ANCOM
Autoritatea Naţională pentru Administrare şi Reglementare în Comunicaţii

Str. Delea Nouă nr.2, Sector 3, 030925 Bucureşti, România
Telefon: 0372 845 400 / 0372 845 454. Fax: 0372 845 402
E-mail: ancom@ancom.org.ro. Website: www.ancom.org.ro

On grounds of Article 5 indent b), Article 11 (1), Article 12 (1) and (3) and Article 13 (4) of Government Emergency Ordinance no. 22/2009 on the establishment of the National Authority for Administration and Regulation in Communications, approved by Law no. 113/2010 , as subsequently amended and supplemented, as well as Article 40 (3), (4), (5) and (6) and Article 48 (2) of Law no. 159/2016 on the regime of physical infrastructure of electronic communications networks and laying down measures to reduce the cost of deploying electronic communications networks,

THE PRESIDENT OF THE NATIONAL AUTHORITY FOR MANAGEMENT AND REGULATION IN COMMUNICATIONS

issues the present

DECISION

on establishing the format and modalities for sending information on the roll-out and geographic location of public electronic communications networks and of the associated facilities

Article 1. – (1) This Decision establishes the format and method of sending information on the roll-out and geographic location of public electronic communications networks and of the associated physical infrastructure elements to the National Authority for Management and Regulation in Communications - hereinafter referred to as ANCOM - by providers of public electronic communications networks, in accordance with the provisions of Article 40 (3), (4) and (5) of Law no. 159/2016 on the regime of physical infrastructure of electronic communications networks and laying down measures to reduce the cost of deploying electronic communications networks.

(2) This Decision also establishes the conditions under which network operators and central or local public administration authorities holding physical infrastructure elements as

owners, managers or as concessionaires, shall transmit to ANCOM information in accordance with the provisions of Article 40 (6) of Law no. 159/2016.

Article 2. - (1) For the public electronic communications networks and the associated infrastructure elements on the territory of Bucharest, the providers of public electronic communications networks holding - as owners, or as concessionaires - electronic communications networks for the public through which either telephone services or Internet access services are provided at fixed locations, and having more than 100,000 connections for each of these services on a national level, have the obligation to transmit ANCOM the information provided in Annex no. 2, accurately and completely.

(3) For the rest of the national territory, the providers of public electronic communications networks referred to in paragraphs (1) and (2) shall be obliged to transmit ANCOM the information provided in Annex no. 3, accurately and completely.

(4) By way of exception from the provisions of paragraph (3), where the electronic communications networks providers referred to in paragraphs (1) and (2) have information for the rest of the national territory or part thereof - in GIS (Geographical Information System) format - they may send it to ANCOM, according to Annex no. 2, accurately and completely.

(5) By decision of the ANCOM President, the obligation to report the information provided in Annex no. 2 will be extended at national level for the providers of public electronic communications networks provided in paragraphs (1) and (2).

(6) Providers of public electronic communications networks that own or concession such networks and do not fall under paragraphs (1) or (2) are obliged to send to ANCOM the information provided in Annex no. 3, accurately and completely.

(7) The terms used in Annexes no. 2 and 3 are defined in Annex no. 1.

Article 3. - (1) By way of exception form the provisions of Article 2 paragraphs (1) , (2) and (3) , within 30 days from the date of entry into force of this Decision, the providers of public electronic communications networks referred to in Article 2 paragraphs (1) and (2) shall send to ANCOM at least accurate and complete information on the development and geographical location of the public electronic communications networks and of the physical supporting infrastructure elements, for the sectors 1, 2 and 6 of the Municipality of Bucharest - in case of information provided in Annex no.2 and respectively for the counties of Ilfov, Prahova, Brașov, Sibiu, Alba and Bihor - in the case of information provided in Annex no. 3.

(2) The rest of the information stipulated in Article 2 shall be sent to ANCOM within a maximum of 6 months from the date of entry into force of this Decision.

(3) The providers of public electronic communications networks have the obligation to update the information transmitted to ANCOM, including the information transmitted according to (1), with the most recent data held in their own systems, annually, by 15 August of each year.

(4) By way of exception from the provisions of (3), the first update of the information transmitted to ANCOM, including the information submitted in accordance with paragraph (1) shall be completed by 30 November 2018, with the most recent data held in its own systems.

Article 4. - (1) Where ANCOM finds that the transmitted data are not correct and complete, it may request their retransmission, indicating the deficiencies observed and the retransmission deadline.

(2) The persons who have the capacity of providers but have not owned or concession public electronic communications networks shall be obliged to inform ANCOM of this fact within the time limits stipulated in Article 3 (2) or (4).

(3) Persons who acquire the status of providers of public electronic communications networks after the entry into force of this Decision and who own or concession such networks shall send to ANCOM the information stipulated in Article 2 within 2 months from the date of starting the provision of those networks.

(4) Network operators, excepting those provided in Article 2, and the central or local public administration authorities holding physical infrastructure elements as owners, managers or as concessionaires have the obligation to send to ANCOM information regarding their roll-out and geographic location, as required for the inventory provided for in Article 6 (1).

(5) The information provided in (4) shall be requested by ANCOM in writing and providing the grounds therefor, while establishing the deadline and the format in which they are to be transmitted; the amount and nature of information shall be proportionate to the purpose for which it is requested.

Article 5. - (1) The items of information provided in Annex no. 2 shall be transmitted as XML [Geography Markup Language (GML)/ Keyhole Markup Language (KML)] files through a secure VPN connection using an IT application available on an ANCOM web page, in the form of an electronic document that has been embedded, attached or logically associated with an extended electronic signature based on a qualified certificate, unsuspended or unrevoked at

the date of transmission and generated by means of a secure electronic signature creation device.

(2) The items of information provided in Annex no. 3 shall be transmitted by means of an IT application available on an ANCOM web page, in the form of an electronic document that has been embedded, attached or logically associated with an extended electronic signature based on a qualified certificate, unsuspended or unrevoked at the date of transmission and generated by means of a secure electronic signature creation device.

(3) The provisions of the Decision of the President of the National Authority for Management and Regulation in Communications no. 336/2013 on the means and manner of the providers' transmitting certain documents, to the National Authority for Administration and Regulation in Communications, with the subsequent amendments and completions, shall be applied accordingly.

Article 6. - (1) Based on the information submitted under Article 2, ANCOM shall make an inventory of the public electronic communications networks and of the associated physical infrastructure elements.

(2) The storage of the information in the inventory is ensured by a geographic information system (GIS), at national level, of the client-server type.

Article 7. - (1) A provider of public electronic communications networks may have access to the information transmitted by another provider in accordance with the obligations stipulated 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 in Article 21 (3) of the Law no.159/2016, after completion of the inventory of public electronic communications networks and of the associated physical infrastructure elements.

(2) A provider of public electronic communications networks that has access to the items of information provided in (1) ensures that their confidentiality is observed, in accordance with the legislation in force.

Article 8. - Failure to comply with the provisions of this Decision shall be sanctioned by ANCOM according to the provisions of Law no. 159/2016.

Article 9. - Annexes no. 1 to 3 are part of this Decision.

Article 10. - This Decision shall be published in the Romanian Official Journal, Part I, and shall enter into force on the date of its publication.

Article 11. - 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. 1.644/2014 laying down the format and manner of transmitting information on the roll-out and geographical location of the public electronic communications networks and of the associated infrastructure elements, published in the Romanian Official Journal, Part I, no. 898 of 10 December 2014, is repealed.

President of the National Authority for Administration and Regulation in Communications,

Sorin Mihai Grindeanu

Bucharest, 21 December 2017

No. 1108

ANNEX no. 1

Definitions

For the purposes of this Decision, the following terms are defined as follows:

A. **Elements of an electronic communications network**

1. *An electronic communications network segment* is a line of metallic or fibre optic cables, including dark fibre, located between two network access points through which electric or optical signals can be transmitted to/from pieces of network equipment. A network segment may also be a radio link between two points (emission and/or reception).

2. *A network access point* is a point where the network operator or third-party network operator has physical access to the network for maintenance and repair, verification, measurement, equipment installation (including collocation), access or interconnection, etc.; the infrastructure elements associated with these points are chimneys, overground street cabinets, masts, pillars, buildings where equipment of the respective network is located.

3. *A switch* is an element of an electronic communications network that performs the call switching and routing function.

4. *A CATV head-end station* is an element of an electronic communications network that enables the reception of audiovisual communications signals in the access network, for processing and distribution at local/regional level.

5. *A border router* is an element of an electronic communications network that is located at the network end and has the function of communicating with a similar element of another network.

B. **Network-associated physical infrastructure elements**

1. A *street cabinet* is a construction designed to protect specific equipment, usually located on sidewalks, in green areas or in the hallways and niches of buildings.
2. A *chimney* is an underground construction designed mainly for the installation of pipeline cables. Chimneys are also designed to allow staff access to cable with a view to making junctions, tests, and to accommodate line equipment and cable supplies. Chimneys can be manholes and handholes.

   2.1 A *manhole* is a chimney with a larger internal volume than a handhole, irrespective of the surface of the access cover, as the inner width of a manhole is greater than the one of the cover. A manhole has a standard inlet/lid, as well as a ceiling. Manholes may have different forms, allowing a person to have

access to the interior. Pipelines that host ducts or mere cables may enter a manhole through two or more vertical walls.

2.2 A *handhole* is a chimney that is smaller than a manhole. Usually, the surface of the cover (lid/lids) of a handhole is equal and of the same shape as the base (bottom) of the chamber, i.e. a parallelepiped shape. In this case, personnel can access the cables without going inside. Handholes may be overground (provided with a visible cover for inspection) or buried.

3. A *pipe* is a tube by which metallic or fibre optic cables are installed, situated between two adjacent infrastructure elements such as a street cabinet, a chimney, a pillar, a mast or a building. Cables may be installed directly through pipe, duct or a smaller channel. Precast concrete ducts and channels used to protect cables or pipes will be assimilated to pipes.
4. A *pillar* is a construction element of a considerable length in relation to its cross-section dimensions, made of reinforced concrete, metal, wood, etc., which can be used for mounting and supporting a network of electronic communications aerial cables.
5. A *mast* is a structural element of a considerable length in relation to its cross-section dimensions, made of metal or metallic structures or - more rarely - of reinforced concrete or other types of construction (as in the case of towers), which is used as a support for one or more antennas.

C. For the purposes of this decision, the relevant definitions in Article 4(1) of Government Emergency Ordinance no. 111/2011 on electronic communications, approved with amendments and completions by Law no. 140/2012 , with the subsequent amendments and completions, in Article 2(1) of Law no. 159/2016 on the regime of physical infrastructure of electronic communications networks and laying down measures to reduce the cost of deploying electronic communications networks, as well as at indent 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 authorization regime for the provision of electronic communications networks and services.

ANNEX no. 2

LIST of

the items of information to be sent to the National Authority for Management and Regulation in Communications according to the provisions of Article 2(1) and (2) of the Decision

A. **Electronic communications networks**

1. Segments of an electronic communications network

   Details:

   1. network segment owner;
   2. type of cable entering the cabinet - Ethernet, coaxial cable, fibre optic (specifying the number of optical fibres in each fibre optic cable) or other type of cable; for radio segments, there will be mentioned "radio";
   3. date of installation (if the installation date is not recorded in the provider's records, the best possible estimate of the commissioning year will be mentioned);
   4. network segment status (in operation/under construction/decommissioned);
   5. the network segment track, including the infrastructure elements associated with the segment, mentioning the geographical location of the network access points representing the segment's ends.

2. Equipment [switch or CATV head-end station, or border router]

   Details:

   1. equipment owner;
   2. geographic location – GPS coordinates;
   3. geographic location – the administrative address of the building where the equipment is located;
   4. equipment type (manufacturer, model);
   5. commissioning date (if the commissioning date is not recorded in the provider's records, the best possible estimate of the commissioning year will be mentioned);
   6. equipment status (in operation/under construction/decommissioned).

B. **Physical infrastructure elements associated with networks**

1. Street cabinet

Details:

1. cabinet owner;
2. geographic location (GPS coordinates);
3. commissioning date (if the commissioning date is not recorded in the provider's records, the best possible estimate of the commissioning year will be mentioned);
4. status of the infrastructure element (in operation/under construction/decommissioned);
5. space available for collocation (specify whether there is space available for collocation or not);
6. total number of piping inlets/outlets;
7. type of cable entering the cabinet - Ethernet, coaxial, fibre optic (specifying the number of optical fibres in each fibre optic cable) or other cable type.

2. Chimney (manhole, handhole)

Details:

1. chimney owner;
2. geographic location (geographic coordinates by satellite);
3. commissioning date (if the commissioning date is not recorded in the provider's records, the best possible estimate of the commissioning year will be mentioned);
4. status of the infrastructure element (in operation/under construction/decommissioned);
5. space available for collocation (specify whether there is space available for collocation or not);
6. dimensions of the infrastructure element (l x L x h [cm]);
7. material;
8. butterfly diagrams; such diagrams will include the relations of the chimneys and of the associated cables with the infrastructure elements they are linked to.

3. Pipe/pipeline

Details:

1. pipe/pipeline owner;
2. inner diameter, material and number of pipes;
3. commissioning date (if the commissioning date is not recorded in the provider's records, the best possible estimate of the commissioning year will be mentioned);

4. status of the infrastructure element (in operation/under construction/decommissioned);
5. infrastructure elements between which the pipe is placed (pipe ends);
6. inner diameter, material and number of channels per pipe;
7. inner diameter, material and number of conduits per channel.

4. Pillar

Details:

1. owner of the pillar or pillar network;
2. geographic location (GPS coordinates);
3. commissioning date (if the commissioning date is not recorded in the supplier's records, the best possible estimate of the commissioning year will be mentioned);
4. status of the infrastructure element (in operation/under construction/decommissioned);
5. material.

5. Mast/tower

Details:

1. owner of the mast;
2. geographic location (GPS coordinates);
3. commissioning date (if the commissioning date is not recorded in the supplier's records, the best possible estimate of the commissioning year will be mentioned);
4. status of the infrastructure element (in operation/under construction/decommissioned);
5. installing location (on the ground/on the roof);
6. material (metal/concrete);
7. estimated height of the mast/tower [m];
8. space available for shared use/collocation (specify whether or not there is available space).

ANNEX no. 3

LIST

of the items of information to be sent to the National Authority for Management and Regulation in Communications according to the provisions of Article 2(3) and (6) of the Decision

Identification data (provider's name, trade register number or unique identification code, contact person on issues related to the implementation of the decision's provisions, contact details: e-mail address, telephone number)

List of electronic communications network elements and associated physical infrastructure elements, for each location (county/city/district, as appropriate):

A. **Electronic communications network elements:**

1. Equipment

Details:

1. equipment owner;
2. equipment type (head-end/border router);
3. commissioning date (before 1990 / 1990-2000 / 2000-2010 / after 2010);
4. total number.

2. Electronic communications network segments - cables:

Details:

1. network segment owner;
2. cable type – Ethernet, coaxial, fibre optic (specify the number of optical fibres in each fibre optic) or other cable type;
3. installation date (before 1990/1990-2010/after 2010);
4. length (km).

3. Interconnection elements:

Details:

1. interconnection points;
2. electronic communications services transited through the interconnection point (telephony/internet/audiovisual media programs);
3. number of interconnection partners at each interconnection point mentioned;
4. total capacity of interconnection links at each interconnection point (E1 flows for classical telephony services, Gbps for IP networks).

4. End-user's fixed connections

Details:

1. type of cable used to connect the user (Ethernet, coaxial cable, fibre optic, twisted metallic pairs);
2. number of connections.

B. **Physical infrastructure elements associated with networks:**

1. Street cabinet:

Details:

1. cabinet owner;
2. total number of piping inlets/outlets;
3. commissioning date (before 1990/1990-2010/after 2010);
4. material (plastic/metal/composite material);
5. total number.

2. Chimney (manholes and handholes):

Details:

1. chimney owner;

2. total number of piping inlets/outlets;
3. commissioning date (before 1990/1990-2010/after 2010);
4. material (plastic/concrete/composite material);
5. total number.

3. Pipe:

Details:

1. pipe owner;
2. inner diameter;
3. material (plastic/concrete/composite material);
4. commissioning date (before 1990/1990-2010/after 2010);
5. length (km).

4. Pillar:

Details:

1. pillar/pillar network owner;
2. material (wood/concrete/metal);
3. total number.

5. Mast/Tower:

Details:

1. mast/tower owner;
2. installing location (on the ground/on the roof);
3. material (metal/concrete);
4. estimated mast/tower height (<5/5-20/>20) [m];
5. total number.