3. Extend the capabilities of the EETT's Integrated Information System (IIS) (an ongoing joint project with the IT Department).
4. Stepping up actions for education and development of EETT personnel.
5. Looking into the possible relocation of EETT's offices (Central Services – Regional Offices).

With respect to IT infrastructure, the following targets have been set for the next two years:

1. Creation of an electronic platform that enables consumers to assess the available telecommunications and postal products/services and compare their costs.
2. Development of a radiofrequency spectrum management system with an incorporated platform for the electronic submission of requests, that will support EETT in serving citizens and businesses with respect to granting rights for the use of radio-frequencies and antenna construction licenses.
3. Extension of SILYA with the implementation of additional functions such as inclusion of complaints, creation of electronic records, submission of low interference antennas, standardised antennas installation statement and utilisation of geospatial data.
4. Supporting auctions for the rights to use radiofrequencies with an electronic system for the submission of bids.

## 8. Appendices

### 8.1. The Greek Legislative – Regulatory Framework (01-01-2012 to 31-12-2012)

#### (a) Laws – Ministerial Decisions

Number	Title	OGG Issue		
4053/2012	Regulation of the operation of the postal market, electronic communication issues and other provisions	44	A	07-03-2012
4070/2012	Regulation of Electronic Communications, Transport, Public Works and other provisions	82	A	10-04-2012

#### (b) Regulatory Texts

Decision Number			Decision Title	OGG Issue		
Meeting no.	serial no.	Date		serial no.	Issue	Date
636	037	19/01/2012	Access Network Frequency Plan	729	B	13/03/2012
640	016	21/02/2012	Results of the Cost Accounting Audit of the Hellenic Telecommunications Organisation SA (OTE SA) for 2012 (with actuals for 2010) for the regulated wholesale and retail markets for which there are obligations for price control, cost accounting and accounting separation and other provisions.	755	B	14/03/2012
653	011	22/05/2012	Decision on the hearing for reviewing OTE SA's charge, pursuant to EETT's decision no. 531/232/23-07-2009, for electrical power for the period up to 31-08-2009 to the companies which were provided with Physical Collocation in the Local Exchanges of OTE SA in the framework of the LLU services provided.	2799	B	17/10/2012
654	010	31/05/2012	Approval of OTE's Reference offer on Wholesale Line Rental for 2012.	1833	B	11/06/2012
654	011	31/05/2012	OTE's reference offer for Wholesale Broadband Access (WBA) services, implementing EETT decision no. 614/12/28-07-2011 (OGG Issue 1983/B/07-09-2011).	1846	B	13/06/2012
657	014	19/06/2012	Decision following OTE's request to change price list for calls from OTE land lines to mobiles and	2683	B	03/10/2012

			off net geographical numbers.			
661	004	19/07/2012	Definition of Voice Call Termination Market in Individual Mobile Communication Networks, Identification of Operators with Significant Market Power and their Obligations (3 <sup>rd</sup> Round of Market Analysis).	2167	B	19/07/2012
660	004B	12/07/2012	Application of the Accounting Separation obligation by the three Mobile Network Providers (COSMOTE, VODAFONE, WIND) in the context of EETT Decision 498/046/2008.	2426	B	03/09/2012
661	002	19/07/2012	Regulation for Licensing the Construction of Antennas on Land.	2529	B	17/09/2012
661	007	19/07/2012	Definition of Voice Call Termination Market in Individual Mobile Communication Networks, Identification of Operators with Significant Market Power and their Obligations (3 <sup>rd</sup> Round of Market Analysis).	2167	B	19/07/2012
664	011B	10/09/2012	Establishment and launch of the Electronic Communications Product Price Monitoring System in the Greek Market.	2973	B	08/11/2012
664	057	10/09/2012	EETT's recommendation on a methodology for sharing the net cost for the provision of Universal Service that burdens the Universal Postal Service providers in accordance with article 8, par. 2 of L. 4053/2012.	2665	B	02/10/2012
669	007	18/10/2012	Procedures for addressing failure to deliver wholesale leased line products.	3150	B	27/11/2012
672	001	13/11/2012	Launch of the Electronic Submission of Antenna Construction Applications System (SILYA) for Granting Antenna Construction Licenses.	3295	B	11/12/2012
674	008	29/11/2012	Definition of the retail leased lines market with capacities up to 2 Mbps, identification of Operators with Significant Market Power and their Obligations (2 <sup>nd</sup> round of market analysis).			
674	009	29/11/2012	Definition of the Wholesale Leased Lines markets, Identification of Operators with Significant Market Power and their Obligations (2 <sup>nd</sup> Round of Market Analysis).			

675	009	11/12/2012	Approval of the 2010 OTE Reference Offer for Local Loop Unbundling and Related Facilities, implementing EETT Decision with protocol number 614/013/28-07-2011 (OGG Issue 1908/B/30-08-2011).	3402	B	20/12/2012
675	010	11/12/2012	Approval of the amended costing financial model (Bottom Up pure LRIC) for setting Termination Rates in the Voice Call Termination Market in Individual Mobile Communication Networks, Updating of the Target Price for Termination Rates, in application of EETT decision no. 661/07/19-07-2012 "Definition of Voice Call Termination Market in Individual Mobile Communication Networks, Identification of Operators with Significant Market Power and their Obligations (3 <sup>rd</sup> Round of Market Analysis)" – Amendment of EETT Decision no. 661/07/19-07-2012 (OGG Issue 2167/B/19-07-2012).	3330	B	12/12/2012
676	030	20/12/2012	Regulation on the Use and Granting of the Radiofrequency Rights of Use under the General Authorisation for Electronic Communication Networks and/or Services.	110	B	24-01-2013
676	041	20/12/2012	General Authorisation Regulation.	298	B	14-02-2013

## 8.2. Glossary

TERM	EXPLANATION
<b>Asymmetric Digital Subscriber Line (ADSL)</b>	A technology for data transmission that operates over a traditional telephone line but achieves higher rates of transmission than the traditional modem (i.e., the equipment that converts the digital sign originating from an electronic computer signal to an analog sign).
<b>Bluetooth</b>	Wireless short-distance telecommunication technology standard, for data transmission to digital devices using short length radio waves. It provides standardised wireless communication between PDAs, mobile telephones, portable/personal computers, printers, digital cameras, etc., via a safe, low cost, and globally available non-licensed, short range radiofrequency.
<b>Body of European Regulators of Electronic Communications (BEREC)</b>	BEREC is a continuation of the European Regulators Group (ERG). Its aim is to contribute to the development of the Electronic Communications market in the EU through the creation of a single regulatory environment in the member.
<b>Comité Européen de Réglementation Postale (CERP)</b>	A committee established in 1992 in the framework of CEPT (European Conference of Postal and Telecommunication Administration) with the purpose of regulating the postal market.
<b>Com-ITU</b>	A committee of the European Conference of Postal and Telecommunications Administrations (CEPT) responsible for coordination with regard to Europe's participation in the activities of the International Telecommunications Union (ITU).
<b>Dialer</b>	Dialers are software that can be transmitted through the Internet and can be installed in the computer of the consumer. This software changes the settings of the consumer's modem from one internet address to another. Usually, the change is from the common number of the Internet Service Provider (ISP) that the consumer uses, to a high cost number, either of a 90X XXX XXXX series or a number abroad (00X XXX XXXX).
<b>Digital Video Broadcasting — Terrestrial (DVB-T)</b>	A model for terrestrial digital TV.
<b>Double Play Services</b>	The term that is used in Electronic Communications for the provision of two different services. It may refer to any combination of the following four services: (1) fixed telephony, (2) broadband Internet access, (3) television or video through the Internet, and (4) mobile telephony. However, its more common use refers to the combination of fixed telephony and Internet access.
<b>European Conference of Postal and Telecommunications Administrations (CEPT)</b>	Established in 1959 as a coordinating body for telecommunications and postal services organizations. It is divided into two Committees: the Electronic Communications Committee (ECC), which is responsible for telecommunications and radio, and the European Committee for Postal Regulation (CERP), which is responsible for

	postal issues.
<b>European Regulators Group (ERG)</b>	This is an advisory group which was established pursuant to Commission Decision 2002/627/EC and comprised the heads of the Regulatory Authorities of the 27 EU member states. In addition, eight member states (Bulgaria, Switzerland, Island, Croatia, Liechtenstein, Norway, Rumania and Turkey) have observer status and are not entitled to vote. Its role is to advise and to assist the Commission to consolidate the internal market for Electronic Communications network and services. In parallel, it operates as a liaison between Regulatory Authorities and the Commission, with the purpose of developing the Electronic Communications internal market and all member states consistently applying the regulatory framework.
<b>European Regulators Group for Postal Services (ERGP)</b>	Established in 2010 by the European Commission, its aim is to develop best regulatory practice in Europe on issues relating to Postal Services. It comprises the heads of the 27 national postal Regulators and it is assisted by a Secretariat staffed by the European Commission.
<b>Geographic Information System (GIS)</b>	The Geographic Information System, abbreviated as GIS, is an address system for spatial data and correlated properties. In the strictest sense, it is a digital system capable of integrating, storing, editing, analyzing and displaying geographically - referenced information. In a broader sense, it is a "clever map" tool that enables its users to generate questions interactively (searches generated by the user), analyze the spatial data, and adapt it. Contrary to other systems of vector design (CAD), the main GIS feature is that it operates with geographic coordinates.
<b>GSM Repeaters</b>	These are devices used for boosting reception of mobile phones in restricted areas where the signal is weak.
<b>Independent Regulators Group (IRG)</b>	A group comprising 45 European Regulatory Authorities, which was established in 1997, aiming at the exchange of views, experiences and practices among its members concerning issues of common regulatory interest. In 2008, the process of its establishment as a legal entity was completed according to Belgian Law. It is based in Brussels.
<b>Inmarsat</b>	International Maritime Satellite Organization. It provides telephony and data services to users worldwide via special terminals. An Inmarsat terminal communicates through satellite with ground stations. It offers reliable communications services to governments, aid agencies, media outlets and businesses with a need to communicate in remote regions or where there is no reliable terrestrial network.
<b>Jammers</b>	These are devices that interfere in mobile telephony radiofrequency transmissions, thus preventing their reception.

<b>Long Term Evolution (LTE)</b>	State of the art technology used for the wireless communication and networking of the mobile devices, at high speeds.
<b>Next Generation Access network</b>	See Next Generation Access Networks.
<b>Postal Directive Committee (PDC)</b>	Committee for Designing and Applying European Directives.
<b>Quad Play Services</b>	The term used in Electronic Communications to describe the combined provisions of four different services which are usually the following: (1) fixed telephony, (2) broadband Internet access, (3) television or video through the Internet, and (4) mobile telephony.
<b>Radio Spectrum Committee (RSC)</b>	RSC was established by Decision of the European Commission to define harmonized conditions for the availability and the effective use of the radio spectrum, which are necessary for the establishment and operation of the internal market in community policy fields, such as Electronic Communications, Transport and Research and Development.
<b>Soil Moisture and Ocean Salinity Satellite (SMOS)</b>	A satellite used as part of the Living Planet Program of the European Space Agency (ESA) for collecting information on Earth's water cycle and climate change.
<b>Triple Play Services</b>	The term that is used in Electronic Communications to describe the combined provision of three different services. Usually, the term refers to any combination of three of the following four services: (1) fixed telephony, (2) broadband Internet access, (3) television or video through the Internet, and (4) mobile telephony.
<b>Ultra Wide Band (UWB)</b>	A new form of wireless technology based on low power transfer and codified impulses at a short distance environment. It is used in commercial and industrial applications to determine distances among objects, security systems and medical systems. It is also applied on television, on the Internet, on computers and on wireless local area networks (WLANs) and in secret communications.
<b>UNEX</b>	It is a system for the quality measurement of the Universal Service of the cross – border mail in European countries sponsored by the International Post Corporation (IPC). The UNEX is not used among the EU-27 countries but in Europe as a whole (in 2008 measurements participated 34 countries).
<b>Universal Postal Union (UPU)</b>	UPU is an international organization that is nowadays included in the special organizations of the United Nations. It pursues the continuous improvement of Postal Services and the promotion of international cooperation in this sector.
<b>Very High Speed Digital Subscriber Line (VDSL)</b>	The very high speed digital subscriber line is a technology providing faster data transmission than plain ADSL.
<b>Wireless Fidelity (Wi-Fi)</b>	Wireless local network which uses radio frequencies to transmit and receive data, based on the IEEE 802.11 standards group.
<b>Working Group Frequency Management (WGFM)</b>	Working Group of the Electronic Communications Committee (ECC) that is responsible for the management of frequencies at the level

	of member states of the European Conference of Postal and Telecommunications Administrations (CEPT).
<b>World Interoperability for Microwave Access (Wi-MAX)</b>	Wireless network, that uses radio frequencies in order to transmit and receive data and which is based on the IEEE 802.16 group standards.
<b>Effective Price</b>	The price that results from dividing the revenues of a service (e.g., long distance traffic) by the volume of this service (minutes of long distance traffic).
<b>Service free of Charge</b>	Call for which the caller is not charged.
<b>Geographic Numbers</b>	The numbers whose prefix denotes the geographic location of the number holder.
<b>Transit</b>	The service when one of the two contracting parties transmits a call to the network of a third party, coming from the network of another contracting party.
<b>Interconnection</b>	The physical and logical connection of Electronic Communications networks of the contracting parties in order to provide users with the ability to communicate with each other or with users of a third party, or in order to have access to services provided by a third party.
<b>Next Generation Access Networks (NGA)</b>	Packet Switching networks for the provision of broadband Electronic Communications services based on multiple access and backbone technologies (reaching high-quality levels). Furthermore, these technologies, if desired, could provide continuous service coverage to the user and access to more than one service operators simultaneously.
<b>Satellite Services</b>	Services whose provision is based in whole or in part on the installation and operation of earth satellite station networks. At a minimum, these services include radio link via earth satellite stations with the space part (uplinks) and radio links between the space part and earth satellite stations (downlinks).
<b>National Radiofrequencies Registry (NRfR)</b>	A data base including the total radiofrequencies assigned at the national level.
<b>National Numbering Plan</b>	Rules defining the structure of numbers used by Electronic Communications operators for the provision of services.
<b>Private Mobile Radio networks</b>	Private Mobile Radio (PMR) networks. The term is used to describe professional terrestrial mobile service radio networks, which are used to meet the communication needs of various professional users, as well as for emergency services.
<b>Special Postal Items Track and Trace System (SPITTS)</b>	Information system for tracking and tracing postal items.
<b>Virtual Partial Unbundled Loop</b>	Combined wholesale service of OTE, which permits the provider to offer voice services (through LLU) and VDSL high speed Internet

	(through Wholesale Broadband Access) to retail clients.
<b>Carrier Selection</b>	The option offered to OTE subscribers to make calls through another operator by dialing a special 4-digit or 5-digit Carrier Selection Code assigned to the specific operator before the desired number.
<b>Telecommunications Conformity Assessment and Market Surveillance Committee (TCAM)</b>	Committee established to assist the European Commission and consult on monitoring tasks as far as the application of Directive 99/5/EC is concerned and, if it is deemed appropriate, to issue directives for various issues.
<b>Administrative Cooperation (ADCO)</b>	Committee responsible mainly for supporting actions with regard to the joint resolution of problems and the exchange of experiences on issues of Radio and Telecommunications Terminal Equipment (RTTE) market surveillance.
<b>Broadcasting</b>	Transmission of sound and/or optical signals (programs) to a broad number of recipients (audience or viewers).
<b>European Competition Network (ECN)</b>	A network consisting of the European Commission and the Competition Authorities of the member states with the aim of protecting competition. It constitutes a mechanism for consultation and cooperation in the framework of the implementation of the competition policy of the European Community.
<b>Link</b>	The total of telecommunications equipment required for the implementation of the connection between two points of an Electronic Communications network.
<b>Interconnection link</b>	The link between OTE's switching center (node) and the switching center of an electronic communications provider which enables Interconnection.
<b>Net Cost of Universal Service (NCUS)</b>	NCUS refers to all necessary and relevant costs for providing Universal Service (US) and is a function of the difference between the net operating cost of the Universal Service Provider (USP) including US provision and the operating cost of the same body without it (the so called reference model).
<b>Universal Service (US) (in the electronic Communications sector)</b>	The provision of a fixed set of basic Electronic Communications services available to all citizens of Greece, regardless of their geographic location, at affordable prices.
<b>Universal Service (US) (in the Postal Services sector)</b>	Universal Service (US) refers to the conventional postal service . It is the right granted to Postal Services users, regardless of their location in the Greek Territory, to permanently and affordably enjoy high quality Postal Services. According to the new Law 4053/2012, US includes the following individual services, for domestic and cross-border post: (a) the collection, transportation, sorting and distribution of postal items up to 2 kg, (b) the collection, transportation, sorting and distribution of postal parcels up to 20 kg, and (c) services of registered mail and deliveries with a declared

	value.
<b>Mobile Service</b>	Radio service between Mobile Stations and Fixed Stations or between Mobile Stations.
<b>Long-Run Incremental Cost</b>	A costing methodology used to calculate the effective cost derived from producing a specific increment in the long run and is based on the assumption that the specific production has already taken place.
<b>Integrated Central ADSL Service Connection (OKSYA)</b>	The OKSYA service offers a connection with Gigabit Ethernet (GE) access interfaces, STM-1 POS and ATMs, and is available in the following types: Local – Regional – Central. The OKSYA II is available at Points of Presence (POPs) where BRAS are installed for routing ADSL traffic from all BRAS nodes in a particular area (POP) to the facilities of a Telecommunications Service Provider.
<b>Interference</b>	The result of an unwanted action due to one or more transmissions, radiations or inductions during reception to a radio-system, as demonstrated by any fall in performance, wrong interpretation or loss of information which would have been otherwise received, had this unwanted action not taken place.
<b>Certified Service Providers (CSP)</b>	Individuals or legal entities or other bodies issuing certificates or providing other services with respect to electronic signatures.
<b>Universal Service Operator (in the electronic Communications sector)</b>	The operator designated by the Greek state as having the obligation to ensure provision of the Universal Electronic Communications Service (US).
<b>Fully Distributed Cost</b>	The costing method according to which all the cost elements, including the indirect cost, are distributed to the generated products or the provided services through a set of algorithms.
<b>Carrier Pre-selection</b>	The option given to OTE subscribers, upon request, to select as a default the operator who will process one or more categories of calls (international, local, distance calls and calls to mobile phones), not dialing the four or five - digit code as in the case of Carrier Selection in the Selection of Carrier (Provider).
<b>Radio and Telecommunications Terminal equipment (RTTe)</b>	Equipment which includes a transmitter and/or receiver and provides communication through radio waves by means of spectrum.
<b>Significant Market Power (SMP)</b>	An enterprise is considered to hold Significant Market Power when, either individually or in cooperation with other enterprises, it holds a position equivalent to a dominant position, i.e., a position of financial power which allows it to operate to a great extent independently of the competition, the customers and the consumers.
<b>Inmarsat PSA (Point of Service Activation)</b>	An entity that has concluded a contract with Inmarsat for the activation and maintenance of records and accounts of Inmarsat terminals.
<b>Fixed Service (Radio-communications)</b>	Radio communications service which includes wireless Electronic

	Communications networks between specified fixed points for the implementation of which the radiofrequencies are used.
<b>Distant Collocation</b>	Form of collocation in which, in accordance with OTE's legal obligations, an Electronic Communications operator obtains access to OTE sources through connecting cables.
<b>Virtual Collocation</b>	Refers to the capability of collocation of an Electronic Communications operator's equipment in a space within OTE's Local Exchanges where the related equipment of OTE is hosted, for purposes of full or shared LLU. The maintenance and operation of the equipment is carried out by OTE.
<b>Shared Collocation</b>	Refers to the capability of the location of an electronic communications operator's equipment in a space within OTE's Local Exchanges where the related equipment of OTE is hosted, for purposes of full or shared LLU. The maintenance and operation of the equipment is carried out by operator.
<b>Physical Collocation</b>	Form of collocation in which OTE, in accordance with its legal obligations, constructs a special space in its Local Exchanges which is reserved for installation of equipment of Electronic Communications operators.
<b>Express Delivery Voucher (EDV)</b>	Document accompanying the postal item that contains identification data.
<b>Courier Services</b>	Services for the urgent transportation of postal items, which are monitored electronically by the Track and Trace System.
<b>Call Termination</b>	The Electronic Communications service where one of the contracting parties (the one providing the service) terminates in its network a call coming from the network of the other contracting party.
<b>Local Loop</b>	The circuit that connects the terminating point of each subscriber with the main distributor in the OTE Local Exchange.
<b>Premium Rate Service (PRS)</b>	A call whose charge is higher than the maximum normal charge for geographic numbers within the country, with part of the increased charge going to the called party who is assigned this number.
<b>Multimedia Information Services (MIS)</b>	MIS comprise value-added and premium pricing services, such as live conversation services, information services by means of recorded messages, chat services, special content provision via the internet (Audiotex, Videotex, Premium Rate SMS-PSMS etc.).
<b>Reference Unbundling Offer (RUO)</b>	The reference document used as a basis for the contract signed for Local Loop Unbundling (LLU) provision by OTE to other operators. This document is released by OTE and approved by EETT.
<b>Universal Service Provider - USP (in the electronic Communications sector)</b>	The operator designated by the Greek state as having the obligation to ensure provision of the Universal Service (US) in electronic communications.
<b>Universal Service Provider - USP (in the Postal Services Sector)</b>	The operator designated by the Greek state as having the obligation to ensure provision of the Universal Service for Postal services. The

	current USP is Hellenic Post (ELTA).
<b>Number Portability</b>	The option given to consumers to maintain their telephone number when changing operator.
<b>Frequency Map</b>	Imprint of the available channels for use at a specific geographic location and under specific circumstances.
<b>Chart of Obligations to Consumers (COC)</b>	The providers rendering Postal Services under a General Authorization must prepare a COC to include: (a) a description of characteristics of the service and the time limits within which it is provided, (b) information for users on prices based on the data affecting them including expected improvements of service quality, (c) the Dispute Resolution Committee with the participation of a users representative and right of attendance for the interested user (consumer). The COC also contains all other necessary information in relation to the characteristics of the Postal Services providers, the obligations and commitments to users, the management of postal items, user service and potential compensation.

### 8.3. Abbreviations

ADCO	Administrative Cooperation Group
ADSL	Asymmetric Digital Subscriber Line
AUTH	Authorization and frequency rights of use
BEM	Block-Edge Mask
BEREC	Body of European Regulators for Electronic Communications
CAA	Civil Aviation Authority
CEPT	European Conference of Postal and Telecommunications Administrations
CERP	Comité Européen de Réglementation Postale
COC	Chart of Obligations to Consumers
COCOM	Communications Committee
CSP	Certified Service Providers
CSS	Consumer Service Sector
DCS	Digital Communication System
DG COMP	Directorate General for Competition
DSL	Digital Subscriber Line
DVB-T	Digital Video Broadcasting — Terrestrial
ECC	Electronic Communications Committee
ECN	European Competition Network
EDV	Express Delivery Voucher
EEA	European Economic Area
EETT	Hellenic Telecommunications & Post Commission
EIIRA	Union of Owners of Private Radio Stations of Athens
EKAV	National First Aid Service
ELAS	Hellenic Police
ELTA	Hellenic Post
EMERG	Euro-Mediterranean Regulators Group
ERG	European Regulators Group
ERGP	European Regulators Group for Postal Services
ERT	Greek Radio Television
SILYA	Electronic Submission of Antenna Construction Applications System
ETA	Environmental Terms Approval
EU	European Union
FESA	Forum of European Supervisory Authorities for Electronic Signatures
FDC	Fully Distributed Cost
FITCE	Federation of Telecommunications Engineers of the European Community
FM	Frequency Management
FTTN	Fiber to the Neighborhood
FYROM	Former Yugoslav Republic of Macedonia
GAEC	Greek Atomic Energy Commission
GAR	General Authorisation Regulation
GIS	Geographical Information System

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GRNET	Greek Research & Technology Network
GSM	Global System for Mobile Communications
ICCS	Institute of Communication and Computers Systems
ICT	Information and Communication Technologies
IIS	Integrated Information System
INEP	Institute of Training
IRG	Independent Regulators Group
ISDN	Integrated Services Digital Network
ISP	Internet Service Provider
ITU	International Telecommunication Union
JMD	Joint Ministerial Decision
KV	Kabelverzweiger
L/E	Local Exchange
LLU	Local Loop Unbundling
LRAIC	Long-Run Average Incremental Cost
LTE	Long Term Evolution
MCV	Mobile Communication on board Vessels
MD	Ministerial Decision
MDCTIN	Ministry of Development, Competitiveness, Transport, Infrastructure and Networks
M-Lab	Measurement Lab
MSS	Mobile Satellite Service
NCRTV	National Council for Radio and Television
NCUS	Net Cost of Universal Service
NGA	Next Generation Access network
NNP	National Numbering Plan
NRA	National Regulatory Authority
NRDNP	National Reference Database on Number Portability
NZBT	New Zealand Broadband Test
OAED	Manpower Employment Organisation
OCECPR	Office of the Commissioner of the Electronic Communications and Postal Regulation of Cyprus
OGG	Official Government Gazzette
OKSYA	Integrated Central ADSL Service Connection
ONU	Optical Network Unit
OTE	Hellenic Telecommunications Organisation
PC	Postal Codes
PDA	Personal Digital Assistant
PDC	Postal Directive Committee
PMR	Private Mobile Radio
PPC	Public Power Corporation (DEI)
PRS	Premium Rate Services
PSA	Point of Service Activation
PSMS	Premium Short Message Service

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PSTN	Public Switched Telephone Network
PT	Project Team
RSC	Radio Spectrum Committee
RSPG	Radio Spectrum Policy Group
RTTE	Radio and Telecommunications Terminal Equipment
RUO	Reference Unbundling Offer
SAC	Standardized Antenna Construction
SLA	Service Level Agreement
SMOS	Soil Moisture and Ocean Salinity Satellite
SMP	Significant Market Power
SMS	Short Message Service
SMTP	Simple Mail Transfer Protocol
SPEBS	System for Performance Evaluation of Broadband Connection Services
TCAM	Telecommunications Conformity Assessment and Market Surveillance Committee
TFEU	Treaty on the Functioning of the European Union
TRAI	Telecom Regulatory Authority of India
UMTS	Universal Mobile Telecommunications System
UPU	Universal Postal Union
US	Universal Service
USO	Universal Service Operator
USP	Universal Service Provider
VAT	Value Added Tax
VDSL	Very High Speed Digital Subscriber Line
VPU	Virtual Partial Unbundled Loop
WBA	Wholesale Broadband Access
WG	Working Group
WGFM	Working Group Frequency Management
Wi-Fi	Wireless Fidelity
WIK	Wissenschaftliches Institut für Kommunikationsdienste
Wi-Max	World Interoperability for Microwave Access
WLAN	Wireless Local Area Network
WLL	Wholesale Leased Lines
WLR	Wholesale Line Rental
WCRM	Wholesale Customer Relation Management

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