



POST AND TELECOM
ADMINISTRATION
IN ICELAND

Summary Notification Form

Market 1

“Wholesale tariff for call termination in public telephone networks provided at a fixed location”

Date of notification 19 September 2018.

This form specifies the summary information to be provided by national regulatory authorities to the EFTA Surveillance Authority (ESA) when notifying draft measures in accordance with Article 7 of Directive 2002/21/EC (Framework Directive) and annex I to ESA Recommendation of 2 December 2009 on notifications, time limits and consultations.

Under the obligation in Articles 15 and 16 of the Directive 2002/21/EC (Framework Directive) and Electronic Communications Act No. 81/2003, Article 17, the Post and Telecom Authority of Iceland (PTA) has conducted a benchmarking for determining a wholesale rate for call termination on the public telephone network provided at a fixed location (Market 1). This draft decision is based on PTA Decision no. 22/2016 on the designation of companies with significant market power and on the imposition of obligations on the wholesale market for call termination in individual fixed public phone networks, dated 23 December 2016.

The draft Decision was published for national consultation on 10 August 2018 and the consultation lasted until and including 31st August 2018. The PTA received no comments from stakeholders.

Comments to these draft measures may be sent to Ms. Hulda Ástþórsdóttir (hulda@pfs.is).

SECTION 1

Market definition

Please state where applicable, and give reference to the relevant section/paragraph:

1.1	The affected relevant product/service market. Is this market mentioned in the Recommendation on relevant markets?	Section/ paragraph
	Not applicable. See the PTA Decision no. 22/2016.	
1.2	The affected relevant geographic market	
	Not applicable. See the PTA Decision no. 22/2016.	
1.3	A brief summary of the opinion of the national competition authority where provided;	
	Not applicable. See the PTA Decision no. 22/2016.	
1.4	A brief overview of the results of the public consultation to date on the proposed market definition (for example, how many comments were received, which respondents agreed with the proposed market definition, which respondents disagree with it	
	Not applicable. See the PTA Decision no. 22/2016.	
1.5	Where the defined relevant market is different from those listed in the Recommendation on relevant markets, a summary of the main reasons which justified the proposed market definition by reference to Section 2 of the Authority's Guidelines on the definition of the relevant market and the assessment of significant market power ¹ , and the three main criteria mentioned in recitals 12 to 19 of the Recommendation on relevant markets.	
	Not applicable, as the draft decision does not include market definition.	

¹ Authority guidelines on market analysis and the assessment of significant market power under the Community regulatory framework for electronic communications and services.

SECTION 2

Designation of undertakings with significant market power

Please state where applicable, and give reference to the relevant section/paragraph:

2.1	the name(s) of the undertaking(s) designated as having individually or jointly significant market power. Where applicable, the name(s) of the undertaking(s) which is (are) considered to no longer have significant market power;	Section/ paragraph
	Not applicable. See the PTA Decision no. 22/2016.	
2.2	the criteria relied upon for deciding to designate or not an undertaking as having individually or jointly with others significant market power;	
	Not applicable. See the PTA Decision no. 22/2016.	
2.3	the name of the main undertakings (competitors) present/active in the relevant market;	
	Not applicable. See the PTA Decision no. 22/2016.	
2.4	the market shares of the undertakings mentioned above and the basis of their calculation (e.g., turnover, number of subscribers).	
	Not applicable. See the PTA Decision no. 22/2016.	
Please provide a brief summary of:		
2.5	the opinion of the national competition authority, where provided;	
	Not applicable. See the PTA Decision no. 22/2016.	
2.6	the results of the public consultation to date on the proposed designation(s) as undertaking(s) having significant market power (e.g., total number of comments received, numbers agreeing/disagreeing).	
	Not applicable. See the PTA Decision no. 22/2016.	

SECTION 3

Regulatory obligations

Please state where applicable, and give reference to the relevant section/paragraph:

3.1	the legal basis for the obligations to be imposed, maintained, amended or withdrawn (Articles 9 to 13 of Directive 2002/19/EC (Access Directive));	Section/ paragraph
	Article 32 of Electronic Communications Act no. 81/2003 which stems from Article 13 of the Access directive. The decision in question does not in PTA's view include imposition or amendments to the regulatory obligations set out in the PTA Decision no. 22/2016. The PTA Decision no. 22/2016 decided the methodology now applied by the PTA for deciding price for call termination on the public telephone network provided at a fixed location.	
3.2	the reasons for which the imposition, maintenance or amendment of obligations on undertakings is considered proportional and justified in the light of the objectives laid down in Article 8 of Directive 2002/21/EC (Framework Directive). Alternatively, indicate the paragraphs, sections or pages of the draft measure where such information is to be found;	
	As stated above, the decision in question does not in PTA's view include imposition or amendments to the regulatory obligations set out in the PTA Decision no. 22/2016.	
3.3	if the remedies proposed are other than those set out in Articles 9 to 13 of Directive 2002/19/EC (Access Directive), please indicate which are the 'exceptional circumstances' within the meaning of Article 8(3) thereof which justify the imposition of such remedies. Alternatively, indicate the paragraphs, sections or pages of the draft measure where such information is to be found.	
	Not applicable.	

SECTION 4

Compliance with international obligations

In relation to the third indent of the first subparagraph of Article 8(3) of Directive 2002/19/EC (Access Directive), please state where applicable, and give reference to the relevant section/paragraph:

4.1	whether the proposed draft measure intends to impose, amend or withdraw obligations on market players as provided for in Article 8(5) of Directive 2002/19/EC (Access Directive);	Section/ paragraph
	Not applicable.	
4.2	the name(s) of the undertaking(s) concerned;	
	Not applicable.	
4.3	which are the international commitments entered into by the EFTA State that need to be respected;	
	Not applicable.	