PUBLIC UTILITIES COMMISSION

Notification of a Draft Measure Pursuant to Article 7, para. 3, of the Framework Directive 2002/21/EC

SUMMARY

of Public Utilities Commission

Draft Decision concerning

Call origination on the fixed public telephone network(s)
(„Market 2")

Section 1. Market definition

1.1 Relevant product / service market

Call origination on the fixed public telephone network(s).

This market is included in the Commission's Recommendation on relevant markets as market no. 2.

1.2 Relevant geographic market

The territory of the Republic of Latvia

1.3 Summary of the opinion of the Latvian Competition Authority

Not applicable, national consultation has been started on 12 August 2009

1.4 Results of the public consultation

Not applicable, national consultation has been started on 12 August 2009

1.5 Defined relevant markets different from those listed in the Recommendation on relevant markets

Not applicable as the defined relevant market appears in the Recommendation.

Section 2. Designation of Undertakings with SMP

2.1 Undertaking(s) designated as having SMP

SIA "Lattelecom"

2.2 Criteria for SMP designation

- Market Shares
- Significant Size of the Undertaking
- Control of Infrastructure not Easily Duplicated
- Lack or Low Level of Countervailing Buying Power
- Barriers to Market Entry or Expansion

2.3 Main undertakings (competitors) present/active in the relevant market

- SIA „Datagrupa.lv"
- SIA „OPTRON"
- SIA „TELENETS"
- SIA „Augstceltne"

2.4 Market shares of the undertakings

1) SIA "Lattelecom" > 99%

all other competitors < 0,5% each

2.5 Opinion of the National Competition Authority

Not applicable, national consultation has been started on 12 August 2009

2.6 Results of the public consultation

Not applicable, national consultation has been started on 12 August 2009

Section 3. Regulatory obligations

3.1 Legal basis for the obligations

The following obligations are proposed to be maintained:

- Obligations of access to, and use of, specific network facilities (Art. 12 Access Directive)
- Transparency Obligation (Article 9, Access Directive): requirement to publish reference offers for interconnection and unbundled access
- Obligation of non-discrimination (Article 10, Access Directive)
- Price control and cost accounting obligations (Article 13, Access Directive)
- Obligation of accounting separation (Article 13, Access Directive)

3.2 Reasons for the imposition, amendment or withdrawal of obligations

See chapter 9.6 of the draft decisions

3.3 Exceptional circumstances

Not applicable

Section 4. Compliance with international obligations

4.1 Imposition, amendment or withdrawal of obligations provided for in Article 8(5) of Directive 2002/19/EC (Access Directive)

Not applicable

4.2 Name(s) of undertaking(s) concerned

Not applicable

4.3 International commitments that need to be respected

Not applicable