

On grounds the provisions of Article32 paragraph (1) letter a) and of Article38 paragraphs (1), (3) and (5) of the Government Emergency Ordinance no.79/2002 on the general regulatory framework for communications, approved with amendments and completions by Law no.591/2002,

**THE PRESIDENT OF THE  
NATIONAL REGULATORY AUTHORITY FOR COMMUNICATIONS**

issues the present decision:

**DECISION**  
**regarding the completion of the Decision of the President of**  
**the National Regulatory Authority for Communications no.136/2002**  
**approving the Regulations for the identification of relevant markets**  
**in the electronic communications sector**

**Art.I.** – The regulations for the identification of the relevant markets in the electronic communications sector, approved by the Decision of the President of the National Regulatory Authority for Communications no.136/2002, published in the Official Journal of Romania, Part I, no.916 of December 16, 2002, completed by the Decision of the President of the National Regulatory Authority for Communications no.174/EN/2003, published in the Official Journal of Romania, Part I, no.338 of May 19, 2003, shall be completed as follows:

**1. In Article 2, letter z) shall be followed by letters z<sup>1)</sup> – z<sup>4)</sup> with the following content:**

*z<sup>1)</sup> local calls at fixed locations* – calls originated and terminated at fixed locations, in Romania, within one county, disregarding the technology deployed;

*z<sup>2)</sup> long distance calls at fixed locations* – calls originated and terminated at fixed locations, in Romania, involving different counties, disregarding the technology deployed;

*z<sup>3)</sup> international calls at fixed locations* – calls originated at fixed locations in Romania, and terminated at fixed or mobile locations outside Romania, disregarding the technology deployed;

*z<sup>4)</sup> calls initiated from fixed locations toward mobile public telephony networks* – calls originated at fixed locations and terminated at mobile locations, in Romania, disregarding the technology deployed."

**2. In the Annex to the Regulations, point 9 shall be followed by points 10 – 19, with the following content:**

**„10. a) The product relevant market**

The market of providing access at a fixed point to a public telephone network for natural persons.

The identified market is a retail market, within the scope of the provisions of Law no.304/2003 for universal service and the users' rights regarding electronic communications networks and services.

**b) The relevant geographical market**

The national market defined by the territory of Romania

**11. a) The product relevant market**

The market for the provision of access, at a fixed location, to a public telephony network, for legal persons

The identified market is a retail market, within the scope of the provisions of Law no.304/2003 for universal service and the user's rights regarding electronic communications networks and services.

**b) The relevant geographical market**

The national market defined by the territory of Romania

**12. a) The product relevant market**

The market of local calls at fixed locations for natural persons, consisting of local call origination at fixed locations for the publicly available telephony services, including dial-up services and ISDN services for Internet access and facsimile transmission services, for natural persons.

The identified market is a retail market, within the scope of the provisions of Law no.304/2003.

**b) The relevant geographical market**

The national market defined by the territory of Romania

**13. a) The product relevant market**

The market of local calls at fixed locations for legal persons, consisting of local call origination, at fixed locations for the publicly available telephony services, including dial-up services and ISDN services for Internet access and facsimile transmission services, for legal persons.

The identified market is a retail market, within the scope of the provisions of Law no.304/2003.

**b) The relevant geographical market**

The national market defined by the territory of Romania

**14. a) The product relevant market**

The market of long distance calls at fixed locations for natural persons, consisting of long distance call origination at fixed locations for the publicly available telephony services, including facsimile transmission services, for natural persons.

The identified market is a retail market, within the scope of the provisions of Law no.304/2003.

**b) The relevant geographical market**

The national market defined by the territory of Romania

**15. a) The product relevant market**

The market of long distance calls at fixed locations for legal persons, consisting of long distance call origination at fixed locations for the publicly available telephony services, including facsimile transmission services, for legal persons.

The identified market is a retail market, within the scope of the provisions of Law no.304/2003.

**b) The relevant geographical market**

The national market defined by the territory of Romania

**16. a) The product relevant market**

The market of international calls at fixed locations for natural persons, consisting of international call origination at fixed locations for the publicly available telephony services, including facsimile transmission services, for natural persons.

The identified market is a retail market, within the scope of the provisions of Law no.304/2003.

**b) The relevant geographical market**

The national market defined by the territory of Romania

**17. a) The product relevant market**

The market of international calls at fixed locations for legal persons, consisting of international call origination at fixed locations for the publicly available telephony services, including facsimile transmission services, for legal persons.

The identified market is a retail market, within the scope of the provisions of Law no.304/2003.

**b) The relevant geographical market**

The national market defined by the territory of Romania

**18. a) The product relevant market**

The market of calls at fixed locations to the mobile public telephony networks for natural persons, consisting of call origination at fixed locations to the mobile public telephony networks for the publicly available telephony services, including facsimile transmission services, for natural persons.

The identified market is a retail market, within the scope of the provisions of Law no.304/2003.

**b) The relevant geographical market**

The national market defined by the territory of Romania

**19. a) The product relevant market**

The market of calls at fixed locations to the mobile public telephony networks for legal persons, consisting of call origination at fixed locations to the mobile public telephony networks for the publicly available telephony services, including facsimile transmission services, for legal persons.

The identified market is a retail market, within the scope of the provisions of Law no.304/2003.

**b) The relevant geographical market**

The national market defined by the territory of Romania.”

**Art.II.** – This Decision shall be published in the Official Journal of Romania, Part I, and shall come into force within three days since the publishing date.

**PRESIDENT,  
ION SMEEIANU**

Bucharest, August 17, 2004.  
Nr. 1.124 / EN.