

On grounds of the provisions of Article 38 paragraph (1), (3) and (5) of Government Emergency Ordinance no.79/2002 regarding the general regulatory frame of communications, approved with modifications and completions by Law no.591/2002, as well as of Article 4 paragraph (4) and of Article 13 paragraph (2) of Law no.304/2003 on the universal service and the users' rights regarding the electronic communications networks and services,

Considering the Order of the Ministry of Communications and Information Technology no.184/2004 for the approval of the Policy and Strategy Document regarding the implementation of universal service in the electronic communications sector,

THE PRESIDENT OF THE NATIONAL REGULATORY AUTHORITY FOR COMMUNICATIONS

issues the present:

DECISION

For Amending and Completing ANRC President's Decision no.1074/EN/2004 on the Implementation of Universal Service in the Electronic Communications Sector

Art. I. – The Decision of the President of the National Regulatory Authority for Communications no.1074/EN/2004 on the implementation of universal service in the electronic communications sector, published in the Official Journal of Romania, Part I, no.750 of August 18, 2004, shall be amended and completed as follows:

1. Letter a) of paragraph (1) of Article 3 shall have the following content:

„a) *services of access to the public telephony network* – making available for end users who are natural persons, based on a written agreement and for a regular tariff (usually, on a monthly basis), the equipments and services required in order for these users to benefit from publicly available telephony services;”

2. Paragraph (1) of Article 14 shall have the following content:

„Article14. – (1) With a view to be granted the subsidy and the facilities, the holder of the agreement shall send the universal service provider, by the deadline established by ANRC in the designation decision, the standard application for obtaining the subsidy and the facilities in case the subscriber is not able to pay the telephone bill, according to the model presented in annex no.2.”

3. Paragraphs (1) and (2) of Article 15 shall have the following content:

„Article 15. – (1) With a view to establishing the amount of the subsidy, the universal service providers have the obligation to send ANRC a centralised report on the applications received and validated according to the provisions of Article 14, paragraph (4), within 15 days from the deadline established under Article 14, paragraph (1).

(2) Within 15 days from receiving the last centralised report transmitted according to the provisions of paragraph (1), ANRC shall communicate to the universal service providers the amount of the individual subsidy which shall not exceed the cost of providing the services of access to the public telephony network for the designation period stipulated under Article 9, paragraph (3)."

4. Paragraph (1) of Article 34 shall be followed by paragraph (1¹) with the following content:

„(1¹) Should the providers mentioned in Article 33, paragraph (1) not send the statements on one's own responsibility as provided under paragraph (1), individual contributions shall be calculated from the whole turnover of the respective provider.”

Art.II. – The present Decision shall be published in the Romanian Official Journal, Part I.

**PRESIDENT,
ION SMEEIANU**