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Thank you for your telephone call yesterday and the comments and recommendations we got from our discussion. We have reviewed the draft decision with them in mind and here are our thoughts and planned changes.

### **General notes**

We feel the text is much less ambiguous in the original Icelandic but we will look at making it even more specific, as per your comments, before publication. The English translation however fails in some ways to deliver the specifics and can be understood in more general terms. This is most noticeable in the wording describing networks in the sections on remedies. The Icelandic text describes the “almenna talsímanetið” which is the “public voice telephony network”, accepted to mean both the POTS and ISDN network, each for both residential and non-residential service. The English text is less specific, reading “fixed line network” or “fixed line operation”. Within the scope of the document as a draft decision on markets 1 and 2, access to public telephone services at a fixed location for residential and non-residential customers, there is no ambiguity to its meaning. However, read separately, the text is less clear.

Also in the chapter 2.1 on CS and CPS the Icelandic text is crystal clear on the fact that it is due to our finding Siminn as an SMP that the 53<sup>rd</sup> article of the electronic communication act obliges Siminn to continue to provide CS and CPS. Then the PTA proposes other remedies in addition to that.

However, the English translation is not as clear on this fact as you have noted.

### **Our proposed changes to the English text**

1) Chapter 2.1. of the draft decision, CS and CPS

We propose the following change:

The sentence: “For this reason, PTA considers it unequivocally necessary that Síminn be required, pursuant to Article 53 of the Electronic Communications Act, to continue offering both carrier selection and pre-selection.”

Will be: “For this reason, PTA considers it unequivocally clear that Síminn is required, by the article 53 of the Electronic Communications Act, to continue to offer both carrier selection and carrier pre-selection.”

## 2) Chapter 2.2., Obligation to grant access

The starting sentence of the chapter: “Based on the authority in Article 28 of the Electronic Communications Act, PTA imposes on Síminn hf. the obligation to respond to reasonable and appropriate requests by electronic communications undertakings for access to its fixed-line network and wholesale services.”

Will be: “Based on the authority in Article 28 of the Electronic Communications Act, PTA imposes on Síminn hf. the obligation to respond to reasonable and appropriate requests by electronic communications undertakings for access to its public voice telephony network and the related wholesale services.”

## 3) Chapter 2.3., Non-discrimination

The last sentence of the first paragraph: “The non-discrimination obligation shall apply to all types of access and resale of lines.”

Will be: “The non-discrimination obligation shall apply to all types of access to the public voice telephony network, and resale of such lines and services.”

## 4) Chapter 2.4., Transparency

The chapter starts with this sentence:” Based on the authority in Article 29 of the Electronic Communications Act, PTA imposes on Síminn hf. the obligation to observe transparency and to publish a reference offer, terms and conditions for supply and use, price lists, and accounting information for its fixed-line telephone division, including carrier selection and pre-selection. Síminn shall also publish a reference offer for wholesale of lines and other solutions in connection with single billing.”

Which shall be: ”Based on the authority in Article 29 of the Electronic Communications Act, PTA imposes on Síminn hf. the obligation to observe transparency and to publish a reference offer, terms and conditions for supply and use, price lists, and accounting information for its public voice telephony network division, including carrier selection and pre-selection. Síminn shall also publish a reference offer for the related wholesale of lines and other solutions in connection with single billing.”

## 5) Chapter 2.5., Accounting separation

The first sentence in the first paragraph now reads: ”Based on the authority in Article 31 of the Electronic Communications Act, PTA imposes on Síminn the obligation to practise accounting separation. Such separation shall involve, at a minimum, the separation of accounting for wholesale fixed-line telephone operations, on the one hand, and retail fixed-line operations, on the other, from other activities.”

And shall change to: "Based on the authority in Article 31 of the Electronic Communications Act, PTA imposes on Síminn the obligation to practise accounting separation. Such separation shall involve, at a minimum, the separation of accounting for wholesale of public voice telephony network operations, on the one hand, and retail of public voice telephony network operations, on the other, from other activities."

#### 6) Chapter 2.6., Price controls

The starting sentence: "Based on the authority contained in Article 32 of the Electronic Communications Act, PTA imposes on Síminn an obligation concerning price controls for wholesale access to its telephone network (including wholesale of lines and other solutions in connection with single billing) and pre-selection."

Will be: "Based on the authority contained in Article 32 of the Electronic Communications Act, PTA imposes on Síminn an obligation concerning price controls for wholesale access to its public voice telephony network (including the related wholesale of lines and other solutions in connection with single billing) and pre-selection."

#### 7) Chapter 2.7., Cost accounting

The start of the chapter reads: "Based on the authority contained in Article 32 of the Electronic Communications Act, PTA imposes on Síminn an obligation concerning cost accounting for access to its telephone network (including wholesale of lines and other solutions in connection with single billing) and pre-selection."

And shall change to: "Based on the authority contained in Article 32 of the Electronic Communications Act, PTA imposes on Síminn an obligation concerning cost accounting for access to its public voice telephony network (including the related wholesale of lines and other solutions in connection with single billing) and pre-selection."

### **Conclusion**

The PTA hopes the changes described above dispel any ambiguity on the scope of the obligations described in the draft decision, that they are solely meant for the described markets, access to the public voice telephony network at fixed location for residential and non-residential customers, designated markets 1 and 2.

Respectfully yours,  
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