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DECISION No. 134 of 17 March 2022
establishing the format and means for submitting information
on the roll-out and geographic location of public electronic
communications networks and associated physical
infrastructure elements, with the subsequent amendments and
completions

- **unofficially consolidated text including the provisions in force as**
of 10 May 2023 –

On grounds of the provisions of Article 5 letter b), Article 11 paragraph (1) and Article 12 paragraphs (1) and (3) of Government Emergency Ordinance no. 22/2009 on the establishment of the National Authority for Management and Regulation in Communications of Romania, approved by Law no. 113/2010, with subsequent amendments and completions, as well as of Article 40 paragraphs (3), (4) and (6) of Law no. 159/2016 on the regime of electronic communications networks infrastructure and on establishing certain measures for reducing the cost of electronic communications networks roll-out, with subsequent amendments and completions,

the president of the National Authority for Management and Regulation in Communications issues the present decision.

Art. 1 - (1) This Decision establishes the format and means for the submission by the providers of public electronic communications networks, in accordance with the provisions of Article 40 paragraphs (3) to (5) of Law no. [159/2016](#) on the regime of electronic communications networks infrastructure and on establishing certain measures for reducing the cost of electronic communications networks roll-out, with subsequent amendments and completions, to the National Authority for Management and Regulation in Communications, hereinafter referred to as ANCOM, of information on the roll-out and geographic location of the public electronic communications networks and of the physical infrastructure elements necessary for their support.

(2) This Decision also establishes the conditions under which the network operators and the central or local public administration authorities owning, administering or having as a concession physical infrastructure elements are to transmit to ANCOM information in accordance with the provisions of Article 40

paragraph (6) of Law no. [159/2016](#), with the subsequent amendments and completions.

Art. 1¹ - (1) The providers of public electronic communications networks have the obligation to declare annually to ANCOM whether, as of 1 September each year, they own or hold as a concession physical infrastructure elements and/or electronic communications networks intended for the public.

(2) If, by means of the declaration referred to in paragraph (1), the providers of public electronic communications networks certify that they own or hold as a concession physical infrastructure elements and/or public electronic communications networks, they shall also have the reporting obligations provided for in Article 2, in accordance with conditions laid down in this Decision.

Art. 2 - (1) The providers of public electronic communications networks owning or holding as a concession physical infrastructure elements and/or public electronic communications networks, through which telephone services or internet access services are provided at fixed locations, have the obligation to transmit to ANCOM, correctly and completely, the information referred to in Annex no. 2, in the format and in the manner laid down in Article 5 paragraph (1), if the following conditions are met cumulatively:

- a)** fiber-optic transmission systems are being used in any of these networks;
- b)** the networks are located across at least 25 localities, in at least 5 counties.

(2) The providers of public electronic communications networks owning or holding as a concession physical infrastructure elements and/or public cellular mobile radio networks have the obligation to transmit to ANCOM, correctly and completely, the information provided in Annex no. 2, in the format and in the manner laid down in Article 2, paragraph (1).

(3) The providers of public electronic communications networks which own or hold as a concession physical infrastructure elements and/or such networks and which do not fall under the provisions of paragraphs (1) or (2) have the obligation to transmit to ANCOM, correctly and completely, the information provided in Annex no. 2, in the format and in the manner laid down in Article 5 paragraph (2).

(4) The communication of the information referred to in Annex no. 2 letter A, points (1) and (2) and letter B, point (3) shall be optional for the providers of public electronic communications networks mentioned in paragraph (3) above.

(5) If the providers of public electronic communications networks referred to in paragraph (3) have a Geographical Information System (GIS), they can transmit the respective information to ANCOM, correctly and completely, in accordance with Annex no. 2, in the format and in the manner laid down in Article 5 paragraph (1).

(6) The terms used in Annex 2 are defined in Annex 1.

Art. 3 - (1) The providers of public electronic communications networks have the obligation to send ANCOM annually, between 1 September and 31 October of each year, the declaration provided for in Article 1¹ paragraph (1).

(2) The providers of public electronic communications networks referred to in Article 2 have the obligation to update the information sent to ANCOM according to Article 2, annually, between 1 September and 31 October of each year, with information on the public electronic communications networks and/or associated

physical infrastructure elements, owned or held as a concession at the time of reporting.

(3) The providers of public electronic communications networks referred to in Article 2 shall submit the declaration under paragraph (1) simultaneously with the updating of the information referred to in paragraph (2).

Art. 3¹ - (1) The persons acquiring the capacity as providers of public electronic communications networks by 31 August of each year, including, shall submit the first declaration, as provided for in Article 1¹ paragraph (1) and, if necessary, the information referred to in Article 2 during the reporting period corresponding to the year in which they acquired this capacity, under the conditions laid down in this Decision.

(2) The persons acquiring the capacity as providers of public electronic communications networks starting 1 September each year, shall submit the first declaration, as provided for in Article 11 paragraph (1) and, if necessary, the information referred to in Article 2 in the reporting period corresponding to the year following that in which they acquired this capacity, under the conditions laid down in this Decision.

Art. 4 - (1) Repealed

(2) Repealed

(3) The network operators, excepting those referred to in Article 2, and the central or local public administration authorities owning, administering, or holding as a concession physical infrastructure elements have the obligation to transmit to ANCOM information on their roll-out and geographic location, necessary for ANCOM to carry out the inventory provided for in Article 6 paragraph (1).

(4) ANCOM shall request the information referred to in paragraph (3) in writing, motivating its request, while at the same time establishing the timeframe and format in which the respective information must be sent. The information amount and nature shall be proportionate to the purpose for which it was requested.

Art. 5 - (1) The providers of public electronic communications networks specified in Article 2 paragraphs (1) and (2), shall submit the information under Annex no.2 as XML files through a secure connection, with the help of an IT application available on a website provided by ANCOM, in the form of an electronic document to which an extended electronic signature has been incorporated, attached or logically associated, based on a qualified certificate not suspended or revoked at the date of transmission and generated using a secure electronic signature generating device.

(2) The communication of the information set out in annex no.2 sent by providers of public electronic communications networks according to the provisions included in art. 2 para. (3), is made in the form of CSV files, through a secure connection, with the help of an IT application available on a website provided by ANCOM, in the form of an electronic document to which an extended electronic signature has been incorporated, attached or logically associated, based on a qualified certificate not suspended or revoked at the date of transmission and generated using a secure electronic signature generating device.

(2¹) The providers of public electronic communications networks shall send the declaration specified in Article 1¹ paragraph (1) via an IT application available on a website provided by ANCOM, in the form of an electronic document to which an extended electronic signature has been incorporated, attached, or logically associated, based on a qualified certificate not suspended or revoked at the date of transmission and generated using a secure electronic signature generating device.

(3) The submission activities referred to in paragraphs (1)-(2¹) shall be carried out pursuant to the Decision of the President of the National Authority for Management and Regulation in Communications no. 336/2013 regarding the means and manner of providers' transmission of documents, data or information to the National Authority for Management and Regulation in Communications, with subsequent amendments and completions.

Art. 6 - (1) Based on the information sent according to Article 2 and, where appropriate, in accordance with Article 4 paragraph (3), ANCOM shall make an inventory of the public electronic communications networks and associated physical infrastructure elements.

(2) The information making up the inventory shall be stored in a Geographical Information System (GIS), at national level, of customer-server type.

Art. 7 - (1) A provider of public electronic communications networks may have access to the information transmitted by another provider or by the entities referred to in Article 4 paragraph (3), in accordance with the obligations laid down in this Decision, only under the conditions established by the decision of the President of the National Authority for Management and Regulation in Communications provided for in Article 21 paragraph (3) of Law no. [159/2016](#), with subsequent amendments and completions, after the inventory of the public electronic communications networks and associated physical infrastructure elements is completed.

(2) The provider of public electronic communications networks which has access to the information referred to in paragraph (1) shall ensure that its confidentiality is respected, in accordance with the legislation in force.

Art. 8 - Failure to comply with the provisions of this Decision shall be sanctioned by ANCOM according to the provisions of Law no. [159/2016](#), with the subsequent amendments and completions.

Art. 9 - Annexes no.1 and no.2 are integral part of the present Decision.

Art. 10 - (1) This Decision shall be published in the Romanian Official Journal, Part I, and shall enter into force on the day of its publication.

(2) The first reporting of the information pursuant to the provisions of this Decision shall be done by October 15, 2022, through the IT application made available to the providers of public electronic communications networks based on the Decision of the President of the National Authority for Management and Regulation in Communications no. 1.108/2017 on establishing the format and method of transmitting information on the roll-out and geographic location of public electronic communications networks and associated physical infrastructure elements, through which information was reported in 2020 and 2021.

(3) On the date of entry into force of this Decision, the Decision of the President of the National Authority for Management and Regulation in Communications no. 1.108/2017 for establishing the format and method of transmitting information on the roll-out and geographic location of public electronic communications networks and associated physical infrastructure elements, published in the Romanian Official Journal, Part I, no. 39 of 16 January 2018, shall be repealed.

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President of the National Authority for Management and Regulation in Communications,
Vlad Ștefan Stoica

ANNEX no. 1: DEFINITIONS

I. For the purposes of this Decision, the following definitions shall apply:

(A) Electronic communications network elements:

- 1.** *Cable segment* - means the uninterrupted fiber optic cable, including the "dark fiber" or the uninterrupted cable of metal wires, through which optical and electrical signals can be conveyed between two consecutive junctions/equipment items.
- 2.** *Radio segment* represents a radio link between two fixed terrestrial radiant systems in direct communication (point to point or point to multiple points).
- 3.** *Multiplication Point* represents a branch point of a cable segment where there may be a distribution box/junction box or splitter .
- 4.** *Head-end* represents a combination of equipment that ensure the reception, multiplexing, processing and retransmission of analogue and digital audiovisual signals, own equipment providing Internet services or specific equipment providing interface with equipment of other audiovisual and/or internet service providers; the transmission of the signal packet in the electronic communications network to users is initiated from the head-end
- 5.** *Border router* represents a component of an electronic communications network which is positioned at the end of the network and which is used to communicate with an interconnected similar component of another network (packet switching).
- 6.** *Switch* represents a component of an electronic communications network which switches and routes telephone calls (circuit switching). The digital telephone service exchange, including Gateway (Media, Signaling) equipment, shall be assimilated to the switch and reported as such.

(B) Physical infrastructure elements associated to networks:

- 1.** *cabinet* represents a construction which has the role of protecting specific equipment, usually located on sidewalks, green areas or in building premises and niches. Depending on the necessities, they can be used as:
 - a)** *external cabinet* – used for outdoor installations.
 - b)** *internal cabinet* – used for installation on the wall, inside a building or in a specially designed niche.
- 2.** *Distribution/junction box* is a box designed for the protection and organization of connections and branches of the electronic communications network.

3. *Shelter* represents a container, secure and equipped with air conditioning, which hosts active network equipment (radio access, transmissions, etc.) and power and electrical back-up equipment (accumulators, rectifiers, generators, etc.) and on which radiant systems can be optionally installed.

4. *Connecting terminal box* is a box situated at the end point of a cable segment used by providers to ensure network access to users.

5. *Chimney/Manhole* is an underground construction used for staff access to ducts and for installing, joining, changing direction, and branching electronic communications cables, checking their condition, carrying out repairs, as well as to accommodate line equipment and cable technological reserves.

6. *Duct/subduction segment* represents an uninterrupted portion of sewer pipe/subduct, bounded by two adjacent physical infrastructure components such as cable cabinet, chimney/manhole, pole, pillar, or building. The cables can be installed directly through the duct, through subducts (smaller tubes installed in ducts), through microducts (tubes) or through multitubes (packages of tubes with their own protection). Precast concrete tubes and pipelines used for the protection of cables or subducts shall be assimilated to ducts and reported as such.

7. *Pole* is a construction element, placed vertically, with a large length in relation to the sizes of the section, made of reinforced concrete, metal, wood, etc. and which can be used to install and support an electronic communications network. In general, the length of one pillar is less than 18 m.

8. *Accessories Set used to attach cable on/to poles (pole hardware)* represents all the elements for fastening or supporting the cables of an electronic communications network provider on/to a particular pole.

9. *Pillar/Tower* is a large construction element, placed vertically, with a large length in relation to the sizes of the section, usually made of lattice metal structure or, rarely, of reinforced concrete or other types of construction (as in the case of towers). It is used as a support for other constructions, antennas, radio equipment, etc. The installation element called "holder/support", used to fix antennas to buildings, towers or other types of construction (e.g. bridges, tunnels, viaducts, etc.), to various types of pillars (such as lighting or cable support), shall be assimilated and reported as a "pillar" element. Also, construction elements called "pilonet", "mast", "tripod", "H structure" shall be assimilated to the element "pillar" and reported as such.

II. For the purposes of this Decision, the relevant definitions in Article 4 paragraph (1) of Government Emergency Ordinance no. [111/2011](#) on electronic communications, approved with amendments and completions by Law no. [140/2012](#), with subsequent amendments and completions, and in Article 2 paragraph (1) of Law no. [159/2016](#) on the regime of electronic communications networks infrastructure and on establishing certain measures for reducing the cost of electronic communications networks roll-out, with subsequent amendments and completions, as well as in point 1.2 of Annex no. 1 to the Decision of the President of the National Authority for Management and Regulation in Communications no. [987/2012](#) on the general authorisation regime for the provision of electronic communications networks and services, with subsequent amendments, shall also apply.

ANNEX no. 2: LIST of information to be submitted to the National Authority for Management and Regulation in Communications according to Article 2 of this decision

(A) Electronic communications network elements

1. Cable Segment

I. Features:

- a)** item ID.
- b)** owner/concessionaire of the cable segment;
- c)** cable segment position – overhead and/or underground;
- d)** Cable segment type - Ethernet, coaxial, fiber optic (specifying the number of optical fibers in each fiber optic cable) or other type of cable segment;
- e)** installation date (if the date of installation is not recorded in the provider's records, the best possible estimation of the commissioning year shall be entered);
- f)** cable segment status (working/under construction);
- g)** the route of the cable segment, including the infrastructure elements associated with the segment, determined by the geographic location (geographic location coordinates) of the ends defining the segment and of the vertices (for a correct display, the cable segments will contain all vertices, as inflection points, necessary to represent changes of direction). The ends defining the segment can be represented by physical infrastructure elements or, in certain situations, only by multiplication points.

II. NOTE:

In the case of "dark fiber" the free ends shall be declared together with the physical infrastructure elements associated with each end.

2. Radio Segment

Features:

- a)** item ID;
- b)** owner/ concessionaire of the radio segment.
- c)** installation date (if the date of installation is not recorded in the provider's records, the best possible estimation of the commissioning year shall be entered);
- d)** the route of the radio segment, determined by the geographic location (geographic location coordinates) of the radiant systems through which radio connectivity is ensured on the respective network route.

3. Head-end

I. Features:

- a)** item ID;
- b)** types of services - internet/CATV;

- c)** owner/ concessionaire of the element;
- d)** geographic location - geographic position coordinates;
- e)** installation date (if the date of installation is not recorded in the provider's records, the best possible estimation of the commissioning year shall be entered);
- f)** element status (working/under construction);

II.NOTES:

- The provider of public electronic communications networks used exclusively for the retransmission of audiovisual media programme services shall report only the equipment from which the transmission of the audiovisual signal package is initiated (central head-end).
- In the case of the provider of public electronic communications networks offering only internet access services, the head-end shall be assimilated to the equipment from which the data packets are transmitted.
- In the case of a provider of public electronic communications networks which also provides audiovisual media programme services and internet access services, the head-end shall be assimilated to the equipment from which the transmission of the audiovisual signal packet is initiated and to the equipment from which the data packet is transmitted, these two equipment items being reported separately, even if they are in the same location.

4.Switch:

Features:

- a)** Item ID;
- b)** owner/ concessionaire of the switch;
- c)** geographic location - geographic position coordinates;
- d)** installation date (if the date of installation is not recorded in the provider's records, the best possible estimation of the commissioning year shall be entered);
- e)** switch status (working/under construction);
- f)** names of the partners on each interconnection point mentioned.
- g)** capacity for each partner at every interconnection point (number of E1 streams for classic telephony services, respectively, the Gbps value of the connection for equivalent equipment in IP networks).

5. Border router

I. Features:

- a)** Item ID;
- b)** owner/ concessionaire of the equipment;
- c)** geographic location - geographic position coordinates;
- d)** installation date (if the date of installation is not recorded in the provider's records, the best possible estimation of the commissioning year shall be entered);
- e)** equipment status (working/under construction);
- f)** names of the partners on each interconnection point mentioned;
- g)** AS Numbers managed.

II.NOTE:

Only border routers that are interconnected with similar elements in other providers' networks and with which they communicate using protocol signaling eBGP (external Border Gateway Protocol) shall be reported.

(B) Network associated physical infrastructure elements

1. Cabinet/Connecting Terminal Box/Shelter

Features:

- a)** Item ID;
- b)** type – external cabinet /internal cabinet /connecting terminal box/shelter;
- c)** owner/ concessionaire of the cabinet/connecting terminal box/shelter;
- d)** geographic location - geographic position coordinates;
- e)** installation date (if the date of installation is not recorded in the provider's records, the best possible estimation of the commissioning year shall be entered);
- f)** status of the element (in operation/under construction);
- g)** Total number of ducts inputs/outputs;
- h)** cable segment code and type of cable segment entering the cable cabinet/shelter terminal box - Ethernet, coaxial, optical fiber (specifying the number of optical fibers in each fiber optic cable) or other type of cable segment.

2. Chimney/Manhole

Features:

- a)** Item ID;
- b)** owner/ concessionaire of the chimney/manhole;
- c)** geographic location - geographic position coordinates;
- d)** installation date (if the date of installation is not recorded in the provider's records, the best possible estimation of the commissioning year shall be entered);
- e)** infrastructure element status (in operation/under construction);
- f)** element size [l x L x h (m)];
- g)** material used (plastic, metal, composite, others).

3. Duct Segment

Features:

- a)** item ID;
- b)** owner/ concessionaire of the duct and subduct;
- c)** duct diameter;
- d)** duct material (concrete, metal, plastic, composite, other);
- e)** numbers of subducts;
- f)** installation date (if the date of installation is not recorded in the provider's records, the best possible estimation of the commissioning year shall be entered);
- g)** status of the duct segment (in operation/under construction);
- h)** the route of the duct segment, including the infrastructure elements associated with the segment, determined by the geographic location (geographic position coordinates) of the ends defining the segment and of the vertices (for a correct display, the duct segments will contain all vertices, as inflection points, necessary to represent changes of direction);
- i)** item ID, diameter, material, status (in operation/under construction) of the subduct per duct;
- j)** item ID, diameter, material, status (in operation/under construction) of the microducts (tubes) per duct.

4. Pole

Features:

- a)** Item ID;
- b)** owner/ concessionaire of the pole;
- c)** geographic location - geographic position coordinates;
- d)** installation date (if the date of installation is not recorded in the provider's records, the best possible estimation of the commissioning year shall be entered);
- e)** status (in operation/ under construction);
- f)** material used (concrete, wood, metal, composite, others).

5. Accessories Set used to attach cable on/to poles (pole hardware)

I. Features:

- a)** item ID;
- b)** geographic location - geographic position coordinates;

II.NOTE:

The information related to the category "Accessories Set used to attach cable on/to poles (pole hardware)" will be reported only for the situation of cables owned or leased, located overhead on poles, as follows:

- if cables are installed on poles that are not owned or leased by the provider, the information related to point 5 - "Accessories Set used to attach cable on/to poles (pole hardware)" shall be reported. Information related to item 4 - Pole shall not be reported;
- If cables are installed on poles owned or leased by the provider, the information related to point 5 - "Accessories Set used to attach cable on/to poles (pole hardware)" shall not be reported. The information related to item 4 - Pole shall be reported.

6. Pillar/Tower/Assimilated element

Features:

- a)** Item ID;
- b)** owner/ concessionaire of the pillar/tower/assimilated element;
- c)** Type - pillar/tower/assimilated element;
- d)** geographic location - geographic position coordinates;
- e)** installation date (if the date of installation is not recorded in the provider's records, the best possible estimation of the commissioning year shall be entered);
- f)** status (in operation/under construction);
- g)** location (on the ground/on the rooftop/on other element);
- h)** material used (metal/concrete/others);
- i)** maximum height above ground of pillar/tower/assimilated element (m).