

Annual Report



Art.9 of the Regulation for the organization and functioning of the National Authority for Management and Regulation in Communications, approved by Decision no.109/2010, amended and completed by Decision no.1311/2011, provides the following:

"Art.9. – (1) ANCOM will publish, on its website, until 30 April each year, a detailed report on its activity in the previous year".

The National Authority for Management and Regulation in Communications (ANCOM) is the institution that protects the interests of the communications users in Romania, by promoting competition in the communications market, ensuring the management of scarce resources and encouraging innovation and efficient investments in infrastructure. Through our activity, we aim at ensuring that all the users in Romania benefit from quality communications services, at fair prices, and that the operators develop based upon innovation.

The ANCOM team treasures and pursues professionalism in all its actions; the Authority's employees respect their profession, knowledge and partners. We act responsibly, because we understand that everything we do will impact tens of millions of users, for years. We are trustworthy, because we have been entrusted with an important responsibility and because we respect our clients, our colleagues and the mission we are committed to.

The guiding principles of the ANCOM regulatory activity are: **necessity, opportunity, proportionality, obligatory character, technological neutrality, transparency, predictability and stability, and the efficient use of resources.**

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Objectives and priorities of 2012,
plans for 2013



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Objectives and priorities of 2012, plans for 2013

I began 2012 fully aware that it would be both an important and a difficult year for the Authority, with greater, but more exciting challenges than in the previous years, with higher stakes and long run implications for the entire communications market. I had legitimate emotions, related in particular to the spectrum auction, but my colleagues' determination and their desire to succeed, alongside their knowledge, attention to details and careful planning helped us successfully overcome this year's trials, obtain a number of notable successes and gain a valuable experience for the future.

2012 will remain in the history of the regulatory authority and of the Romanian communications as the year when the first and the largest spectrum auction ever held in Romania was begun and successfully concluded. An auction which succeeded in bringing benefits and contentedness to all parties involved, as rare as appreciated. An auction following which the Romanian state obtained almost 700 million euros, the operators from Romania secured the spectrum they needed for the following 15 years, the users obtained access to the state-of-the-art mobile communications technologies available today at a global scale, and the Authority's team achieved probably the greatest joy of all: the satisfaction of a successfully accomplished difficult mission.

2012 marks another important moment for the way in which the communications sector will evolve in the following years: the law on the access to the communications infrastructure was adopted and came into force. The Authority contributed heavily in the elaboration of this act and has a direct role in its implementation. This law has been under debate

for more than seven years, has known numerous versions, has faced various difficulties, has overcome many barriers and has been adopted in the context of a severe necessity in the market. The adopted form provides a series of new responsibilities and duties for the Authority, for the fulfilment of which we will allocate important resources in 2013 and which will most likely stand for the main challenge of the next year.

2012 was an intense year in the regulations field as well, focused on complex measures intended for maintaining and encouraging competition. In the electronic communications sector, the fixed and mobile interconnection rates have been reduced substantially, a new regulation on the elaboration by Romtelecom of the separate financial statements has been set out, a regulatory guide on mobile virtual network operators has been elaborated and the regulations on numbering resources have been revised.

As for postal services, ANCOM elaborated the regulatory strategy in the postal sector for the 2012-2016 timeframe and prepared the legal framework necessary for opening the postal market as of 1 January 2013.

2012, when we celebrated 10 years since we promote competition as the main mechanism for ensuring quality services at affordable prices on the communications market, will remain in my memory as a tough but good year. Together with my colleagues, I am ready for a 2013 at least as busy as this one, and the successes obtained in 2012 confirm me the path, giving me strength and courage.

Cătălin Marinescu
President

2. ANCOM's main directions of action in 2012

- 2.1. Main regulatory measures in the electronic communications field
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2012 was an important year in terms of regulatory activity, in both electronic communications and postal sectors.

The regulatory measures taken in the electronic communications field pursued safeguarding and fostering competition by substantially cutting off the maximum termination rates on the operators' individual fixed and mobile telephone networks, establishing a new regulation concerning the elaboration of the separate financial statements by Romtelecom, identified as operator with significant market operator on a number of markets, elaborating a regulatory guide on the mobile virtual network operators (MVNO) and reviewing the regulations on numbering resources.

As for postal services, ANCOM elaborated the regulatory strategy in the postal field for the 2012-2016 timeframe. In the context of the full opening of the postal market, the Authority adopted the decisions regulating the designation conditions and procedure, the designation

of the universal service providers in the postal field and the conditions for the elaboration and auditing of the separate financial statements by the Romanian Post National Company S.A.

The most important project of 2012 was the spectrum auction when, for the first time in Romania, the radio frequencies were granted through a competitive selection procedure – an open and ascendant auction, and the operators had at their disposal the largest amount of resources ever granted within a single procedure, 575 MHz in harmonised bands for the provision of mobile broadband services. Following the auction, the five bidders – Cosmote Romanian Mobile Telecommunications, Orange Romania, RCS&RDS, Vodafone Romania and 2K Telecom – have won spectrum resources for which they had to pay licence fees totalling approximately 680 million euros.

2.1. Main regulatory measures in the electronic communications field

2.1.1. Services of call termination at fixed, respectively, mobile locations on the public telephone networks

In 2012 ANCOM reduced by more than 30% the maximum rates for call termination on the networks of the fixed and mobile telephony operators, in two cut down phases.

Thus, the six mobile telephony operators identified as having significant market power – S.C. Cosmote Romanian Mobile Telecommunications S.A., S.C. Orange Romania S.A., S.C. RCS&RDS S.A., S.C. Romtelecom S.A., S.C. Telemobil S.A. and S.C. Vodafone Romania S.A. – were set, from 1 March 2012, a maximum rate of 4.05 eurocents/minute for the services of call termination on their mobile telephone networks. In a

second cut down phase, the mobile termination rates were diminished to 3.07 eurocents/minute as from 1 September 2012.

The maximum interconnection rates in view of call termination for the 51¹ fixed telephony operators identified as having significant market power decreased initially to 0.82 eurocents/minute from 1 March 2012, and again to 0.67 eurocents/minute from 1 July 2012. The interconnection rates charged by the fixed telephony providers may no longer be differentiated by time intervals.

¹ The following providers of services of call termination at fixed locations were identified as having significant market power: S.C. A1 Telecom Network ISP S.R.L., S.C. Adisam Telecom S.A., S.C. Advanced Business Solutions International S.R.L., S.C. Aeroglobal S.R.L., S.C. Alizee Telecom Network S.R.L., S.C. Aqualogic S.R.L., S.C. Atlas Telecom Network Romania S.R.L., S.C. Canal S S.R.L., S.C. Cerebral S.R.L., S.C. Cobalt IT S.R.L., S.C. Combridge S.R.L., S.C. Connet-RO S.R.L., S.C. Contact Telecom S.R.L., S.C. Cosmote Romanian Mobile Telecommunications S.A., S.C. Dial Telecom S.R.L., S.C. Digicom Systems S.R.L., S.C. Digital Cable Systems S.A., S.C. Dotro Telecom S.R.L., S.C. Euroweb Romania S.A., S.C. GBA Network Group S.R.L., S.C. GTS Telecom S.R.L., S.C. Idilis S.R.L., S.C. Ines Group S.R.L., S.C. Internet Telecom S.R.L., S.C. Interpoint

S.R.L., S.C. Intersat S.R.L., S.C. Iristel Romania S.R.L., S.C. Media Sat S.R.L., S.C. Necc Telecom Romania S.R.L., S.C. Net-Connect Internet S.R.L., S.C. Nextgen Communications S.R.L., S.C. Nobel Romania S.R.L., S.C. Orange Romania S.A., S.C. Prime Telecom S.R.L., S.C. Rartel S.A., S.C. RCS & RDS S.A., S.C. Real Network and Telecommunications S.R.L., S.C. Romtelecom S.A., S.C. Telcor Communications S.R.L., S.C. Telefonet Comm Tech S.R.L., S.C. Telemax S.R.L., S.C. Telemobil S.A., S.C. Trans Tel Services S.R.L., S.C. UPC Romania S.R.L., S.C. Vialtex Procom S.R.L., S.C. Vitanic Ro S.R.L., S.C. Vodafone Romania S.A., S.C. Volio Communications S.R.L., S.C. Voxility S.R.L., S.C. Voxline Communication S.R.L., Radiocommunication National Company S.A.

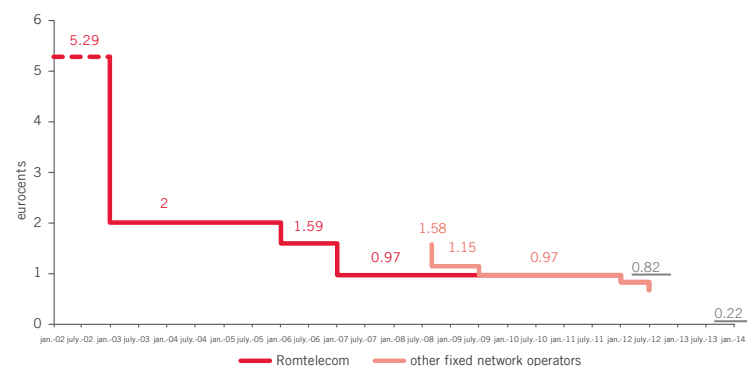
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In the case of Romtelecom, the interconnection rates in view of fixed call termination were set as follows:

1. From 1st March 2012:

- a. 0.71 eurocents/minute for local interconnection in view of call termination at fixed locations;
- b. 0.82 eurocents/minute for regional interconnection in view of call termination at fixed locations;
- c. 0.90 eurocents/minute for national interconnection in view of call termination at fixed locations.

Exhibit 2.1 Evolution of the fixed termination rates (regional level), January 2002-January 2014

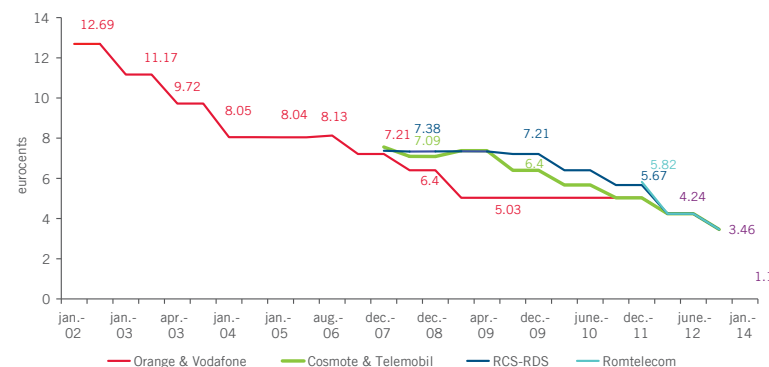


In 2012 ANCOM benchmarked the maximum termination rates against termination rates in other European countries, set based on the avoidable long-run incremental costs (LRIC). In the future, the maximum level of these rates will be established based upon a pure LRIC model, at the development of which ANCOM is currently working with TERA Consultants and which is to be finalised in 2013.

2. From 1st July 2012:

- d. 0.58 eurocents/minute for local interconnection in view of call termination at fixed locations;
- e. 0.67 eurocents/minute for regional interconnection in view of call termination at fixed locations;
- f. 0.73 eurocents/minute for national interconnection in view of call termination at fixed locations.

Exhibit 2.2 Evolution of the mobile termination rates, January 2002 – January 2014



The termination rate is the cost of a call originated on an operator's network and terminated on another operator's network, paid by the operator of the originating network to the operator of the terminating network. This cost is included in the tariff paid by the originating end-user. Charging excessive tariffs by comparison with the costs can harm competition in the whole telephony market because this is a tool whereby the operators with a large number of subscribers might prevent the development of smaller operators.

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Along with the regulation of the maximum interconnection rates, the Authority also imposed other remedies, on the market for services of call termination at fixed locations and on the market for services of call termination at mobile locations, respectively: the obligation of transparency, the obligation to allow access to and to use certain specific network elements and the associated infrastructure and the obligation of non-discrimination. As a result of its designation as an operator with

significant power on the market for services of call termination at fixed locations on its public telephone network, Romtelecom has also the obligation to keep the cost accounting within its internal accounting system and, until determining the cost-oriented tariffs based on a long run incremental cost calculation model developed by ANCOM, the obligation to keep separate accounts within its internal accounting system.

2.1.2. Regulation on the elaboration of the separate accounts, within its internal accounting system, by Romtelecom

Following a process of public consultation which ran at the beginning of the year, ANCOM adopted in 2012 the decision approving the regulation on the elaboration of the separate accounts, within its internal accounting system, by Romtelecom, an operator having the obligation to ensure a high level of cost and price transparency, in its capacity as an operator with significant power on a number of markets. The decision altered the previous version of the regulation, adopted in 2003, for updating the provisions to the set of remedies adopted within the market analysis and to the identified information needs.

The regulation establishes the way in which Romtelecom must keep its separate accounts for the activities related to the interconnection and access to its network or to the associated infrastructure, as well as for the activities connected to the provisions of these services on the retail market. The separate accounts will provide information on Romtelecom wholesale costs and prices, the level of the internal offset

tariffs, as well as the likely occurrence of competition issues related to cross-subsidization or charging of predatory prices. Thus, the Authority and the rival operators have the certainty that the operator is offering equal conditions for the provision of services to the operator's own business units and to the other operators.

Furthermore, the decision establishes that, Romtelecom will also provide to the Authority in the calculation methodology additional information on the way in which the new technologies are adopted and in which the costs, revenues and engaged capital are allotted.

The audited separate financial statements are transmitted to ANCOM and are published annually on the operator's website, within 6 months from the closure of the financial year for which these are prepared.

2.1.3. Guide on the mobile virtual network operators on the Romanian electronic communications market

In the first half of 2012 ANCOM agreed with the industry the content of the Regulatory Guide on the mobile virtual network operators (MVNO) on the Romanian electronic communications market. The guide clarifies and defines the concept of mobile virtual network operator and explains the practical modalities of general authorisation, allocation of numbering resources and conclusion of agreements on the access of the mobile virtual network operators to the mobile network and of interconnection agreements, in the context of the current legal framework. The guide recommends terms and conditions for different stages of the relationship between the virtual operator and the host mobile network operator, which are not binding for neither of them.

Mobile virtual network operators are providers of electronic communications networks and services who have their own customers, but do not have their own radio access mobile network, and thus use the network of an operator who operates a mobile communications network. The guide identifies the types of mobile virtual network operators in keeping with the network elements they hold.

The guide shows that all the providers intending to become mobile virtual network operators will be subject to the general authorisation regime and will notify ANCOM in line with the regulations in force. As for the numbering and the technical resources, mobile virtual network operators may use the numbering and the technical resources allotted

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by ANCOM therefor. Mobile virtual network operators will also comply with the obligations related to number portability.

The guide recommends to the provider intending to become a mobile virtual network operator to establish a business strategy and an operational model, to negotiate and conclude an agreement with a mobile network operator, which is to comprise the technical and commercial conditions of access to the network while allowing the MVNO to provide mobile communications services to the end-users. At the same time, a mobile network operator will negotiate in accordance with the principles of contractual freedom and negotiation in good faith with the possible mobile virtual network operators.

As well, the Authority recommends that the negotiation of the access agreement should not exceed 6 months from the submission of the request, for the first access agreement, and 3 months for subsequent agreements.

2.1.4. Review of the regulations on numbering resources, technical resources and number porting

In the second half of 2012, ANCOM submitted to public consultation a draft decision amending and completing certain regulations in the field of numbering resources and technical resources and a draft decision on the use of the internal national short numbers and SMS/MMS short codes.

These amendments and completions were necessary as a result of the entry into force of the new primary legal framework in the electronic communications sector and referred to the National Numbering Plan (NNP), to the procedure of request and issuance of the licence for the use of numbering resources, respectively to the procedure of allotment and use of numbering technical resources, as well as to the conditions of use of national short numbers of 19vx(y) or 118(xyz) type.

Concerning the NNP, ANCOM proposed to change the status of the 12vx(y), 14vx(y) and 15vx(y) short numbers, as well as to introduce new categories of short numbers of 83vx(y), 84vx(y), 88vx, 96vx(y) - 99vx(y) type. These may be used to provide network specific services and value added services. As well, the Authority proposed to use the 0Z=06 numbering domain for electronic communications services

According to the Guide, mobile virtual network operators have the right to negotiate access and interconnection agreements with any provider of electronic communications networks and services in compliance with the obligations imposed by ANCOM in the field.

Since the mobile virtual network operators do not hold radio frequency usage rights for the provision of mobile communications services, they will not pay spectrum usage tariffs.

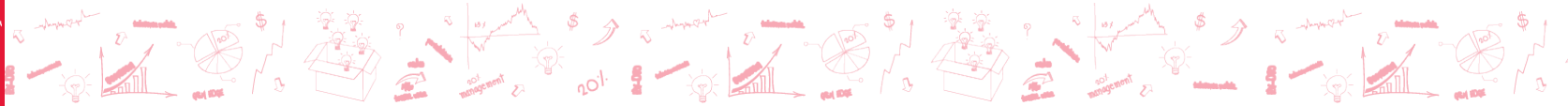
The guide offering recommendations on the activity of the mobile virtual network operators on the Romanian market comes as a result of the lately rising interest in this business model. 17 of the operators authorised by ANCOM to provide electronic communications networks and/or services in 2012 signalled during the general authorisation process the intention to operate as mobile virtual network operators.

provided at mobile locations because of the high usage of the numbering in the 0Z=07 domain and development of electronic communications services at mobile locations.

The main amendments to the procedure of requesting and issuing the licence for the use of numbering resources (LURN) envisaged offering the possibility for the providers of public electronic communications networks to gain the right to use certain categories of numbering resources, regulating the conditions for the direct transfer of the numbering resources to a provider of publicly available electronic communications services, as well as loosening up the conditions on the allotment and transferring of the numbering resources.

The Authority also proposed to broaden the scope of the services which may be provided over the 19vx or 19vxy type numbers, by including a new category of services – services of general interest, with different tariffs to be charged by the providers in keeping with the sub-domains used.

The draft decision on the use of the internal national short numbers and of the SMS/MMS short codes aimed at determining certain



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numbering resources standing for national short numbers included in the NNP and used for the provision of value added services and network specific services. This draft decision envisaged the regulation of the specific rights and obligations of the providers using or assigning these resources to third parties, and a series of general usage rules. The providers will have at their disposal, for the SMS/MMS-based exclusive access services, additional special domains intended for SMS/MMS short codes, which are subject to the same general usage rules. The format of these codes will be later established by means of a Conduct Code adopted by the providers of public electronic communications networks, LURN holders, using or assigning internal national short numbers and SMS/MMS short codes.

The draft decisions were submitted to public consultation between 11 December 2012 and 11 January 2013.

ANCOM also adopted in 2012 a decision which modifies the technical and commercial conditions for the porting of the telephone numbers. Thus, the term provided for activating a ported number was reduced to maximum one working day, in line with the European provisions, whereas the maximum length of the administrative procedures related to porting was reduced from 10 to 3 working days.

The decision reduced the timelines in which the providers have the obligation to carry out the specific activities associated to the various stages of the porting process. In this sense, the term in which the donor provider is to answer a porting request was reduced from 4 working days to one. This will allow for the porting to be done more rapidly, including in cases where the donor provider identifies faults at the filling in of the request which trigger the need to submit the respective request again.

2.2. Main regulatory measures in the postal field

2.2.1. Regulatory strategy in the postal field for 2012-2016 timeframe

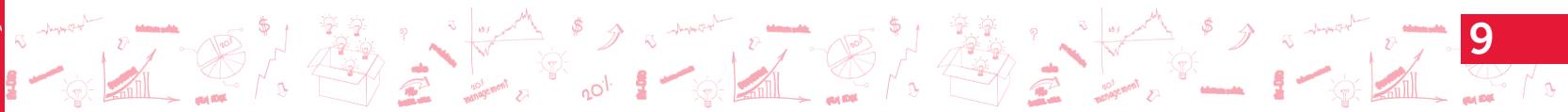
ANCOM elaborated and adopted in 2012 the Regulatory strategy in the postal field for the 2012-2016 timeframe. The strategy identified as main directions of action: promoting the postal users' interests, ensuring the right to access the universal service, safeguarding competition in the postal sector, encouraging investments and fostering innovation.

In the context of the full liberalisation of the postal market as of 1 January 2013, ANCOM bore in mind the need to ensure the continuous provision of the postal services within the scope of universal service, whereas the universal service provider will be designated and the legal framework for the provision of these services will be set out in line with the identified needs.

The analysis of the statistics on the complaints received by the postal service providers indicated the existence of certain problems related to the quality of services and the observance of users' rights, caused inclusively by the fact that the users are poorly informed. In order to protect the users, ANCOM will focus on improving the quality and security of postal services and the efficiency of the universal service

provider, by intensifying its monitoring and control activity. As for the provision of services within the scope of universal service, the Framework-contract for the provision of services within the scope of universal service, as well as the rules applicable to the provision of these services will be analysed and updated, if necessary, in the following years. Furthermore, ANCOM aims at ensuring that the disabled users are better informed about the facilities the providers are obliged to make available for them and intends to adopt measures in order to increase the level of public awareness in relation to the general conditions for the provision of postal services.

The fulfilment of the strategic objectives will be monitored with the help of certain indicators such as the number of complaints received in connection to the quality and security of the postal services provided by the universal service provider, the number of complaints resolved with the granting of repairs for the services provided by the universal service provider, the share of complaints within the volume of postal items processed by the providers concerned (items of correspondence, parcels etc.), the level of users' awareness of tariffs and the availability



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of the information on the tariffs' actual level, the number of universal service providers designated after the full market opening, the dynamics of the tariffs charged by the main providers of services within the scope of universal service for the types of services reserved to the universal service provider until 31 December 2012, the level of quality of the

services offered by the designated universal service providers, the number of items sent by means of the electronic technologies and Internet platforms or the rate of launch of new postal products and services.

2.2.2. Rules on the designation conditions and procedure, as well as on the designation of the universal service providers in the postal field

In the second half of 2012, ANCOM adopted Decision no. 975/2012 amending and completing certain regulations on the designation conditions and procedure, as well as on the designation of the universal service providers in the postal sector.

The main changes under the new normative act referred to the one-year extension of the capacity as a universal service provider of Romanian Post National Company (CNPR), the removal of the latter's reserved right on the provision of certain services, as well as the setting up of a new mechanism for compensating the possible losses registered by the provider with universal service obligations.

The amendments and completions to the secondary regulatory framework are aimed at ensuring that the universal service is continuously provided until the transposition into the national primary legislation of the European legal framework in the postal sector, while offering all the providers the opportunity to provide any service on the postal market due to the removal of all the exclusive rights.

After 31 December 2012, the date of expiry of the exclusive right of CNPR to provide postal services dealing with correspondence items weighing less than 50 g and costing less than RON 2, regardless of whether their delivery is accelerated or not, any postal provider may provide this type of services.

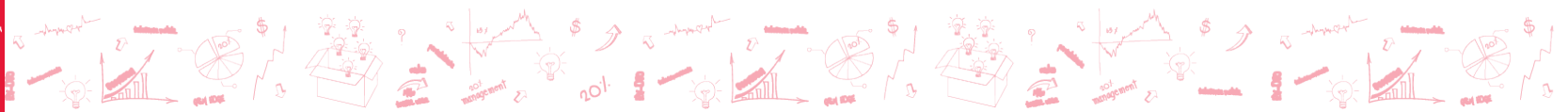
Given that the national legal framework is being currently amended so that Romania could observe the obligation to transpose the Community legislation in the field, the capacity as a universal service provider of CNPR was extended with a year, respectively until 31 December 2013.

The users' right to benefit from a minimum set of postal services at a certain quality in any locality across Romania by means of universal service was thus ensured.

As well, the Authority established a new mechanism for financing the provision of universal service, namely the compensation of the net cost from a universal service fund. The net cost of the universal service provision represents the losses registered by the universal service provider upon fulfilling the universal service obligations.

One of these obligations is to ensure, in every Romanian locality, at least one collection from every access point and one delivery to the home of every natural person and to the headquarters of every legal person, every working day, but no less than 5 days a week, at the same tariffs, including in the hard-to-reach or low density geographic areas, where the correspondence volume is low.

The net cost of the provision of services within the scope of universal service will be compensated only at the request of the universal service provider and the compensation will be financed from a universal service fund administered by ANCOM. This fund will be set up from the financial contributions of certain postal providers authorised according to the general authorisation procedure or from the contributions of the postal end-users, by means of a tax applied to the postal services they use. ANCOM will later establish the way in which these provisions are to be implemented, in keeping with the universal service financing needs identified as being the net cost of universal service provision which is to be compensated.



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2.2.3. Conditions for the elaboration and auditing of the separate financial statements by the Romanian Post National Company S.A.

Another decision ANCOM adopted upon consulting the profile industry concerns the setting out of certain requirements with regard to the content of the methodology for the development of the accounting separation system and elaboration of the separate financial statements by CNPR.

The decision amended the previous version of the conditions for the elaboration and auditing of the separate financial statements, adopted in 2005, in view of correlating it with the legislative changes on the designation of the universal service provider and of clarifying certain aspects identified during the analysis of the separate financial statements and of the corresponding methodologies previously sent by CNPR. CNPR has the obligation to prepare separate financial statements

which should show distinctly the services within/outside the scope of universal service, as well as, for 2012, the reserved services from the non-reserved ones.

The separate financial statements must ensure that the accounting data are provided in a way which offers a clear and accurate picture of the activities of CNPR, in the same way as if these activities were carried out by entities with distinct legal personality.

CNPR has the obligation to submit the separate financial statements to a financial auditor, who must audit them in accordance with the legal provisions in force. The report prepared by this auditor will be sent to CNPR and ANCOM.

2.3. Infrastructure law implementation

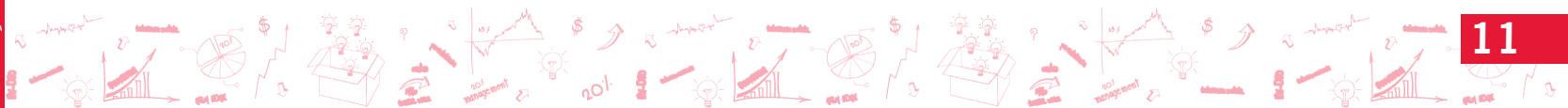
In October the Parliament of Romania adopted Law no. 154/2012 regarding the regime of the electronic communications networks infrastructure, a normative act laying down the conditions for access on the public or private property in view of installing, maintaining, replacing or relocating electronic communications networks or associated infrastructure elements, the conditions on the share used of the infrastructure elements, as well as certain measures on the building of electronic communications networks.

According to this new normative act ANCOM has a number of duties to fulfil: draw up the standard-contract for the access on the private property, create a database inventorying and storing all the relevant information on the electronic communications networks and associated infrastructure elements from Romania, inform, issue the assent on the technical and economic conditions for the access of the providers of communications networks to the infrastructure set up with the participation of the public authorities, resolve certain disputes, as well as monitor and control the observance of the new legal provisions.

2.3.1. Right of access on properties

ANCOM will create, update and make publicly available an online database to include the conditions for accessing the public property of the state or of the administrative-territorial units, and the entity in charge of granting the right of access. Another database will include copies of the contracts or court decisions on the access on public property and an information application will be necessary to receive, store, process and display the information on the development and geographic location of the public electronic communications networks and associated infrastructure.

The right of access on the public or private property may be exercised only upon concluding a contract, to be registered in the Land Registry of the building and opposable to any holder of a real right over the respective building, to the holder with any other title, as well as to the gainers of the building. The maximum negotiation term for such a contract is 2 months. In the absence of such contract, the right of access on the public or private property may be exercised based upon a court decision standing for a contract between the parties.



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As well, the specific requirements which must be met in view of exercising the right of access on the public, respectively private property are regulated by the Infrastructure Law.

As regards the access on the private property, within 6 months from the entry into force of the law, ANCOM will elaborate a standard-contract for the access on the private property in view of installing, maintaining, replacing or relocating public electronic communications networks or associated infrastructure elements. This will contain clauses enforcing the legal provisions, and the details of each case will be negotiated in good faith by the parties.

2.3.2. Inventory of the public electronic communications networks and associated infrastructure elements

The Authority will regulate the means for making an inventory of the public electronic communications networks and associated infrastructure elements and the format of the information which must be sent by all the providers of public electronic communications networks. One of the obligations imposed on them by the new legal framework concerns the submission to the Authority, and annual update, until 1 July every

In relation to the projects of installation of infrastructure set up with the participation or support of the central or local public administration authorities, or fully or partly financed from public funds, we specify that, according to the legal provisions, ANCOM issues the assent on the technical and economic conditions for the open access of the providers of communications networks to this infrastructure. The implementing of such projects without the assent of ANCOM may be challenged by any interested person with the competent contentious-administrative court.

According to the provisions, the Authority is empowered to request any information necessary for issuing the assent.

2.3.3. Shared use of the infrastructure

As regards the access to the electronic communications network infrastructure (pillars, ducts, masts etc.), ANCOM has from now on the competence to impose the obligation of infrastructure sharing and to set the conditions for shared use where a provider of electronic communications networks does not reach an agreement with the person holding or controlling infrastructure elements and addresses the regulatory authority. As well, in justified cases, ANCOM may require

year, of the information on the development and geographic location of the public electronic communications networks they operate and of the associated infrastructure elements. ANCOM will adopt a decision establishing the way of enforcing these provisions, as well as the format of the information which must be transmitted, the providers having 12 months at their disposal for sending all the specified information.

a person holding or controlling infrastructure elements to negotiate the shared use of infrastructure, as well as to make available to any requester the conditions therefor.

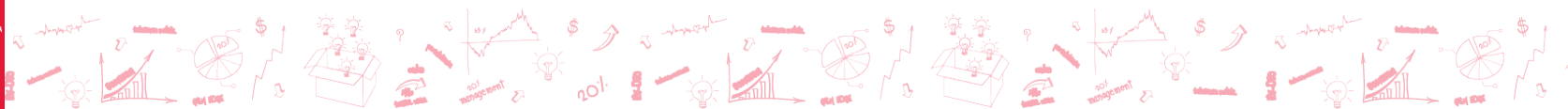
According to the provisions, the Authority is empowered to request any necessary information on the infrastructure sharing.

2.3.4. Implementation and monitoring of compliance with the Infrastructure Law

ANCOM is competent to conduct control actions in view of verifying compliance with Law no. 154/2012.

ANCOM intends to conduct in 2013 a campaign for informing all parties covered by this Law on the major changes it brought as regards the

access on properties and the shared use of infrastructure, as well as on the rights and obligations they have.



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2.4. Study on the incidents which affected the security and integrity of the electronic communications networks and services

In 2012, ANCOM conducted two studies on the security and integrity of the electronic communications networks and services. The first one concerned the incidents which affected the continuous provision of networks and services, while the second one referred to the security measures implemented by the providers.

Thus, in the first half of 2012, ANCOM sent a questionnaire on the incidents which affected the continuous provision of electronic communications networks and services to more than 5,000 users for at least one hour in 2011 to the largest 40 providers of electronic communications networks and services, in terms of users.

The main causes of the identified incidents are:

| Cause of the incident | Details on the incident | No. of reported incidents |
|---------------------------------|---|---------------------------|
| Malicious attack | Attack on the logical security (DDoS, hacking) | 3 |
| | Attack on the physical security (theft) | 35 |
| | Attack on the physical security (fibre optic deterioration) | 7 |
| Natural phenomena and disasters | Bad weather conditions | 31 |
| Human error | Accident | 14 |
| Hardware/software failures | Hardware | 72 |
| | Software | 34 |
| External causes/third parties | Power supply | 29 |
| | Software fault | 6 |
| | Hardware fault | 2 |
| | Fibre optic deteriorated by works made by third parties | 35 |
| Total no. of reported incidents | | 268 |

This questionnaire was aimed at identifying the number and the impact of incidents on both users and providers.

The analysis and aggregation of the responses to the questionnaire revealed 268 incidents which affected the security and integrity of the electronic communications networks and services in 2011.

Upon analysing the incidents reported by the providers of electronic communications networks and services, ANCOM concluded that the most frequent causes of incidents were as follows:

1. Hardware/software failure

Almost 40% of all failures have been caused by hardware/software faults. The systems used in communications and the corresponding software are increasingly complex and therefore more prone to breaking down.

2. Deterioration of the fibre optic by third parties

Cables are often accidentally damaged. In the construction works, excavators are frequently accountable for the cut cables. The works of maintenance made to the utilities distribution system are another frequent cause of the damaged cables.

3. Theft of cables

The increasing value of the metal composing the cables negatively influences the provision of communication networks. The traditional telephone circuits comprise copper cable pairs and the thieves are ever more attracted by the gains obtained from selling the copper to the recycling centres. This has led to a large number of operation deficiencies and interruptions in the provision of electronic communications networks and services. Not only the copper-based networks are affected, but also the fibre optic cables which are frequently damaged by the thieves when they look for copper cables.

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4. Bad weather conditions

Natural phenomena, such as heavy snow and rain, often cause power breakdown and traffic jams, a fact which impedes the access of the affected providers' intervention teams to the premises where the equipment is located, for restoring the services as fast as possible.

In order to estimate the existing level of security and integrity of the electronic communications networks and services and identify the measures that have already been implemented, in July 2012, ANCOM sent a questionnaire thereon to 20 providers of electronic communications networks and services. The 20 providers were holding as of 31.12.2011 more than 90% share in the market of electronic communications services, at a national level. The questionnaire comprised 43 questions structured on 7 big topics: general aspects on the security and integrity of the electronic communications networks and services, risk management, measures related to the security and integrity of the electronic communications networks and services, monitoring of incidents, information of the users on the significant incidents, testing and evaluation of the security and integrity of the electronic communications networks and services, cost and benefits of the security measures.

The analysis of the answers received from the 20 providers of electronic communications networks and services showed that most of them are actively concerned about ensuring the security and integrity of their networks and services. Nonetheless, only a share of them has clear and elaborated procedures for ensuring the continuous provision of networks and services. In the majority of cases, the security measures are established reactively, once an incident occurs. Moreover, few of the providers have a comprehensive approach of the security and integrity of the electronic communications networks and services, many of them focusing only on certain areas of interest. The security and integrity field is not therefore approached unitarily by the questioned providers. This is partly owed to the non-existence of an international standard on ensuring the security and integrity of networks and services, the standard preponderantly used by respondents being ISO/CEI 27001, which refers mainly to information security.

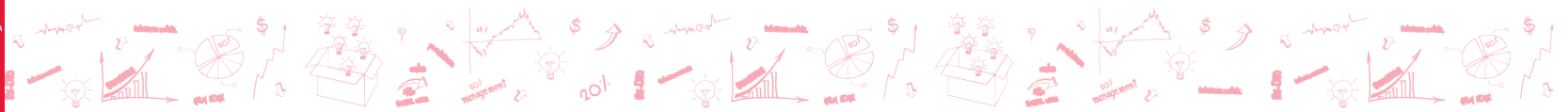
The majority of providers indicated they have a policy on ensuring the security and integrity of the electronic communications networks and services, but the other answers did not reveal any clear direction of action which a proper policy should impose.

The risk management is a permanent process and must be an integral part of all the activities made in view of ensuring the security and integrity of networks and services. Although the risk management is a key subject which must base the decision establishing the security measures, the answers of many providers actually revealed that this subject is granted little attention, as in many cases the risk analysis was incomplete or even missing. Then, a relatively limited number of providers have elaborated procedures in view of ensuring the security and integrity of networks and services (procedures which include the accurate, complete risk analysis), some providers taking the security and integrity measures on an ad-hoc basis, upon tracing some deficiencies or upon the occurrence of incidents.

Most of the questioned providers monitor the network incidents, but not all of them have established procedures on the handling of the incidents, the actions and decisions being taken when an incident occurs.

As for the testing of the security and integrity of networks and services, a great deal of providers does not carry out such an activity and therefore are not up-to-date with the existing/current vulnerabilities. The answers received showed that only 7 providers conduct security audits to ensure that the network security and integrity is a proper one.

Also, as per the received answers, most of the providers inform the users only at their request or upon receiving a complaint, whereas the notion of "serious incident" is differently perceived among the respondents. None of the providers informed the users out of their own initiative on a serious incident, mainly motivating that there has not been a serious incident in the last 12 months, and only 2 providers detailed on the carrying out (in the last 12 months) of some campaigns for making the customers aware of the existence of frauds or other aspects which may affect the security and integrity of the electronic communications networks and services.



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Most of the questioned providers admitted the need/benefits of establishing certain minimum security and integrity measures which should be observed by the providers of electronic communications networks and services. Among the most important benefits, they indicated: ensuring of the continuous provision of the services offered to the customers, protection of the personal data of customers and

employees, keeping of confidentiality, integrity and availability of the organisation's resources, diminution of the number of security incidents and of security-related complaints, improvement of the organisations' system control and internal process control, improvement of the quality of service, reduction of the risks concerning the security and integrity of the electronic communications networks and services.

2.5. Main measures adopted in the radio spectrum management field

2.5.1. Harmonisation of the use of paired bands 880-915 MHz, 925-960 MHz, 1710-1747.5 MHz and 1805-1842.5 MHz

In 2012 ANCOM adopted a decision allowing the use of the 900 and 1800 MHz frequency bands for fourth generation communications services in order to impel the provision of multimedia mobile communications and data transmission services with higher capacities and at higher speeds. The normative act allows the operators holding licences for the use of these bands to also offer electronic communications services in these frequencies by means of LTE or WiMAX technologies.

implemented in the 800 and 2600 MHz bands from 2014, as a result of the 2012 spectrum auction.

The providers will choose whether they want to implement new technologies in these frequencies, the implementation calendar and the time of the commercial launch of the 4G services.

At present, the rights of use over these bands are held by three operators – Orange Romania, Vodafone Romania and Cosmote Romanian Mobile Telecommunications. The three operators currently using these bands to provide second generation services and, from 2010, third generation services will now be able to use them in order to provide fourth generation services as well. The 4G technology may be also

The ANCOM decision was elaborated in the context of the amendment of the Commission Decision 2009/766/EC by the Commission Decision 2011/251/EU of 18 April 2011, which allows the use of WiMAX and LTE in these bands, alongside GSM and UMTS.

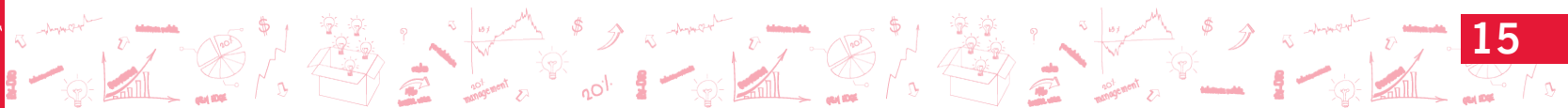
2.5.2. The competitive selection procedure in view of awarding the rights of use in the 800 MHz, 900 MHz, 1800 MHz and 2600 MHz bands

In 2012 ANCOM auctioned out the rights of use in the 800, 900, 1800 and 2600 MHz bands for the provision of mobile communications services – voice and data – for a 15-year period, 2014-2029. The auction procedure was open, ascendant, multi-bands and multi-rounds.

a competitive selection procedure and the largest amount of spectrum, i.e. 575 MHz, was made available to the market in a single procedure.

The auction was a premiere from many points of view, as this was the first time in Romania when the radio frequencies were granted through

Although the Romanian state organised such a procedure for the first time, the auction was a success due to the fact that all the set objectives have been accomplished. Upon this auction, ANCOM increased substantially, by 77%, the amount of spectrum available



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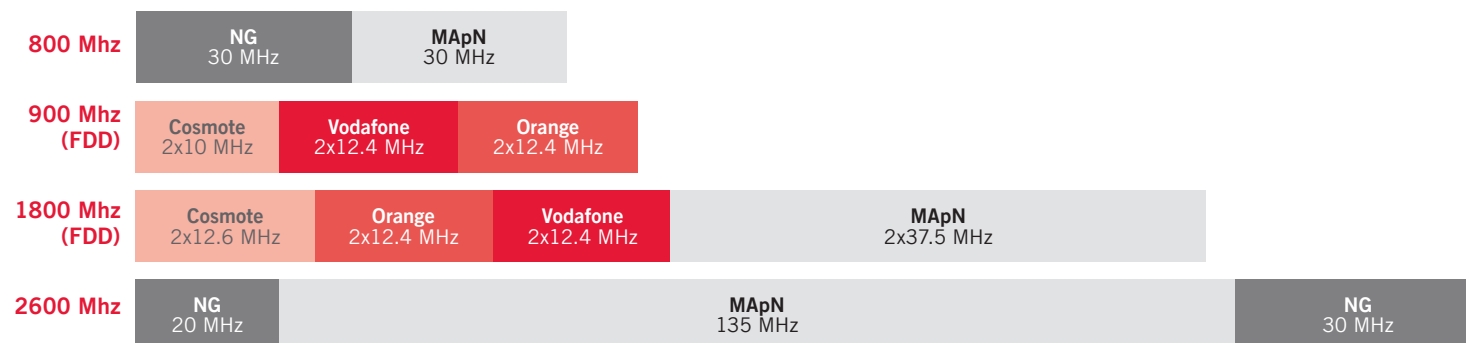
for mobile communications services, which means that the Romanian users will be able to enjoy new technologies, more diverse and better performing services. Although the licences awarded to the operators are technologically neutral, the premises for the commercial launch of 4G services have been created and for the first in Romania the operators whose networks allow for a coverage of at least 30% of the population will be able to benefit from a transitory national roaming, for at least 3 years, which means that they will be able to better compete and consequently impose a more accelerated pace on their own investments.

It is also worth mentioning that the pattern of the auction was perfectly adjusted to the Romanian market, being developed by the ANCOM team, based on the models applied in such cases in other countries, with the selection of the most suitable elements from each of them

and innovating where appropriate in order to respond to the needs of our market.

Two types of licences were awarded under the auction: long-term licences (15 years, valid until April 2029) and short-term licences (1 year and three months, valid until April 2014). For the long-term licences, ANCOM auctioned out 42 paired blocks of 5 MHz each, 6 of which in the 800 MHz band, 7 in the 900 MHz band, 15 in the 1800 MHz band and 14 in the 2600 MHz band, as well as 3 unpaired blocks of 15 MHz each in the 2600 MHz band. These licences will be awarded starting 6 April 2014. With regard to the licences awarded for a shorter period, ANCOM auctioned out 10 paired blocks of 2.5 MHz in the 900 MHz band and 6 paired blocks of 5 MHz in the 1800 MHz band. Most of these resources had been used by Orange and Vodafone.

Exhibit 2.3 Allocation of the auctioned spectrum on bands and holders before the auction



2.5.2.1. Release of the radio frequencies by the Ministry of National Defence

At end-March 2012, ANCOM and the Ministry of National Defence (MApN), as initiators, were launching for public consultation the draft Emergency Ordinance on the release of the 830-862 MHz, 1747.5-1785 MHz, 1842.5-1880 MHz and 2500-2690 MHz radio frequency bands, which was approved by the Government of Romania in April 2012. At the time, these bands were partly used by MApN and were to be auctioned out by ANCOM in view of the provision of broadband electronic communications services.

The MApN release of these bands meant changing their destination and reformatting them only upon shifting the existing applications (military radio-electric systems allocated to the aeronautical radionavigation services, radiocommunications for the command and control of military forces and the surveillance of Romania's airspace) to other radio frequency bands.

MApN evaluated the costs incurred by the change of destination or reformatting of these bands to EUR 93 million, in the case of the

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830-862 MHz band, EUR 130.2 million, in the case of the 2500-2690 MHz band and EUR 11.2 million, in the case of the 1747.5-1785 MHz and 1842.5-1880 MHz bands.

2.5.2.2. Licence fees

The reserve price for each block in the four auctioned bands was determined by the Government of Romania, which approved on 13 June 2012 the Decision establishing the minimum amounts of the licence fees for awarding the rights of use in the 790-862 MHz, 880-915 MHz/925-960 MHz, 1710-1785 MHz/1805-1880 MHz and 2500-2690 MHz frequency bands.

2.5.2.3. The selection procedure

After the public consultation of the auction documents, ANCOM published on 2 July 2012 the official notice on the holding and putting for sale of the Terms of Reference for the competitive selection procedure in view of awarding the rights to use the radio frequencies in the 800 MHz, 900 MHz, 1800 MHz and 2600 MHz bands.

Five operators submitted applications, all being subsequently validated by ANCOM: Orange Romania, Vodafone Romania, Cosmote Romania, RCS&RDS and 2K Telecom.

After analysing the initial bids submitted by the five operators, it became clear that the auction must begin with the primary rounds, given that the aggregated initial demand of the five bidders exceeded the number of available blocks in at least one band.

Thus, the auction began on 10 September 2012 with two primary rounds and, since the demand was still exceeding the offer in at least one category, ANCOM held a new series of primary rounds the second day.

After the primary bid rounds held on the second day of the spectrum auction, i.e. 11 September 2012, the Auction Commission announced

These costs were partly borne from the ANCOM budget, from the revenues obtained from the tariff charged by ANCOM for the use of spectrum, i.e. an amount equal to the equivalent in RON of EUR 30 million. The remaining amount of the estimated costs will be covered from the licence fee charged from each of the winners of the selection procedures.

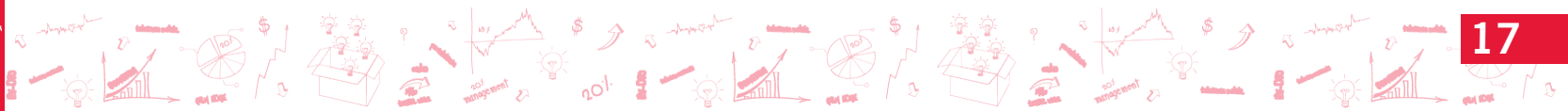
Thus, the reserve price for each block allotted for 15 years in the 800 MHz band was set out at EUR 35 million, EUR 40 million for each block in the 900 MHz band, respectively EUR 10 million per block in the 1800 MHz band, and EUR 4 million per paired block and EUR 3 million per unpaired block in the 2600 MHz band. The values for the blocks which were to be allocated for 15 months had been set at EUR 1.7 million in the 900 MHz band and EUR 0.8 million in the 1800 MHz band.

that the demand no longer exceeded the offer in any of the available bands. The primary rounds phase ended thus after 3 bidding rounds. The auction held for allocating the frequencies in the 800, 900, 1800 and 2600 MHz bands continued with the additional rounds, since there were frequency blocks which remained unassigned.

All bidders were allowed to participate in the additional rounds, regardless of whether they acquired or not frequency blocks during the primary rounds. The limitations on acquiring the usage rights applied. In each of these rounds, the bidders were able to submit a bid for one or several packages comprising one or several unassigned blocks, indicating the sum they were willing to pay for such a package.

ANCOM held two additional rounds following which the winning bidders, the generic blocks each of them won and the amounts they must pay were determined. After the additional rounds, seven assignment rounds corresponding to each category of frequencies took place during two days.

The position of each block won in the band was established in the assignment rounds. The primary rounds and the additional rounds allowed for determining the number of generic blocks the winning



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bidders acquired in each category, as well as the basic prices for the respective frequency blocks, but not the specific frequencies these bidders were to be assigned. The bidders that have won frequency blocks in the primary and additional rounds expressed their options for certain blocks, based on a list of pre-defined options provided for

by the Commission, and bid the amount that they were willing to pay for a specific assignment in each band, in addition to the total basic price determined following the primary and/or additional rounds.

2.5.2.4. Results of the auction procedure

Following the spectrum auction held by ANCOM, the 5 participating operators have won 485 MHz in the 800 MHz, 900 MHz, 1800 MHz and 2600 MHz bands, the radio frequencies suitable for broadband voice mobile communications and Internet.

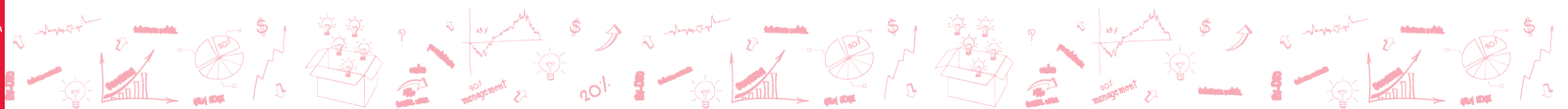
Further to the auction, Cosmote Romanian Mobile Telecommunications won one block in the 800 MHz band, two blocks in the 900 MHz band, five blocks in the 1800 MHz band and two blocks in the 2600 MHz (FDD) band, valid from 2014 through 2029, against the amount of 179,880,000 € standing for the licence fee. Cosmote Romanian Mobile Telecommunications thus renewed its usage rights over the currently held spectrum portfolio and also increased it by 58%.

Orange Romania obtained 2 blocks in the 800 MHz band, 2 blocks in the 900 MHz band, 4 blocks in the 1800 MHz band and 4 blocks in the 2600 MHz (FDD) band, valid from 2014 through 2029. Furthermore, Orange Romania won short-term licences in the 900 MHz band – 5 blocks, respectively in the 1800 MHz band – 3 blocks, valid between 1 January 2013 and 5 April 2014. Orange Romania will benefit from licences for a spectrum portfolio which is by 84% larger than currently, against an amount of 227,135,002 €, representing the licence fee.

RCS&RDS won 1 block in the 900 MHz band, valid from 2014 through 2029, for which it will pay 40,000,000 €, representing the licence fee. With this licence in the 900 MHz band, RCS & RDS increased its spectrum portfolio by 29%.

Exhibit 2.4 Allocation of the auctioned spectrum on bands and holders, post-auction

| | | | | |
|-----------------------|--------------------------------|--|-------------------------------|------------------------------|
| 800 Mhz (FDD) | Not-assigned | Vodafone 2x10 MHz | Orange 2x10 MHz | CMT 2x5 MHz |
| 900 Mhz (FDD) | Vodafone 2x10 MHz | RCS 2x5MHz | Cosmote 2x10 MHz | Orange 2x10 MHz |
| 1800 Mhz (FDD) | Vodafone 2x30 MHz | | Orange 2x20 MHz | Cosmote 2 x 25 MHz |
| 2100 Mhz (FDD) | RCS&RDS 2x15 MHz | Cosmote (Telemobil) 2x14.8 MHz | | Orange 2x14.8 MHz |
| | | | Vodafone 2x14.8 MHz | |
| 2600 Mhz (TDD) | 2K telecom 1x30 MHz | | Vodafone 1x15 MHz | |



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Vodafone Romania obtained 2 blocks in the 800 MHz band, 2 blocks in the 900 MHz band, 6 blocks in the 1800 MHz band and 1 block of 15 MHz in the 2600 MHz (TDD) band, valid from 2014 through 2029. As well, Vodafone Romania won short-term licences in the 900 MHz band – 5 blocks, respectively 3 blocks in the 1800 MHz band, valid between 1 January 2013 and 5 April 2014. Vodafone Romania will benefit from licences for a spectrum portfolio which is by 78% larger than currently, against an amount of 228,520,034 €, standing for the licence fee.

2K Telecom won 2 blocks of 15 MHz in the 2600 MHz (TDD) band, valid from 2014 through 2029, for which it will pay 6,601,000 €, standing for the licence fee.

According to the applicable legislation, the licence fees - which totalise 682,136,036 € - are to be paid until 30 November 2012, respectively until 30 June 2013, depending on the frequency blocks.

2.5.3 Consultation on awarding usage rights in the 453-457.5 MHz/463-467.5 MHz band

In April, ANCOM posted a questionnaire on its website aimed at finding out the views of all interested parties - providers of electronic communications networks and services, manufacturers and providers of communications equipment or users of these services, and holders of radio networks for private use - concerning the future use of the 453-457.5 MHz/463-467.5 MHz frequency band (the 450 MHz band).

In order to be able to allot this frequency band to the most suitable networks and services, from technical, technological and commercial standpoints, the Authority requested for the opinions of the interested entities with regard to the most adequate way to use this band, the types of networks which would operate in these frequencies and the type of electronic communications services which should be provided in the 450

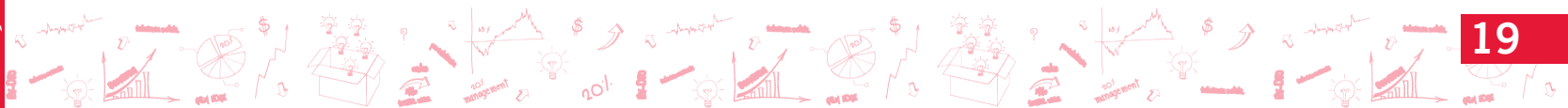
As well, three of the spectrum winners, Cosmote Romanian Mobile Telecommunications, RCS & RDS and 2K Telecom, have undertaken the obligation to host mobile virtual network operators (MVNO) and, following this auction, 676 rural localities currently underserved with broadband mobile communications networks are to benefit with priority from coverage with HSPA, HSPA+ or LTE networks.

Thus, with this auction, the mobile communications in Romania have entered a new era: the spectrum resources available to the operators grow by 77% and allow for introducing the 4G technology, whereas the 900 MHz band is more efficiently distributed. For operators, the results of the auction open the door to additional business and innovation opportunities, secure the investments and ensure an exceptional efficiency as regards the use of spectrum. For users, the auction brings access to 4 national networks, better coverage, higher data transfer speeds, more and better services provided at competitive prices, in general, all this in the context of a healthy competition.

MHz band, as well as with regard to the procedure on the awarding of the usage rights and to the coverage obligations to be imposed on the licensed providers.

The 450 MHz band is currently used by S.C. Telemobil S.A., which has the right to operate a national cellular mobile network in this band until 24 March 2013. Under the licence held in the 450 MHz band, Telemobil offers voice and data services.

Based on the responses received, ANCOM will adopt in 2013 the Strategy on the awarding of the usage rights in the 450 MHz bands.



3. Efficient management of limited resources

- 3.1. Efficient management of limited resources - objectives and priorities in 2012
- 3.2. Radio spectrum management
- 3.3. Certification of radio operators in the aeronautical and maritime radiocommunication services
- 3.4. Authorisation and certification in the radioamateur service, certification of radio operators in the land mobile service
- 3.5. Management of the numbering resources within the National Numbering Plan (NNP)
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3.1. Efficient management of limited resources - objectives and priorities in 2012

ANCOM's main concern in this field is to ensure that the management of the limited resources within its scope of competence (the radio spectrum, the technical resources and the numbering resources) fosters the development of the electronic communications market and enhances competition, while allowing the implementation and roll-out of new technologies and incentivizing investments in the communications infrastructure, to the benefit of the end-users. Moreover, ANCOM means to provide for serving the public, social and national defence interests, as well as for ensuring maximum benefits for the users of limited resources, may they be providers of electronic communications networks and/or services, private operators or end-users.

To this end, the Authority permanently envisages: the effective, efficient, rational and free-of-harmful interferences use of the radio spectrum; the identification and designation of additional frequency bands for new technologies and services, as well as for the development of the existing ones; making available harmonised frequency bands for pan-European electronic communications services; increasing the number of applications that allow the licence-exempted use of frequencies, while ensuring the compliance with the technical specifications which define the radio interfaces, harmonised at European level; ensuring the adequate numbering resources and technical resources for the provision of electronic communications services; the effective and efficient use of the numbering resources; a more efficient number porting process.

3.2. Radio spectrum management

Radio spectrum is a natural limited resource, required for the provision of electronic communications networks and services and therefore the effective management of this resource has a strategic importance for ensuring its optimum usage, in view of best serving the public, social and national defence interest.

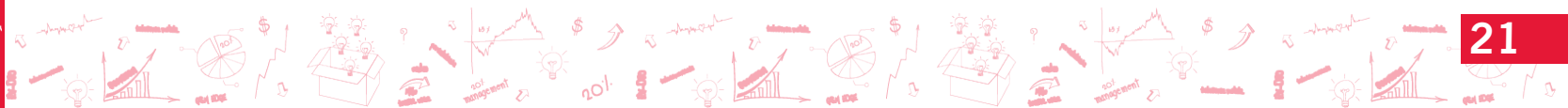
ANCOM updated in 2011 the National Table for Frequency Allocation (NTFA), 2009 edition (approved by Order of the Minister of Communications and Information Society no. 789/11.11.2009), amended in 2010 (by Order of the Minister of Communications and Information Society no. 701/30.07.2010). The NTFA is the document planning the use of the radio spectrum at a national level and is adopted by Government Decision, upon the proposal of ANCOM, as provided in the new regulatory framework for electronic communications in Romania, adopted by Government Emergency Ordinance no. 111/2011, approved with amendments and completions by Law no. 140/2012.

The availability of adequate information on the radio spectrum is essential for a better regulation since removing unnecessary restrictive measures and establishing a market of frequency usage rights require clear, viable and up-to-date information on the effective use of spectrum.

There is a broad agreement between Member States and industry participants for using the system set up by the European Communications Office (ECO) as a European radio spectrum information portal.

The ECO Frequency Information System (EFIS) is publicly available on the Internet and allows the search for and comparison of official spectrum information based on information provided in accordance with a common format and level detail.

European Commission Decision 2007/344/EC on harmonised availability of information regarding spectrum use within the Community provides that Member States are using the ECO Frequency Information System



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(EFIS) set up by the European Communications Office (ECO) as a common access point, in order to make comparable information regarding the use of spectrum in each Member State available to the public via the Internet.

Considering the provisions of the aforementioned decision, ANCOM uploaded onto the EFIS system all the data in the National Table for Frequency Allocation (NTFA), as well as the data in the technical specifications for radio interfaces in the common format provided for this system.

The elaboration of the RO-IR technical specifications regulated by the ANCOM President's Decision no.1722/2011 on radio frequencies

3.2.1. Radiocommunications in the land mobile service

In the field of radiocommunications in the land mobile service, ANCOM manages the non-governmental frequency bands allocated to this service through the NTFA. The Authority means mainly to ensure radio-electric compatibility between the radiocommunication networks that use radio frequencies in the non-governmental radio spectrum allocated to the

3.2.1.1. Public cellular mobile communications

In 2012, the licences awarded to Orange and Vodafone in the 890-915 MHz/935-960 MHz and 1722.7-1747.5 MHz/1817.7-1842.5 MHz bands have been amended in view of liberalising the use of the allotted bands for any of the technologies available in the bands subject to the licence, according to the technological neutrality principle, in accordance with the Decision of the president of the National Authority for Management and Regulation in Communications no. 168/2010, with the subsequent amendments and completions, a decision implementing the provisions of the European Commission Decision 2011/251/EU of 18 April 2011 amending Decision 2009/766/EC on the harmonisation of the 900 MHz and 1800 MHz frequency bands for terrestrial systems

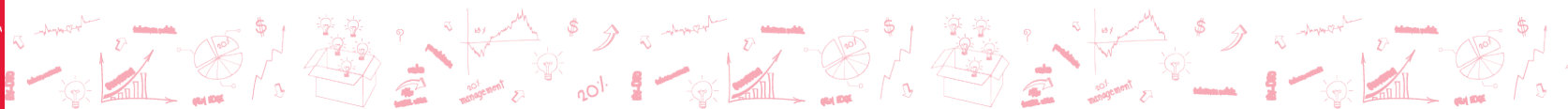
and frequency bands whose use is exempted from licensing and their notification to the European Commission is an obligation of the EU Member States pursuant to Article 4.1 of Directive 1999/5/EC of the European Parliament and of the Council on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity.

In view of the implementation of Commission Decisions 2011/829/EU and 2011/485/EU, ANCOM updated in the first half of 2012 the technical regulations for the RO-IR 01, RO-IR 05, RO-IR 09, RO-IR 11 and RO-IR UWB-04 radio interfaces.

land mobile service, to ensure the reasonable and efficient use of the radio spectrum allocated to the land mobile service and to prevent the occurrence of harmful interferences in the authorised land mobile radiocommunication networks.

capable of providing pan-European electronic communications services in the Community.

In the first part of 2012, ANCOM elaborated the Terms of Reference for the organisation of the competitive selection procedure in view of awarding new usage rights in the 800 MHz (791-821 MHz / 832-862 MHz), 900 MHz (880-915 MHz / 925-960 MHz), 1800 MHz (1710-1785 MHz / 1805-1880 MHz) and 2600 MHz (2500-2690 MHz) bands, for the provision of public electronic communications networks and mobile communications services at a national level.



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In the elaboration of the Terms of Reference for the auction, ANCOM pursued the fulfilment of the following objectives concerning the rational and efficient management of the radio spectrum resource:

- ensure the conditions for the efficient allocation and optimum use of the radio spectrum resource subjected to the auction;
- ensure the conditions for the fair and non-discriminatory access to the radio spectrum resource;
- ensure the conditions for fostering competition in the mobile communications market;
- ensure the conditions for the efficient use of the allotted radio spectrum and development of broadband mobile communications services;
- ensure the technical conditions for the coexistence between the systems to be implemented in the bands awarded following the auction, between those systems and other radiocommunication systems in adjacent bands, as well as with the systems operating in the same bands in neighbouring countries, to avoid harmful interferences.

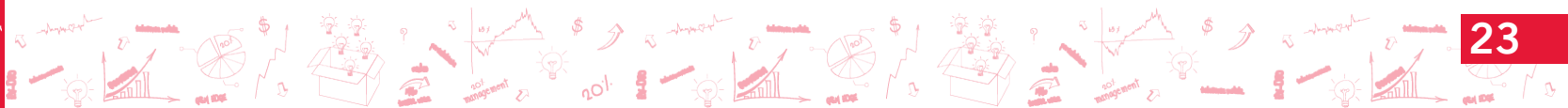
The radio spectrum subjected to auction was divided as follows:

- for awarding the usage rights valid from **1.01.2013 to 5.04.2014**:
 - » the paired frequency bands 890 – 915 MHz / 935 – 960 MHz, corresponding to a bandwidth of 2 x 25 MHz, divided into 10 duplex blocks with 2 x 2.5 MHz bandwidth each;
 - » the duplex frequency bands 1722.7 – 1752.7 MHz / 1817.7 – 1847.7 MHz, corresponding to a bandwidth of 2 x 30 MHz, divided into 6 duplex blocks with 2 x 5 MHz bandwidth each.

- for awarding the usage rights valid from **6.04.2014 to 5.04.2029**:
 - » the paired frequency bands 791 – 821 MHz / 832 – 862 MHz, corresponding to a bandwidth of 2 x 30 MHz, divided into 6 duplex blocks with 2 x 5 MHz bandwidth each;
 - » the paired frequency bands 880 – 915 MHz / 925 – 960 MHz, corresponding to a bandwidth of 2 x 35 MHz, divided into 7 duplex blocks with 2 x 5 MHz bandwidth each;
 - » the paired frequency bands 1710 – 1780 MHz / 1805 – 1880 MHz, corresponding to a bandwidth of 2 x 75 MHz, divided into 15 duplex blocks with 2 x 5 MHz bandwidth each;
 - » the paired frequency bands (FDD) 2500 – 2570 MHz / 2620 – 2690 MHz, corresponding to a bandwidth of 2 x 70 MHz, divided into 14 duplex blocks with 2 x 5 MHz bandwidth each;
 - » the unpaired frequency bands (TDD) 2570 – 2615 MHz, corresponding to a bandwidth of 45 MHz, divided into 3 blocks with 15 MHz bandwidth each.

Following the auction held between August and September 2012, the radio spectrum was allotted as follows:

- for the **1.01.2013 – 5.04.2014 timeframe**:
 - » in the 890 – 915 MHz / 935 – 960 MHz bands, the operators Orange and Vodafone obtained each 5 blocks of 2 x 2.5 MHz bandwidth each, standing for a bandwidth of 2 x 12.5 MHz for each operator;
 - » in the 1722.7 – 1752.7 MHz / 1817.7 – 1847.7 MHz bands, the operators Orange and Vodafone obtained each 3 blocks of 2 x 5 MHz each, standing for a bandwidth of 2 x 15 MHz for each operator.



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- for the **6.04.2014 – 5.04.2029 timeframe:**

- » in the 791 – 821 MHz / 832 – 862 MHz bands, the operators Orange and Vodafone obtained each 2 blocks of 2 x 5 MHz each, standing for a bandwidth of 2 x 10 MHz for each operator, and Cosmote obtained one block of 2 x 5 MHz.
- » in the 880 – 915 MHz / 925 – 960 MHz bands, the operators Cosmote, Orange and Vodafone obtained each 2 blocks of 2 x 5 MHz each, standing for a bandwidth of 2 x 10 MHz for each operator, and RCS & RDS obtained one block of 2 x 5 MHz;
- » in the 1710 – 1780 MHz / 1805 – 1880 MHz bands, Cosmote obtained 5 blocks of 2 x 5 MHz each, standing for a bandwidth of 2 x 25 MHz, Orange obtained 4 blocks of 2 x 5 MHz each, standing for a bandwidth of 2 x 20 MHz, and Vodafone obtained 6 blocks of 2 x 5 MHz each, standing for a bandwidth of 2 x 30 MHz;

- » in the 2500 – 2570 MHz / 2620 – 2690 MHz (FDD) bands, Cosmote obtained 2 blocks of 2 x 5 MHz each, standing for a bandwidth of 2 x 10 MHz, and Orange obtained 4 blocks of 2 x 5 MHz each, standing for a bandwidth of 2 x 20 MHz;
- » in the 2570 – 2615 MHz (TDD) band, Vodafone obtained 1 block of 15 MHz and 2K Telecom obtained 2 blocks of 15 MHz each, standing for a bandwidth of 30 MHz.

As a result of the auction held for awarding the usage rights in the 800 MHz, 900 MHz, 1800 MHz and 2600 MHz bands, ANCOM issued new licences at end-2012 which awarded usage rights for the radio frequencies in the 900 MHz and 1800 MHz bands to Orange and Vodafone, valid from 1.01.2013 through 5.04.2014.

3.2.1.2. Professional mobile radiocommunications (PMR) and public access mobile radiocommunications (PAMR)

In the field of professional mobile radiocommunications for private use, serving the internal needs of the organisations, the Authority issued in 2012:

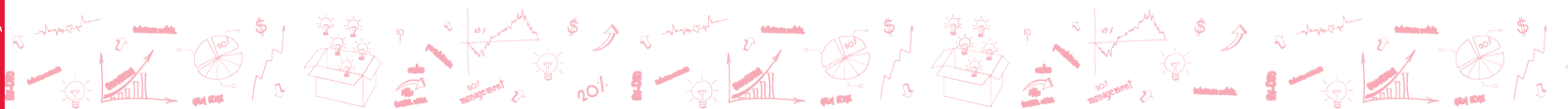
- **432 new licences for the use of radio frequencies** for private use radiocommunication networks – professional mobile radiocommunications (PMR);
- **434 frequency assignment authorisations**, which are annexes to the licences for providing private use radiocommunication networks – professional mobile radiocommunications (PMR).

The specific users of professional mobile radiocommunication (PMR) networks of private use are both small entrepreneurs and big companies operating in various sectors of the national economy which require their own radiocommunication networks. The beneficiaries of such radio applications for which licences for the use of frequencies have been issued are companies that operate in various sectors, such as: industry, manufacturing, transport and supplying of public utilities

on a national level, transports, public construction and civil works, agriculture, hydrographical network management, safety and security of persons and of private property, public protection, public health, public management services etc.

In view of the provision of networks and/or services of radiocommunications in the land mobile service, the Authority also issued in 2012:

- **285 temporary licences for the use of radio frequencies** for providing public access mobile radiocommunication (PAMR) networks and services and professional mobile radiocommunication (PMR) networks;
- **292 radio frequency assignment authorisations**, which are annexes to the temporary licences for the use of radio frequencies for providing public access mobile radiocommunication (PAMR) networks and services and professional mobile radiocommunication (PMR) networks.



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The holders of licences for the use of radio frequencies in view of providing public access mobile radiocommunication (PAMR) networks and services are public operators that provide mobile communications services to professional user categories or dedicated groups of users. Moreover, the Authority handled the frequency assignment requests transmitted, through the Ministry of Foreign Affairs, by foreign diplomatic missions accredited to Bucharest, on the occasion of high-level official visits to Romania, issuing therefor **49 temporary frequency assignments** in the land mobile service, during 2012.

In ensuring the on-going management of the licences for the use of radio frequencies and of the frequency assignment authorisations, the Authority amended in 2012, upon the holders' requests, 452 licences for the use of radio frequencies for providing professional mobile radiocommunication (PMR) networks and public access mobile radiocommunication (PAMR) networks and services, as well as 712 frequency assignment authorisations, which are annexes to the licences for the use of radio frequencies.

| Responsible entity | Licences for the use of radio frequencies for providing professional mobile radiocommunication (PMR) networks and public access mobile radiocommunication (PAMR) networks and services amended in 2012 | Frequency assignment authorisations, which are annexes to the licences for the use of radio frequencies for providing professional mobile radiocommunication (PMR) networks and public access mobile radiocommunication (PAMR) networks and services amended in 2012 | Licences for the use of radio frequencies for providing professional mobile radiocommunication (PMR) networks and public access mobile radiocommunication (PAMR) networks and services extended in 2012 | Frequency assignment authorisations, which are annexes to the licences for the use of radio frequencies for providing professional mobile radiocommunication (PMR) networks and public access mobile radiocommunication (PAMR) networks and services extended in 2012 |
|--|--|--|---|---|
| ANCOM Executive Division for Radio Spectrum and Numbering Management | 57 | 93 | - | - |
| Bucharest Regional Division | 10 | 108 | 111 | 124 |
| Cluj Regional Division | 42 | 97 | 44 | 46 |
| Iasi Regional Division | 8 | 46 | 71 | 72 |
| Timis Regional Division | 48 | 63 | 61 | 63 |

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3.2.1.3. International coordination of radio frequencies in the land mobile service

In the international coordination of the use of radio frequencies allocated to the land mobile service with the communications administrations of the neighbouring countries, i.e. Hungary and Ukraine, the Authority pursued the following major objectives:

- compliance with the provisions of the HCM Agreement (2010 edition) regarding the coordination of frequencies in border areas, and of other international agreements or protocols to which Romania is a party, which concern the radio spectrum use in the land mobile service;
- internal coordination with the government institutions as regards frequency use in the frequency bands with governmental use or in the frequency bands with shared governmental/non-governmental use;
- protection of the national interests as regards the use, in border areas, of the radio spectrum allocated to the land mobile service;
- prevention of harmful interferences in the land mobile radiocommunication networks operating in border areas.

During 2012, the activities conducted pursuant to the above-mentioned objectives resulted in:

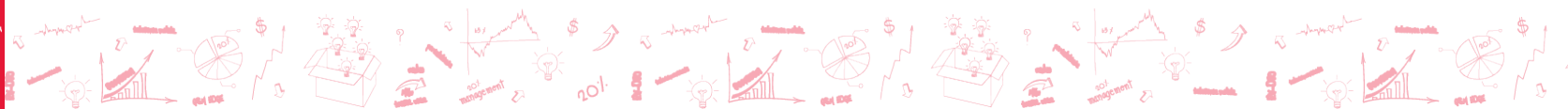
- **11 internal coordination actions** as regards the frequency bands with governmental use or with shared governmental/non-governmental use allocated to the land mobile service;
- **108 international coordination actions** with the communications administrations from the neighbouring countries, i.e. Hungary and Ukraine, in the land mobile service;

Furthermore, as part of the international activity in the field of spectrum management in the land mobile service, the Authority's specialists participated in the World Radiocommunication Conference 2012 (WRC-12), organised by the International Telecommunication Union (ITU), in Geneva (Switzerland), during January - February 2012, and also prepared and supported within the Conference Romania's position on WRC-12 agenda item 1.17 referring to the shared use of

the 790-862 MHz band between the land mobile service and other radiocommunication services for which this frequency band is allocated at an international level by the ITU Radio Regulations.

In order to allocate the 790-862 MHz band to the land mobile service in Romania and ensure the technical conditions for the coexistence of various radiocommunication services in Romania and in the neighbouring countries, which share the band in question, the ANCOM experts participated in the elaboration and negotiation with the telecommunication administration of Ukraine of two bilateral agreements, of technical nature, on the coordination of the land mobile service from Romania with the radionavigation and fixed services from Ukraine, and respectively of the land mobile service from Romania with the radio broadcasting service from Ukraine, in the 790-862 MHz band. As a result of the negotiations, the following bilateral agreements have been concluded: "Technical Agreement between the Telecommunication Administration of Romania and the Telecommunication Administration of Ukraine on the technical criteria and principles for the coordination of the use of 790-862 MHz band by the mobile communications networks and by the radionavigation and fixed services, Geneva, February 2012" and "Technical Agreement between the Telecommunication Administration of Romania and the Telecommunication Administration of Ukraine on coordination of DVB-T frequency assignments in the band 470-790 MHz and on the technical criteria for the coordination of the broadcasting service of UKR in the frequency band 790-862 MHz with respect of the land mobile service in ROU, Geneva, February 2012."

The ANCOM specialists also took part in 2012 in the meetings of the Technical Working Group of the HCM Agreement (TWG-HCM) and of the Working Subgroup for the land mobile service (SWG-MS) of TWG-HCM. Considering the obligations of the Romanian communications administration as a signatory party in the HCM Agreement, as well as the Authority's attributions regarding the enforcement of the international agreements in the electronic communications field in which Romania is a party, the Authority took an active part in the sessions of the working group mandated to review the Agreement, supporting Romania's position as regards the frequency coordination in border areas in the land mobile service.



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3.2.2. Radiocommunications in the fixed service

In its day-to-day activity in the field of radiocommunications in the fixed service, the Authority manages the frequency bands assigned by the NTFA to the fixed service, with exclusive or shared non-governmental use. The main goals of this activity envisage the rational and efficient use of the radio spectrum allocated to the fixed service and ensuring the radio-electric compatibility between the radiocommunication networks in the fixed service.

ANCOM allocates and assigns radio frequencies for the radiocommunication networks in the fixed service, ensures – upon necessities – the coordination of radio frequencies in the frequency bands allocated to the fixed service with the neighbouring communications administrations, in accordance with the relevant international agreements in which Romania is a party, and grants licences for the use of radio frequencies, respectively frequency assignment authorisations for the provision of fixed and nomadic wireless electronic communications public networks and services, and for the private use of various operators.

Radiocommunications in the fixed service comprise all the types of civil radiocommunications operating in the radio frequency bands with non-governmental use or non-governmental/governmental shared use, allocated to the fixed service according to the NTFA.

In 2012 the Authority granted authorisation documents in the fixed service as follows:

- 5 licences for the use of radio frequencies and 23 radio frequency assignment authorisations, for permanent radio transmissions;

- 5 licences for the use of radio frequencies and 5 radio frequency assignment authorisations, for experimental or temporary radio transmissions.

Furthermore, during 2012, the Authority processed **notifications** for:

- 2,324 radiorelay lines in the national wireless infrastructure networks (4,645 radiocommunication stations – together with as many frequency assignments registered in the National Register of Frequency Assignments). These infrastructure networks ensure the transport of the traffic generated on the cellular mobile communications public networks using various technologies: GSM900, UMTS900, DCS1800, UMTS1800, IMT-2000/UMTS (3G) etc., as well as on the public multipoint networks for data transmissions (FWA, BWA);
- 110 central fixed stations which are part of the infrastructure of the public multipoint networks for data transmissions (FWA, BWA).

Within the work of management of radio frequency bands allocated by the NTFA to the fixed service, the Authority performed frequency assignments in 2012 as follows:

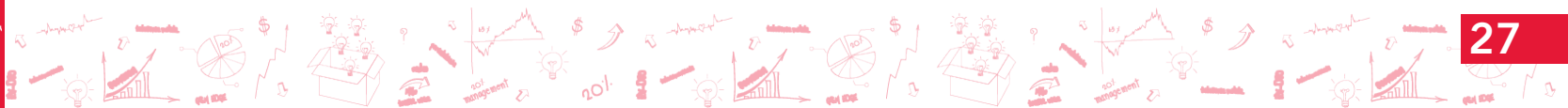
- 13 prior agreements, containing frequency assignments for radiorelay lines grouped in complex networks intended for voice/data transmissions;
- 9 prior agreements, containing frequency assignments for modulation lines corresponding to audio or television broadcasting transmitters.

3.2.3. Audio and TV broadcasting and electronic communications networks for the broadcasting/retransmission of audiovisual programmes

In the context in which the digital switchover is being postponed and given the need to have an up-to-date strategy to ensure the success of this transition, ANCOM got involved in the elaboration of the frequency planning and in its coordination with the neighbouring countries, bringing its technical contribution to mapping 5 national multiplexes,

under the conditions of the release of the frequency spectrum from the upper UHF band for the implementation of the two “digital dividends”.

Despite the fact that the current European and national context imposes a focus on the transition towards digital radio broadcasting



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technologies, a large share of the Authority's regular activity in the field consists of the management of the radio broadcasting and analogue television bands.

Furthermore, the Authority sustained the radio broadcasters' activity by answering the numerous requests for amending the broadcasting parameters to improve the offered coverage and ensure the public's access to a wide range of programmes.

Part of the activity focused on the issue of radio spectrum management for the retransmission of audiovisual programmes over the MMDS

The Authority issued in 2012 the following documents:

Television

- **4** new broadcasting licences
- **128** amended broadcasting licences, out of the **230** existing broadcasting licences; settled
- **363** requests for digital television coordination received from other administrations
- **6** agreements on amending the technical parameters; and annulled
- **5** broadcasting licences

| | New technical authorisations | Amended technical authorisations | Total technical authorisations | No. of stations which required technical measurements |
|-----------------------------|------------------------------|----------------------------------|--------------------------------|---|
| Bucharest Regional Division | 12 | 160 | 245 | 3 |
| Cluj Regional Division | 9 | 107 | 262 | 2 |
| Iasi Regional Division | 2 | 61 | 170 | 8 |
| Timis Regional Division | 3 | 33 | 179 | 2 |

MMDS

- **3** new licences for the use of frequencies and **3** new frequency assignment authorisations for providing electronic communications networks;

systems (Multipoint Multichannel Distribution System). Taking into account the development of fibre optic communications, this year further witnessed many operators abandoning MMDS in the areas where fibre optic was an alternative, without minimising though the efficiency of this system in the rural, remote areas.

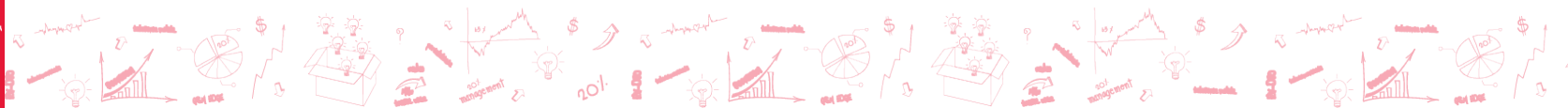
Out of the initial total of **435** licences for the use of frequencies for MMDS, **18** such licences were withdrawn in 2012, and **360** withdrawals were registered during 2004 – 2011, hence only **57** MMDS licences are currently valid.

Audio broadcasting

- **4** new broadcasting licences
- **403** amended broadcasting licences out of the **921** existing broadcasting licences; settled
- **419** requests for radio broadcasting coordination received from other administrations
- **90** agreements on amending the technical parameters; and annulled
- **3** broadcasting licences

| | New technical authorisations | Amended technical authorisations | Total technical authorisations | No. of stations which required technical measurements |
|-----------------------------|------------------------------|----------------------------------|--------------------------------|---|
| Bucharest Regional Division | 1 | 184 | 298 | 24 |
| Cluj Regional Division | 1 | 100 | 271 | 35 |
| Iasi Regional Division | 2 | 87 | 192 | 35 |
| Timis Regional Division | | 75 | 155 | 22 |

- **one** amended licence for the use of frequencies and **3** amended radio frequency assignment authorisations for providing electronic communications networks.



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3.2.4. Radiocommunications in the fixed and mobile satellite services

At end-2012, ANCOM was managing **16 licences for the use of radio frequencies in the fixed satellite service** (4 for public or private satellite networks, providing for the transmission of data, voice and Internet services, and the rest - for individual VSAT terminals) and **2,059 radio frequency assignment authorisations for HUB stations and Very Small Aperture Terminals (VSAT) belonging to the architecture of such networks.**

As well, **one licence for the use of radio frequencies** in the fixed satellite service for **an ESV terminal** (Earth Stations on Vessels) was granted in 2012. This type of satellite communications terminal, operating in the fixed satellite service, is installed on vessels, and is used to provide broadband data communications services.

ANCOM also granted in 2012 **one licence for the use of frequencies** in the fixed satellite service for the provision of satellite communications services, intended for data transmissions in the Ka bands.

Another important segment of satellite communications is the uploading to the satellite of sound and/or TV programme broadcasting, in view of their controlled distribution (e.g.: to CATV networks or terrestrial transmitters for sound or TV broadcasting) or for the purpose of direct broadcasting to the public. At the end of 2012, ANCOM was managing **20 licences for the use of frequencies for satellite communications stations designed to uploading sound and/or TV broadcasting programmes**, serving 112 radio and television programme services.

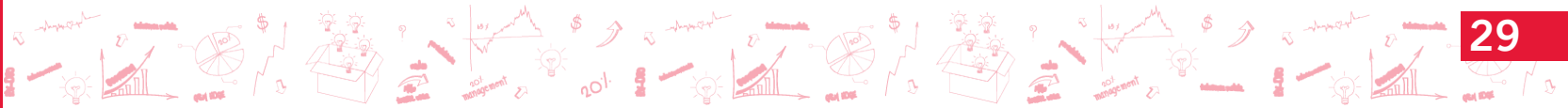
The **2 operators of the DTH (direct-to-home) individual direct reception platforms**, offering satellite television services on the Romanian market and having installed up-link stations on the Romanian territory for which they hold **licences for the use of radio frequencies** are: **RCS&RDS (Digi TV)** and **Romtelecom (Dolce TV)**.

In the case of nomadic DSNG (Digital Satellite News Gathering), stations destined to occasional, temporary transmissions towards the studio of reportages, news, cultural/sports events and of other audiovisual productions from outside the studios, ANCOM was managing, at the end of 2012, **61 frequency assignment authorisations for the 15 operators holding licences for the use of frequencies for SNG applications.**

Furthermore, ANCOM issued **19 temporary licences for the use of frequencies for 26 DSNG stations owned by foreign operators**, used for occasional, temporary transmissions towards studios outside Romania of reportages, news, cultural/sports events and of other audiovisual productions from Romania. One of the most important events hosted by Romania in 2012, transmitted live to studios from outside our country through the DSNG stations, was the 2012 UEFA Europa League football cup, staged at Bucharest National Arena Stadium, in May.

An important component of satellite communications is represented by communications in the mobile-satellite service. At the end of 2012, ANCOM was managing **4 licences for the use of frequencies** for the provision to the public of Satellite Personal Communications Services (S-PCS) across Romania, held by the following operators: **Iridium Satellite LLC** (by means of **IRIDIUM**), **Global Communications Services Romania** (by means of **THURAYA**), **Rokura** (by means of **ORBCOMM**) and **INMARSAT Global Limited** (by means of **INMARSAT**).

In 2012, ANCOM managed **13 licences for the use of frequencies for users holding 22 mobile terminals in various INMARSAT standards.**



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3.2.5. Maritime and aeronautical radiocommunication services

3.2.5.1. Maritime mobile and maritime mobile-satellite services

In 2012, ANCOM carried out an intense activity in the field of maritime mobile and maritime mobile-satellite services, equally at European and international level. The active involvement of ANCOM in the maritime radiocommunications issue, the solutions proposed and the means of solving the arisen problems, all led to the re-acknowledgement of ANCOM as an important regional player.

At a national level, the activity was steered so as to ensure the coherence of the established objectives:

- improve the safety and security of ships and ports by proposing specific amendments to the regulations in force and implementing the WRC-12 decisions;
- support the efforts of the competent authorities in the extension of the IRIS 2 pan-European project implementation, by continuing the introduction of the Inland AIS (Automatic Identification System) equipment on ship stations and on shore, as well as allocating numerical IDs in accordance with the provisions of the Radio Regulations of the International Telecommunication Union (ITU RR) and introducing the electronic chart software (ECDIS);
- analyse the possibilities of introducing and using additional frequencies proposed for improving the AIS satellite detection known under the generic name of AIS 3 and AIS 4;

3.2.5.2. Radiocommunication service on inland waterways

Under the chairmanship of ANCOM, the RAINWAT Regional Arrangement was revised and signed in Bucharest by the Member States of the RAINWAT Committee. The Arrangement will be generically referred to from now on as the "București Arrangement". The RAINWAT Regional Arrangement lays down a harmonised framework for radiocommunications on European inland waterways so that a ship in transit could deal with the same general rules, irrespective of the country which the respective ship transits.

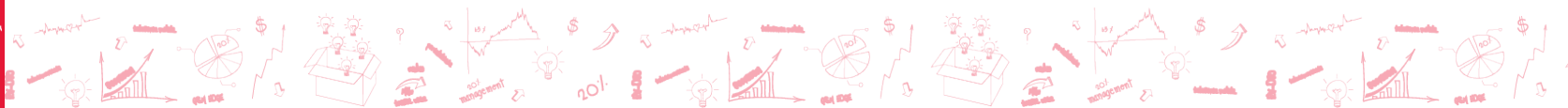
- increase the efficient use of the frequencies from the Appendix 18 of the ITU RR with a view to increasing the number of potential users and reducing the harmful interferences, through various methods as splitting duplex channels in two simplex channels or introducing digital communications.

ANCOM permanently pursued a non-discriminatory and consistent approach that would ensure a balanced access for the providers of maritime radio equipment.

The Authority took the necessary steps to ensure that the ships were endowed with the proper radio equipment and that they observed the adequate procedures for effectively sending and receiving distress, security and emergency calls and messages, and search and rescue communications.

ANCOM further manifested its permanent concern for the maritime radiocommunication equipment used in the Global Maritime Distress Safety System (GMDSS). In this regard, the Authority monitored the maritime mobile-satellite systems, the radiocommunication equipment using the Digital Selective Calling system, the distress radio location systems, the search & rescue transponders, the automatic receivers of maritime safety and security information, the rescue boat radio equipment and the automatic identification systems.

In 2012 ANCOM issued **74 licences for the use of frequencies and 133 frequency assignment authorisations** for the maritime mobile and maritime mobile-satellite services, for the radiotelephone service on inland waterways and for ships under shipyard trials.



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3.2.5.3. Aeronautical mobile and aeronautical mobile-satellite services

ANCOM managed the aeronautical mobile and aeronautical mobile-satellite services, ensuring that the requirements imposed by ITU RR and Annex 10 to the Convention on International Civil Aviation (ICAO) are complied with. Through its activity, ANCOM aimed at improving the use of the radio spectrum allotted to the aeronautical mobile and aeronautical mobile-satellite services by testing digital communications, managing the introduction of 8.33 kHz channel spacing in the aeronautical VHF voice band in Romania, studying the possibility to use the aeronautical HF band, to reduce the congestion of communications in the aeronautical frequency bands.

ANCOM undertook actions in order to coordinate the main participants in this important radiocommunication service for the safety and security of aircraft, passengers and goods/luggage before and during the procedures of preparation/taking off, effective flight, landing and parking at the final parking position.

ANCOM watched that the aircraft flying the Romanian flag, regardless of whether they were airliners, low-cost airlines or private flight operators, observed the adequate procedures for sending and receiving distress, security and emergency messages, as well as search and rescue radiocommunications from the air traffic control authorities based on the ground or from other aircraft, in accordance with the requirements of the ITU RR. Thus, the Authority monitored the aeronautical mobile-satellite systems, radiocommunication equipment – analogue and digital –, emergency locator transmitters, airborne weather radars and radionavigation equipment.

In 2012 ANCOM issued **28 licences for the use of frequencies and 66 frequency assignment authorisations** for the aeronautical mobile and aeronautical mobile-satellite services.

3.2.6. Radiodetermination service – radionavigation in the aeronautical and maritime services, radiolocation

Any type of shore-based radiolocation equipment (for weather measurements or for maritime or air traffic control) or any equipment used for ensuring the navigation security through the discovery and acquisition of fixed or mobile targets (may they be maritime, aeronautical or on inland waterways) belongs to the radiodetermination service.

ANCOM continued the surveillance of the radar systems for tracing and managing navigation already installed and operating along the Romanian part of the Danube River. As well, the Authority further examined the requests related to new sites under the procedure of establishing the installation sites and the coverage areas. Apart from their usefulness in the authorisation procedure, the resulting data will

enable ANCOM to finalise the procedures for cross-border coordination with the administrations concerned.

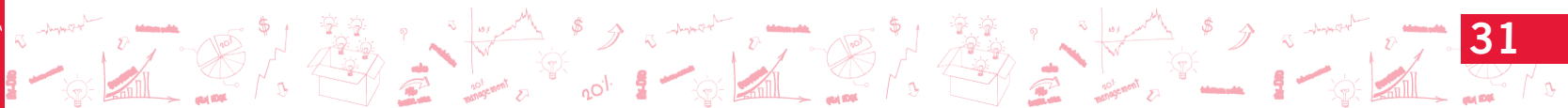
ANCOM carried on the collaboration with the national entities involved in the implementation in Romania of the elements under the IRIS 2 programme on traffic management and coordination on the trans-European inland waterways Corridor VII, as well as of the IMO provisions on the Black Sea area under Romanian jurisdiction.

In 2012 ANCOM issued **4 licences for the use of frequencies and 39 frequency assignment authorisations** for the radiodetermination service – radionavigation in the aeronautical and maritime services, radiolocation.

3.2.7. Identification of ship stations and aircraft stations

ANCOM managed the data base of numerical and alpha-numerical identifications and made the necessary allocations for radio stations communicating in the maritime, aeronautical and inland waterways services accordingly to the applicable rules.

The methods of generating the numeric and alpha-numeric identities, as well as the distribution of these identities by countries are set out in the special provisions of the ITU RR.



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ANCOM reports on a regular basis the identifications allocated to ship stations on the inland waterways to the European ATIS and/ or MMSI database hosted by the RAINWAT Committee website, www.rainwat.bipt.be. The ATIS codes are generated on grounds of the provisions under the RAINWAT Regional Arrangement, which on their turn derive from the provisions of ITU RR.

ANCOM reports on a regular basis the identifications allocated to maritime ship stations to the MARS ITU maritime database and ensures a contact point in case of a request from the maritime and/or aeronautical search and rescue organisations (SPOC).

ANCOM carefully managed the identities for the ship stations, aircraft stations, coast stations and aeronautical stations. ANCOM observes the procedure of generating the ATIS code for the ships belonging to the non-RAINWAT states that are sailing on the inland waterways covered by RAINWAT.

As a result of opening the Romanian flag to foreign ship owners, ANCOM conducted an ample campaign for identifying and preparing 1,039 complex identifications (call sign and MMSI). This action will continue in 2013 and is aimed at ensuring that the requests for the authorisation of ship stations under flag of convenience are handled with maximum efficiency.

As well, analyses were made concerning the allocation of identifications dedicated to navigation support (AtoN – Aid to Navigation).

The ANCOM website hosts a database with the aircraft flying the Romanian flag, accessible 24/7 to the Romanian Civil Aeronautical Authority, in addition to the database with the ships flying the Romanian flag, accessible 24/7 to the Constanta Maritime Rescue Coordination Centre (MRCC) of the Romanian Naval Authority.

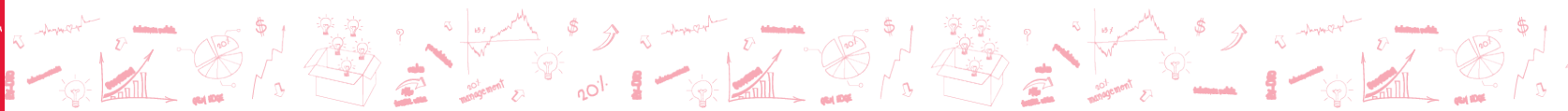
3.3. Certification of radio operators in the aeronautical and maritime radiocommunication services

The certification mechanisms enable ANCOM to ensure a high competence standard for the operating personnel of radio equipment on-board ships and aircraft, since they are the key element in ensuring aeronautical and maritime radiocommunications, in general, and in carrying out search and rescue missions, in particular. The competency of aeronautical and maritime radio operator creates the mandatory requirement for the personnel in command of ships and aircraft, the personnel in charge of managing the ship movement and air traffic control, as well as the personnel of the maritime and aeronautical authorities.

As compared to the previous years, 2012 knew an impressive development in the sector of the private operators, respectively the persons who own leisure boats or private jets and volunteer to participate in the radio traffic carried within specialised systems and using techniques, frequencies and procedures belonging to those systems.

The activities in the field have been carried out in line with the following objectives:

- safeguard a competitive market in the field of obtaining various types of radio certificates, in order to ensure unhindered access of the centres to possible requesters;
- permanently monitor and verify compliance with the regulations in force, both at the national and international level, by the operators certified by ANCOM;
- permanently supervise and guide the training centres in view of obtaining a maximum of efficiency in the process of examination and award of certificates;



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- permanently maintain the ANCOM procedures concerning the issuance of the radio operator's certificates in line with the requirements of the ITU RR, taking into account the fact that the holders of such certificates conduct operations worldwide, on ships or aircraft, irrespective of the flag under which these may be registered;
- continuously evaluate the possibilities to introduce the European concept of independent examination centre - a modern concept

meant to ensure full objectivity and separation of the two main aspects, i.e. training and examination.

3,329 radio operator's certificates for the aeronautical mobile and aeronautical mobile-satellite services, maritime mobile and maritime mobile-satellite services, as well as for the radiotelephone service on inland waterways were authorised by ANCOM.

3.4. Authorisation and certification in the radioamateur service, certification of radio operators in the land mobile service

The authorisation and certification activity in the radioamateur service continued in 2012 with the monitoring of the compliance with the ITU RR provisions and CEPT recommendations, in view of better integrating the Romanian radioamateurs in the international community.

them to the new trends in the field of communications, making use of the IARU (International Amateur Radio Union) experience. This process will continue in the following years.

At CEPT level, ANCOM continued the activities related to defining a unitary database for the examination topics with a view to upgrade

The documents issued in the radioamateur service and the status of the certification of operators in the land mobile service is as follows:

| Regional Divisions | Bucharest | Cluj | Iasi | Timis | Total |
|--|-----------|-------|-------|-------|-------|
| Radioamateurs | | | | | |
| 1. No. of radioamateur authorisations issued in 2012 (new and extended): | 409 | 163 | 125 | 90 | 787 |
| 2. No. of radioamateur certificates issued in 2012: | 105 | 64 | 59 | 45 | 273 |
| 3. No. of sessions (ordinary and extraordinary) held for awarding radioamateur certificates in 2012: | 4 | 4 | 3 | 3 | 14 |
| 4. Radioamateur authorisations in force at end-2012: | 1,685 | 871 | 753 | 771 | 4,080 |
| 5. Radioamateur certificates in force at end-2012: | 1,733 | 2,931 | 2,459 | 2,320 | 9,443 |

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| Regional Divisions | Bucharest | Cluj | Iasi | Timis | Total |
|---|-----------|-------|-------|-------|--------|
| Certification of radio operators in the land mobile service | | | | | |
| 1. Certificates issued in the land mobile service in 2012: | 980 | 397 | 264 | 307 | 1,948 |
| 2. Sessions (ordinary and extraordinary) held for awarding certificates in the land mobile service in 2012: | 22 | 15 | 18 | 9 | 64 |
| 3. Certificates in the land mobile service in force at end-2012: | 14,136 | 1,175 | 1,679 | 1,581 | 18,571 |

3.5. Management of the numbering resources within the National Numbering Plan (NNP)

3.5.1. Activities related to the management of the NNP numbering resources

The 2012 activities connected with the management of the numbering resources within the NNP included:

- allotment of numbering resources;
- vacation of numbering resources upon the waiver or dissolving of some providers of publicly available electronic communications services;
- transfers of licences;
- amendments of the format of certain numbering resources previously allotted;
- transfers of the rights of use over certain numbering resources;
- amendments of the identification data of certain LURN holders;
- licence amendments *ex officio*.

The right to use certain numbering resources within the NNP is granted under a Licence for the use of numbering resources (LURN).

3.5.1.1. Allotments of numbering resources

In 2012, ANCOM registered **23 applications** for the allotment of numbering resources, **granting 20 licences**.

Out of these, one licence was issued in response to an application submitted before the end of 2011 and submitted again in 2012. Under this type of applications was included another licence which allotted additional resources, on a temporary basis.

The difference between the total number of applications received and the total number of LURN granted results from certain particular situations. In **two cases**, the operators did not finalise the LURN granting procedure, as in one case the operator reverted and cancelled his request while in the other case the application concerned an occupied block of numbers (ANCOM did not receive a reply to the alternative it proposed). Furthermore, in **one case** the procedure was in progress at end-2012.

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The analysis of the applications submitted during 2012 leads to the following:

- **5 applications** were submitted by companies requiring numbering resources for **the first time**, and **4 licences** were issued as a result.
- **18 applications** referred to the allotment of additional numbering resources to the previously allotted ones, and **16 licences** of this type were issued.

Following the settlement of the abovementioned applications, the volume of the numbering resources allotted in 2012 in the various domains of the NNP is as follows:

Table 3.1 Numbering resources allotted by blocks

| NNP Domain | | Numbers allotted |
|---|-------------|------------------|
| OZ=02 10-digit geographic numbers | | 40,000 |
| OZ=02 7-digit geographic numbers intended for local interest services | | - |
| OZ=03 10-digit geographic numbers | | 410,000 |
| OZ=03 7-digit geographic numbers for local interest services | | 40 |
| OZ=03 non-geographic numbers (location-independent) | | 150,000 |
| OZ=07 non-geographic mobile numbers | | 3,000,000 |
| OZ=08 non-geographic numbers for various services | 0800 | 2,000 |
| | 0801 | - |
| | 0805 | - |
| | 0808 | - |
| | 0870 | - |
| OZ=09 non-geographic numbers for Premium Rate services | 0900 | - |
| | 0903 | - |
| | 0906 | - |

Table 3.2 Numbering resources allotted by unit (national short numbers and carrier selection codes)

| Categories | Numbers/codes released |
|--------------------------------|------------------------|
| 10xy codes | - |
| 16xy codes | - |
| 116xyz national numbers | 1 |
| 118xyz national numbers | - |
| 19vx national numbers | 1 |

3.5.1.2. Numbering resources vacated upon the amendment or cessation of a LURN

During 2012 certain numbering resources were vacated, upon the Authority's receiving requests for partial or full waiver of the LURN from certain holders, as well as due to the cessation of the right to provide the electronic communications services for which the respective numbering resources were granted.

Thus, with a view to settling the full or partial **waiver requests** submitted by the LURN holders, in 2012 ANCOM issued **3 decisions** on the full or partial cessation of the right to use the numbering resources.

Among these, ANCOM registered **2 partial waiver cases** for 2 holders and **1 full waiver case** for one LURN holder.

In the partial waiver cases, the Authority issued **two amended licences**, providing for the numbering resources which the LURN holders forecasted to further use.

Furthermore, there were **4 cases of cessation, upon request, of the right to provide the publicly available electronic communications services** for which the numbering resources had been granted, settled by **4 decisions** of full recalling of the LURN.

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In 2012 **two full recalling decisions were issued**, in the case of a holder that did not pay the due tariff for the use of numbering resources, as well as in the case of a holder that was withdrawn the capacity as a provider of electronic communications services as a result of the impossibility to communicate with the company in question.

Hence, the following numbering resources were vacated:

Table 3.3 Numbering resources vacated by blocks

| NNP Domain | | Numbers vacated |
|--|---|-----------------------------------|
| OZ=02 10-digit geographic numbers | | - |
| OZ=02 7-digit geographic numbers | | - |
| OZ=03 10-digit geographic numbers | | 1,291,000 |
| OZ=03 10-digit geographic numbers | | - |
| OZ=03 non-geographic numbers (location-independent) | | 20,000 |
| OZ=07 non-geographic mobile numbers | | - |
| OZ=08 non-geographic numbers for various services | 0800 0801 0805 0808 0870 | 3,000 - - 3,000 1,000 |
| OZ=09 non-geographic numbers for Premium Rate services | 0900 0903 0906 | 1,000 1,000 - |

Table 3.4 Numbering resources vacated by unit (national short numbers and carrier selection codes)

| Categories | Vacated numbers/codes |
|--------------------------------|-----------------------|
| 10xy codes | 2 |
| 16xy codes | 1 |
| 116xyz national numbers | - |
| 118xyz national numbers | - |
| 19vx national numbers | - |

3.5.1.3. Transfers of numbering resources, amendments to the format of the allotted resources or to the licence provisions

In 2012 ANCOM analysed **requests** for numbering resources or issued **licences ex officio**, in the case of various types of operations which do not affect the total volume of allotted numbering resources.

a. LURN transfers

One transfer request was submitted in 2012, for which ANCOM issued its prior consent, but the transferee did not submit the due documents until 31 December 2012 and therefore the procedure will continue and the request will be settled in 2013.

b. amendments to the format of the allotted resources

Two LURN holders submitted **requests** for amending the format of the allotted blocks. One request triggered the provisional allotment of additional numbering resources, the case being previously registered, together with the issued LURN. The other request is to be settled in 2013.

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c. transfer of the usage right

ANCOM settled a case of transfer of the rights and obligations provided under one holder's licences to another provider of electronic communication services, as a result of a merger by absorption. In this case the Authority **issued a decision**, providing for the transfer of the rights and obligations related to the numbering resources, and **4 licences** for the new holder.

d. changes of the identification data of certain LURN holders

One request for amending two LURNs granted to the same holder was registered as a result of the holder's change of headquarters, settled by the issuance of **two new LURNs**, as per the request.

e. *ex officio* issuance of certain licences for the use of numbering resources

On grounds of the ANRCTI president's Decision no. 2896/2007 on the procedure of requesting and granting licences for the use of numbering

resources, with the subsequent completions, in case of changes of the circumstances in which a LURN has been issued, ANCOM may amend the provisions of the respective LURN *ex officio*.

Such a circumstance occurred in 2012, in the context in which the Government Emergency Ordinance no.111/2011 on electronic communications became effective as of 27 December 2011.

Considering the new legal provisions which require the Authority to, among others, revise in a certain timeframe the individual rights to use the limited resources in order to render them in line with the provisions of this normative act, the need to amend *ex officio* **9 LURNs** appeared.

ANCOM also issued *ex officio* one licence, given the change of headquarters of a holder previously licensed.

At end-2012, there were **81 LURN** holders.

Table 3.5 Overview of the LURN holders by categories of numbering resources held:

| | |
|--|----|
| 10-digit geographic numbers starting with 02 | 10 |
| 7-digit geographic numbers starting with 02 | 2 |
| 10-digit geographic numbers starting with 03 | 56 |
| 7-digit geographic numbers starting with 03 | 5 |
| Location independent numbers starting with 037 | 37 |
| Mobile non-geographic numbers starting with 07 | 7 |
| Non-geographic numbers for various services starting with 08: | |
| • freephone access (starting with 0800) | 38 |
| • shared cost services (starting with 0801) | 6 |
| • bursty traffic services (starting with 0805) | 11 |
| • indirect access to services (starting with 0808) | 26 |
| • access to data transmission and Internet access services (starting with 0870) | 7 |
| Non-geographic numbers for Premium Rate Services starting with 09: | |
| • entertainment, games and contests (starting with 900) | 19 |
| • various information (general, business, marketing, useful etc.), entertainment, games and contests (starting with 903) | 20 |
| • adult entertainment (starting with 906) | 17 |

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| | |
|--|----|
| Two-step dialling carrier selection codes, within the 10xy range | 16 |
| One-step dialling carrier selection codes, and carrier pre-selection codes within the 16xy range | 27 |
| National short numbers for the provision of directory enquiry services, within the 118xyz range | 6 |
| National short numbers for the provision of European harmonised services, within the 116xyz range | 2 |
| National short numbers for the national provision of public interest services, within the 19vx range | 2 |

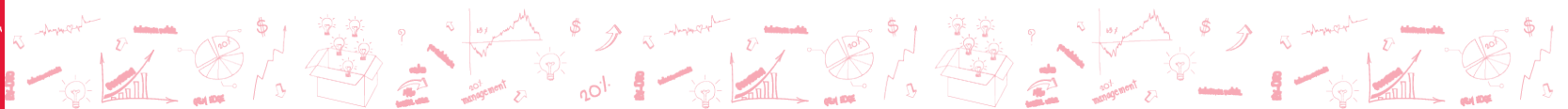
Total amount of NNP resources allotted by 31 December 2012:

Table 3.6 Numbering resources allotted by blocks

| NNP Domain | | Allotted numbers |
|---|---|---|
| OZ=02 10-digit geographic numbers | | 11,410,000 |
| OZ=02 7-digit geographic numbers | | 3,350 |
| OZ=03 10-digit geographic numbers | | 14,256,000 |
| OZ=03 7-digit geographic numbers | | 260 |
| OZ=03 non-geographic numbers (location-independent) | | 3,180,000 |
| OZ=07 non-geographic mobile numbers | | 59,100,000 |
| OZ=08 | 0800 0801 0805 0808 0870 | 143,000 105,000 12,000 130,000 56,000 |
| OZ=09 | 0900 0903 0906 | 29,000 30,000 27,000 |

Table 3.7 Numbering resources allotted by unit (national short numbers and carrier selection codes) by 31 December 2012:

| Categories | Alloted numbers/codes |
|--------------------------------|-----------------------|
| 10xy codes | 16 |
| 16xy codes | 27 |
| 116xyz national numbers | 3 |
| 118xyz national numbers | 10 |
| 19vx national numbers | 7 |



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3.6. Number portability management

The administrative processes related to number portability are managed by means of an information system administrated by ANCOM, called the Central Database (CDB). This system enables the providers to exchange data on the porting process, thus facilitating the porting, and stores information regarding the ported numbers so that the telephone calls could be correctly routed to the ported numbers. The information system consists of a database, which stores information in a well-established format, and of a set of functions that trigger operations on the data and ensure communication with the information systems of the electronic communications service providers, through a secured web application. Moreover, the CDB is connected to a publicly available website that ensures information regarding the ported numbers. On this website (www.portabilitate.ro), the users can find information on number portability and on the steps to be taken when they wish to port their telephone number, while a search engine can indicate whether a number has been ported and the network to which it has been ported.

Any malfunction of the CDB may have negative impact on the porting processes and, implicitly, on the provision of telephone services to the subscribers undergoing various stages of the porting process. In order to maintain a high security level, as the loading level of the CDB rises,

in 2012 ANCOM continued the process of verifying, maintaining and monitoring the CDB, in terms of both the software porting solution and the hardware infrastructure.

ANCOM has permanently monitored the porting processes, by means of the CDB, and assisted the providers in relation to the CDB operation and to the solving of specific malfunctions.

The ANCOM President's Decision no. 351/2012 amending and completing certain regulations in the field of number portability came into force on 2 September 2012 and reduced the timeframes within which the providers have the obligation to perform the activities related to the various phases of the porting process. This reduction entailed reconfiguring certain operation parameters of the CDB and performing some functional tests together with the providers taking part in the number porting processes.

ANCOM's final goal is to render portability an accessible tool and to enable the electronic communications end-users and providers to use it as easy as possible and error-free.

3.7. Management of technical resources

The technical resources are those resources required for identifying the electronic communications networks or elements of the electronic communications networks in view of their operation or for the provision of electronic communications services.

Main categories of technical resources:

1. National Signalling Point Codes (NSPC);
2. International Signalling Point Codes (ISPC);
3. Mobile Network Codes (MNC);

4. Network Identification Codes (NIC);
5. Routing Numbers (RN).

The main objectives of ANCOM in the field of management of technical resources in 2012 concerned making available proper technical resources for all providers of public electronic communications networks or providers of publicly available electronic communications services, ensuring the non-discriminatory access to the technical resources for all providers of public electronic communications networks or providers of publicly available electronic communications services and ensuring the rational and efficient use of the technical resources.

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3.7.1. Management of the right to use SS7 national and international signalling point codes

- *Signalling Point (SP)* – a node in a signalling network which either generates and receives signalling messages, or transfers signalling messages from one signalling line to another, or fulfils both functions mentioned before;
- *National Signalling Point (NSP)* – a signalling point belonging to the signalling network at national level;
- *International Signalling Point (ISP)* – a signalling point belonging to the signalling network at international level;
- *Signalling Point Code (SPC)* – a code which identifies in a univocal manner the signalling points in a signalling network.

In 2012 ANCOM issued **4 individual decisions** for the allotment of SS7 national signalling point codes (NSPC). Through these decisions, a total amount of **4 NSPC blocks** (respectively 32 codes) were allotted.

As well, **2 individual decisions** revoking the right to use the national SS7 signalling point codes (NSPC) were issued. These decisions revoked the right of use for 2 NSPC blocks (respectively 16 codes).

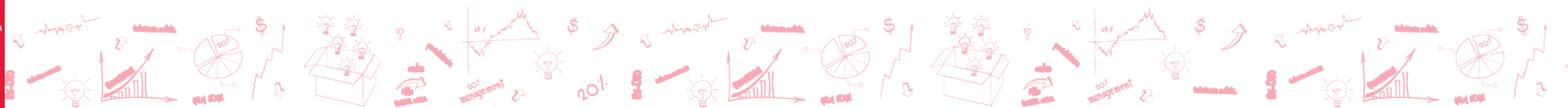
ANCOM also issued **one decision** regarding the transfer of the rights and obligations related to 1 NSPC block (i.e. 8 codes) from one provider to another and one decision regarding the transfer of the rights and obligations related to 1 ISPC block between two providers.

At the end of 2012, the overall status of the national (NSPC) and international (ISPC) signalling points allotments was as follows:

- 63 providers were allotted NSPCs.
- 20 providers were allotted ISPCs.

Table 3.8 Overview of NSPC and ISPC allotments

| Domain | Total no. of blocks allocated to Romania | Total no. of codes allocated to Romania | Total no. of blocks allotted by ANCOM | Total no. of codes allotted by ANCOM |
|--------|--|---|---------------------------------------|--------------------------------------|
| ISPC | 7 | 56 | - | 49 |
| NSPC | - | - | 271 | 2,168 |



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3.7.2. Management of the right to use mobile network codes

The providers of mobile public networks use Mobile Network Codes (MNC) with a view to establishing the international mobile subscriber identity (IMSI). According to Recommendation ITU-T E.212, IMSI = MCC+MNC+MSIN, where:

- *MCC – Mobile Country Code* – allocated by ITU-T. Romania holds MCC=226;
- *MNC – Mobile Network Code* – allotted by ANCOM;
- *MSIN – Mobile Subscriber Identification Number* – allotted by the mobile operators.

3.7.3. Management of the right to use network identification codes

The network identification code (NIC) is a 17xy code that identifies the originating network of the call, and is used when the interconnection between the originating network and the terminating network is achieved by switched transit, through a third party's services.

In 2012 **six decisions** for the allotment of 6 NICs and **three decisions** withdrawing the right to use a NIC, for 3 NICs, were issued.

3.7.4. Management of the right to use routing numbers

Routing numbers (RN) are allocated to the providers of publicly available telephone services that are acceptor providers in the number portability process. Based on the network structure, an RN can identify either the acceptor provider or a switch in the acceptor provider's network.

In 2012 the Authority issued **8 decisions (one of which was an amending decision)** for granting the usage right for a total number of 10 RN (1 RN of which had already been allotted) and **4 decisions** for withdrawing the right to use the RN, for a total number of 4 RNs.

In 2012 ANCOM issued 2 decisions regarding the allotment of 2 MNCs.

Table 3.9 MNC allotments as of 31.12.2012

| Domain | No. of providers | Total MNCs allotted by ANCOM |
|--------|------------------|------------------------------|
| MNC | 9 | 10 |

ANCOM also issued one decision regarding the transfer of the rights and obligations related to 1 NIC between two providers.

Table 3.10 NIC allotments

| Domain | No. of providers | Total NICs allotted by ANCOM |
|--------|------------------|------------------------------|
| NIC | 32 | 32 |

One decision was also issued regarding the transfer of the rights and obligations related to 2 RNs between two providers.

Table 3.11 RN allotments

| Domain | No. of providers | Total RNs allocated by ANCOM |
|--------|------------------|------------------------------|
| RN | 64 | 249 |

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3.8. Surveillance of the equipment market

According to the objectives set in Government Emergency Ordinance no. 22/2009 on the establishment of the National Authority for Management and Regulation in Communications (ANCOM), one of its basic roles is to enforce the national policy in the fields of electronic communications, audiovisual communications, radio equipment and telecommunications terminal equipment, electromagnetic compatibility, which are subject to the European Union's harmonised legislation.

In May 2012 the ANCOM representatives took part, alongside their counterparts from 23 European market surveillance authorities, in the second reference exercise under the scope of Directive 1999/5/EC (R&TTE) on radio and telecommunications terminal equipment. Furthermore, during 13 August-7 September 2012, ANCOM participated together with other European market surveillance authorities, to the first reference exercise under the scope of Directive 2004/108/EC (EMC) on electromagnetic compatibility. These exercises organised by the administrative cooperation groups ADCO R&TTE and EMC ADCO aimed at determining the extent to which the national authorities in charge of market surveillance examine the conformity of the products existing on the European single market.

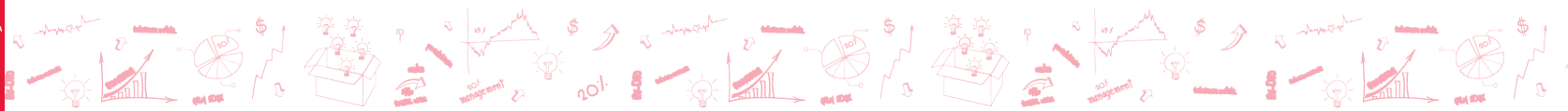
Based upon the outcomes of the reference exercises, some conclusions and recommendations were elaborated on improving the harmonisation level between the national authorities in charge of equipment market surveillance. Each attending national authority committed to assess the equipment conformity, using common assessment forms (Euro-DIFs -

European data introduction forms), which will represent fundamental documents for the future implementation of the general information support system provided for in art. 23 of Regulation (EC) No. 765/2008 of the European Parliament and of the Council setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No. 339/93.

In order to observe Romania's information and communication obligations deriving from the provisions of Regulation (EC) No. 765/2008, ANCOM drew up the Sector equipment market surveillance programme for 2012 corresponding to the applicable European legislation (Directive 1999/5/EC and Directive 2004/108/EC), published it on the website and transmitted it to the European Commission.

ANCOM updated its procedure on the notification of the radio equipment employing frequency bands whose use is not harmonised at the EU level, adopting the electronic notification form harmonised within the EU, according to the Member States' agreement expressed within TCAM.

In 2012, **758 notifications** were registered through the OSN electronic notification system. The OSN – One Stop Notification system, proposed by the Commission and accessible via DG Enterprise & Industry Stakeholder Portal to which ANCOM - Romania adhered, simplifies for the interested parties the radio equipment notification modality provided for in Directive 1999/5/EC.



4. General authorisation of the providers of electronic communications networks and services and of postal services

- 4.1. Revision of the regime of general authorisation of the providers of electronic communications networks and services
- 4.2. General authorisation of the providers of electronic communications networks and services
- 4.3. General authorisation of the providers of postal services

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4.1. Revision of the regime of general authorisation of the providers of electronic communications networks and services

Following a public consultation with the profile industry, in the second half of the year, the Decision of the president of the National Authority for Management and Regulation in Communications no. 338/2010 on the general authorisation regime for providing electronic communications networks and services was revised. The new decision contributed to the fulfilment of the objective to transpose the provisions of the new regulatory framework into the secondary legislation.

In essence, important issues regarding the security and integrity of the electronic communications networks and services, the provision of electronic communications networks and services under special circumstances, the terms of use of the numbering resources, the technical conditions applicable to the services of audiovisual programme retransmission, as well as regarding the content of the description file of the networks and services were clarified, amended and completed.

The new decision paves the way to ensuring a higher level of security and greater transparency in establishing electronic communications, both by enhancing the providers' responsibility related to the security and integrity of the electronic communications networks and services, and by informing the users on the security incidents.

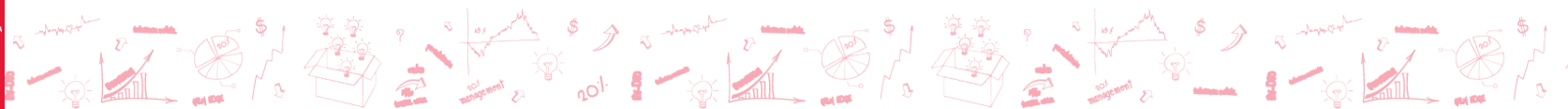
The obligations regarding the implementation of measures tailored to ensure network integrity and the continuity of the provision of electronic communications services under special circumstances that could pose a significant threat to human life or health apply to all the providers,

so that communications between the public authorities entrusted with disaster mitigation could also be facilitated.

The normative act opened the possibility for the providers of public electronic communications networks to benefit from the right to use certain numbering resources.

With regard to the retransmission of linear audiovisual media programme services, a set of measurable specific technical parameters according to the standards in force has been established with a view to protecting the end-users' interest.

The new decision brought further amendments and completions to the procedure of sending the notification for the provision of electronic communications networks or services. Thus, a new exemption from this obligation entered into force, and respectively the terms concerning the observance of the notification obligation by the foreign entities that intend to provide electronic communications networks or services in Romania have been clarified. The above-mentioned exemption is applicable to operators of global mobile personal communications by satellite (G-MPCS/S-PCS) and is aimed at lightening the administrative burden levied by the Romanian state for the purpose of including the national territory in the coverage area of the electronic communications networks that ensure cross-border electronic communications services, so that the end-users of satellite communication services could also benefit from these services while transiting the Romanian territory.



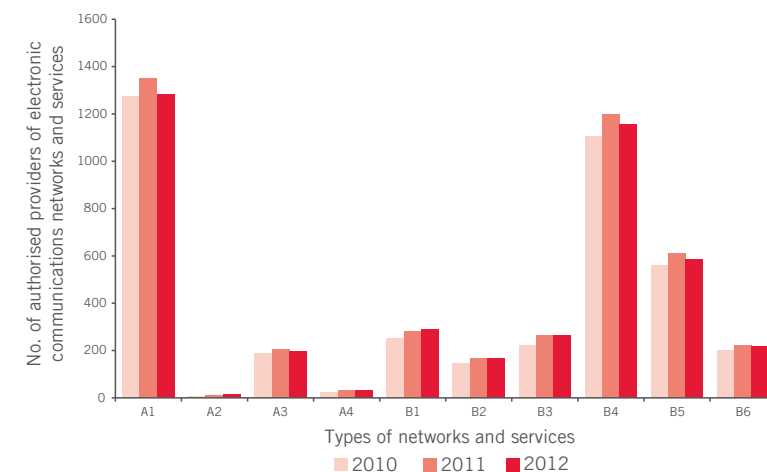
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4.2. General authorisation of the providers of electronic communications networks and services

As of 31 December 2012, the ANCOM Public Record of Electronic Communications Providers was registering a total of 1,571 persons authorised to provide public electronic communications networks or publicly available electronic communications services, dropping by 4.2% as compared to 2011. More specifically, the number of persons who had the right to provide public electronic communications networks went down by 4.6%, whereas the number of persons authorised to provide publicly available telephone services rose by 2.8%. Decreases were also registered in terms of persons authorised to provide Internet access services – by 3.7% as compared to the previous year, and of persons authorised to provide linear audiovisual media programme retransmission services to the end-users – by 4%.

Nevertheless, according to the structural analysis, the Romanian electronic communications market is a stable market and the decreases are mainly caused by the dissolution in the Trade Registry of a number of companies during 2012, i.e. 1.5% of the authorised persons at the end of the previous year, and by the absorption or taking over of networks or subscribers by other providers such as S.C. DIGITAL CABLE SYSTEMS S.A. and S.C. RCS & RDS S.A.

Exhibit 4.1 Providers of electronic communications networks and services as of 31 December 2012



*) Types of electronic communications networks and services

| | |
|----|--|
| A1 | Public terrestrial networks with access to a fixed location or with limited mobility |
| A2 | Public cellular mobile radio networks |
| A3 | Public access mobile radio networks |
| A4 | Public satellite networks |
| B1 | Publicly available telephone services |
| B2 | Leased line services |
| B3 | Data transmission services |
| B4 | Internet access services |
| B5 | Retransmission of linear audiovisual media programme services to the end-users |
| B6 | Other electronic communications services |

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4.3. General authorisation of the providers of postal services

The general authorisation regime applicable to the postal service providers is set by the ANRCTI President's Decision no.2858/2007, amended and completed by ANCOM President's Decision no.981/2009.

As of 31 December 2012, the ANCOM Public Record of Postal Providers was registering a total of 368 providers, up by 6.3% as compared to 2011. Of these, 348 persons had the right to provide postal services within the scope of universal service and 358 persons were authorised to provide postal services outside the scope of universal service.

This positive annual fluctuation, largely owed to the development of the national and international electronic commerce, after two years of market consolidation, had a direct impact on the growth of the coverage level and density of the alternative postal networks, complementary to those owned by the universal service provider, and respectively on the existing trend to redistribute the alternative offer to postal services with additional characteristics as compared to the standard ones.

Exhibit 4.2 Evolution of postal providers by types of postal services



*) Type of postal services

| |
|--|
| A.1. Clearance, sorting, transport and delivery of postal items up to 2 kg (correspondence items, printed matter items) |
| A.2. Direct mail dealing with postal items up to 2 kg |
| A.3. Clearance, sorting, transport and delivery of postal packages up to 10 kg |
| A.4. Distribution of postal parcels up to 20 kg sent from outside Romania to an address located on its territory |
| A.5. Service for registered items dealing with postal items up to 2 kg or postal packages up to 10 kg, respectively postal parcels weighing between 10 and 20 kg sent from abroad to an address located in Romania |
| A.6. Service for insured items dealing with postal items up to 2 kg or postal packages up to 10 kg, respectively postal parcels weighing between 10 and 20 kg sent from abroad to an address located in Romania |
| B.1. Services dealing with postal items above 2 kg (items of correspondence, printed matter items) |
| B.2. Direct mail service dealing with postal items above 2 kg |
| B.3. Services dealing with domestic postal parcels weighing between 10 and 50 kg |
| B.4. Services dealing with postal parcels weighing between 10 and 50 kg sent from Romania to an address from abroad |
| B.5. Services dealing with postal parcels weighing between 20 and 50 kg sent from abroad to an address located on the territory of Romania |
| B.6. Pay-on-delivery |
| B.7. Change of destination |
| B.8. Special delivery |
| B.9. Confirmation of receipt |
| B.10. Express |
| B.11. Document exchange |

5. Ensuring regulation efficiency by monitoring and controlling the market

- 5.1. Monitoring and control - 2012 main objectives
- 5.2. Monitoring the enforcement of the specific regulations in the fields of electronic communications, radiocommunications and postal services, as well as of those relating to the users' information and education
- 5.3. Radio spectrum monitoring

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The ANCOM monitoring, surveillance and control activities are generally meant to ensure that the provisions of the relevant legislation and of the regulations imposed by the Authority for promoting competition in the electronic communications and postal service markets, as well as for protecting the users' rights and interests, are enforced and observed in practice. An important component of the control activity is the monitoring of the radio frequency spectrum with non-governmental use, which aims at both upholding the process of efficient spectrum management, and observing the obligations in the licences for the use of radio frequencies

or in the frequency assignment authorisations or in the regulations in the field. The control of compliance with the provisions of the normative acts in force and with the obligations imposed on providers is carried out by the specialised control personnel authorised therefor by the ANCOM President.

In its activities of monitoring, surveillance and control, ANCOM observes the principles of *transparency*, *impartiality* and *objectivity*.

5.1. Monitoring and control – 2012 main objectives

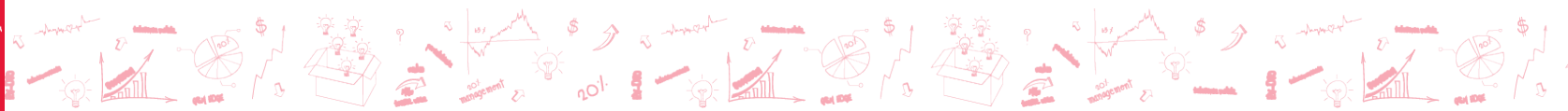
In 2012, in verifying the compliance with the legal provisions, ANCOM focused on the following aspects:

- investigating the implementation of the general authorisation regime for the provision of electronic communications networks and services;
- verifying the observance of the obligations under the applicable primary and secondary legislation by the providers in the fields of electronic communications, radiocommunications and postal services;
- verifying the observance of the obligations under the individual decisions on the designation of the universal service providers (in the fields of electronic communications and postal services);

- monitoring the placing on the market, putting into service and use of the devices employed for blocking the authorised electronic communications services;
- assessing the compliance by the 3G licence holders with their due obligations.

The evolution of the electronic communications and postal service markets is a permanent concern for ANCOM, which collects, verifies, processes and analyses the statistical data reported by the providers operating in these markets.

Furthermore, ANCOM continued rendering more efficient the surveillance and control mechanisms in all the 41 organisational structures across the country, by reviewing the specific operational procedures and establishing unitary working methods for the fulfilment of duties and tasks.



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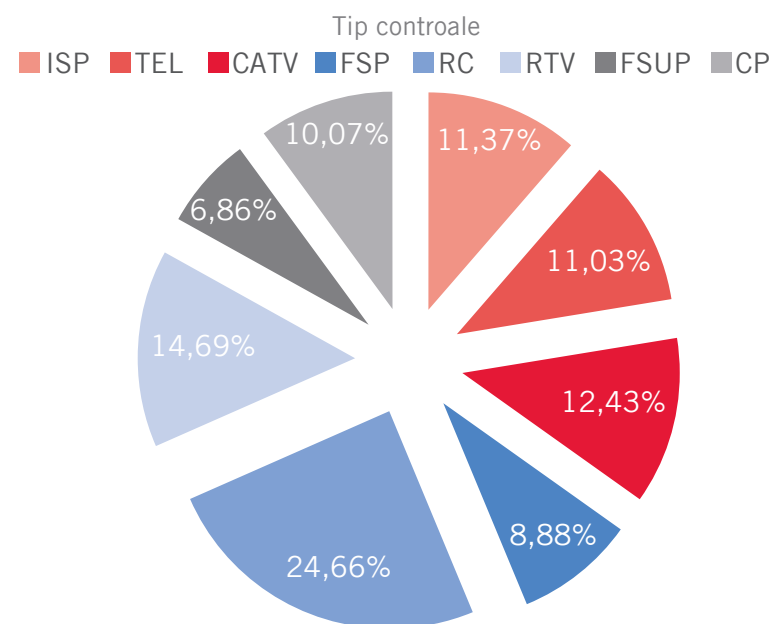
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5.2. Monitoring the enforcement of the specific regulations in the fields of electronic communications, radiocommunications and postal services, as well as of those relating to the users' information and education

In the fields of electronic communications and postal services, in 2012 the control activity resulted in a total of **8,422 control actions**², **2,934** of which in the **electronic communications** field, **3,314** in the **radiocommunications** field, **1,326** in the field of **postal services** and **848 actions** intended for the surveillance of the radio equipment and telecommunications terminal equipment on the market, in view of

verifying compliance with the obligations imposed by the Authority in these fields. As a result of these control actions, ANCOM transmitted **218 notifications** on enforcing sanctions and gave **390 warnings** and **42 fines** totalling **RON 693,000**.

Exhibit 5.1 Control actions in the field of electronic communications and postal services



² The surveillance actions conducted on the radio equipment and telecommunications terminal equipment existing on the market (848 controls) are presented separately in Chapter 3 – "Efficient management of limited resources".

5.2.1. Control actions conducted on the authorised providers

5.2.1.1. Control actions on providers using radio frequencies

In order to verify the use of radio frequencies by the radiocommunication service providers in accordance with the provisions of *Government Emergency Ordinance no.111/2011 on electronic communications, approved with amendments and completions by Law no. 140/2012*, ANCOM conducted **2,077 control actions**. The control personnel identified a series of cases where the providers failed to observe the legal provisions specified in the *Licences for the use of radio frequencies* and in the *Radio frequency assignment authorisations*. The Authority sent **60 notifications**, gave **102 warnings** and enforced **3 contravention fines** amounting to **RON 6,000**.

The identified irregularities referred to the non-observance of the provisions under the authorisation documents (licences for the use of frequencies and frequency assignment authorisations), as well as of those concerning the operation of the radiocommunication stations.

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5.2.1.2. Control actions on providers of audio and television broadcasting services

ANCOM conducted **1,237 control actions** on the providers of networks of broadcasting or retransmission of linear audiovisual media programme services, with a view to verify compliance with the provisions of the *Audiovisual Law no.504/2002, with the subsequent amendments and*

completions. Following these actions, **one notification** on the intention to enforce sanction was transmitted, **34 warnings** were given and **7 contravention fines** amounting to **RON 80,000** were enforced.

5.2.1.3. Control actions on providers of linear audiovisual media programme retransmission services

1,047 control actions were conducted on the CATV network providers, with a view to verify compliance with the provisions of *Government Emergency Ordinance no.111/2011 on electronic communications*.

In order to remedy the deficiencies identified, ANCOM sent **59 notifications** and applied **53 warnings** and one contravention fine amounting to **RON 5,000**.

5.2.1.4. Control actions on telephony providers

The ANCOM control personnel conducted in 2012 a total of **929 control actions** on the fixed and mobile telephony providers, which resulted in **22 notifications** on the intention to enforce sanction. As

well, the Authority gave **25 warnings** and applied **7 contravention fines** amounting to **RON 239,000**.

5.2.1.5. Control actions on data transmission and Internet access providers

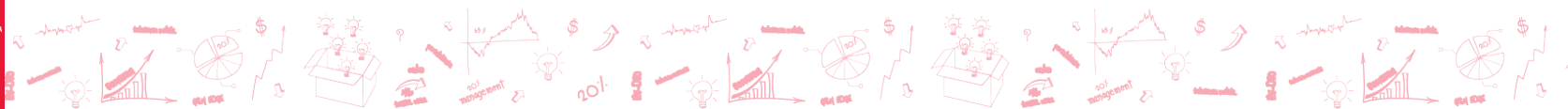
958 control actions were conducted in the market for data transmission and Internet access services in view of verifying compliance with the provisions of *Government Emergency Ordinance no.111/2011 on electronic communications* and with the conditions under the general authorisation regime. As a result of the assessed failures, **76 notifications** on the intention to enforce sanctions were transmitted, whereby the

Authority gave the infringing providers the possibility to formulate an opinion. As well, **78 warnings** were given. The most frequent irregularities found by the ANCOM control personnel concerned the infringement of the obligation to insert in the contracts concluded with the end-users the minimum clauses provided for in art.51 of *Government Emergency Ordinance no.111/2011 on electronic communications*.

5.2.1.6. Control actions on postal service providers

1,326 control actions were conducted at a national level in the postal service market. **578** of these were conducted on CNPR and **748** on the other postal providers. In total, ANCOM enforced **120 contravention sanctions**, of which **96 warnings** and **24 contravention fines** amounting to **RON 363,000**. The most frequent irregularities found concerned the failure to observe the specific obligations imposed on the universal

service provider, in the case of CNPR, and the failure to inform ANCOM with respect to changes of the data given in the notification, in the case of the other providers. The largest sanction, in amount of **RON 100,000**, was enforced for breaching the reserved rights of the universal service provider.



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5.2.2. Monitoring the evolution of the market of electronic communications and postal services

In 2012, following the non-compliance with the provisions of art.3 of *Decision no. 1167/2011 on the reporting of statistical data by the providers of electronic communications networks or by the providers of publicly available telephone services*, ANCOM sent **57 sanctioning decisions** to the providers of electronic communications networks and services for failure to submit the half-yearly statistical data within the legal timeframe, and subsequently enforced contravention fines in amount of RON 200 per each day of delay.

Furthermore, for failure to transmit the annual financial statements or declarations, ANCOM sent notifications on the intention to enforce sanctions to **403 providers** in the field of electronic communications or postal services.

5.2.3. Verification of the obligation to inform the end-users

Between March and August 2012, the ANCOM control personnel conducted **836** controls on the electronic communications providers and their partners to verify the extent to which they observe their obligations to inform the end-users, according to *Decision no. 77/2009*.

In the majority of cases, the provisions of the secondary legislation in the field were being observed, ANCOM enforcing **17 contravention sanctions**, of which **15 warnings** and **2 fines** amounting to **RON 15,000**.

5.2.4. Universal service implementation in the postal sector

With respect to the verification of compliance with the obligations set in the decision designating the universal service in the field of postal services, ANCOM conducted **578 control actions** on Romanian Post National Company S.A. and identified **52 breaches** of the legal provisions at various working points of the provider, and these resulted in **50 warnings** and **2 contravention fines** amounting to **RON 15,000**.

The most frequently identified deficiencies referred to the non-compliance with the specific obligations imposed on the universal service provider by its designation decision.

5.3. Radio spectrum monitoring

5.3.1. Monitoring of the spectrum for non-governmental use

The monitoring of the frequency spectrum with non-governmental use pursues the following three major objectives:

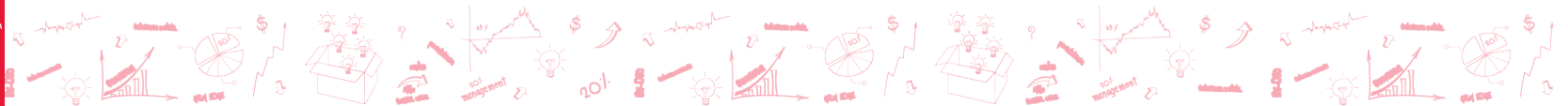
- resolve the cases of harmful interferences in the electromagnetic spectrum whether on a local, regional (border interferences) or global scale (satellite services interferences);
- uphold the process of efficient spectrum management;

- uphold the activities of surveillance and control of the compliance with the obligations under the licences for the use radio frequencies and under the frequency assignment authorisations, or under the regulations in the field of electronic communications using the radio spectrum.

-

- Exhibit 5.2 Tracing of an FM (frequency modulation) broadcast station*

- The data are in fact the results of certain parameter measurements which concern: the central frequency, the occupied frequency band, the power, the type of modulation and the modulation parameters, the incoming signal direction, the periods of time when the signals were on air, the identification of the transmitters, and the content of the transmitted signals.



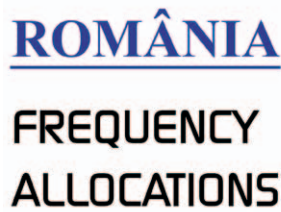
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- 53

Exhibit 5.3 National Table for Frequency Allocation



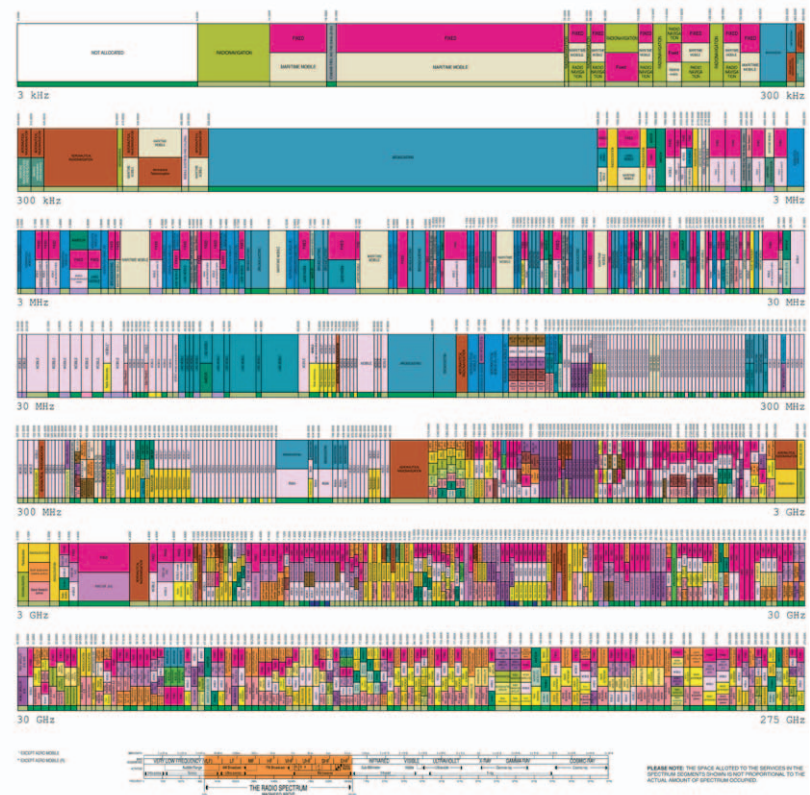
THE RADIO SPECTRUM

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ACTIVITY CODE

| | |
|---|---|
|  GOVERNMENT (NOT GOVERNMENT SHARE) |  GOVERNMENT (NON-GOVERNMENT SHARE) |
|  NON-GOVERNMENT (GOVERNMENT) |  GOVERNMENT (NON-GOVERNMENT SHARE) |
|  GOVERNMENT (NON-GOVERNMENT SHARE) |  NON-GOVERNMENT (GOVERNMENT SHARE) |
| |  GOVERNMENT (NON-GOVERNMENT SHARE) |

| ALLOCATION USAGE DESIGNATION | | |
|------------------------------|---------|---------------------------------------|
| SPACE | EXAMPLE | DESCRIPTION |
| Program | PROG | Custom utility |
| Database | DB | Not subject to release considerations |



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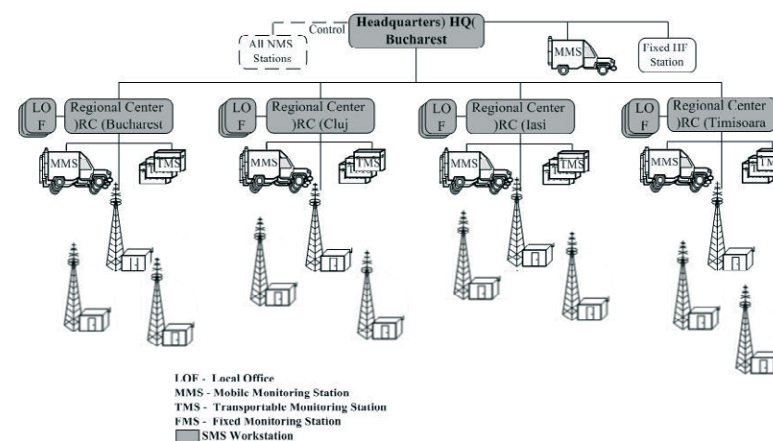
The ANCOM National Spectrum Monitoring System (SNMS) consists of 38 fixed and transportable monitoring stations (the transportable stations can be operated as fixed monitoring stations and relocated if necessary) and 10 mobile monitoring stations (installed on special vehicles). The SNMS can monitor the spectrum up to 3 GHz.

5 transportable monitoring and direction detection stations were put into operation in 2012 as well as 12 transportable monitoring stations for the 20 MHz – 6 GHz spectrum, together with other 5 communications centres. The new stations are capable of making measurements of the broadband digital signals (DVB-T, UMTS, WLAN, WiMAX etc.), instantly surveying a 72 MHz minimum band (digital dividend) and measuring the main parameters of the signals received in accordance with the ITU recommendations in force. These stations, operated as a monitoring sub-system, allow for detecting the incoming direction of signals, for signals with both vertical and horizontal polarisation.

In order to track the interferences and the illegal emissions in the areas not-covered by the fixed and transportable monitoring stations, a monitoring and goniometry system, comprising 4 mobile spectrum monitoring and goniometry stations and 4 communication centres, has been put into operation. The system capabilities allow for measurements up to 6 GHz for goniometry and 26.5 GHz for spectrum monitoring, having a large capture band.

The obtained data are compatible with the results of the SNMS and of the mobile monitoring and goniometry system and can be integrated in the databases of the Integrated Information System for Radio Spectrum Management.

Exhibit 5.4 ANCOM National Spectrum Monitoring System



In addition, other monitoring equipment (spectrum analyzers, in general) is used in order to broaden the covered geographic area, the frequency band, as well as the range of monitored services.

31,155 monitoring actions were conducted by means of the National Spectrum Monitoring System in 2012. ANCOM thus identified **243 cases of unauthorised radio-electric emissions** or failure to observe the conditions under the authorisation documents (broadcasting licences, technical authorisations, licences for the use of frequencies and frequency assignment authorisations), and took measures to ensure the recovery of the legal status.

Depending on the specificity of each action, ANCOM monitors from **305 frequencies** (during one monitoring action for sound broadcasting spectrum) up to **2,115 frequencies** (during one monitoring action for radiotelephony spectrum).

The ANCOM Local Offices conducted **1,330 spectrum monitoring actions** using the spectrum analyzers and the antennas they are equipped with.

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5.3.2. Verification of the compliance with the coverage conditions imposed by the licences for the use of radio frequencies for the provision of IMT mobile communications networks and services

The coverage of the localities, border areas and major roads with mobile telephone services was verified by random choice. Measurements envisaged technical parameters specific to each technology: GSM, UMTS, CDMA etc.

To this end, ANCOM checked the signal coverage in **298 cities** and on more than **90,000 Km** of roads.

Exhibit 5.5 State-of-the-art special vehicle for goniometry



The on-the-spot verifications were made through the radio inspection integrated system – RADIS, consisting of special vehicles that contain each: measurement terminals, 2G and 3G scanners connected to outdoor antennas, a GPS receiver and a computer which has installed a software specialised in data gathering and processing.

Exhibit 5.6 Equipment integrated in the special vehicle



Exhibit 5.7 Measurement map of a national road covered with 2G signal

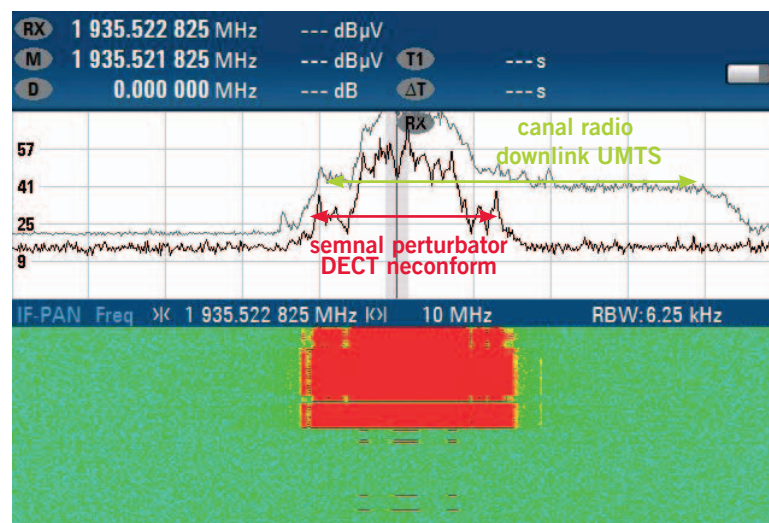


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Exhibit 5.8 2G signal coverage measurement route



Exhibit 5.9 Disruptive superimposed over an UMTS uplink (Maxhold trace)



5.3.3. Resolution of harmful interference cases

Resolving the cases of harmful interferences is one of the most complex tasks of ANCOM.

A radiocommunication service may face interferences due to a number of reasons, such as: faulty functioning of certain components used by the service itself, faulty functioning of another service (which is not necessarily using the same frequency band or an adjacent frequency band), non-compliance with the emission parameters by another authorised transmitter, unauthorised emissions, residential users' employment of uncertified devices or of devices intended for the use in another geographic area (e.g. wireless terminals which are intended for being used in the USA or in Asia, and which are not compatible with the services for which a certain band was allotted in Europe), cross modulations created by other services, propagation anomalies etc.

In view of maintaining the spectrum as interference-free as possible, ANCOM acts both preventively, by continuously monitoring the radio spectrum and thus removing the causes of interferences before they produce effects, and reactively, by answering in the shortest time possible to any request for interference resolution.

During 2012, ANCOM resolved **109 cases of electromagnetic interferences**.

5.3.4. Specific monitoring campaigns

5.3.4.1 Verification of the compliance with the obligations imposed under the CDMA-PAMR 410 MHz licence granted to S.C. ROMTELECOM S.A.

In 2012, ANCOM carried an extensive campaign in order to verify ROMTELECOM compliance with its obligations under the CDMA-PAMR 410 MHz licence granted in 2008, for the provision of mobile electronic communications networks and services in the 410-415/420-425 MHz bands. The Authority checked the signal coverage in **225 cities** and on **79,324 Km** of road. The campaign is still ongoing.

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Exhibit 5.10 ROMTELECOM base station



Exhibit 5.11 Special vehicle for measuring level and quality parameters for verification in the mobile communications networks



5.3.5. Other activities

5.3.5.1 Resolution of the cross-border radio-electric interference cases

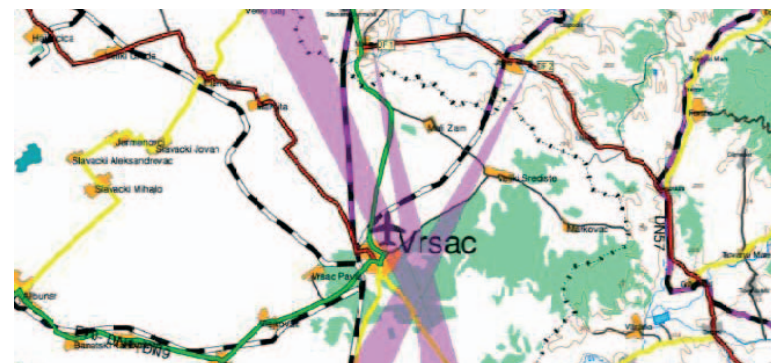
ANCOM collaborates with national and international institutions and organisations in the electronic communications sector with a view to ensure electromagnetic compatibility.

In 2012 ANCOM resolved **5 cases of cross-border radio-electric interference**, in compliance with the provisions under the ITU Radio Regulations.

5.3.5.2 Issuance of endorsements in view of achieving building authorisation

The proper functioning of the National Spectrum Monitoring System is bound to the compliance with certain conditions and restrictions related to the location of buildings, metallic constructions and radio-electric transmitters near the monitoring stations.

Exhibit 5.12 Interference at the border with Serbia in the 88-108MHz FM band



In view of ensuring electromagnetic compatibility with the National Spectrum Monitoring System, administered by ANCOM, the Authority analysed **364 documentations**, issuing endorsements necessary for obtaining the building authorisations for the respective locations.

6. Resolution of disputes

6.1. Resolution of disputes between providers

6.2. Disputes resolved in 2012



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6.1. Resolution of disputes between providers

The administrative-jurisdictional procedure for the resolution by ANCOM of the disputes between the electronic communications providers is optional and free.

The ANCOM work relating to the resolution of disputes between providers is regulated by the provisions of arts. 116 and 117 of Government Emergency Ordinance no.111/2011, as well as by the ANCOM president's Decision no. 480/2010 on the establishment of the procedure for the resolution of disputes within the competence of the National Authority for Management and Regulation in Communications, which are completed by the provisions of the Civil Procedure Code.

The persons who may address ANCOM for the resolution of disputes can be providers of electronic communications networks or services from Romania requiring ANCOM to settle a dispute arisen in relation to the obligations imposed on them by the provisions of Government Emergency Ordinance no. 111/2011, by the European Union regulations in the electronic communications field or imposed by ANCOM in accordance with these provisions.

As well, ANCOM may settle disputes occurred between the providers of electronic communications networks or services from Romania and the persons acting as providers in other Member States of the European Union who request or benefit from access or interconnection on grounds of the Government Emergency Ordinance no. 111/2011.

As regards the procedure applicable for the resolution of a dispute arisen between the providers in the electronic communications field, the Government Emergency Ordinance no. 111/2011 has a series of general provisions of procedural nature. The detailed procedure for the resolution of disputes is set by the provisions of the ANCOM president's Decision no. 480/2010.

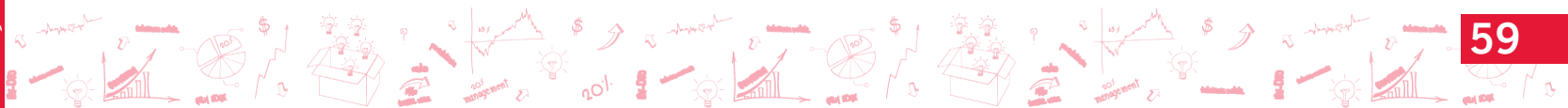
In accordance with the nature and complexity of the dispute, the president of ANCOM designates the specialists who are to make up the commission responsible for resolving the respective dispute. The Commission makes a preliminary analysis of the information provided by the parties and conducts the dispute resolution procedure. During this procedure, the Commission will continuously communicate with the parties and will pursue

the compliance with the principles of the right to defence, equality, rapidity, contradictoriness and active role.

In view of resolving the main issue of the dispute, the Commission may invite the parties to a series of meetings, their number depending on the complexity of the cause. After analysing all the information and after hearing all the views in the respective cause, if the main issue of the dispute is settled, the Commission draws up a preliminary solution which is communicated to the parties. Within 10 days after communicating the preliminary solution, any of the parties may submit a request to the Commission with a view to reconsidering the solution proposed. Where a reconsideration request was submitted, the Commission communicates the request to the other party, so the latter could send comments within 5 days from the communication date. Once the procedure completed, the Commission submits to the president of ANCOM a report including the proposals for the resolution of the dispute. With a view to resolving the dispute, the president of ANCOM issues a decision, which may be appealed to the Bucharest Court of Appeal – Contentious Administrative Division, within 30 days from the communication date, without going through the preliminary procedures provided for in Article 7 under the Contentious Administrative Law no. 554/2004, with the subsequent amendments and completions. In justified cases, ANCOM may decide the repair of the patrimony prejudice effectively suffered.

Furthermore, under exceptional circumstances, when a party may suffer serious prejudice which, in the absence of certain provisional measures, could not be properly repaired in the hypothesis of resolving the main issue in favour of the party requesting the establishment of such measures, the party concerned may require ANCOM to establish provisional measures in view of preventing the occurrence of prejudices or of limiting their extension. The provisional measures will be established by the president of ANCOM by way of a reasoned decision, within 30 days from the submission date of the request.

The timeframe for resolving the dispute is 4 months from the registration date of the complaint with ANCOM. Under exceptional situations, for the proper resolution of the dispute, this timeframe may be extended by decision of the ANCOM president.



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6.2. Disputes resolved in 2012

In 2012, ANCOM resolved 5 disputes. Four of these were lodged in 2011, and one in 2010.

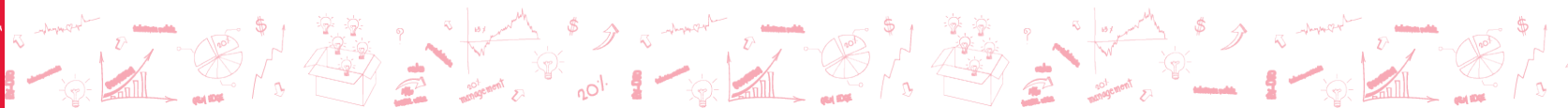
All disputes resolved by ANCOM in 2012 concerned the making available to S.C. Romtelecom S.A., as a provider of directory enquiry services, of the relevant information regarding the subscribers of other providers of publicly available electronic communications services.

For the disputes lodged in 2011 and settled in 2012, the average dispute resolution time frame was eleven months (considering the necessity to have a unitary and consistent resolution of several disputes with similar object and the occurrence of various procedural incidents which extended the length of the dispute resolution because, for instance, of

the exceptions invoked by the parties or their requests to postpone the resolution procedure, on the one side, and the large number of disputes lodged and the simultaneous allocation of human resources for several projects, on the other side).

In the case of one dispute, ANCOM assessed the lapse of proceedings, since the proceedings were not fulfilled upon the plaintiff's will.

One of the dispute resolution decisions issued by the ANCOM president in 2012 was appealed to the Bucharest Court of Appeal and is under settlement.



7. Protecting the end-users' interests

- 7.1. Contracts between the providers and users of electronic communications services
- 7.2. Online application enabling comparison among electronic communications offers
- 7.3. Number portability
- 7.4. The Single Emergency Call Number 112
- 7.5. Access of disabled persons to the electronic communications services
- 7.6. Universal Service

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The main goal of ANCOM is to ensure quality communications services at fair prices for all Romania's inhabitants, as well as maximum benefits for them, all in a competitive market.

From this perspective, 2012 was an important year for the end-users and the Authority because it is the year when some legislative measures were adopted or implemented in view of offering enhanced protection for the users of electronic communications services.

Hence, starting this year, the users benefit from more mandatory clauses in the contracts concluded in writing with the providers of electronic communications services, as well as of more rights where they decide to port their telephone number. Furthermore, a series of provisions regulating the conclusion of distance contracts between the providers and users of electronic communications services were adopted.

Moreover, the Authority continued to implement the universal service regulations in the field of electronic communications and postal services.

What's more, in order to enable the users to have a clear picture of the offers of telephone and Internet access services available on the Romanian market, ANCOM took steps to create an online application for comparing the tariff plans for these services.

As for disabled persons, in view of facilitating their access to the electronic communications services, ANCOM conducted a survey in 2012 to determine the extent to which this category of persons use the electronic communications services.

As in the previous years, ANCOM strived to offer solutions to the problems of the users, advising them to better understand the way in which they may defend their rights in their relation with the providers of electronic communications services.

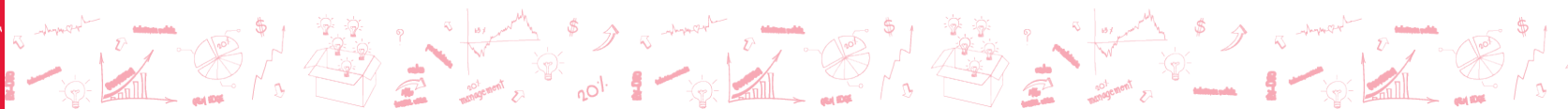
7.1. Contracts between the providers and users of electronic communications services

According to the new legal framework set by Government Emergency Ordinance no.111/2011 on electronic communications, starting 25 February 2012, the contracts concluded between the users and the providers of electronic communications services contain **more minimum mandatory provisions**.

Consequently, the operators have the obligation to include in the contracts, among others, the restrictions they impose as to the use of the terminal equipment, the categories of measures they can take should incidents or security threats occur, as well as information on the traffic management procedures to avoid network congestion. These pieces of information will

enable the subscribers, for instance, to find out whether their provider will restrict them the access to certain sites or web applications, will encode their telephone set, or will limit the transfer speed upon reaching a certain traffic volume. As for security incidents and threats, the providers must insert in the contract the type of action they might take and its impact on the continuous provision of networks and services at a regular level (e.g. limitation, restriction or interruption of service), as well as the conditions under which these restrictions will be enforced.

To better protect the consumers' interests, the new legal provisions also establish **a maximum threshold for the initial duration of the contract**.



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The maximum initial duration of the contracts concluded with the residential end-users may no longer exceed 24 months. Also, the providers have the obligation to give the consumers the possibility to benefit from services for a contractual duration of maximum 12 months.

The initial contract duration is the time frame in which the users may not terminate the contract with a provider of electronic communications services without paying some penalties, except for the case when the provider amends this contract.

That is why establishing a maximum initial duration of the contracts allows the users to change their provider more easily if they are dissatisfied with the offered services or if they identified a better offer from another provider.

The new legal provisions apply to all contracts concluded between the consumers and the providers of electronic communications services as of 25 February 2012. As for the contracts concluded by that time, the providers had the obligation to amend them and to inform the subscribers thereon.

Although the new legal framework mainly envisages the contracts concluded between the providers of electronic communications services and the consumers, business users may benefit from electronic communications services under the same conditions as those offered to consumers, to the extent they request this to the providers.

Government Emergency Ordinance no.111/2011 contains a series of provisions referring to the **conclusion of distance contracts subject to the provision of electronic communications services**, as ANCOM has now monitoring and control duties in the case of this type of contracts. These provisions apply to all the contracts concluded by the providers with the users of electronic communications services, regardless of whether the latter are natural or legal persons.

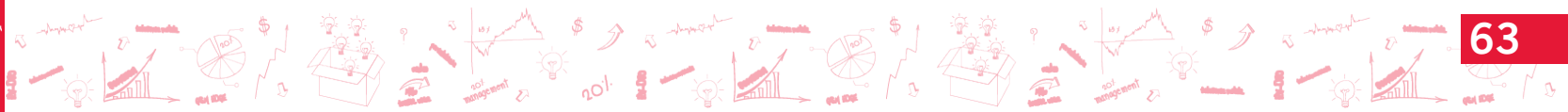
ANCOM offers detailed information to the public on the rights of the users of electronic communications services, including as regards the contracts they conclude with the providers, on its website, www.ancom.org.ro, in the section dedicated to users.

7.2. Online application enabling comparison among electronic communications offers

Given the complexity of the tariff packages and schemes offered (multiple tariff plans, tariffs for on-net/off-net calls, calls to mobile/fixed networks, during peak hours/off-peak hours, depending on destination, to favourite numbers etc.), the users face difficulties in making a well-informed and correct decision when it comes to choosing the provider or the optimum tariff package, suited for their consumption needs.

In order to effectively help the users make the most suitable consumption choices, ANCOM developed an online application which is to compare among the tariff plans existing on the market for three categories of electronic communications services: **mobile telephony, fixed telephony and broadband internet access**, ranking the most advantageous tariff plans in terms of cost, based on the options inputted by the user.

The price comparison tool will offer the end-users access to periodically updated information on the tariffs charged by operators for the provision of the three services mentioned above, as well as on the tariff packages which include combinations thereof. Based upon the options inputted by the users, the application will display for each inquiry **25 of the most advantageous offers** ranked in order of cost (calculated per month). When displaying the results, other relevant details will also be published such as contract minimum duration, termination penalties, information on the existing promotions.



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The data based on which the application will make these comparisons will be provided by the communications operators, who have the obligation to upload into the application any new commercial offer within 4 working days from the launch of a new commercial offer or amendment of an existing one.

The calculation methodology to base the ranking of the most advantageous tariff plans for the electronic communications services intended for the end-users was elaborated by the winner of the tender organised by ANCOM, who identified the algorithm upon evaluating the tariff plans of the electronic communications providers from Romania and following consultation with the ANCOM representatives. ANCOM obtained a **non-reimbursable financing** amounting to **RON 886,198.32** for the project **"Online application for comparing the communications offers intended for the end-users"**, within Operation 1 "Supporting the setting-up of e-government solutions", Key Area of Intervention 2 "

Developing and increasing the efficiency of electronic public services", Priority Axis 3 "Information Technology and Communications for the private and public sectors", Sector Operational Programme "Increase of Economic Competitiveness", co-financed by the European Regional Development Fund.

The online application is implemented as a result of the provisions of Decision no. 77/2009 on the obligations of informing the end-users, incumbent on the providers of publicly available electronic communications services, which created the necessary premises for ANCOM to set up and make publicly available an internet portal which would allow for comparing between the tariffs and conditions offered by the providers of mobile telephony, fixed telephony and broadband internet access, by means of a "price calculator"-type interactive application.

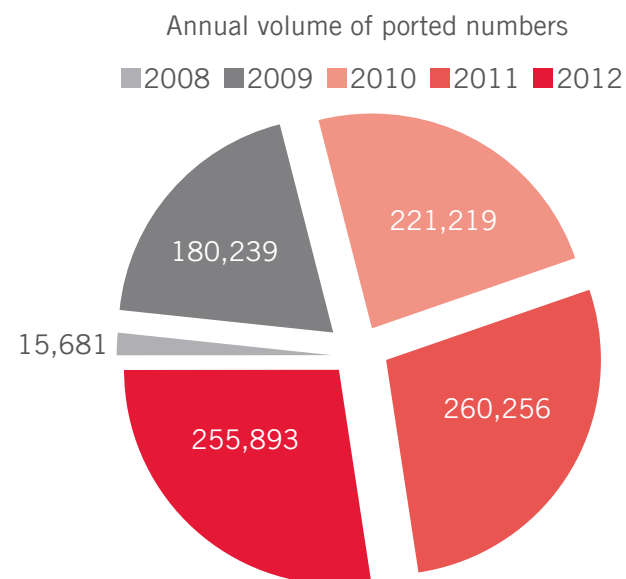
7.3. Number portability

Telephone number portability enables the users to keep their telephone number when shifting to another service provider. The users thus have a greater freedom of choice and are given the possibility to enjoy the benefits of a competitive telephony market. 933,288 telephone numbers have been ported in Romania in the time frame spanning from the introduction of number portability in October 2008 through end-2012. Of these, 622,705 (67%) were mobile telephone numbers and 310,583 (33%) fixed telephone numbers.

255,893 numbers were ported in 2012, i.e. 166,371 (65%) mobile telephone numbers and 89,522 (35%) fixed telephone numbers.

78,128 of the **fixed telephony** numbers were geographic numbers and 11,379 location-independent numbers. Most geographic numbers were ported in Bucharest (31,371), followed by the counties of Cluj (6,747), Prahova (3,685), Timis (3,528), Sibiu (2,203), Galati (2,183) and Bacau (2,051). As well, 15 freephone non-geographic numbers (in the 0800 domain) were ported.

Exhibit 7.1 Evolution of the annual amount of ported numbers from the service introduction

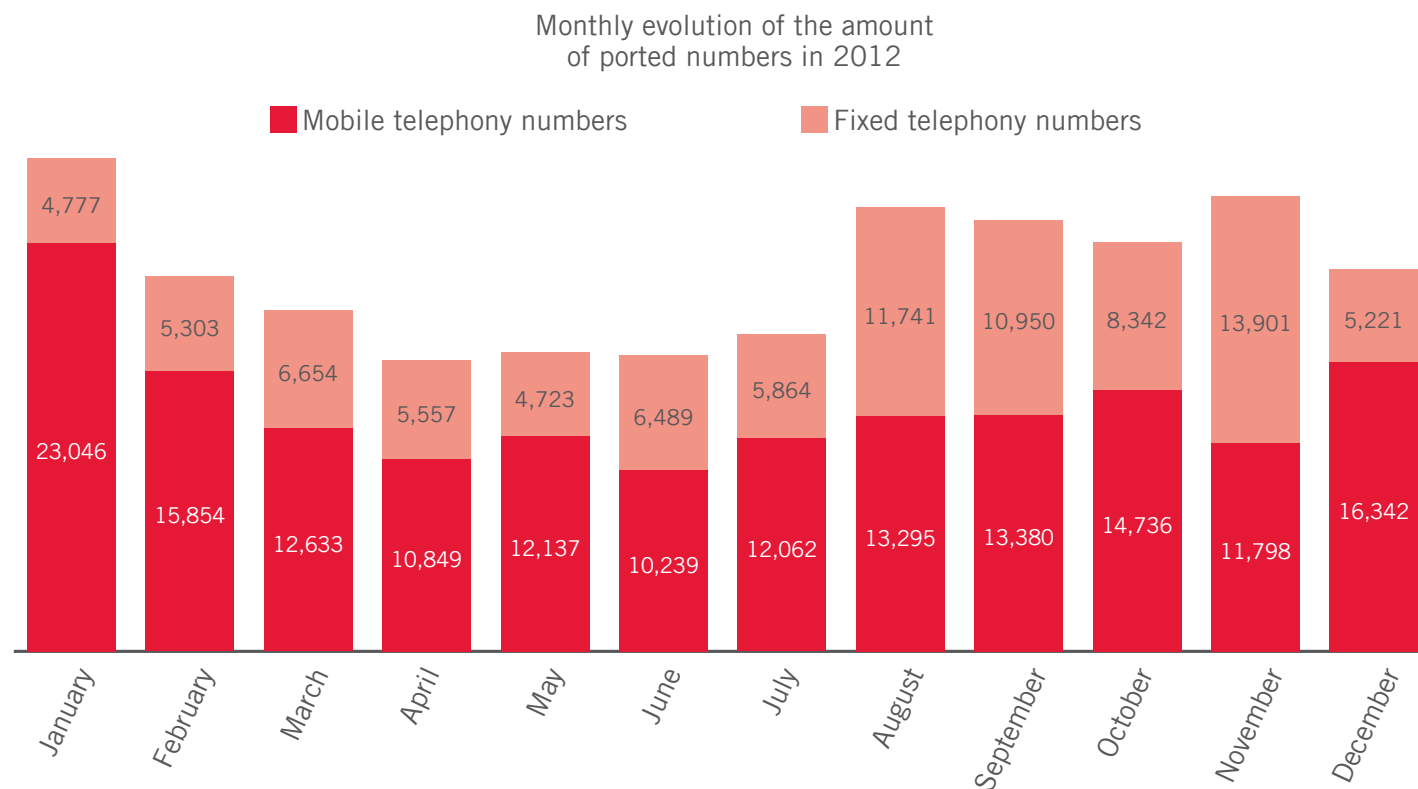


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As for **mobile telephony**, the statistical data show that postpaid users port their numbers more frequently than prepaid users. Thus, approx. 79% of the total mobile telephony users who ported their numbers in 2012 were postpaid users and about 21% were prepaid users.

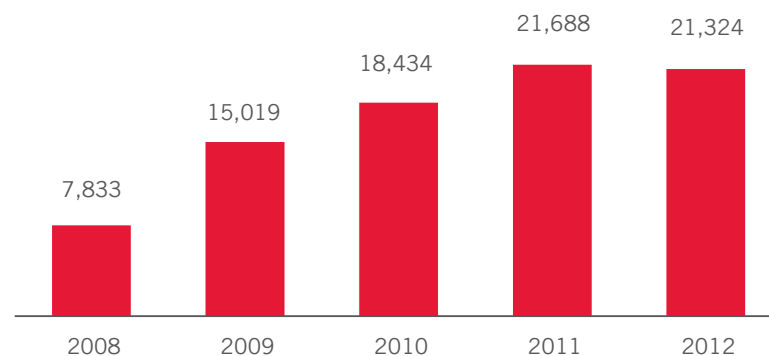
The **monthly average amount of ported numbers** in 2012 is 21,324. The highest amount of numbers ported in a month was registered in January 2012, i.e. 27,823.

Exhibit 7.2 Monthly evolution of the amount of ported numbers in 2012



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Exhibit 7.3 Evolution of the monthly average amount of ported numbers



ANCOM continued to administrate the **Central Database (BDC)** which manages the administrative processes associated to number portability. This database was used in 2012 by 55 telephony providers, 9 of them using the automatic interface of the BDC, while the others used the web application ANCOM made available to ensure the access to the BDC. During 2012, 22 providers of telephone services provided at fixed locations and 5 providers of telephone services provided at mobile locations used the BDC in their capacity as acceptor providers.

In 2012 ANCOM finalised the **process of reviewing the secondary regulatory framework for number portability** by adopting the ANCOM president's Decision no.351/2012 amending certain regulations in the field of number portability. The reviewed regulations are the Decision of the president of the National Regulatory Authority for Communications no. 144/EN/2006 on number portability implementation and the Decision of the president of the National Regulatory Authority for Communications no.3444/2007 on the adoption of the Technical and commercial conditions for the implementation of number portability.

The amendments and completions reflect the new legal provisions under Government Emergency Ordinance no. 111/2011, and also envisaged a series of aspects encountered in practice or as a result of the more and more diverse offers of services from the providers. The new rules also pursued the optimisation of certain processes, based on the experience gained during the years spanning from the implementation of number portability.

The main amendment under the new legal framework concerns the **reduction of the timelines** in which the providers have the obligation to carry out the specific activities associated to the various stages of the porting process. Thus, the donor provider must respond to a porting request in **one working day** instead of 4, thus speeding up the porting process. Once the porting request is validated, the telephone number will be activated within one working day. The potential maximum duration of service interruption in the course of the porting process was also reduced to 4 hours instead of 5 (in the case of the fixed telephone numbers) and 3 hours instead of 4 (in the case of the mobile telephone numbers).

Where the end-user agrees with the acceptor provider on a specific date on which to perform the porting, the entire process may last more than three days, in keeping with certain specific circumstances (correlation of the porting with the date on which the contract with the donor provider ends, installation of the access infrastructure etc.). In order to meet these requirements, the information system used for managing the porting processes is a flexible one.

Furthermore, the ANCOM decision provides the subscribers' possibility to refuse the assignment by the acceptor provider of a temporary telephone number to be used until the porting is achieved. Where the subscribers decide to accept a **temporary number**, the contract will expressly stipulate the right to really choose between continuing and ending their contractual relation with the acceptor provider, in case the porting process is not duly finalised. They will also be informed accordingly on the consequences of their choice.

The ANCOM decision also imposes the obligation of warning the end-users, by means of the **distinctive tone**, on the fact that they have called a ported number, in all cases when the tariff charged might exceed the tariff they would have legitimately expected. The scope of the cases when the distinctive tone will be ensured is thus extended, as, until the entry into force of the ANCOM decision, the providers had the obligation to warn the users only on the fact that they called a number ported from their electronic communications network.

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7.4. The Single Emergency Call Number 112

112 is the emergency service reachable from fixed and mobile public networks, free of charge, in any of the EU Member State, and represents a rapid way of communicating with the specialised agencies (the Police, the Fire Brigade, the Ambulance, the Gendarmerie) under emergency circumstances. Access to this service must be ensured under the best conditions at both a national and a European level. Ensuring the interoperability of the emergency services with the citizens effects many other areas such as electronic communications, health or public order.

In 2012, ANCOM pursued the implementation of the requirements under the European Commission Recommendation C (2011) 6269 on support for an EU-wide eCall service in electronic communication networks. ANCOM got involved in the implementation of the eCall pan-European project, i.e. a system that would allow for the vehicles equipped with the eCall telematics terminal to dial automatically the European single emergency call number 112, in case of serious accidents.

In view of fulfilling the obligations imposed by these legal provisions, ANCOM initiated and headed a **technical working group** on eCall issues, which gathered representatives of all mobile operators from Romania and of the Special Telecommunications Service (STS), as administrator of the SNUAU (National Unique System for Emergency Calls). Following the meetings held at the ANCOM headquarters, the working group established the streamlines of the implementation solution of **eCall Flag** (according to ETSI TS 124 008 standard).

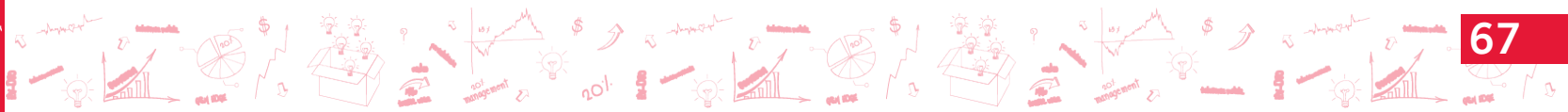
Furthermore, ANCOM continued exercising in 2012 its duties within the eCall programme by maintaining a continuous dialogue with the mobile network operators, the service providers and the public authorities, including the emergency services. The Authority pursued the testing and implementation of the **eCall Flag** identifier by the mobile operators and therefore the ANCOM and STS technical staff participated in the eCall tests performed in the mobile public electronic communications networks operated by Vodafone, RDS&RCS and Orange.

Furthermore, in 2012 the Authority aimed to harmonise its own directions of action with those of the European bodies with duties in the emergency communications field. Consequently, the ANCOM specialists took part in the meetings of the Expert Group on Emergency Access (EC-EGEA) and initiated, and now coordinate, the elaboration of a study on the transposition of the provisions of Directive 2009/136/EC establishing certain criteria for the precision and fidelity of the location information related to emergency calls within a European working group (ECC-TRIS). Moreover, alongside their colleagues from other European national regulatory authorities, the ANCOM specialists supported the promotion of a standardisation mandate to the European Commission for elaborating clear specifications on the identification/tracing of emergency calls initiated from VoIP networks (ETSI M493). As well, the ANCOM specialists participated in the works of the European Emergency Number Association (EENA), an entity promoting the establishment of an efficient and multilingual pan-European system for alerting citizens about imminent or developing emergencies.

7.5. Access of disabled persons to the electronic communications services

ANCOM envisages adopting specific measures for ensuring the access to, and the possibility of disabled end-users to benefit from, electronic communications services adjusted to their needs and under equivalent conditions to those enjoyed by the other end-users. In order to identify these measures, ANCOM commissioned a market survey in 2012 to find out the extent to which the impaired persons use the electronic

communications services, the main hardships they face in purchasing and using the services, as well as their proposals for improving the situation, based on their experience. The Authority will take the appropriate measures in keeping with the outcomes of this survey.



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In parallel, ANCOM pursued in 2012 the implementation of the legal provisions on the **equivalent access of impaired persons to the 112 emergency service**. In view of fulfilling the obligations imposed by these legal provisions, ANCOM was part of a technical working group on issues related to the impaired persons' access to the 112 emergency service, together with representatives of STS, as administrator of the SNUAU, representatives of the associations of the impaired persons and of Ministry of Labour.

Following the meetings of this working group, the representatives of the associations of the impaired persons, the Ministry of Labour, ANCOM and

STS concluded a "Cooperation protocol for ensuring access of impaired persons to the 112 emergency call service". This protocol is meant to create the framework for the cooperation and exchange of information as regards the areas of interest of the signatory parties, respectively for ensuring the access of impaired persons to the 112 emergency call service, in accordance with the specific duties and competences provided by the legislation in force for each of the signatory parties. The working group will continue its work in 2013 to implement the provisions of the protocol.

7.6. Universal Service

7.6.1. Universal Service in the Electronic Communications and the Postal Services Fields

The universal service in the electronic communications field is the right of every European citizen to have access to a minimum set of electronic communications services, made available upon request, at affordable prices and at a certain quality level, irrespective of their geographic location on the territory of an EU Member State. In order to ensure this right to all the EU citizens, the Member States must intervene where

access to the minimum set of communications services is not ensured by the market mechanisms.

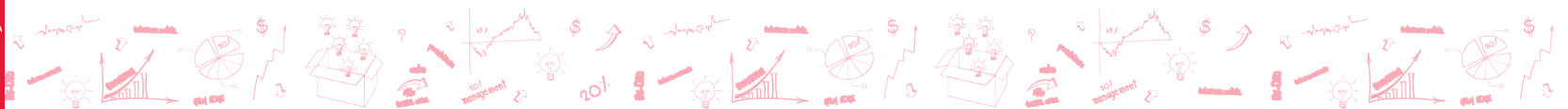
The universal service in the postal services field is every Romanian citizen's right to benefit from permanent access to the postal services within the scope of universal service, at a certain quality level, at any location on the Romanian territory, at affordable tariffs.

7.6.2. Universal Service Fund

The Universal Service Fund was set up in 2004 and was mainly used for the universal service implementation by means of telecentres, i.e. public spaces provided with a telephone and facsimile, as well as a computer connected to the internet, where the population in remote localities could use communications services. 2011 was the fifth year in a row when the providers of public electronic communications networks and the providers of publicly available telephone services did not contribute to this fund, the amounts collected resulting from the imposition of previously issued decisions. ANCOM manages the financial resources of the Universal Service Fund, highlighting them distinctly within its income and expenditure budget.

Table 7.1 The provisions of the ANCOM budget as regards the amounts collected for the Universal Service Fund

| Year | Amount provided in the budget (RON) |
|-------------|-------------------------------------|
| 2004 | 57,941,000 |
| 2005 | 32,010,000 |
| 2006 | 39,100,000 |
| 2007 | 0 |
| 2008 | 0 |
| 2009 | 0 |
| 2010 | 0 |
| 2011 | 1,000,000 |
| 2012 | 875,000 |



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Table 7.2 Total amount of the Universal Service Fund, based on the imposition decisions issued by ANCOM

| Year | Amount, pursuant to the imposition decision (RON) |
|--------------|---|
| 2004 | 59,704,957* |
| 2005 | 25,899,285 |
| 2006 | 30,804,478 |
| 2007 | 0 |
| 2008 | 0 |
| 2009 | 0 |
| 2010 | 0 |
| 2011 | 0 |
| 2012 | 0 |
| TOTAL | 116,408,720 |

* For 2004, the initial amount was RON 60,092,948 and was diminished by RON 387,991.00 by decision of the High Court of Cassation and Justice no.5572/22.11.2005.

Table 7.3 Total amount of the payments received to the Universal Service Fund

| Years | Amount received (RON) | | Disputed amounts (RON) |
|--------------|-----------------------|----------------------|------------------------|
| | Current year | Previous years | |
| 2004 | 48,321,030.80 | 0 | |
| 2005 | 19,898,996.00 | 2,509,855.80 | |
| 2006 | 30,155,416.50 | 12,052,224.29 | |
| 2007 | 0 | 669,975.68 | |
| 2008 | 0 | 108,133.49 | |
| 2009 | 0 | 179,106.00 | |
| 2010 | 0 | 214,301.32 | |
| 2011 | 0 | 1,075,951.14 | |
| 2012 | 0 | 562,116.34 | |
| TOTAL | 98,375,443.30 | 17,371,664.46 | |

Table 7.4 Amounts paid from the Universal Service Fund

| Year | Amount paid (RON) |
|--------------|----------------------|
| 2004 | 0.00 |
| 2005 | 20,726,730.00 |
| 2006 | 8,184,683.45 |
| 2007 | 6,100,960.28 |
| 2008 | 1,723,677.24 |
| 2009 | 12,340,672.17 |
| 2010 | 988,979.58 |
| 2011 | 975,238.39 |
| 2012 | 650,845.93 |
| TOTAL | 51,691,787.04 |

Table 7.5 Beneficiaries of the amounts paid from the Universal Service Fund

| Year | Beneficiary | Amount (RON) | Reason |
|-------------|---|-------------------|------------------------|
| 2004 | - | 0 | - |
| 2005 | S.C. Orange Romania S.A. | 447,436.00 | Telecentres |
| | S.C. Romtelecom S.A. | 20,279,214.08 | Subscription subsidies |
| 2006 | S.C. RCS & RDS S.A. | 79.92 | Subscription subsidies |
| | S.C. Vodafone Romania S.A. | 374,444.00 | Telecentres |
| | S.C. Orange Romania S.A. | 102,772.00 | Telecentres |
| | S.C. Euroweb Romania S.A. | 55,148.00 | Telecentres |
| | S.C. Romtelecom S.A. | 299,684.37 | Telecentres |
| 2007 | S.C. Romtelecom S.A. | 7,352,635.08 | Subscription subsidies |
| | S.C. Rartel S.A. | 2,575,253.00 | Telecentres |
| | S.C. Orange Romania S.A. | 378,217.60 | Telecentres |
| | S.C. Vodafone Romania S.A. | 959,617.00 | Telecentres |
| | Radiocommunications National Company S.A. | 2,187,872.68 | Telecentres |
| 2008 | S.C. Rartel S.A. | 108,234.00 | Telecentres |
| | Radiocommunications National Company S.A. | 1,226,607.04 | Telecentres |
| | S.C. Orange Romania S.A. | 388,836.20 | Telecentres |
| 2009 | Radiocommunications National Company S.A. | 3,477,490.29 | Telecentres |
| | S. C. Accessnet International S.R.L. | 6,605,730.88 | Telecentres |
| | S.C. Rartel S.A. | 648,954.00 | Telecentres |
| | S.C. Vodafone Romania S.A. | 1,608,497.00 | Telecentres |
| | S.C. Vodafone Romania S.A. | 226,688.00 | Telecentres |
| 2010 | S.C. Orange Romania S.A. | 701,001.38 | Telecentres |
| | Radiocommunications National Company S.A. | 61,290.20 | Telecentres |
| | | | Telecentres |
| 2011 | Radiocommunications National Company S.A. | 975,238.39 | Telecentres |
| | | | |
| 2012 | S.C. Orange Romania S.A. | 462,092.20 | Telecentres |
| | Radiocommunications National Company S.A. | 188,753.73 | Telecentres |

8. Communication

8.1. The objectives for 2012

8.2. Main communication activities in 2012



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8.1. The objectives for 2012

In 2012, the Authority's communication activity continued to pursue informing the public on the steps taken by ANCOM, so that all the interested groups could benefit to the highest extent from the competitive market of electronic communication and from the regulations issued. The two main communications streamlines were the public consultation of the draft regulations and informing the public on their rights in the communications field. Moreover, the Authority communicated, countrywide

and abroad, all the stages of the spectrum auction designed to ensure the spectrum resources for mobile communications up to 2029, in its pursuit that all the companies interested in the auctioned resources could be properly informed on the progress of the procedure. During the auction, the Authority's communication was aimed at ensuring the process transparency, while preserving its fairness and security.

8.2. Main communication activities in 2012

In 2011, the Authority continued granting particular importance to **informing the end-users** about the rights and obligations they have in their relation with the providers of electronic communications services, by creating, on its website, a new version of the **dedicated section for end-users**, structured by three main categories – telephony, internet and television. This dedicated section presents in a more accessible manner all the information the users need for concluding an accurate contract and for better understanding the services they intend to buy or they already use.

The page dedicated to the users of communications services has been reconfigured and completed so as they could better understand the manner in which these services work, improve their awareness of the rights they have and therefore improve their relationship with the providers of electronic communications services.

The Authority is permanently seeking to identify the end-users' problems in purchasing a certain service or in their relation with the providers of communications services and to act – by all the available means – towards the settlement of these problems. Thus, the Authority made available to its users, through its own website, a set of questionnaires, with a view to **assessing the satisfaction degree** of the users as regards the use of electronic communications services.

The dialogue with the industry representatives was fuelled in 2012 by the public consultation process and of the Consultative Council meetings, as well as via the numerous consultative sessions and project working group meetings, organised upon the ANCOM or the industry's initiative.

Moreover, in 2012, ANCOM launched a new series of **regional meetings** with the telecom industry by organising a number of debate sessions with the providers of electronic communications networks and services in the territory. The main goal of these meetings was informing all the communications providers, on an equal footing, regarding the important legislative amendments in the field, and learning the outstanding hurdles encountered by the local industry to which ANCOM can propose solutions.

During the meetings organised in Cluj, Baia Mare, Iasi, Suceava, Galati, Constanta, Slatina, Brasov and Timisoara, the Authority's representatives presented the main provisions of the new legislative framework for electronic communications and explained the manner in which the new legislation affects the relationship provider - end-user. The presentations delivered to the industry referred to the ways in which the Government Emergency Ordinance no.111/2011 on electronic communications amends or completes the general authorisation and the licensing regimes, the usage terms for the numbering resources, the obligations regarding the security and the integrity of electronic communications networks and services, the obligation of informing the users, as well as the sanctioning regime.

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Starting from the new normative act, in order to help the providers, ANCOM launched a **Guidebook regarding the conclusion and the minimum content of the contracts on the provision of publicly available electronic communications services**. This guidebook was designed to facilitate the providers' enforcement of the provisions regarding the contracts, thus ensuring a better protection of the end-users' rights. This guidebook was aimed at clarifying the manner of interpretation and of implementation of the specific legal conditions to be observed by the providers in concluding contracts with the end-users, including regarding the information they have to include in these contracts.

In pursuit of answering the requests of the Romanian civil society and of the profile industry, in June 2012 the Authority organised, together with the Association for Technology and Internet – ApTI, the public debate entitled **"Net Neutrality and Internet Sustainability"**, during which the representatives of the communications companies, of the regulatory authorities, of the consumers and of the organisations protecting civil rights analysed the challenges and problems raised by the common will to preserve the neutrality of the internet, given the unprecedented

upsurge of network traffic. The event generated an idea exchange on the implications of the internet neutrality in respect of the users' rights, as well as of the fundamental human rights, such as the freedom of expression and the right to privacy. Concrete regulation methods, as well as actual traffic management practices were approached. Following this event, in 2013, ANCOM will organize a working group on this issue, together with all the interested parties.

An important role in the **communication with the industry and the consumers** played the Authority's website and information materials in electronic format, as well as the continuation of ANCOM's dialogue with the media representatives, by the Authority's answers to press inquiries. The ANCOM website was accessed by 11,000 users on the average, every month. Information materials, both in Romanian and in English, were sent by e-mail to approximately 2,500 persons (Romanian and foreign representatives of the industry, of the users, of the media and representatives of the European Commission and of the European regulatory authorities).

8.2.1. Public consultation and communication with the industry

In 2012, the Authority organised 20 public consultations.

The public consultations launched by announcing and publishing projects on the website represent a stage prior to the **Consultative Council** meeting, a consultative forum for all interested parties to express their viewpoint on the Authority's projects: representatives of the providers and their associations, users' associations, other public bodies interested in the regulatory activity in the communications and in the postal services fields.

Within the public consultation process, 194 recommendations were received both in writing and during the six meetings of the Consultative Council; 59 of these were deemed grounded and therefore the ANCOM draft decisions were amended or completed accordingly.

*includes the number of received and included recommendations on 4 draft decisions consulted in 2011, adopted in 2012 (these recommendations were included in the 2011 transparency report) or the consultation period of which started in 2011 and ended in 2012, and does not include comments received on 3 draft decisions, the consultation period of which ended in 2013. Furthermore, 3 consultations were not part of ANCOM's decisional process, the recommendations thereon having been not included.

Table 8.1 Public consultation in 2012

| | |
|---|------|
| 1. Number of normative acts adopted in 2012 | 9 |
| 2. Number of individual acts communicated in 2012 | 59 |
| 3. Number of drafts publicly announced in 2012: | 20 |
| - on the Authority's website | 20 |
| - by posting at the Authority's headquarters | 20 |
| - in mass-media | 20 |
| 4. Number of drafts withdrawn | 4 |
| 5. Number of non-normative drafts | 6 |
| 6. Number of persons designated in charge of relations with the civil society | 3 |
| 7. Total number of recommendations received | 194* |
| 8. Total number of recommendations included in decisions | 59* |
| 9. Number of participants in the consultations with the industry | 150 |
| 10. Meetings of the Consultative Council | 6 |
| 11. Consultative meetings with the industry and working groups | 9 |
| 12. Number of decisions issued by the Authority, challenged in court as regards the observance of the public consultation procedure in 2012 | 0 |
| 13. Number of law suits against the public administration, for breaking the provisions of the law on decisional transparency | 0 |

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8.2.2. Users' information and rights

2012 brought a series of additional rights for the end-users, following the transposition of the new Telecom Package into the national legislation, as well as following the establishment of quality indicators for the internet access service by an ANCOM decision. Thus, starting from February 2012, the contracts concluded by the providers of electronic communications services with the end-users provide clauses meant to ensure a better protection of the latter.

The information, education and advice made available to the end-users regarding such legislative provisions that protect and give them rights in the competitive communications market is a constant concern for the Authority, which is part of its day-to-day activity. The users may find their rights in relationship with the providers of communications services, by means of the dedicated section on the ANCOM website, reconfigured in 2012 and completed to include information specific to the telephone, television and internet services and to reflect the legislative amendments.

In 2012, the users were further able to benefit from number portability, the Authority making available to the interested persons all the necessary information on this process, by means of the dedicated website www.portabilitate.ro. Here one can find whether a number has been ported and its current network. Moreover, ANCOM conducted, in the period 15 September - 15 November 2012, an information campaign on the radio and on the internet, in order to familiarize as many telephone users with the existence and the significance of the sound signal one can hear when calling a ported number. The sound signal was mediatized through radio spots, banners on the internet and by means of the website www.portabilitate.ro. Furthermore, during the campaign, ANCOM made available to the users of the social network facebook.com an application by which any user of a ported number could announce his/her friends that he/she changed the telephony operator.

The campaign was conducted on grounds of the ANCOM President's Decision no.351/2012 on amending certain regulations in the field of number portability, by which the Authority imposed making the end-users aware of their calling a ported number *on all occasions* when a higher tariff than the expected one could be applied, by means of a **distinctive beep sound**. Thus, the scope of the situations when a

distinctive sound is provided was extended, compared to the former status, when there was an obligation to inform the users only when calling a number ported from the respective provider's own electronic communications network. Moreover, the Authority promptly answered the **868 information requests** and the **1241 complaints** received in 2012. Besides the settlement of the problems the users complained about, the Authority requested the providers to remedy their breach of some legal provisions in the electronic communications field that affect a large number of users.

Table 8.2 Information requests during 2012

| | |
|---|-----|
| Requests for information in 2012 | 868 |
| Requests for information by domains of interest ³ | |
| Electronic communications | |
| – telephony | 74 |
| – Internet access | 33 |
| – cable TV | 29 |
| – market analyses/tariffs | 23 |
| – authorisation (general authorisation, audiovisual, endorsement) | 61 |
| – interconnection | 3 |
| – radio frequencies | 55 |
| – equipment | 24 |
| Postal services | 25 |
| Portability | 98 |
| General information on ANCOM (contact data, organisation etc.) | 136 |
| Other | 312 |
| Not considered, under the law | 2 |
| Rejected requests | 0 |
| Re-directed requests | 3 |
| Written requests | 199 |
| Requests addressed on telephone | 669 |
| Requests submitted by natural persons | 589 |
| Requests submitted by legal persons | 279 |
| Administrative complaints | 0 |
| Complaints in Court | 0 |
| Total costs | 0 |

³ Certain requests cover several domains of interest.

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Table 8.3 Complaints received by ANCOM in 2012

| | |
|--|-------|
| Complaints received in 2012 | 1,241 |
| Complaints by domains of interest ⁴ | |
| Fixed telephony | |
| – invoicing | 17 |
| – technical problems | 36 |
| – information | 3 |
| – contract | 68 |
| – other | 10 |
| – quality | 4 |
| – distance contract | 9 |
| Mobile telephony | |
| – invoicing | 83 |
| – technical problems | 8 |
| – information | 12 |
| – fraud | 13 |
| – contract | 156 |
| – other | 50 |
| – quality | 27 |
| – roaming | 6 |
| – distance contract | 14 |
| Fixed Internet access services | |
| – invoicing | 16 |
| – technical problems | 44 |
| – information | 1 |
| – contract | 90 |
| – other | 27 |
| – quality | 47 |
| – distance contract | 2 |
| Mobile Internet access services | |
| – invoicing | 41 |
| – technical problems | 3 |
| – information | 2 |
| – contract | 45 |
| – other | 7 |
| – quality | 24 |
| – roaming | 4 |
| – distance contract | 2 |

⁴ Certain complaints refer to a number of domains of interest.

| | |
|--|--------------|
| CATV | |
| – invoicing | 21 |
| – technical problems | 35 |
| – information | 2 |
| – contract | 124 |
| – other | 18 |
| – distance contract | 4 |
| Portability | |
| – distinctive sound | 4 |
| – technical problems | 20 |
| – process info | 10 |
| – deadline | 28 |
| – other | 50 |
| Postal services | 37 |
| Radio spectrum | 28 |
| Pornography | 15 |
| Equipment | |
| – EMF | 29 |
| – terminal release | 9 |
| – other | 3 |
| Other | 59 |
| IT | 90 |
| Petitions by network/service provider | |
| – S.C. RCS & RDS S.A. | 282 |
| – S.C. Orange Romania S.A. | 174 |
| – S.C. Romtelecom S.A. | 173 |
| – S.C. Vodafone Romania S.A. | 135 |
| – S.C. Cosmote RMT S.A. | 124 |
| – S.C. UPC Romania S.R.L. | 18 |
| – S.C. Telemobil S.A. | 10 |
| – Romanian Post National Company | 12 |
| – Other providers of electronic communications services/networks | 39 |
| – Other providers of postal services | 22 |
| Complaints submitted by natural persons | 1,032 |
| Complaints submitted by legal persons | 209 |
| Not considered, under the law | 21 |
| Re-directed complaints | 19 |
| Complaints re-directed to the provider | 122 |

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8.2.3. Communication with mass-media

During 2012, the journalists accredited by the Authority received 92 press releases and submitted 228 requests for information, reflected in more than 4,973 press materials on the Authority's activity.

Table 8.4 The Authority's activity reflected by the mass-media, January – December 2012

| | |
|---|--------------|
| Total number of mentions in the media: | 4,973 |
| – Print media | 456 |
| – Electronic media | 4,242 |
| – Radio-TV coverage | 275 |

More than 78% of the media coverage was generated by the ANCOM sources (press releases, answers to requests for information, interviews, website, participation in events), most articles, irrespective of the source, being neutral.

Table 8.5 Information requests received from the mass-media during January – December 2012

| | |
|--|--------------------------------|
| Total number of requests | 228 |
| Requests by domains of interest (the most frequent) | |
| – Spectrum auction | 70 |
| – ANCOM auctions | 25 |
| – Inspections & fines | 20 |
| – Market data | 17 |
| – Interconnection tariffs | 9 |
| – Portability | 9 |
| – LTE 4G | 7 |
| – Users | 7 |
| – Other | 64 |
| Solved requests | 228 |
| Unsolved requests | 0 |
| Withdrawn requests | 0 |
| Redirected requests | 0 |
| Written requests | 88 |
| – on paper | 0 |
| – in electronic format | 88 |
| Requests addressed over telephone | 140 |
| Requests addressed personally | 0 |
| Total costs | no additional resources needed |
| Average answering timeframe for written requests | 4.8 h |
| Maximum answering timeframe for written requests | 48 h |
| Minimum answering timeframe for written requests | 0 h |
| Answering timeframe for the requests addressed over telephone | instantly |

9. International relations and projects financed from European funds

- 9.1. The 2012 objectives
- 9.2. ANCOM in Europe
- 9.3. ANCOM in the world
- 9.4. Financing from structural funds



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9.1. The 2012 objectives

In 2012, ANCOM continued pursuing the objective of a more active involvement in the decision-making process within the international organisations in which the Authority is part of, thus influencing the lines of action and the actual decisions to Romania's advantage and to the benefit of the Romanian consumers and industry. Another important objective in the Authority's international relations activity was intensifying the bilateral relations with similar regulatory authorities from abroad – both from EU Member States and countries outside the EU – by signing collaboration agreements and mutually providing expertise and information in view of the protection and promotion of Romania's general interests. At a regional level, ANCOM aimed at strengthening the recognition of ANCOM as a powerful partner and a pool of expertise, which may influence the development of the sector in this part of Europe.

Among its specific objectives, ANCOM further pursued obtaining the position of Chairman of the ITU Council for 2013, for which the Authority

initiated the procedures ever since 2010. The position as a Chairman of the ITU Council would allow the Authority an active involvement in the re-construction of the ITU, and it would bring about the recognition of Romania's efforts and of the quality work of the Romanian specialists at the international level.

Another specific objective for 2012 was promoting, in the international environment, the largest spectrum auction ever held in Romania, which aimed at awarding the rights for the use of the radio spectrum in the 800, 900, 1800 and 2600 MHz bands for the provision of mobile communications services for the next 15 years.

Another specific objective was related to increasing the authority's international visibility by promoting its activity and achievements in international on-line publications in the field.

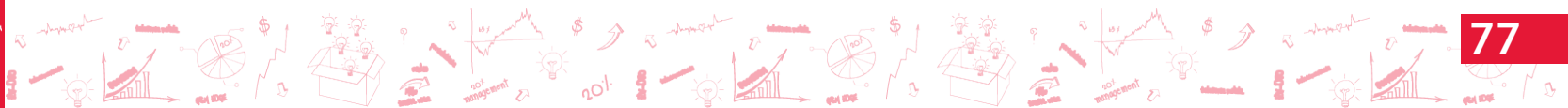
9.2. ANCOM in Europe

Europe means to ANCOM the institutional system of the European Union and other European organisations, as well as the European states with which the Authority maintains bilateral relations. Therefore, in 2012, ANCOM represented the interests of Romania and of the national market of electronic communications and postal services in the structures of the European Union (EU), in the Body of European Regulators for Electronic Communications (BEREC), Independent Regulators Group (IRG), the European Regulators Group for Postal Services (ERGP), the European Conference of Postal and Telecommunications Administrations (CEPT), RAINWAT Arrangement (Regional Arrangement for Inland Waterways) and the European Telecommunications Standards Institute (ETSI).

As a public authority of an EU Member State, ANCOM is effectively involved in the decision-making process at the European level. Thus, during 2012, ANCOM continued to collaborate directly with the structures

of the European Commission, on the one hand, and with the Ministry of Communications and Information Society (MCSI) and with the Permanent Representation of Romania in Brussels, on the other hand, with a view to promote a consistent and coherent national position with respect to the European legislative projects.

At the EU level, the ANCOM activity is mainly carried out within the advisory technical bodies. The year 2012 was marked by the adoption of the first *Radio Spectrum Policy Programme (RSPP)*, which creates the necessary framework for achieving the objectives set under the initiatives Europe 2020 and *A Digital Agenda for Europe*, as regards the internal market for technologies and services on radio support. Thus, within the speciality committees of the European Commission, the actions to be conducted by the Commission and the Member States, under the RSPP, were considered. Among these, we count creating an inventory



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of the current use of the radio spectrum in the Member States and an assessment of the technology trends, of the future necessities and of the radio frequency request, especially in 400 MHz and 6 GHz bands, as well as taking the required steps in order to allow the use of the 800 MHz band for broadband services.

BEREC (functioning together with the IRG) is the body where ANCOM had the most ample involvement at the European level, in 2012. The ANCOM President, Cătălin Marinescu, held the position as a BEREC/IRG Vice-chair, together with the other vice-presidents, Leonidas Kanellos (EETT, Greece), Edward Richards (Ofcom, Great Britain) and Göran Marby (PTS, Sweden), being responsible of the coordination of the project regarding the internal management of BEREC/IRG. The ANCOM experts contributed heavily in the project teams in which they were active, on issues such as net neutrality, international roaming, network security, fixed and mobile termination rates, universal service, regulatory accounting or Next Generation Networks and were involved in elaborating BEREC reports such as those on the services of call origination in the wholesale market, premium rate services, the impact of service substitutability regarding electronic communications services provided at fixed and at mobile locations in the market definition process, or the draft opinion on universal service in the electronic communications field. Furthermore, ANCOM was involved in the activity of the newly-established BEREC group in charge of reviewing the European Commission's Recommendation 2007/879/EC on relevant product and service markets within the electronic communications sector susceptible to ex ante regulation, a review which the European Commission envisages for the first part of 2013.

In 2012, ANCOM further co-chaired the expert group regarding the end-users, together with the Portuguese regulator, ANACOM. On 24 January 2012, ANCOM organised the meeting of the drafting team of the report on promoting broadband internet, within the above-mentioned project team. The group debates major themes regarding the end-users' rights and universal service, at the European level.

Furthermore, as the EU structures are concerned, ANCOM is one of the members of the European Regulators Group for Postal Services (ERGP), a body established by the European Commission for the purpose of ensuring a coherent enforcement – in the EU member states – of the regulatory framework for postal services and of contributing to the development of the EU internal market. The Authority's specialists involved in the

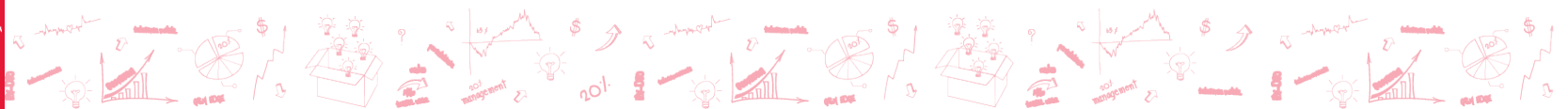
activities of the ERGP sub-groups pursued the promotion of the national interests in the postal sector, cooperating with similar authorities and European Commission representatives. Within the ERGP plenary meeting held at Stockholm in November 2012, the ANCOM President was elected vice-chair of the Group for 2013 and is to become chairman in 2014.

The Radio Spectrum Committee (RSC) and the Radio Spectrum Policy Group (RSPG) are two specialised structures of the European Union where ANCOM is actively involved for identifying the trends in the development of communications at the European level. Thus, the Authority pursues several objectives, among which collaboration and activity coordination at the European level, in the radiocommunications field, Romania's economic development, agreement on the main points jointly upheld by Europe as a priority in the next world radiocommunication conferences, as well as other administrative issues.

One of the most important European bodies in the field of electronic communications and postal services, which is not part of the EU institutional set up, is the European Conference of Postal and Telecommunications Administrations (CEPT). As until now, in 2012, ANCOM actively participated in all three CEPT structures: the Electronic Communications Committee (ECC), the European Committee for Postal Regulation (CERP) and the Committee for ITU Policy (Com-ITU).

ANCOM participated in the plenary meetings of the ECC, as well as in the reunions of certain working groups and project teams (WG FM, WG NaN, WG SE, WG CPG, PT1) which mainly deal with the management of limited resources, especially in the field of radio spectrum management – by direct contributions in the working sessions, by written contributions or by communicating data and information for the ECC reports - in order to oversee spectrum usage harmonisation and to promote Romania's interests in the decisions taken within the ECC.

In the first part of 2012, CERP had, as main points on the agenda, the set of proposals addressed for debate to the Universal Postal Union Congress (UPU), among which: postal security, protection of postal revenues, measures for the effective management of the UPU budget, structure and working methods of the Postal Operations Committee (POC), the UPU policy, the opportunity of designating multiple universal service providers, the terminal dues system 2014 - 2017, the development of electronic commerce services etc. As well, in 2012, special emphasis was placed



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on the necessity of implementing a collaboration protocol between the CEPT and the UPU, and the postal administrations in the CEPT member states were called to answer the public consultation on the approval of such a memorandum. Within the *Policies* Working Group of the CERP, where ANCOM was an active presence, the most important point on the agenda was the regulators' opinion on the implementation of the Third Directive with regard to the full accomplishment of the internal market of Community postal services.

Within Com-ITU, an important accomplishment was the activity carried out in the group for reviewing the International Telecommunications Regulation (ITR) of the ITU, on which ANCOM focused, in order to make sure that Romania has its say on the upgrade of this important act for the future of communications.

The meetings of the working group for the review of the ITR were marked by the debate and finalisation of the CEPT positions on problems regarding international retail tariff transparency, Calling Line Identification, spam, fraud, taxation. In this context, ANCOM had several interventions, decisively contributing to the achievement of an agreement regarding the transparency and the decrease of the roaming tariffs. The Authority's representative upheld preserving, among the CEPT proposals, an article that promotes the decrease of the roaming tariffs at the regional level.

In 2012, ANCOM was the European coordinator for reviewing the ERC decision on harmonising the examination programme for obtaining the general operator certificate (GOC) and the restricted operator certificate (ROC) in The Global Maritime Distress and Safety System - GMDSS. Based on this decision, the International Maritime Organisation (IMO) elaborated the course tutorials for training the prospective radio operators. Romania

9.2.1. ANCOM in the region

The CEE Regional Working Group is a regional project initiated by ANCOM, which consists of creating a group of communications regulators in the CEE and SEE region, as well as a portal dedicated to their cooperation in areas of common importance in the electronic communications field. Until the end of 2012, twelve countries in the region joined the Group.

co-signed, alongside the Netherlands, a contribution to the specialised ITU meeting of November 2012 (WP5B), a document which was very well received by the participating delegations throughout the globe.

In 2012, ANCOM further took part, as a technical expertise body, in joint meetings of the IMO with the European bodies on maritime radiocommunications issues.

Moreover, in its quality of member of the European Telecommunications Standards Institute (ETSI) since 2010, ANCOM has successfully fulfilled the role of specialised representative of the Romanian administration. Beside its participation in the ETSI General Assembly and to seminars and workshops on topics of interest for the Romanian market, among which next generation networks technologies and network security, the ANCOM specialists counted themselves among the members of the team that elaborated the standards within Telecommunications and Internet Converged Services and Protocols for Advanced Networks Committee (TISPAN).

Concerning bilateral relations, ANCOM maintained and strengthened its collaboration with most similar European authorities; particular emphasis was laid on reinforcing the relations with the Electronic and Postal Communications Authority of Albania (APEK) and with the Croatian Post and Electronic Communications Agency (HAKOM), by signing Memoranda of Understanding with these entities. The aforementioned memoranda, signed in 2012, established the necessary framework for cooperation and information exchange between the regulatory authorities in the field of regulation and monitoring of the electronic communications and postal services sectors, in view of promoting competition and the end-users' interests, in accordance with the best EU and international practices.

ANCOM hosted the second meeting of the Regional Group in Bucharest, in 29-30 March 2012, for the purpose of identifying and sharing best practices on spectrum harmonisation, as well as for planning and organising spectrum auctions. The special guest of the meeting was Mr. François Rancy, Director of the Radiocommunications Bureau of the ITU, who, in his opening speech, expressed his appreciation for this regional initiative, restating ITU's commitment to assisting the member states in their spectrum harmonisation efforts.

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The debate approached the status of the digital switchover in the region and the principles of regional coordination, as well as two draft regional coordination agreements for the 800 and 2600 MHz bands, and the

9.2.2. International events in Romania

In 2012, ANCOM organised a series of international events which contributed to enhancing its international visibility and its relevance on international level and consolidated its position as an actor with initiative and expertise at the regional level, to that it could successfully contribute to promoting the national interests on an international level.

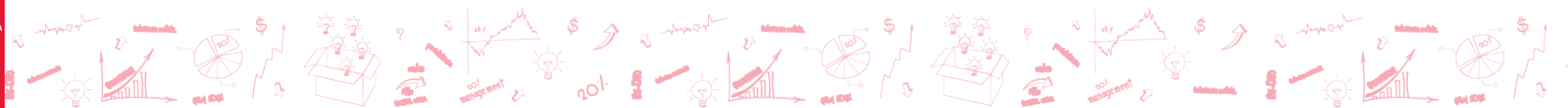
The most significant event of 2012 was the international conference ***“Back to the Future: the Romanian Telecoms in the Next Decade”*** (Bucharest, 6 November 2012), which marked the celebration of 10 years of regulation in the Romanian market of electronic communications and of postal services. In these 10 years, in the context of the market liberalisation and of transposing the European regulatory framework in the national legislation, the Authority has systematically and consistently acted toward fostering competition, maximizing the users' benefits and incentivizing efficient investments in infrastructure, by conducting several cycles of market analyses and remedying the identified competition deficiencies, by regulating the tariffs of certain key services for the competitive functioning of the markets, by designating the universal service providers, as well as by making a series of symmetrical interventions, such as the implementation of number portability, the closing of the national numbering plan, the adoption of measures dedicated to informing and protecting the end-users.

This anniversary conference aimed at outlining a picture of the past 10 years in the telecom industry, a recap of the main current and potential regulations at the European level in the field, as well as a forecast of the evolution of this sector in the next 10 years. The list of the invited

speakers included high representatives of the European Commission and of BEREC, personalities from ECTA and ETNO, presidents of the communications companies who won the Romanian spectrum auction, entrepreneurs, Romanian business people, and important stakeholders in the review of the European Telecom Package.

On 18 April 2012, ANCOM hosted the signing ceremony of the reviewed version of the Regional Arrangement Concerning the Radiotelephone Service on Inland Waterways (RAINWAT). This was possible due to intense negotiations under the ANCOM's chairmanship, in order to modernise the document and to better adapt it to the current status of the electronic communications sector. The document was signed both by the member states, and by non-members of the European Union, the new agreement bearing the name of *The Bucuresti Arrangement*.

ANCOM also organised bilateral meetings with the representatives of the Moldavian regulator (ANRCETI), on issues such as the implementation of universal service, ensuring tariff transparency for the electronic communications services, consumer market monitoring, the emergency service 112, service quality, the results of implementing number portability, as well as with the representatives of the Albanian regulator (AKEP), on issues regarding the regulation/deregulation of the fixed telephony market, tariff rebalancing, regulation of the incumbent's termination tariffs and for the alternative fixed telephony operators, of the impact of NGN/NGA on termination tariffs.



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9.3. ANCOM in the world

2012 was the year of a new edition of the *World Communications Conference (WRC-12)* organised in Geneva, in the period 23 January - 17 February. The ANCOM representatives were involved in the activity of all the study committees in charge of the WRC-12 agenda items. At this conference, Romania had – for the first time in the history of radiocommunications in our country – a European coordinator for the item 1.10 on the WRC-12 agenda, i.e. an ANCOM representative. Item 1.10 concerned reviewing the Radiocommunications Regulations (RR) of the ITU with a view to improving the security and safety level of maritime vessels and ports. The Romanian coordinator's activity resulted in reaching a quasi-unanimous common position at the European level for item 1.10, and by successfully finalising the item objectives, through the global harmonisation of the 500 kHz frequency usage, defining the status of the AIS1 and AIS2 frequencies in the RR of the ITU and introducing digital communications in Annex no.18 to the RR of the ITU. All these WRC-12 decisions will bring about important effects in the vessel industry in general and especially in the Global Maritime Distress and Safety System (GMDSS).

After WRC-12, ANCOM, in collaboration with the regulators in the EU Member States, has set even more ambitious goals than those proposed at the end of the conference. In this vein, one can mention the Second Digital Dividend, which is to considerably influence broadband communications in Romania, with immediate consequences in restructuring the strategy for the implementation of digital television.

An equally important event in which ANCOM took part in 2012 was the *World Conference on International Communications (WCIT-12)* of the ITU, which pursued reviewing the International Telecommunications Regulations (ITR), a treaty signed for the first time in Melbourne, in 1988. The treaty is aimed at regulating the relationships among the telecom operators throughout the world, on topics such as commercial agreements, cost accounting, service quality etc. During the conference, the participants debated topics related to widening the scope of the treaty and internet governance, spam-related provisions, defining the operators indirectly

covered by this treaty, IP interconnection, cybersecurity, human rights, commercial agreements. The ANCOM delegation upheld the EU Member States' position, considering that the reviewed version of the International Telecommunications Regulations proposed for adoption infringes the community acquis and the Council Decision of 29 November 2012.

ANCOM was also represented at the *25th Congress of the Universal Postal Union (UPU)*, a body established in 1874 in Bern, Romania being one of the signatories. Experts in the postal domain and plenipotentiary representatives of all the member states laid down the sector policies and strategies in accordance with the needs of the service users worldwide. Moreover, the participants in the event approved *The Strategy for the Global Development of the Postal Services Market*, elected the Director General and the Deputy Director General of the UPU International Bureau, the members of the UPU Council of Administration and of the Postal Operations Council. Romania's interests were promoted through a lobby campaign coordinated, at the national level, by a group in which the Authority took part, by the CERP partner countries and by other participating countries. Thus, Romania was elected a member in the UPU Council of Administration, for a term of four years.

As a member of the network of regulators from the French-speaking countries (FRATEL), aiming at promoting information exchanges and the efforts of coordination and technical cooperation among its members, ANCOM participated in the two annual meetings of the organisation. The ANCOM representative delivered presentations regarding the broadband infrastructure and the Romanian views on the dynamics of infrastructure-based competition. During the 2012 plenary meeting, ANCOM entered the FRATEL coordination committee as a vice-president. Therefore, the Authority is to candidate for the presidency of the network – in 2013 –, when it organises also the annual plenary meeting in Bucharest.

In each of these bodies, the ANCOM representatives took coherent action and with very good results towards positioning Romania as a relevant and influential actor in the international environment.

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9.4. Financing from structural funds

9.4.1. Project "Online application for comparing the communications offers intended for the end-users"

In 2012, ANCOM organised the tender for elaborating the online application for comparing the communications offers intended for the end-users and signed the contract for awarding the project with the winner of the tender, UTI SYSTEMS S.A.. The contract amounts to RON 1,067,941.86, VAT excluded.

ANCOM implements the project "Online application for comparing the communications offers intended for the end-users" as part of Operation 1 "Supporting the setting-up of e-government solutions", Key Area of Intervention 2 "Developing and increasing the efficiency of electronic public services", Priority Axis 3 "Information Technology and Communications for the private and public sectors", within the Sector Operational Programme "Increase of Economic Competitiveness", co-financed by the European Regional Development Fund. The amount of the non-reimbursable financial support granted from public funds is of RON 886,198.32.

After the project completion, ANCOM will make available to the end-users – by means of an internet website – an interactive application that offers comparative information regarding the tariffs and terms offered by the providers of publicly available electronic communications services.

Based on the options fed in by the users, the application will present comparative analyses of the tariff plans available on the Romanian market, for three large categories of electronic communications services (mobile telephony, fixed telephony and broadband internet access) and combinations thereof, and will display, upon each interrogation, a ranking of the most advantageous 25 tariff offers (calculated for an interval of one month). When displaying the results, further relevant details regarding the respective offers will be presented (for example, number of minutes or SMS included, billing period, minimum contract duration, contact data of the Customer Relations Service).

The data endorsing this comparison will be provided by the communications operators, who have the obligation to introduce all the new commercial offers within 4 working days since its launch or since the moment of amending the existing offer.

The interactive application will be implemented pursuant to Decision no.77/2009 on the obligations of informing the end-users, incumbent on the providers of publicly available electronic communications services.

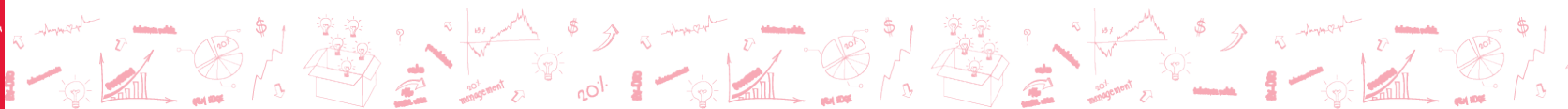
9.4.2. Project "E-ANCOM.RO - The ANCOM e-learning Platform"

In 2012, ANCOM continued the implementation of the project "E-ANCOM.RO - The ANCOM e-learning Platform".

The Authority was granted financing for this project within the Sector Operational Programme "Increase of Economic Competitiveness", Priority Axis 3 "Information Technology and Communications for private and public sectors", Key Area of Intervention 2 "Developing and increasing the efficiency of electronic public services", Operation 3 "Supporting the setting-up of E-Learning solutions along with the necessary broadband connectivity (if the latter is needed)".

The overall objective of the project is to develop an e-learning portal which would facilitate the access to information and provide state-of-the-art technological support for the purpose of rendering more efficient the process of learning, professional improvement and continuous information.

The specific objective of this project is implementing an e-education system for the on-line training of the ANCOM employees, of radioamateurs and of radio operators in the land mobile service countrywide, of the students of speciality universities, as well as of the employees of other interested profile entities. The envisaged training domains are: radiocommunications, IT for the users, public acquisitions, labour legislation etc.



10. Consolidating institutional capacity and developing human potential

10.1. Improved internal/managerial control system

10.2. More efficient internal processes

10.3. Developing the human potential and consolidating the organisational culture

10.4. Professional ethics and conduct

10.5. Occupational health and safety

10.6 ANCOM – an employer that supports young prospective specialists

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10.1. Improved internal/managerial control system

The ANCOM management continued, in 2012, the measures of improving the internal/managerial control system, in accordance with the requirements and principles of the applicable legislation, so as to ensure the premises that the public funds managed by the Authority should be used under conditions of legality, regularity, effectiveness, efficiency and economicality.

The internal/managerial control system comprises self-control mechanisms, while the measures of improving effectiveness rely on risk assessment.

ANCOM's orientation towards continually improving the quality of its activity and towards excellency in accomplishing its role and functions has been confirmed by the preserved certification of conformity with the international standard ISO 9001:2008, achieved in 2012.

10.2. More efficient internal processes

In accordance with the organisational development strategy in the medium term, in 2012, the Authority continued its efforts of integrating electronic systems in the progress of the internal processes and in the processes of interaction with its clients (providers of electronic communications services). Furthermore, a constant concern was increasing the security of the IT and communications systems within the organisation.

Another strategic objective of ANCOM's, in the medium term, is the development and modernisation of the infrastructure for the management and monitoring of the non-governmental radio spectrum and ensuring electromagnetic compatibility.

10.3. Developing the human potential and consolidating the organisational culture

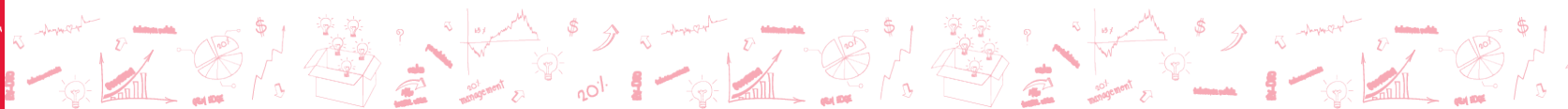
The development of the human potential is a strategic priority of the ANCOM management, the personnel being the most valuable resource of the Authority.

Continuous learning is part of our organisational culture and each employee is aware of his/her direct contribution to achieving ANCOM's objectives, by means of his/her permanent improvement and constant commitment of his/her knowledge to the organisation's effort.

In view of the principle of continuous professional training, in accordance with the policy adopted, the ANCOM personnel was encouraged to participate in training programmes, including internal courses delivered by lecturers from among the employees.

In 2012, ANCOM launched new training programmes both in the technical and IT field, and in the field of social competences, emphasizing the learning of modern performance management methods at a strategic and operational level, as well as the acquirement of successful leadership and team communication practices.

Moreover, in 2012, alternative methods of informal dissemination, within the organisation, of the knowledge acquired by the personnel during various training programmes, for the purpose of facilitating access to the internal know-how and of creating a common language of team communication, were put into practice.



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Landmarks:

- **631 employees**, at end-2012.
- **86% of the employees have higher education**, by 4% more (professional advancement) compared to 2011, of which:
 - » **61%** - technical background;
 - » **22%** - economic background;
 - » **9%** - legal background;
 - » **8%** - other background.
- **69%** of the employees took part in professional training programmes;

- **3.67** – average number of days of training per employee.
- **38%** of the employees in internal professional training programmes.
- **44%** of the employees featured improvements in their professional performance compared to 2011 (more than 80% professional objective achievement degree).

In 2012, the ANCOM management focused on consolidating the organisational culture oriented towards on-going education, performance, observing the legal provisions and the moral and ethical values, as well as towards social responsibility.

10.4. Professional ethics and conduct

ANCOM aims at developing and maintaining trust-based relationships with all the categories of public involved in, and interested in, its activity – communications services end-users, communications services providers, own employees, other state bodies, mass-media, international organisations etc. – therefore, in 2012, the Authority conducted a study on the understanding and observance of the principles and rules provided in the Code of Ethics and Professional Conduct.

Moreover, the internal activities dedicated to raising internal awareness on the Code of Ethics and Professional Conduct continued, by organising workshops moderated by the counsellor for ethics, aimed at a proper and clear understanding of the concept of ethics within the organisation.

10.5. Occupational health and safety

The ANCOM management took all the necessary steps for protecting the employees' health, and for adequately informing them on measures and

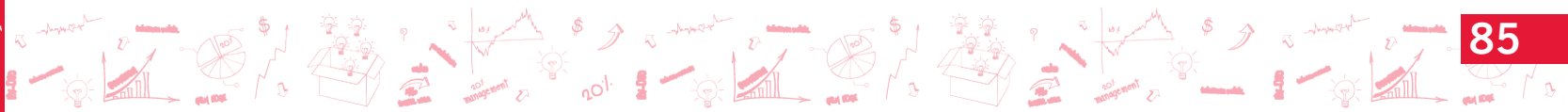
principles for a healthy life, as well as on occupational health and safety. There were no labour accidents.

10.6. ANCOM – an employer that supports young prospective specialists

ANCOM's concern for developing professional competence was not limited to its employees. It was extended, as in the previous years, to the Romanian education market, out of the desire to provide on-site training for the future communications engineers in Romania and to place itself as a potential employer for the speciality graduates.

Therefore, 2012 was the third year in a row when ANCOM organised a series of internship sessions for the students in the terminal years of the

Electronics and Telecommunications Faculties and master students of three major university centres (Cluj-Napoca, Iasi and Timisoara). For several 2 weeks periods, between September-October, 30 students benefited from an intensive training programme in the field managed by ANCOM and had the opportunity to observe the Authority's activities and operation manner. During this programme and afterwards, the Authority's human resources specialists provided the participants with career planning services.



11. Electronic communications and postal services market

11.1. Fixed telephony

11.2. Mobile telephony

11.3. Internet access, leased lines and data transmission services

11.4. Audiovisual programme retransmission services



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The analysis of the statistical indicators characterising the electronic communications market in the first half of 2012 revealed growth in almost all the segments of the market of broadband Internet access services, with mobile Internet access featuring the most important increase. According to the data reported by the fixed telephony providers, on 30 June 2012, the number of access lines showed a relatively constant evolution compared

to end-2011, while the number of subscribers increased. In the mobile telephony sector, although the total number of active users decreased, the growth in voice traffic continued. As regards the audiovisual programme retransmission services, the data indicate a slight rise of the total number of subscribers, as of 30 June 2011.

11.1. Fixed telephony

Between 30 June 2011 and 30 June 2012, the number of access lines grew by approximately 10,000 (+0.3% compared to 30 June 2011), up

to 4.68 million, whereas the number of subscribers increased by 0.3%, up to 4.05 million.

*Table 11.1 Dynamics of the no. of access lines/subscribers to fixed telephone services⁵: 30.06.2010 – 30.06.2012.
Fixed telephony penetration rates at the population/household level*

| Indicator | 30.06.2010 | | 31.12.2010 | | 30.06.2011 | | 31.12.2011 | | 30.06.2012 | |
|---|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| | subscribers | lines | subscribers | lines | subscribers | lines | subscribers | lines | subscribers | lines |
| Total no. of access lines/subscribers (million), of which: | 4.04 | 4.68 | 3.88 | 4.50 | 4.04 | 4.67 | 4.04 | 4.68 | 4.05 | 4.68 |
| – belonging to the alternative providers (million) | 1.66 | 1.92 | 1.56 | 1.80 | 1.74 | 2.02 | 1.80 | 2.09 | 1.86 | 2.17 |
| Fixed telephony penetration rate per 100 inhabitants (%) ⁶ | 24.2 | | 23.5 | | 24.5 | | 24.6 | | 24.6 | |
| Fixed telephony penetration rate per 100 households (%) ⁷ | 54.3 | | 52.1 | | 54.2 | | 54.1 | | 54.2 | |

⁵Through own fixed networks, respectively by access to the local loop; including lines installed for providing fixed telephony services by means of telecentres, access lines/subscribers by managed VoIP technology, "homezone/officezone" access lines/subscribers; in the calculation of the total number of access lines, ISDN lines were multiplied by the corresponding number of channels (2 channels for ISDN-BRA lines and 30 channels for ISDN-PRA lines);

⁶Fixed telephony penetration rate per 100 inhabitants = no. of telephone lines/population of Romania*100; the population was estimated by ANCOM based upon the results of the INS censuses conducted in

2002 and 2011 as follows: 19,319,436 as of 30 June 2010, 19,180,688 as of 31 December 2010, 19,042,936 as of 30 June 2011, 31 December 2011 and, respectively, 30 June 2012;

⁷Fixed telephony penetration rate per 100 households = no. of telephone lines connected for residential users/no. of households in Romania *100; the no. of households was estimated by ANCOM based upon the no. of households published by INS following the censuses conducted in 2002 and 2011: 7,112,288 as of 30 June 2010, 7,099,491 as of 31 December 2010, 7,086,717 as of 30 June 2011, 31 December 2011 and, respectively, 30 June 2012;

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The fixed telephony penetration rate per 100 inhabitants (calculated as a ratio of the total number of access lines and Romania's number of inhabitants) remained 24.6%, whereas the fixed telephony penetration rate per 100 households (calculated as a ratio of the number of access lines provided to natural persons and the number of households in Romania) was 54.2%.

Out of the 4.68 million fixed telephony access lines, 3.84 million are installed for residential subscribers, i.e. 82% of the total number, whereas 0.84 million access lines are installed for business subscribers.

Exhibit 11.1 Dynamics of the fixed telephony penetration rates per population/households, 30.06.2010 – 30.06.2012

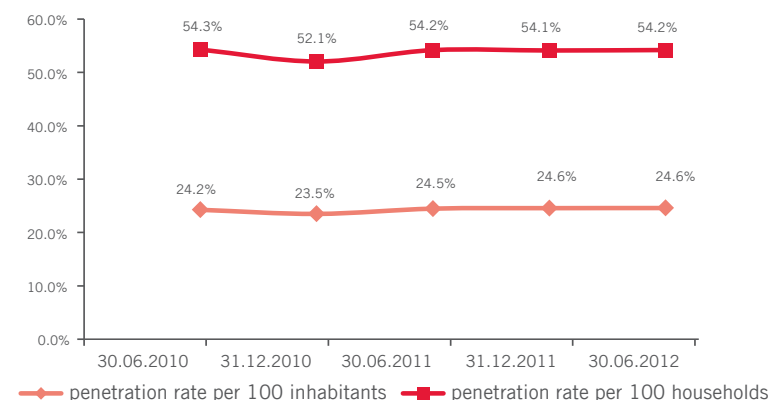


Table 11.2 Dynamics of the number of fixed telephony access lines, by customer category, 30.06.2010 – 30.06.2012

| Indicator | 30.06.2010 | 31.12.2010 | | 30.06.2011 | | | 31.12.2011 | | | 30.06.2012 | | |
|--------------------------------------|------------|------------|--------------|------------|--------------|---------|--------------|--------------|--------------|------------|--------------|--------------|
| | million | million | per sem. (%) | million | per sem. (%) | million | per sem. (%) | per sem. (%) | per year (%) | million | per sem. (%) | per year (%) |
| Total no. of access lines, of which: | 4.68 | 4.50 | -3.9 | 4.67 | +3.7 | -0.3 | 4.68 | +0.2 | +3.9 | 4.68 | +0.1 | +0.3 |
| - residential | 3.86 | 3.70 | -4.3 | 3.84 | +3.9 | -0.6 | 3.84 | -0.1 | +3.8 | 3.84 | +0.2 | +0.03 |
| - business | 0.82 | 0.81 | -1.8 | 0.83 | +2.6 | +0.7 | 0.84 | +1.6 | +4.2 | 0.84 | -0.3 | +1.3 |

In the first half of 2012, the decrease of the end-users' traffic volume on the fixed public telephone networks continued compared to the second half of 2011, by 0.7% and, respectively, by 8.7% per year (compared to the same period of 2011), down to 2.8 billion minutes. Regarding the traffic structure, the voice traffic on the providers' own fixed networks

dropped by 17% per year (to 1.57 billion minutes), whereas traffic to other networks (527 million minutes) and to mobile networks (600 million minutes) increased by 4%, respectively by 7%. Furthermore, voice traffic to international destinations (138 million minutes) dropped by 3% per year.

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Table 11.3 Evolution of the total traffic volume achieved on the Romanian fixed public networks, by call destination, during sem. I 2010 – sem. I 2012

| Indicator | sem. I 2010 | sem. II 2010 | | sem. I 2011 | | | sem. II 2011 | | | sem. I 2012 | | |
|-------------------------------|-----------------|-----------------|-------------|-----------------|--------------|--------------|-----------------|--------------|--------------|-----------------|--------------|--------------|
| | million minutes | million minutes | per sem.(%) | million minutes | per sem. (%) | per year (%) | million minutes | per sem. (%) | per year (%) | million minutes | per sem. (%) | per year (%) |
| On-net fixed voice traffic* | 2,318 | 2,034 | -12.3 | 1,895 | -6.8 | -18.3 | 1,645 | -13.2 | -19.1 | 1,573 | -4.4 | -17.0 |
| Off-net fixed voice traffic* | 620 | 545 | -12.1 | 507 | -7.1 | -18.3 | 492 | -2.8 | -9.7 | 527 | +7.0 | +4.0 |
| Fixed-to-mobile voice traffic | 522 | 568 | +8.9 | 562 | -1.1 | +7.7 | 582 | +3.6 | +2.4 | 600 | +3.0 | +6.7 |
| International voice traffic** | 142 | 150 | +5.3 | 143 | -4.8 | +0.2 | 137 | -3.8 | -8.4 | 138 | +0.7 | -3.1 |
| Internet access traffic*** | 9 | 5 | -44.5 | 3 | -49.6 | -72.1 | 2 | -32.4 | -65.9 | 1 | -14.0 | -41.9 |
| Total traffic volume | 3,611 | 3,302 | -8.6 | 3,109 | -5.9 | -13.9 | 2,859 | -8.0 | -13.4 | 2,839 | -0.7 | -8.7 |

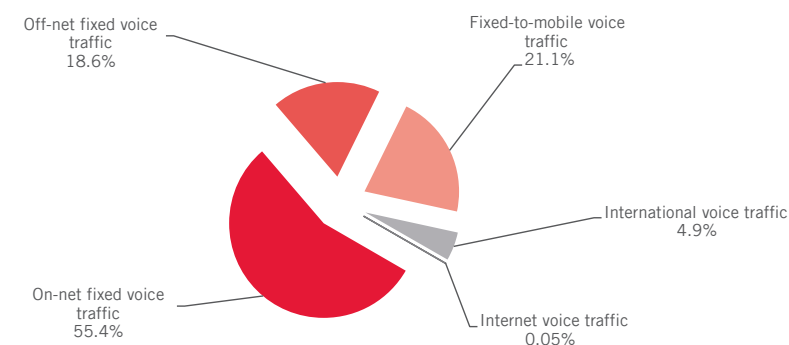
* including the traffic volume achieved by public payphones or by means of telecentres;

** including traffic towards satellite public networks;

*** traffic via calls for dial-up and ISDN Internet access.

In the first half of 2012, the average monthly duration of voice calls per fixed telephone line was 1 hour and 41 minutes, by 10 minutes less than in the same period of 2011, while call duration was - on the average - 3 minutes and 16 seconds, i.e. up by 2 seconds.

Exhibit 11.2 Structure of the total traffic volume achieved on the Romanian public fixed networks, by call destination, in sem. I 2012



11.2. Mobile telephony

According to the data reported by the 6 mobile telephony operators, in the first half of 2012, although the number of active users dropped, the service takeup rose. As regards the average monthly traffic from an active SIM card, the users made calls for 3 hours and 43 minutes and sent 48 SMS.

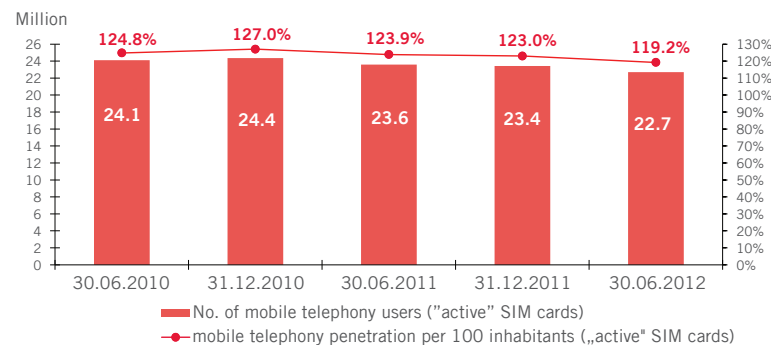
On 30 June 2012, the total number of active mobile telephony users decreased by 3.1% compared to end-2011 and by 3.8% compared to 30 June 2011, to 22.7 million. The mobile telephony penetration rate by mid-2012 was 119.2 active SIM cards per 100 inhabitants.

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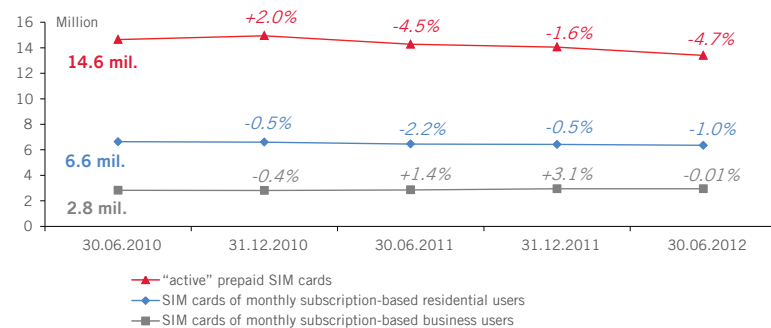
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Exhibit 11.3 Dynamics of the total number of mobile telephony "users" and of the mobile telephony penetration rate ("active" SIM cards), 30.06.2010 – 30.06.2012



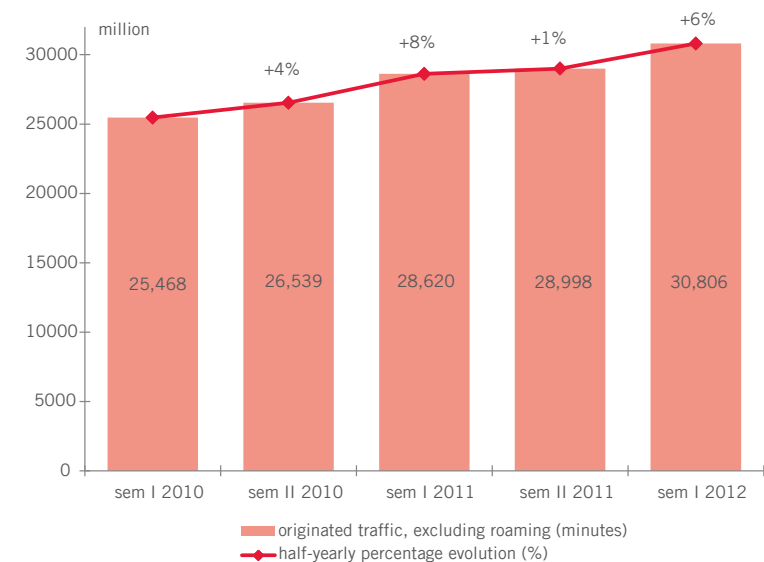
Total number of monthly subscription users decreased, in the first half of 2012, by 0.7%, while the number of prepaid active cards dropped by 4.7%.

Exhibit 11.4 Dynamics of the number of mobile telephony "users" ("active" SIM cards), by payment method and by user category, 30.06.2010 – 30.06.2012



Although the total number of users sank, the mobile voice traffic continued its growth, exceeding 30 billion minutes, by 6.2% more than in the second half of 2011 and by 7.6% more than in the first half of 2011.

Exhibit 11.5 Dynamics of the total traffic volume originated (excluding roaming) by the end-users on the mobile public networks during 1st semester 2010 – 1st semester 2012



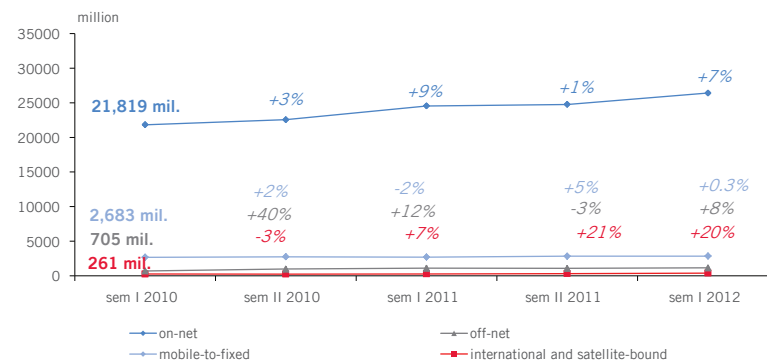
Out of the total voice traffic achieved in the first half of 2012, 85.7% (26.4 billion minutes) is represented by traffic on the operators' own networks, which grew by 8% per year, compared to the same period of 2011. The other traffic types showed annual growth, as well: by 44% - international traffic (391 million minutes), by 5% - mobile to fixed traffic (1.16 billion minutes) and by 6% - off-net mobile traffic (2.85 billion minutes).

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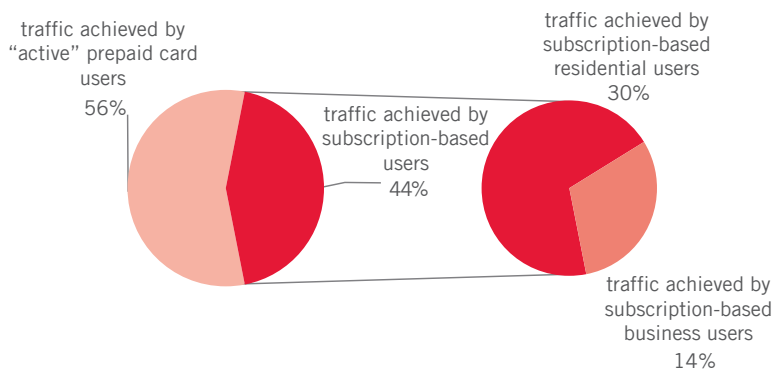
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Exhibit 11.6 Dynamics of the voice traffic volume (excluding roaming) originated by the end-users on the mobile public networks, by call destination, during sem. I 2010 – sem. I 2012



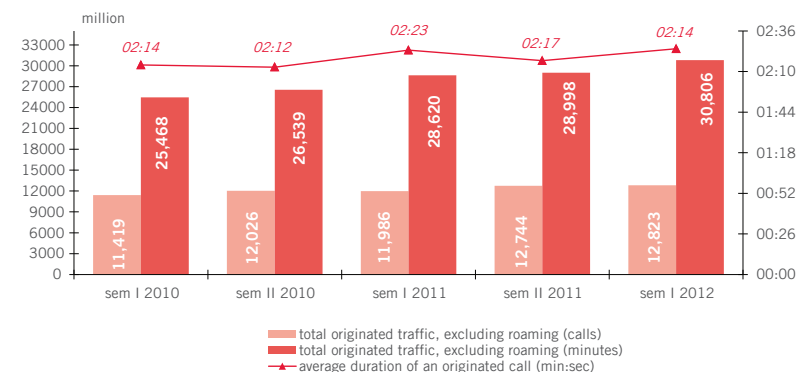
The prepaid card users continue achieving most of the traffic – 56% of the total traffic, while residential subscribers achieved 30% of the total traffic, and business subscribers - 14%.

Exhibit 11.7 Structure of the voice traffic volume (excluding roaming) originated by the end-users on the mobile networks, by user category, in sem. I 2012



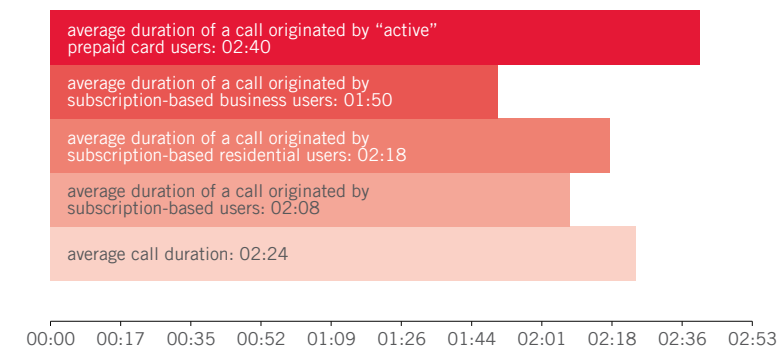
The average length of a call originated on the mobile public networks extended, up to 2 minutes and 24 seconds.

Exhibit 11.8 Evolution of the voice traffic volume originated on the mobile public networks (excluding roaming) and of the average duration of a call (min:sec) originated on the providers' own networks, during sem. I 2010 – sem. I 2012



Similarly to the traffic, the average duration of a call initiated by a prepaid card user is longer (02:40) than the average duration of calls initiated by subscription users (02:08).

Exhibit 11.9 Average duration of a call originated on the mobile public networks (excluding roaming), by user category, in 1st semester 2012



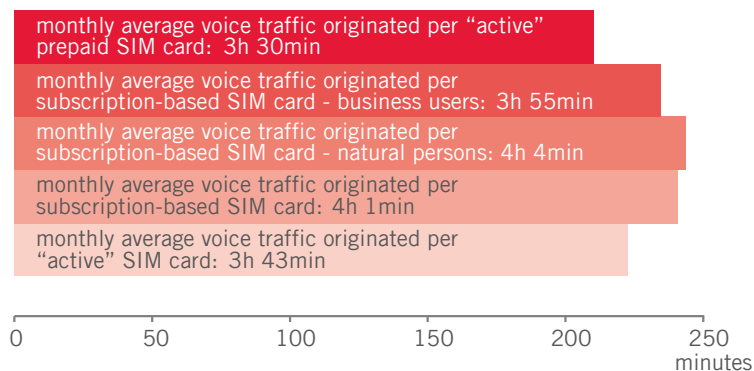
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In the first semester of the year 2012, a user made mobile telephone calls – on the average - for 3 hours and 42 minutes per month (we witness an annual increase of 24 minutes of the average monthly voice traffic originated per "active" SIM card) and sent an average number of 48 SMS per month, by 12 more than the average registered in sem. I 2011.

Exhibit 11.10 Average monthly voice traffic achieved by an "active" mobile telephony user (excluding roaming), by user category, in 1st semester 2012



In the first half of 2012, 6.7 billion SMS were sent – by 29% more than in the first half of 2011, 93.7% of them being sent on the providers' own networks. Out of the total number of SMS, 78% were sent by prepaid card users, and 22% were sent by subscribers.

As well, in the first half of 2012, more than 7 million MMS were sent (plus 53%, per year) and almost 1 million minutes video calls (minus 5% per year) were made.

As regards the use of the roaming service, voice services showed an annual increase by 12%, up to 157 million minutes (both initiated and received calls), while the SMS traffic registered an increase by 4%, up to 48 million SMS sent. The average duration of an initiated call was 1 minute and 56 seconds, while the average duration of a received call was 2 minutes and 49 seconds.

Exhibit 11.11 Structure of the SMS traffic volume (excluding roaming) originated by the end-users on the mobile public networks, by user category, in sem. I 2012

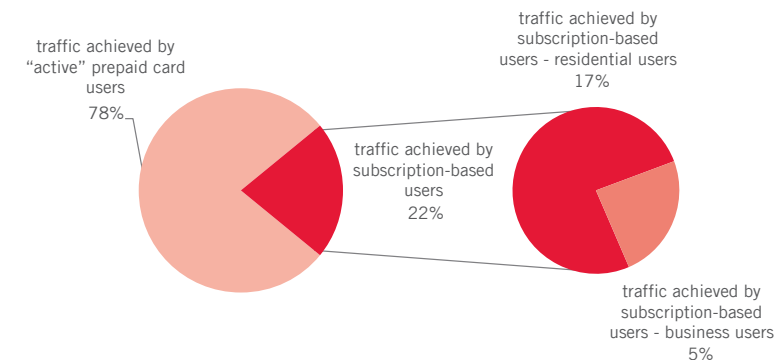
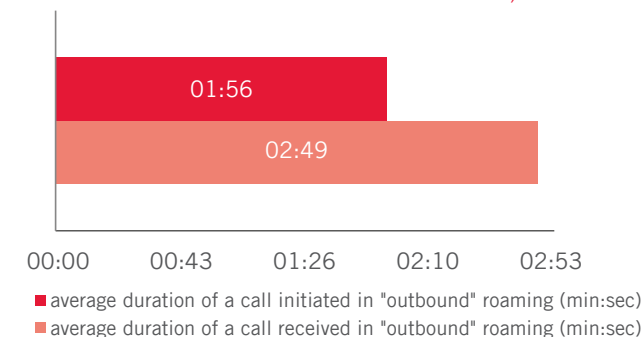


Exhibit 11.12 Average duration of an outbound roaming call: initiated and received calls, sem. I 2012



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11.3. Internet access, leased lines and data transmission services

The market of broadband internet access services continued the upward trend on almost all its segments, in the first half of 2012, mobile internet access registering the most important growth, according to the data reported by the 951 providers of internet access services operational in Romania.

The number of fixed broadband internet access connections reached more than 3.4 million, up by 4% per semester and by 9% per year.

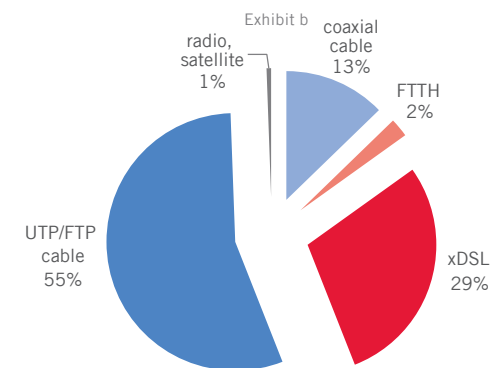
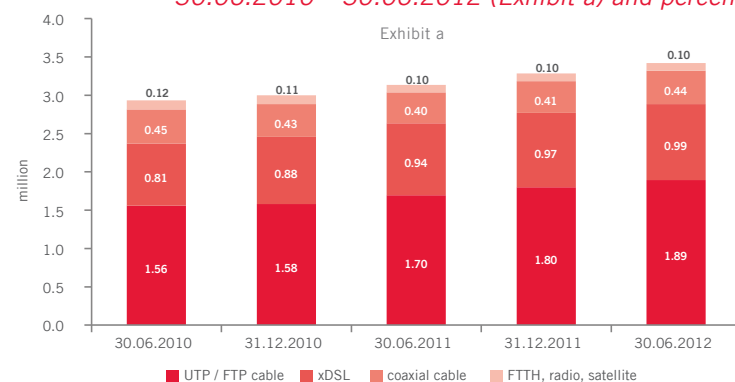
Table 11.4 Dynamics of the number of internet access connections, by connection type, during 30.06.2010 – 30.06.2012

| Indicator | 30.06.2010 | 31.12.2010 | 30.06.2011 | | 31.12.2011 | | 30.06.2012 | |
|---|------------|------------|------------|--------------|------------|--------------|------------|--------------|
| | mil. | mil. | mil. | per year (%) | million | per year (%) | million | per year (%) |
| FIXED CONNECTIONS | | | | | | | | |
| Broadband internet access connections provided at fixed locations ⁸ | 2.9 | 3.0 | 3.1 | +6.8 | 3.3 | +9.4 | 3.4 | +9.1 |
| ACTIVE MOBILE CONNECTIONS | | | | | | | | |
| Active connection by HSCSD, GPRS, EDGE, CDMA, EVDO, 3G ⁹ , of which: | 4.2 | 4.7 | 6.0 | +43.0 | 7.5 | +60.1 | 9.5 | +59.5 |
| – active broadband connections by EDGE, CDMA, EV-DO, 3G | 2.5 | 3.1 | 3.5 | +39.6 | 4.2 | +38.5 | 6.9 | +96.1 |

The most important annual growth in the fixed connections was registered at the level of connections based on UTP/FTP cable for access to the end-users (annual growth by 11.7%, up to almost 1.9

million connections), coaxial cable (annual growth by 8.4%, up to 0.44 million connections) and on xDSL technologies (up by 5.4% per year, reaching approximately 1 million connections).

Exhibit 11.13. Structure of the total number of broadband internet access connections at fixed locations, by support. Evolution during 30.06.2010 – 30.06.2012 (Exhibit a) and percentage of the total, as of 31.12.2011 (Exhibit b).



⁸ Includes fixed Internet access connections provided for a charge, corresponding to the number of internet service subscriptions;

⁹ Includes mobile Internet access connections provided for a charge, corresponding to the number of internet service subscriptions, to the number of mobile telephony users who had a chargeable active data

extra-option, to the number of prepaid cards for exclusive access to the internet and, respectively, to the number of prepaid card-/subscription-based mobile telephony users who achieved chargeable data traffic /who accessed at least once, for a charge, the internet access services during the reporting period, where the data option was activated, for free, by default or upon request;

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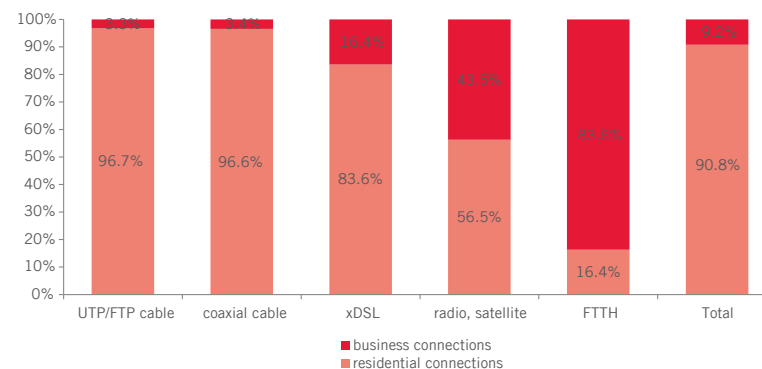
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Out of the total fixed broadband internet access connections, more than 3 million connections (89%) use the FTTx technology, a technology that uses fibre optic up to the end-user's location or to a certain point close to an end-user's location, access being achieved by means of various supports (e.g. coaxial cable, radio, UTP/FTP cable, twisted copper wires), which enables high internet connection speeds.

The penetration rate of fixed broadband internet access connections, per 100 inhabitants, reached 18% at mid-2012, while the penetration rate per 100 households reached 44%.

Meanwhile, in the first half of 2012, the number of fixed connections installed for business users registered an increase by 4% compared to the same period of 2011, while the connections installed for residential users registered an annual increase by 10%. Out of the 3.4 million fixed broadband internet access connections reported by mid-2012, more than 90% were installed for residential users.

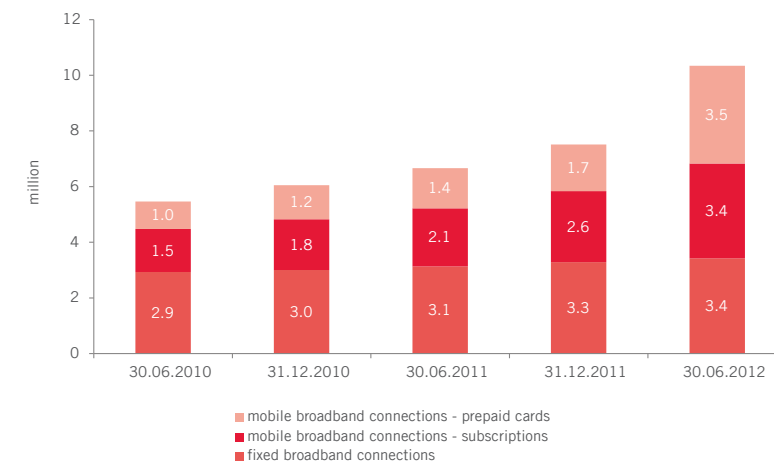
Exhibit 11.14 Structure of the number of fixed broadband internet access connections, by customer category and access support, as of 30.06.2012



According to the data provided by the 6 providers of mobile internet access services, the total number of mobile broadband internet access connections amounted to 6.9 million, by 64% more compared to end-2011 and almost doubled compared to mid-2011 (+96%).

Thus, the providers reported 5.6 million active mobile broadband access connections used by means of mobile telephones and 1.3 million active mobile broadband access connections used by means of modems/ cards/ USB devices. The total number of terminals/SIM cards that enabled mobile internet access by means of 3G technologies (including 3G+), EV-DO, 4G or of other technologies, higher than 3G, was of approximately 7.4 million, on 30 June 2012.

Exhibit 11.15 Evolution of the number of broadband internet access connections, by connection, during 30.06.2010 – 30.06.2012



The number of leased lines continued the decline in the retail market, to 12.8 thousand (-10% per year). On the other hand, the number of leased lines in the wholesale market saw an important growth in the first half of 2012 compared to the same period of 2011, up to 12.7 thousand (+25% per year).

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Table 11.5 Structure of the leased line market, by customer category (end-users/ other providers) and, respectively, by category of leased lines provided and markets on which they are provided. Evolution during 30.06.2010 – 30.06.2012

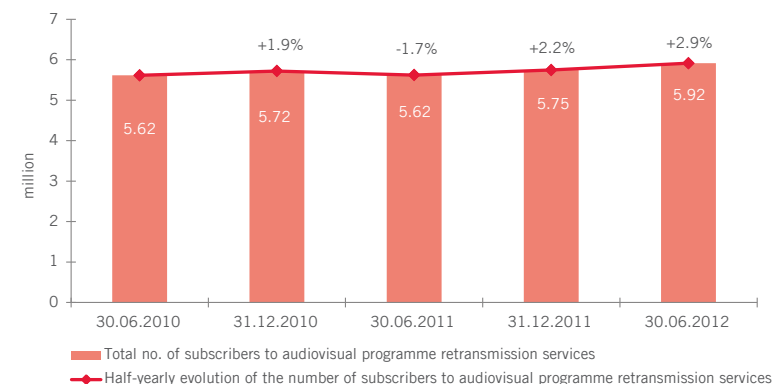
| Indicator | 30.06.2010 | 31.12.2010 | | 30.06.2011 | | | 31.12.2011 | | | 30.06.2012 | | |
|--|------------|------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| | thousand | thousand | per sem. (%) | thousand | per sem. (%) | per year (%) | thousand | per sem. (%) | per year (%) | thousand | per sem. (%) | per year (%) |
| No. of national leased lines - retail market | 15.5 | 14.3 | -7.6 | 14.2 | -0.8 | -8.3 | 13.8 | -2.5 | -3.3 | 12.8 | -7.3 | -9.6 |
| No. of national leased lines - wholesale market, of which: | 12.5 | 12.2 | -2.6 | 10.2 | -16.6 | -18.8 | 11.9 | +17.0 | -2.4 | 12.7 | +6.9 | +25.2 |
| a) leased lines-terminating segments ¹⁰ | 8.7 | 8.3 | -4.0 | 7.0 | -15.3 | -18.7 | 8.0 | +13.3 | -4.1 | 8.4 | +5.2 | +19.3 |
| b) leased lines-trunk segments | 3.9 | 3.9 | +0.4 | 3.1 | -19.3 | -18.9 | 3.9 | +25.3 | +1.2 | 4.3 | +10.4 | +38.4 |
| No. of international leased lines - retail market | n.a. | n.a. | n.a. | 0.25 | n.a. | n.a. | 0.21 | -15.3 | n.a. | 0.17 | -16.7 | -29.4 |
| No. of international leased lines - wholesale market: | n.a. | n.a. | n.a. | 0.74 | n.a. | n.a. | 0.87 | +17.1 | n.a. | 1.16 | +34.8 | +57.8 |
| a) leased lines-terminating segments | n.a. | n.a. | n.a. | 0.38 | n.a. | n.a. | 0.46 | +21.1 | n.a. | 0.60 | +31.3 | +58.9 |
| b) leased lines-trunk segments | n.a. | n.a. | n.a. | 0.36 | n.a. | n.a. | 0.41 | +12.8 | n.a. | 0.56 | +38.8 | +56.5 |

11.4. Audiovisual programme retransmission services

The total number of audiovisual programme retransmission subscribers had reached, by mid-2012, 5.9 million, by 3% up compared to end-2011 and by 5% more compared to 30 June 2011.

The half-yearly increase of the total number of audiovisual programme retransmission subscribers was registered once with the augmenting number of subscribers of both cable and DTH and IP networks. Thus, in the first 6 months of 2012, the number of subscribers through cable networks grew by 2.7% up to 3.67 million subscribers, while the number of subscribers through satellite networks (DTH) grew by 3%, up to 2.21 million subscribers. Moreover, the number of IPTV subscribers rose, in the first half of 2012, by 15.9%, up to 35 thousand.

Exhibit 11.16 Dynamics of the total no. of subscribers to audiovisual programme retransmission services. Percentage evolution, per semester, of the total no. of subscribers to audiovisual programme retransmission services during 30.06.2010 30.06.2012



¹⁰ For determining the number of leased lines – terminating segments and, respectively, -trunk segments, there were also considered the terminating segments and, respectively, the trunk segments corresponding

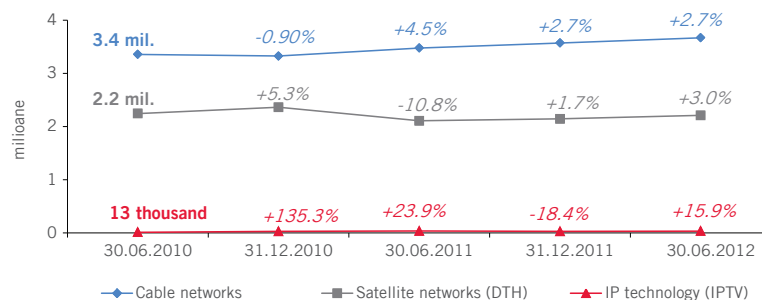
to the number of leased-lines total circuits. Thus, for each leased line-total circuit sold on the wholesale market, ANCOM considered one circuit – trunk segment and two circuits – terminal segments;

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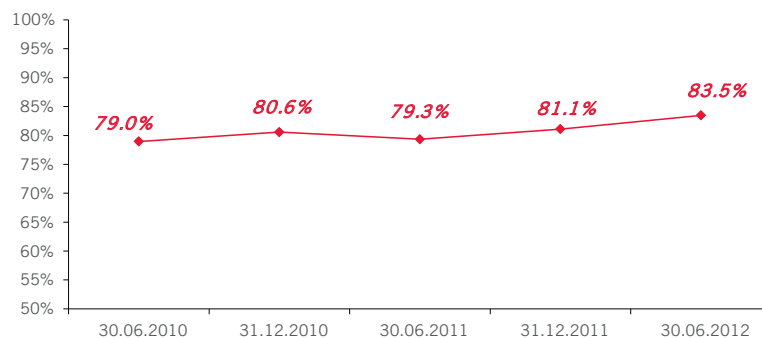
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Exhibit 11.17 Percentage evolution, per semester, of the total number of subscribers to audiovisual programme retransmission services during 30.06.2010 – 30.06.2012, itemised by support:



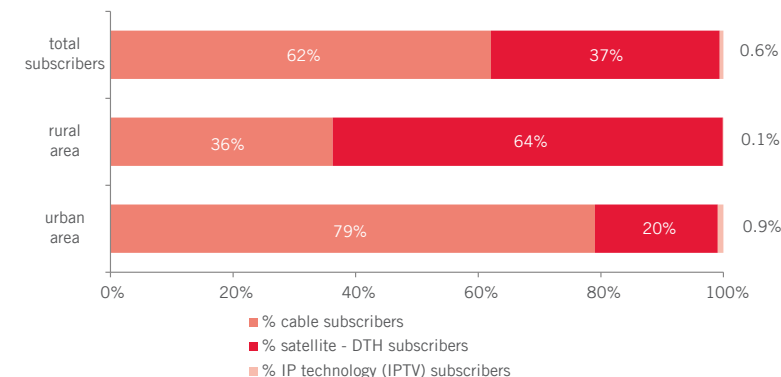
The audiovisual programme retransmission services penetration rate, per household, rose in the first half of 2012 by 2.4 percentage points, compared to 31.12.2011, up to 83.5%.

Exhibit 11.18 Evolution of the penetration rate – per household – of the audiovisual programme retransmission services, during 30.06.2010 – 30.06.2012



Concerning the residence area, on 30 June 2012, 60% of all the subscribers lived in the urban area, most of them (79%) being connected to cable networks. In the rural area, the subscribers to retransmission services used to a greater extent the DTH technology for receiving audiovisual programmes (64%).

Exhibit 11.19 Structure of the number of subscribers to audiovisual programme retransmission services, itemised by support, at the national/urban/rural level, as of 30.06.2012



The cable networks registered an upward trend as regards the total number of subscribers in the first half of 2012, mainly based on the growing number of subscribers to retransmission services on cable, in digital format, which was up by 24% compared to end-2011, thus augmenting its weight in the total number of subscribers to cable TV services. Therefore, the weight of the number of subscribers through digital cable networks grew by 5 percentage points by semester, to 30% of the total number of subscribers to cable networks.

Exhibit 11.20 Structure of the number of subscribers to audiovisual programme retransmission services received through cable networks, by network type, as of 30.06.2012



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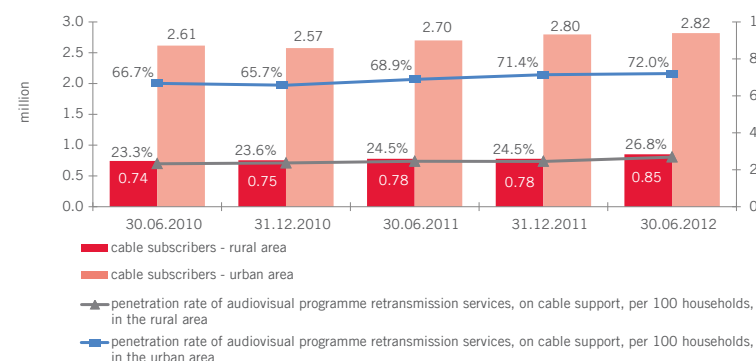
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Concerning the residence area, in the first half of 2012, compared to end-2011, the number of urban cable subscribers increased (+0.8%), up to 2.82 million, as well as that of the rural subscribers (+10%), up

to 0.85 million. The cable network penetration rate – per household – reached 51.8% in the first half of 2012.

Exhibit 11.21 Dynamics of the number of subscribers to audiovisual programme retransmission services received through cable networks, in the urban/rural area, during 30.06.2010 – 30.06.2012. The audiovisual programme retransmission services penetration rates per household, by residence area (urban/rural), during 30.06.2010 – 30.06.2012



The statistical data collected and processed by ANCOM reveal that, at mid-2012, in Romania there were 3.3 million subscribers to digital programme retransmission services, by 16% more compared to 30 June 2011, reaching a weight of 57% of all the subscribers to retransmission services. Throughout one year, the number of subscribers to digital cable networks registered a significant growth, by 49%, thus exceeding 1 million subscribers, while the number of subscribers to DTH services increased by 5%, up to 2.2 million subscribers.

Table 11.6 Dynamics of the number of subscribers¹¹ to digital audiovisual programme retransmission services during 30.06.2010 – 30.06.2012, itemised by support

| Indicator | 30.06.2010 | 31.12.2010 | | 30.06.2011 | | | 31.12.2011 | | | 30.06.2012 | | |
|---|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| | thousand | thousand | per sem. (%) | thousand | per sem. (%) | per year (%) | thousand | per sem. (%) | per year (%) | thousand | per sem. (%) | per year (%) |
| Total no. of subscribers to digital programme retransmission services, of which through: | 2,611 | 2,791 | +6.9 | 2,881 | +3.2 | +10.3 | 3,061 | +6.2 | +9.7 | 3,344 | +9.2 | +16.1 |
| – digital cable networks | 352 | 397 | +13 | 735 | +85 | +109 | 886 | +21 | +123 | 1,098 | +24 | +49 |
| – DTH satellite networks | 2,246 | 2,364 | +5 | 2,109 | -11 | -6 | 2,145 | +2 | -9 | 2,210 | +3 | +5 |
| – IP (IPTV) technology | 13 | 30 | +135 | 37 | +24 | -192 | 30 | -18 | +1 | 35 | +16 | -5 |

¹¹ Number of persons who concluded a contract with a provider of audiovisual programme retransmission services on cable/satellite/IP support, which ensure the receiving of audiovisual programmes in digital format, based on a subscription

12. The postal services market in 2011 (data collected and processed during 2012)

12.1. Postal service providers in the market, in 2011

12.2. Main indicators on the 2011 postal traffic



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The data collected and processed by ANCOM during 2012 reveal that the Romanian market of postal services witnessed, in 2011, the first traffic growth after three consecutive years of decline. Thus, in 2011, the providers reported increase both in the domestic postal traffic and

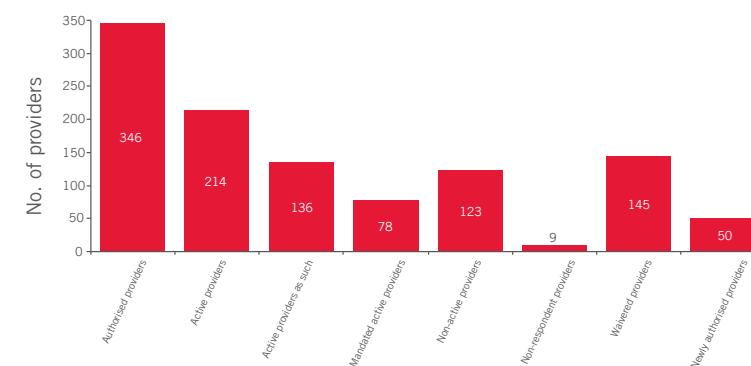
in the international traffic volumes. This upward trend is detectable both at the level of the universal postal service provider (CNPR), and at the level of the other providers' postal traffic.

12.1. Postal service providers in the market, in 2011

During 2011, 214 providers were active in the market of postal services, providing postal services on their own or on behalf and responsibility of other providers (61.85% of the total number of 346 authorised providers, as of 31.12.2011).

In the same period, 123 authorised providers (i.e. 35.55% of the authorised providers) did not exercise their right to provide postal services, whereas 145 providers waived their right to provide postal services.

Exhibit. 12.1 Postal service providers in 2011

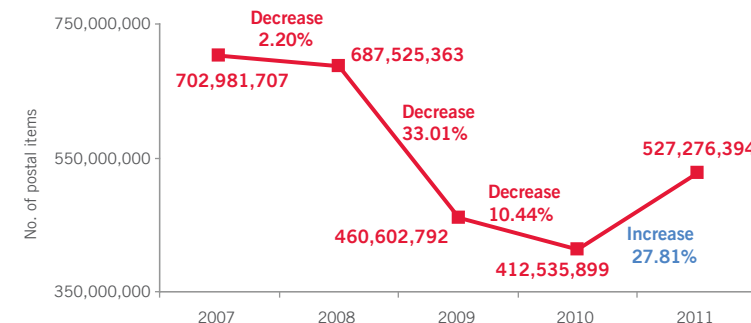


12.2. Main indicators on the 2011 postal traffic

12.2.1. 2011 total postal traffic

The total postal traffic in 2011 amounted to 527,276,394 postal items, up by approximately 28% compared to 2010, i.e. an average of 27.69 postal items per capita, compared to 19.26 in 2010.

Exhibit 12.2 Dynamics of the total postal traffic 2007-2011



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Out of the total number of items processed in 2011, the universal service provider The National Company Romanian Post (CNPR) processed more than 79%, reaching 418,705,969 items, while the private providers processed 108,570,425 items, i.e. by approximately 30% more compared to 2010.

94% of the total postal traffic of 2011 is represented by domestic postal items, which grew by almost 29% compared to 2010, up to 496,366,748 items. Both the private providers and the CNPR reported growth by approximately 29% of their domestic traffic. CNPR processed 79% of

12.2.2. Structural analysis of the postal traffic

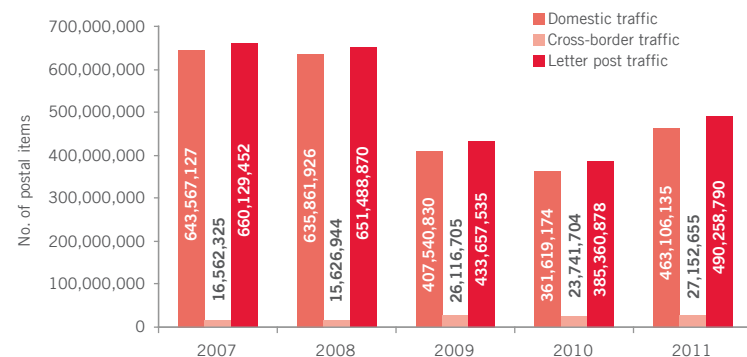
In 2011, the postal traffic of the letter post items represented 93% of the total postal traffic and increased by approximately one third, having dropped for three years in a row. Thus, both the domestic and the cross-border traffic grew, by 28%, respectively by 14%.

CNPR keeps holding a majority share in this market segment, above 84%, while the next ten large volume providers in this segment achieved traffic of 64,982,345 items, i.e. more than 13% of the total traffic of letter post items. The rest of the providers processed a volume of 13,564,122 items, i.e. approximately 3% of this market segment.

During 2011, the following volumes were processed:

- 463,106,135 domestic items;
- 27,152,655 cross-border items.

Exhibit 12.3 Letter post items during 2007-2011



the total domestic traffic, whereas the private providers processed 21% of this traffic.

Cross-border traffic grew by approximately 15% in 2011, up to 30,909,646 items; the traffic reported by the private providers registered an increase by more than 50%, whereas the number of cross-border items processed by CNPR increased by only 8% compared to 2010.

After 3 years of relative stagnation, the parcel market grew by 30% in 2011, compared to the previous year, up to 23,288,453 parcels, exceeding even the traffic figure of 2007, when a peak traffic value was registered for the past 5 years. The parcel market witnessed growth both at the level of domestic traffic (+34%), and at the level of cross-border traffic (+20%). Out of the total parcel traffic, CNPR processed 8%, and the next ten large volume providers in this market segment processed together 84% of all this traffic.

During 2011, the following volumes were processed:

- 20,884,799 domestic postal items;
- 2,403,654 cross-border postal items.

Exhibit 12.4 Parcel traffic during 2007-2011



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Express postal services registered in 2011, compared to 2010, an increase in the total traffic, of 43% up to 13,729,151 items, following a significant rise in the domestic traffic, by approximately 47% and of the international traffic, by 13%. Out of the total Express traffic, CNPR processed more than 37%, the next ten providers in this market segment processed 8,193,290 items, i.e. approximately 60% of this traffic.

During 2011, the following volumes were processed:

- 12,375,814 domestic postal items;
- 1,353,337 cross-border postal items.

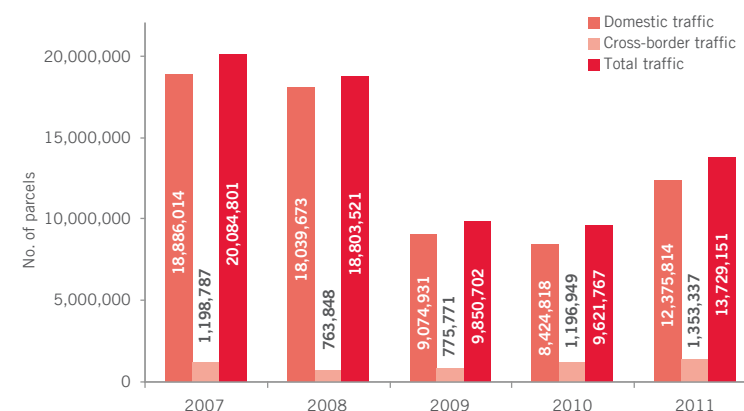
12.2.3. Postal service within the scope of universal service

Postal services within the scope of universal service:

- a. clearance, sorting, transport and delivery of domestic and cross-border items of correspondence, printed matter items and direct mail items up to 2 kg;
- b. clearance, sorting, transport and delivery of domestic and cross-border postal parcels up to 10 kg;
- c. distribution of postal parcels weighing up to 20 kg, sent from outside Romania to an address located on the Romanian territory;
- d. service for registered items dealing with postal items from the categories provided for at letters a) to c);
- e. service for insured items dealing with postal items from the categories provided for at letters a) to c).

In 2011, the postal traffic of services within the scope of universal service amounted to 424,026,052 postal items, i.e. more than 80% of the total postal traffic achieved in the respective year (527,276,394).

Exhibit 12.5 Traffic of Express postal items during 2007 – 2011



This traffic consisted of:

- 396,667,699 domestic postal items;
- 27,358,353 cross-border postal items.

In 2011, ANCOM continued fostering competition in the sector, by issuing regulations applicable to the postal service market which enabled other postal providers than CNPR to supply services within the scope of universal service, on the condition that the tariff and weight limits reserved for CNPR should be observed.

Therefore, approximately 14% (59,081,057) of the total traffic achieved within the scope of universal service (424,026,052) in 2011 was processed by other postal service providers than the universal service provider. Meanwhile, a comparative analysis of the traffic within the scope of universal service achieved by CNPR between 2010 and 2011 indicates a traffic increase by more than 30%.

One we witness an upsurge in the traffic of inbound cross-border items in 2011 – 3,195,868, compared to 2010, when these items amounted to only 788,527, i.e. an increase of approximately 305%. In the meantime, one can notice a decrease by 16% of the outbound cross-border postal items (from 235,716 in 2010, to 198,584 in 2011).

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The structural analysis of the postal services within the scope of universal service reveal that 2011 letter post traffic represented approximately 98% of the universal postal service traffic (424,026,052), amounting to 414,456,812 items, of which:

- 388,626,108 domestic items;
- 25,830,704 cross-border items.

The parcel traffic within the scope of universal service consisted of:

– 9,442,769 domestic and cross-border postal parcels, weighing between 2 and 10 kg, of which:

- 8,041,591 domestic parcels
- 1,388,178 cross-border parcels

– 139,471 cross-border postal parcels, weighing between 10 kg and 20 kg.

12.2.4. Postal traffic for the services reserved to CNPR

As a universal service provider, according to the ANCOM President's Decision no.293/2009 on the designation of the universal service provider in the postal field, CNPR further benefited in 2011 from the exclusive right to provide postal services dealing with items of correspondence, weighing less than 50 g and costing less than 2 lei, irrespective of whether their delivery is accelerated or not, which consisted of:

- clearance, sorting, transport and delivery of domestic items of correspondence;

Exhibit 12.6 Letter post traffic within the scope of universal service 2007-2011



- distribution of the items of correspondence sent from outside Romania to an address located on its territory.

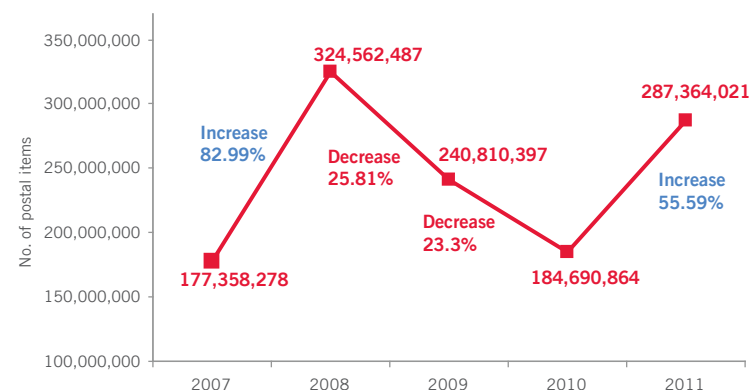
The postal traffic achieved by the universal service provider - CNPR - in 2011, based on its reserved rights, amounted to 287,364,021 items, which stand for 68% of the universal service traffic (424,026,052) and approximately 83% of the whole correspondence traffic (347,152,644) achieved by CNPR.

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Exhibit 12.7 Dynamics of the traffic of correspondence services reserved to CNPR, 2007-2011

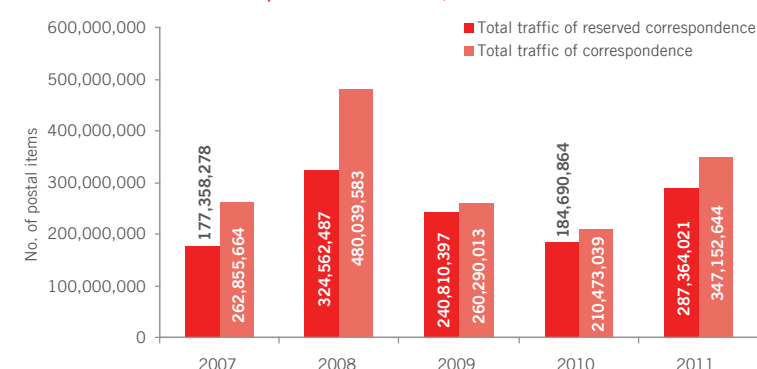


12.2.5. Postal services outside the scope of universal service

The postal services outside the scope of universal service are the following:

- postal services dealing with domestic and cross-border items of more than 2 kg (items of correspondence, printed matter, direct mail services);
- services dealing with domestic postal parcels between 10 and 50 kg;
- services dealing with postal parcels between 10 and 50 kg sent from the territory of Romania towards an address abroad;
- services dealing with postal parcels between 20 and 50 kg sent from abroad towards an address located on the territory of Romania;
- services with supplementary characteristics: Cash on delivery, Change of Destination, Special Delivery, Advice of Delivery, and the Express service.

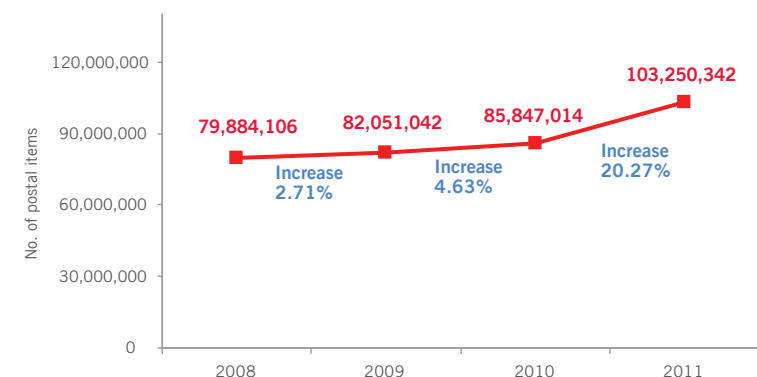
Exhibit 12.8 Traffic of reserved correspondence and CNPR traffic of correspondence items, 2007-2011



The segment of postal services outside the scope of universal service registered, in 2011, an increase of the local traffic level. In this segment, 103,250,342 items were cleared and delivered, i.e. approximately 20% of the total postal traffic of 2011. Domestic items increased by 21% compared to 2010, while cross-border traffic dropped by approximately 6%, reaching the following amounts:

- 99,699,049 domestic postal items;
- 3,551,293 cross-border postal items.

Exhibit 12.9 Dynamics of the total postal traffic outside the scope of universal service, 2008-2011



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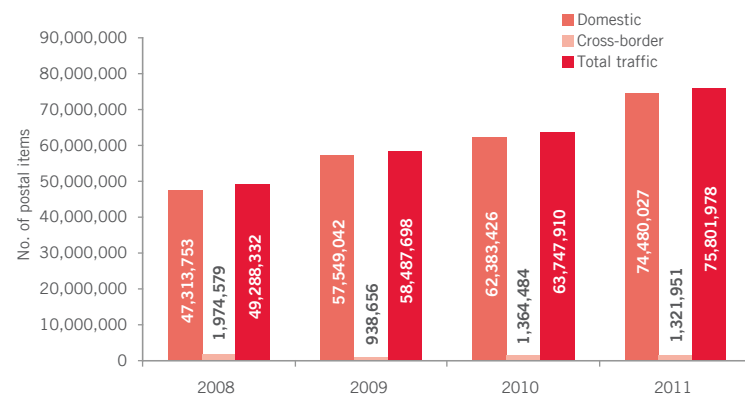
In 2011, the postal traffic of items within the services with additional characteristics weighing up to 2 kg amounted to 75,801,978 items, representing more than 73% of the postal traffic achieved outside the scope of universal service (103,250,342), of which:

- 74,480,027 domestic items
- 1,321,951 cross-border items.

Table 12.1 Structure of the traffic of services with additional characteristics, in 2011

| Indicators | Correspondence items | Printed matter | Small parcels | Total |
|--------------|----------------------|----------------|---------------|------------|
| Domestic | 66,917,087 | 26,945 | 7,535,995 | 74,480,027 |
| Cross-border | 1,116,235 | 1,934 | 203,782 | 1,321,951 |
| Total | 68,033,322 | 28,879 | 7,739,777 | 75,801,978 |

Exhibit 12.10 Postal traffic of services with supplementary characteristics, 2007-2011



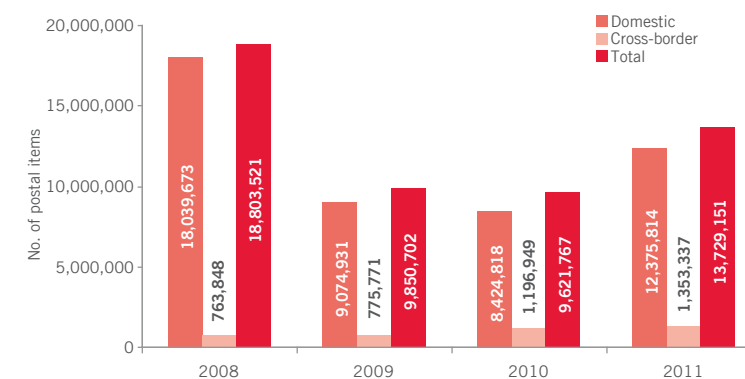
In 2011, the total traffic of postal parcels registered 13,719,213 items, representing more than 13% the whole traffic of postal items outside the scope of universal service (103,250,342 postal items), of which:

- 12,843,208 domestic items;
- 876,005 cross-border items.

Exhibit 12.11 Traffic of postal parcels outside the scope of universal service, 2008-2011



Exhibit 12.12 Traffic of Express postal items during 2008-2011



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12.2.6. Traffic of postal items intended for visually impaired persons (cecogrammes)

Cecogrammes are postal items within the scope of universal service, weighing up to 7 kg, such as an open item containing a letter intended for the blind and sight impaired, imprinted on a firm paper or similar material, a cliché with cecography signs and sound recordings if sent by or to an institute for persons with sight impairment. The Acts of the Universal Postal Union provide that items in this category are free of charge.

The 2011 traffic of postal items intended for persons with sight impairment was exclusively achieved by CNPR and consisted of:

- 11,434 domestic items
- 20 cross-border items.

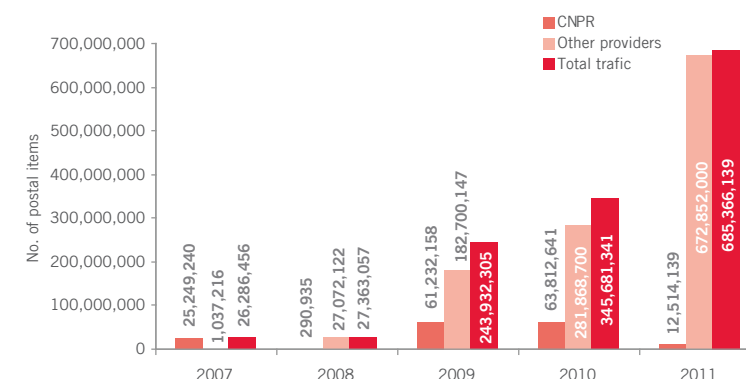
12.2.7. Traffic of postal items subject to ancillary services (unaddressed and hybrid)

Unaddressed items are not considered postal items; therefore they were not counted in the total postal traffic. This type of items include: flyers, brochures, posters, catalogues or other advertisement and commercial materials. These items do not bear the name and address of the addressee, and therefore they are delivered upon certain criteria established by the sender (geographic, demographic, professional criteria etc.).

Hybrid mail items are presented in a physical or electronic form by the sender (electronic mail, SMS, fax etc.), electronically processed by the service provider (decompressed, decrypted, archived etc.), and transmitted mainly electronically to the points in the provider's network located as close as possible to the final delivery addresses wherefrom the items are delivered in physical form to the addressee.

In 2011, CNPR reported a total of 297,805 hybrid mail items, of which 256,993 domestic and 40,812 cross-border.

Exhibit 12.13 Traffic of unaddressed postal items, 2007-2011



12.2.8. Statistical data on the complaints filed in relation to the provision of postal services

In 2011, the postal service providers registered 55,940 complaints, 10,393 of which proved to be grounded and therefore the providers paid repairs amounting to RON1,951,956.

CNPR received 4,540 complaints of which 10.75% (488 complaints) were deemed grounded and for which the provider paid repairs amounting to RON107,610 (5.51% of the total value granted as repairs).

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Within the total registered complaints deemed grounded and whose settlement did not impose the payment of repairs, 97.07% were addressed to the private providers and 2.93% to the universal service provider. In these matters, it was deemed that the prejudice claimed, in accordance with the contract concluded with the postal service user, does not require to be repaired.

Within the total complaints (55,940) registered in 2011, 32,676, i.e. 58.5% were not-grounded (approximately 89% were received by the private providers of postal services and approximately 11% by CNPR).

12.2.9. Analysis of the postal networks

Postal coverage refers to the number of access and contact points covered by the postal providers' personnel per 100 km².

In 2011, Romania's postal network totalised 7,937 access and contact points served by personnel, belonging both to the universal service provider and to the other providers.

In proportion to the country territory (238,391 km²), the resulting index is 3.33 (access/contact points)/100 km².

In 2011, the number of the universal service provider's access/contact points fell by 19,01% as compared to 2010, whereas the other providers' access/contact points stagnated.

Exhibit 12.14 Statistics of the complaints lodged by the users of postal services in 2011

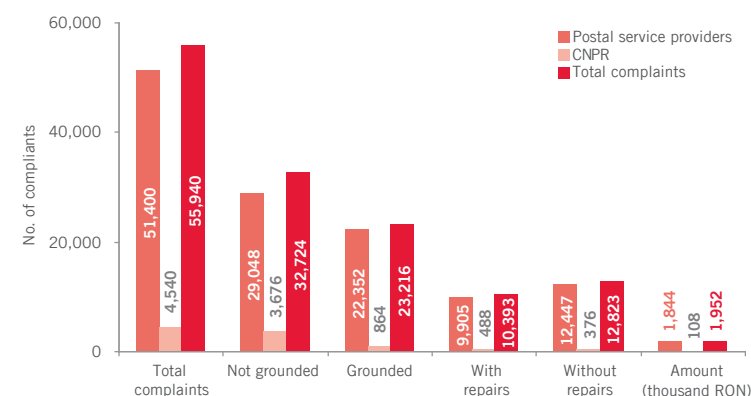
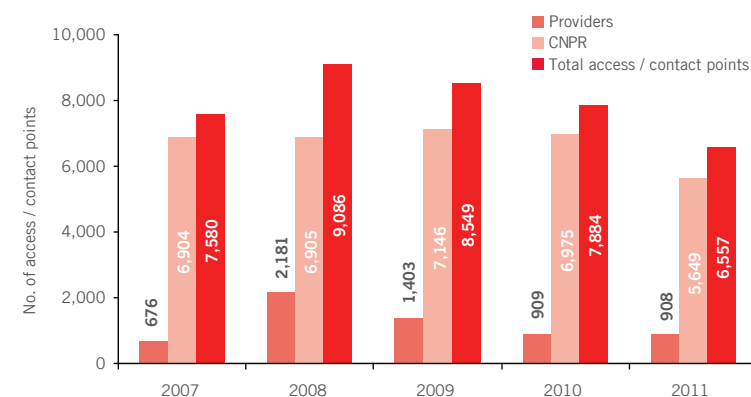


Exhibit 12.15. Number of access and contact points (CNPR and private providers included), 2006-2011



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13.1. Balance sheet as of 31.12.2012



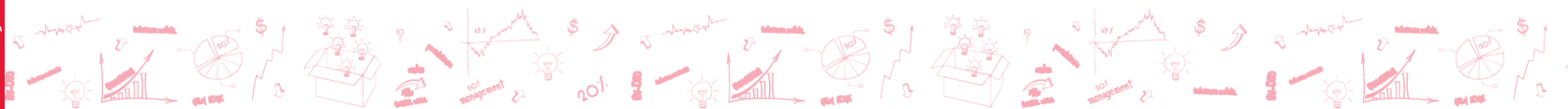
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13.1. Balance sheet as of 31.12.2012

| code 01 | | | | – RON – |
|---------|---|-------------|--|--|
| No. | Indicators | Row Code | Balance account at the beginning of the year | Balance account at the end of the year |
| A | B | C | 1 | 2 |
| A | ASSETS | 01 | | |
| I. | NON-CURRENT ASSETS | 02 | | |
| 1. | Intangible fixed assets (account 203+205+206+208+233-280-290-293*) | 03 | 16,893,205 | 13,260,151 |
| 2. | Technical installations, transport means, animals, plantations, furniture, bureaucratic and other tangible assets (account 213+214+231-281-291-293*) | 04 | 116,154,583 | 95,385,922 |
| 3. | Land and buildings (account 211+212+231-281-291-293*) | 05 | 63,260,379 | 62,024,809 |
| 4. | Other non-financial assets (account 215) | 06 | 0 | 0 |
| 5. | Non-current financial assets (long-term investments) - over 1 year (account 260+265+2671 +2672+2673+2675+2676+2678+2679-296) of which: | 07 | 39,279 | 39,279 |
| | Participation titles (260-296) | 08 | 0 | 0 |
| 6. | Non-current debts – amounts to be received after more than 1 year (account 4112+4118+4282+4612- 4912- 4962) of which: | 09 | 0 | 0 |
| | Non-current commercial debts - amounts to be received after more than 1 year (account 4112+4118+4612- 4912- 4962) | 10 | 0 | 0 |
| 7. | TOTAL NON-CURRENT ASSETS (row 03+04+05+06+07+09) | 15 | 196,347,446 | 170,710,161 |
| | CURRENT ASSETS | 18 | X | X |
| 1. | Stocks (account 301+302+303+304+305+307+309+331+332+341+345+346+ 347 + 349+351+354+356+357+358+359+361+371+381+/-348+/-378-391-392-393-394-395-396-397-398) | 19 | 5,987,473 | 6,071,341 |
| 2. | Current debts - amounts to be received in less than 1 year | 20 | X | X |
| | Debts from commercial operations, prepayments and other offsets (account 232+234+409+4111+ 4118+413+418+425+4282+ 4611+473**+481+482+ 483-4911-4961+5128) of which: | 21 | 16,280,338 | 70,300,897 |
| | Commercial debts and prepayments (account 232+234+409+4111+4118+413+418+4611-4911-4961) of which: | 22 | 16,275,136 | 70,275,923 |
| | Prepayments granted (account 232+234+409) | 22.1 | X | X |
| | Budgetary debts (account 431**+437**+4424+4428**+444**+446**+4482+461+463+ 464+465+4664+4665+4669+481+482-497) of which: | 23 | 828,946 | 940,497 |
| | Debts of the general consolidated budget (account 463+464+465+4664+4665+4669-497) | 24 | 0 | 0 |
| | Debts from operations with non-refundable external funds and budget funds | 25 | 90,496 | 109,518 |
| | Amounts to be received from the European Commission (account 4501+4503+4505+4507) | 26 | 3,423 | 0 |



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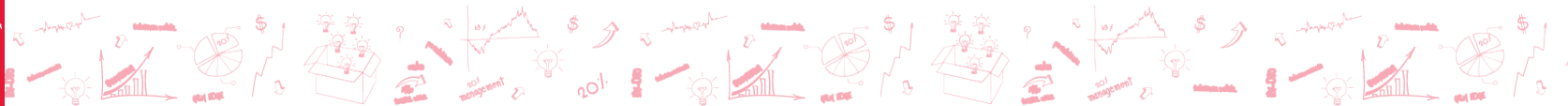
| code 01 | | – RON – | | |
|---------|--|----------|--|--|
| No. | Indicators | Row Code | Balance account at the beginning of the year | Balance account at the end of the year |
| | Short-term loans granted (account 2671+2672+2673+2675+2676+2678+2679+4681+4682+468+4684+4685+4686+4687+4688+4689+469) | 27 | | |
| | Total current debts (row 21+23+25+27) | 30 | 17,199,780 | 71,350,912 |
| 3. | Short-term investments (account 505-595) | 31 | | |
| 4. | Accounts in treasury and credit institutions: | 32 | X | X |
| | Accounts in treasury, cash, other values, treasury prepayments (account 510+5121+5125+5131+5141+5151+5153+5161+5171+5187+5201+5211+5212+ 5213+523+5251+5252+5253+526+527+528+ 5291+5292+5293+5294+5299+5311+ 550+551+552+555+557+5581+5582+5591+5601+5602+561+562+5711+5712+5713+5714+5741+5742+5743+5744) of which: | 33 | 426,718,893 | 318,267,545 |
| | Receivable interest, other valuables, treasury prepayments (account 5187+532+542) | 33.1 | 197,862 | 144,679 |
| | deposits (account 5153+5187+5222+550+5602+5714+5744) | 34 | X | X |
| | Accounts in credit institutions, cash, treasury prepayments (account 5112+5121+5124+5125+5131+5132+5141+5142+5151+5152+ 5153+ 5161+5162+5171+5172+5314+5411+5412+550+5583+5592+5601+5602) of which: | 35 | 62,387 | 65,809 |
| | Receivable interest, treasury prepayments (account 5187+542) | 35.1 | | |
| | deposits (account 5153+5187+5602) | 36 | X | X |
| | Total liquid assets (row 33+33.1+35+35.1) | 40 | 426,979,142 | 318,478,033 |
| 5. | Liquid assets accounts of the Central Treasury (account 5126+5127+5187+5201+5202+5203+5241+5242+5243) | 41 | | |
| | Receivable interest (5187) | 41.1 | | |
| 6. | Expenditures in advance (account 471) | 42 | 24,434,136 | 8,980,910 |
| 7. | TOTAL CURRENT ASSETS (row 19+30+31+40+41+41.1+42) | 45 | 474,600,531 | 404,881,196 |
| 8. | TOTAL ASSETS (row 15+45) | 46 | 670,947,977 | 575,591,357 |
| B. | DEBTS | 50 | X | X |
| | NON-CURRENT DEBTS – amounts to be paid within a period longer than 1 year | 51 | X | X |
| 1. | Non-current payables – amounts to be paid within a period longer than 1 year (account 269+401+403+4042+405+4622+509) of which: | 52 | 0 | 0 |
| | Commercial debts (account 401+403+4042+405+4622) | 53 | 0 | 0 |
| 2. | Long-term loans (account 1612+1622+1632+1642+1652+1661+1662+1672+168-169) | 54 | 41,073,536 | 17,770,169 |
| 3. | Provisions (account 151) | 55 | | |

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| code 01 | | – RON – | | |
|---------|--|-------------|--|--|
| No. | Indicators | Row Code | Balance account at the beginning of the year | Balance account at the end of the year |
| | TOTAL NON-CURRENT DEBTS (rd. 52+54+55) | 58 | 41,073,536 | 17,770,169 |
| | CURRENT DEBTS – amounts to be paid within less than 1 year | 59 | X | X |
| 1. | Commercial debts, prepayments and other offsets (account 401+403+404+405+408+419+4621+473+481+482+483+269+509+5128), of which: | 60 | 4,670,843 | 4,787,841 |
| | Commercial debts and prepayments (account 401+403+404+405+408+419+4621) | 61 | 4,670,625 | 4,787,841 |
| | Prepayments received (account 419) | 61.1 | X | X |
| 2. | Debts to budgets | 62 | 1,986,813 | 2,372,134 |
| | Debts of public institutions to budgets (account 431+437+4423+4428+444+446+4481) | 63 | X | X |
| | Social contributions (account 431+437) | 63.1 | 1,503,867 | 1,799,663 |
| | Amounts owed to the budget from non-refundable external funds (account 4555) | 64 | | |
| 3. | Debts from operations with non-refundable external funds and budget funds, other debts to other international bodies (account 4502+4504+4506+4512+4514+4516+4521+4522+4532+4542+ 4544+4546+4552+4554+4564+4584+4585+459+462+473+475) | 65 | | |
| | of which: amounts owed to the European Commission (account 4502+4504+4506+459+462) | 66 | | |
| 4. | Short-term loans - amounts to be paid within less than 1 year (account 5186+5191+5192++5193+5194+5195+5196+5197+5198) | 70 | | |
| 5. | Long-term loans - amounts to be paid during the current financial year (account 1611+1621+1631+1641+1651+1661+1662+1671+168-169) | 71 | 43,272,420 | 24,069,064 |
| 6. | Employees' salaries (account 421+423+426+4271+4273+4281) | 72 | 2,493,486 | 2,936,422 |
| 7. | Other rights of other categories of persons (pensions, unemployment indemnities, grants) (account 422+424+426+4272+4273+429+438) | 73 | | |
| | Pensions, unemployment indemnities, grants (account 422+424+429) | 73.1 | X | X |
| 8. | Revenues in advance (account 472) | 74 | | |
| 9. | Provisions (account 151) | 75 | | |
| 10. | TOTAL CURRENT DEBTS (row 60+62+65+70+71+72+73+74+75) | 78 | 52,423,562 | 34,165,461 |
| 11. | TOTAL DEBTS (row 58+78) | 79 | 93,497,098 | 51,935,630 |
| 12. | NET ASSETS = TOTAL ASSETS - TOTAL DEBTS = OWN CAPITALS (row 80=row 46 – 79=row 90) | 80 | 577,450,879 | 523,655,727 |
| C. | OWN CAPITALS | 83 | X | X |
| 1. | Reserves, funds (account 100+101+102+103+104+105+106+131+132+133+135+136+137+1391+1392+1393+1394+1396+1399) | 84 | 27,470,802 | 27,470,802 |
| 2. | Reported result (account 117-credit items) | 85 | 501,148,854 | 549,953,840 |
| 3. | Reported result (account 117-debit item) | 86 | | |
| 4. | Patrimony result of the financial year (account 121 - credit item) | 87 | 48,831,223 | |
| 5. | Patrimony result of the financial year (account 121 – debit item) | 88 | | 53,768,915 |
| 6. | TOTAL OWN CAPITALS (rd. 84+85-86+87-88) | 90 | 577,450,879 | 523,655,727 |



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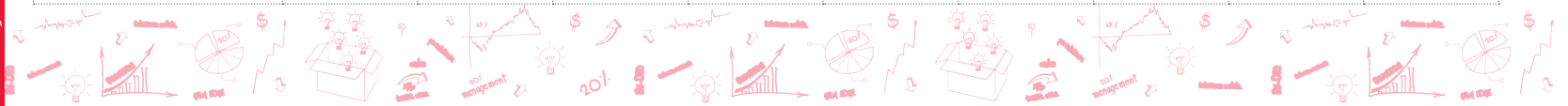
| Execution account of the budget of public institutions - expenditures | | | | | | | | | |
|---|----------------|--------------------|-------------------|-------------------|-----------------------|-------------------|-------------------|------------------------------|-----------------------|
| as of 31.12.2012 | | | | | | | | | |
| INDICATORS | Indicator code | Engagement credits | Budgetary credits | | Budgetary engagements | Legal engagements | Payments | Legal engagements to be paid | Effective expenditure |
| | | | Initial | Final | | | | | |
| A | B | 1 | 2 | 3 | 4 | 5 | 6 | 7=5-6 | 8 |
| TOTAL EXPENSES (01+70+79+84) | 85.10 | 105,651,000 | 455,167,000 | 455,167,000 | 337,061,515 | 383,587,834 | 318,724,451 | 64,863,383 | 325,597,779 |
| CURRENT EXPENSES (10+20+30+40 +50+51+55+56+ 57+59+65) | 01 | 13,233,000 | 325,237,000 | 325,237,000 | 285,575,781 | 287,044,966 | 275,203,850 | 11,841,116 | 278,436,320 |
| TITLE I PERSONNEL EXPENSES (code 10.01+10.02+10.03) | 10 | 0 | 68,214,000 | 68,214,000 | 61,984,613 | 61,984,613 | 56,943,476 | 5,041,137 | 57,652,510 |
| Cash wage expenses (code 10.01.01 to 10.01.16 + 10.01.30) | 10.01 | 0 | 51,893,000 | 51,893,000 | 47,528,153 | 47,528,153 | 43,645,755 | 3,882,398 | 44,286,572 |
| Basic wages | 10.01.01 | 0 | 47,412,000 | 47,412,000 | 44,608,795 | 44,608,795 | 40,959,121 | 3,649,674 | 41,531,013 |
| Other bonuses | 10.01.06 | 0 | 2,317,000 | 2,317,000 | 1,996,341 | 1,996,341 | 1,814,040 | 182,301 | 1,878,512 |
| Management indemnity | 10.01.13 | 0 | 364,000 | 364,000 | 220,604 | 220,604 | 220,578 | 26 | 221,525 |
| Other cash wage rights | 10.01.30 | 0 | 1,800,000 | 1,800,000 | 702,413 | 702,413 | 652,016 | 50,397 | 655,522 |
| Wage expenses in kind (code 10.02.01 to 10.02.06 + 10.02.30) | 10.02 | 0 | 1,400,000 | 1,400,000 | 1,166,697 | 1,166,697 | 1,166,697 | 0 | 1,161,234 |
| Lunch tickets | 10.02.01 | 0 | 1,400,000 | 1,400,000 | 1,166,697 | 1,166,697 | 1,166,697 | 0 | 1,161,234 |
| Contributions (code 10.03.01 to 10.03.06) | 10.03 | 0 | 14,921,000 | 14,921,000 | 13,289,763 | 13,289,763 | 12,131,024 | 1,158,739 | 12,204,704 |
| Contributions to state social insurance | 10.03.01 | 0 | 11,100,000 | 11,100,000 | 9,952,415 | 9,952,415 | 9,076,196 | 876,219 | 9,222,164 |
| Contributions to unemployment insurance | 10.03.02 | 0 | 270,000 | 270,000 | 237,865 | 237,865 | 216,926 | 20,939 | 220,410 |
| Contributions to social health insurance | 10.03.03 | 0 | 2,760,000 | 2,760,000 | 2,493,015 | 2,493,015 | 2,273,794 | 219,221 | 2,291,072 |
| Contributions to labour accidents and professional diseases | 10.03.04 | 0 | 91,000 | 91,000 | 79,821 | 79,821 | 73,294 | 6,527 | 74,471 |
| Contributions for vacations and indemnities | 10.03.06 | 0 | 700,000 | 700,000 | 526,647 | 526,647 | 490,814 | 35,833 | 396,587 |

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| INDICATORS | Indicator code | Engagement credits | Budgetary credits | | Budgetary engagements | Legal engagements | Payments | Legal engagements to be paid | Effective expenditure |
|---|----------------|--------------------|-------------------|-------------------|-----------------------|-------------------|-------------------|------------------------------|-----------------------|
| | | | Initial | Final | | | | | |
| A | B | 1 | 2 | 3 | 4 | 5 | 6 | 7=5-6 | 8 |
| TITLE II GOODS AND SERVICES (code 20.01 to 20.06 + 20.09. to 20.16 + 20.18 to 20.25 + 20.27+20.28+20.30. to 20.36) | 20 | 0 | 51,327,000 | 51,327,000 | 34,858,829 | 34,858,829 | 29,559,760 | 5,299,069 | 29,697,444 |
| Goods and services (code 20.01.01 to 20.01.09 + 20.01.30.) | 20.01 | 0 | 19,495,000 | 19,495,000 | 13,818,861 | 13,818,861 | 11,826,153 | 1,992,708 | 12,027,796 |
| Office furniture | 20.01.01 | 0 | 512,000 | 512,000 | 337,395 | 337,395 | 337,395 | 0 | 300,213 |
| Cleaning materials | 20.01.02 | 0 | 136,000 | 136,000 | 102,885 | 102,885 | 91,353 | 11,532 | 75,428 |
| Heating. electricity and motive power | 20.01.03 | 0 | 2,376,000 | 2,376,000 | 1,848,474 | 1,848,474 | 1,648,507 | 199,967 | 1,709,377 |
| Water. sewerage and waste | 20.01.04 | 0 | 172,000 | 172,000 | 92,777 | 92,777 | 83,694 | 9,083 | 85,726 |
| Fuel and lubricants | 20.01.05 | 0 | 1,500,000 | 1,500,000 | 1,372,904 | 1,372,904 | 1,138,006 | 234,898 | 1,125,581 |
| Spare parts | 20.01.06 | 0 | 190,000 | 190,000 | 93,159 | 93,159 | 93,159 | 0 | 109,696 |
| Post. telecommunications. radio. TV. Internet | 20.01.08 | 0 | 2,205,000 | 2,205,000 | 1,951,984 | 1,951,984 | 1,536,345 | 415,639 | 1,565,128 |
| Materials and services with functional character | 20.01.09 | 0 | 3,761,000 | 3,761,000 | 3,120,736 | 3,120,736 | 2,817,779 | 302,957 | 2,932,545 |
| Other goods and services for maintenance and operation services | 20.01.30 | 0 | 8,643,000 | 8,643,000 | 4,898,547 | 4,898,547 | 4,079,915 | 818,632 | 4,124,102 |
| Current repairs | 20.02 | 0 | 1,672,000 | 1,672,000 | 816,581 | 816,581 | 645,792 | 170,789 | 652,253 |
| Goods such as inventory object (code 20.05.01 + 20.05.03+ 20.05.30) | 20.05 | 0 | 298,000 | 298,000 | 49,212 | 49,212 | 46,117 | 3,095 | 102,995 |
| Other inventory objects | 20.05.30 | 0 | 298,000 | 298,000 | 49,212 | 49,212 | 46,117 | 3,095 | 102,995 |
| Delegations. secondments. transfers (code 20.06.01+20.06.02) | 20.06 | 0 | 2,804,000 | 2,804,000 | 2,143,248 | 2,143,248 | 2,143,171 | 77 | 2,168,729 |
| Internal delegations. secondments. transfers | 20.06.01 | 0 | 1,570,000 | 1,570,000 | 1,024,352 | 1,024,352 | 1,024,275 | 77 | 1,022,813 |
| Abroad delegations | 20.06.02 | 0 | 1,234,000 | 1,234,000 | 1,118,896 | 1,118,896 | 1,118,896 | 0 | 1,145,916 |



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|---|----------------|--------------------|-------------------|------------|-----------------------|-------------------|------------|------------------------------|-----------------------|
| | | | Initial | Final | | | | | |
| A | B | 1 | 2 | 3 | 4 | 5 | 6 | 7=5-6 | 8 |
| Books, publications and documentary materials | 20.11 | 0 | 216,000 | 216,000 | 43,486 | 43,486 | 37,693 | 5,793 | 47,914 |
| Consultancy and expertise | 20.12 | 0 | 10,424,000 | 10,424,000 | 5,549,269 | 5,549,269 | 2,500,250 | 3,049,019 | 2,494,042 |
| Professional training | 20.13 | 0 | 1,000,000 | 1,000,000 | 604,421 | 604,421 | 593,365 | 11,056 | 593,729 |
| Workplace safety | 20.14 | 0 | 288,000 | 288,000 | 178,384 | 178,384 | 167,190 | 11,194 | 104,727 |
| Allowances and other costs generated by loans (code 20.24.01 to 20.24.04) | 20.24 | 0 | 120,000 | 120,000 | 19,917 | 19,917 | 19,917 | 0 | 20,047 |
| Allowances and other costs generated by external loans | 20.24.01 | 0 | 120,000 | 120,000 | 19,917 | 19,917 | 19,917 | 0 | 20,047 |
| Legal and extra-legal expenses derived from representing state interests, according to the legal provisions | 20.25 | 0 | 515,000 | 515,000 | 0 | 0 | 0 | 0 | 0 |
| Other expenses (code 20.30.01 to 20.30.04 + 20.30.06 to 20.30.09 + 20.30.30) | 20.30 | 0 | 14,495,000 | 14,495,000 | 11,635,450 | 11,635,450 | 11,580,112 | 55,338 | 11,485,212 |
| Advertisement and publicity | 20.30.01 | 0 | 1,368,000 | 1,368,000 | 518,154 | 518,154 | 518,154 | 0 | 518,154 |
| Protocol and representation | 20.30.02 | 0 | 1,800,000 | 1,800,000 | 417,169 | 417,169 | 415,483 | 1,686 | 392,927 |
| Non-life insurances | 20.30.03 | 0 | 418,000 | 418,000 | 389,197 | 389,197 | 389,197 | 0 | 321,680 |
| Rents | 20.30.04 | 0 | 9,597,000 | 9,597,000 | 9,493,814 | 9,493,814 | 9,440,162 | 53,652 | 9,452,960 |
| Advertisement and publicity | 20.30.09 | 0 | 39,000 | 39,000 | 0 | 0 | 0 | 0 | 0 |
| Protocol and representation | 20.30.30 | 0 | 1,273,000 | 1,273,000 | 817,116 | 817,116 | 817,116 | 0 | 799,491 |

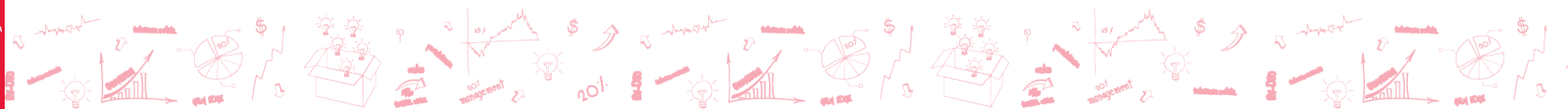
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| | | | Initial | Final | | | | | |
| A | B | 1 | 2 | 3 | 4 | 5 | 6 | 7=5-6 | 8 |
| TITLE III INTERESTS (code 30.01+30.02+30.03+30.04) | 30 | 0 | 22,728,000 | 22,728,000 | 19,946,908 | 19,946,908 | 19,946,908 | 0 | 22,301,571 |
| Interest related to the internal public debt (code 30.02.01 to 30.02.05) | 30.02 | 0 | 22,728,000 | 22,728,000 | 19,946,908 | 19,946,908 | 19,946,908 | 0 | 22,301,571 |
| Interest related to the external debts contracted by the credit principals | 30.02.02 | 0 | 22,728,000 | 22,728,000 | 19,946,908 | 19,946,908 | 19,946,908 | 0 | 22,301,571 |
| TITLE VI TRANSFERS BETWEEN BODIES OF THE PUBLIC ADMINISTRATION (code 51.01+51.02) | 51 | 0 | 167,000,000 | 167,000,000 | 167,000,000 | 167,000,000 | 167,000,000 | 0 | 167,000,000 |
| Current transfers (code 51.01.01 to 51.01.28 + 51.01.30 to 51.01.32 + 51.01.34 to 51.01.55) | 51.01 | 0 | 167,000,000 | 167,000,000 | 167,000,000 | 167,000,000 | 167,000,000 | 0 | 167,000,000 |
| Transfers to public institutions | 51.01.01 | 0 | 129,000,000 | 129,000,000 | 129,000,000 | 129,000,000 | 129,000,000 | 0 | 129,000,000 |
| Contribution paid to the state budget for the organising and functioning of the Unique National System for Emergency Calls | 51.01.42 | 0 | 38,000,000 | 38,000,000 | 38,000,000 | 38,000,000 | 38,000,000 | 0 | 38,000,000 |
| TITLE VII OTHER TRANSFERS (code 55.01 to 55.04) | 55 | 0 | 1,073,000 | 1,073,000 | 880,622 | 880,622 | 880,622 | 0 | 900,581 |
| B. Current transfers to abroad (to international organisations) (code 55.02.01 to 55.02.05) | 55.02 | 0 | 1,073,000 | 1,073,000 | 880,622 | 880,622 | 880,622 | 0 | 900,581 |
| Contributions and dues to international bodies | 55.02.01 | 0 | 1,073,000 | 1,073,000 | 880,622 | 880,622 | 880,622 | 0 | 900,581 |
| TITLE VIII PROJECTS FINANCED FROM POST-ACCESSION NON-REFUNDABLE EXTERNAL FUNDS (code 56.01 to 56.31) | 56 | 13.233.000 | 13,345,000 | 13,345,000 | 44,887 | 1,514,072 | 44,887 | 1,469,185 | 44,887 |
| European Regional Development Fund (ERDF) Programmes (code 56.01.01 to 56.01.04) | 56.01 | 13.233.000 | 13,345,000 | 13,345,000 | 44,887 | 1,514,072 | 44,887 | 1,469,185 | 44,887 |

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|--|----------------|--------------------|-------------------|-------------------|-----------------------|-------------------|-------------------|------------------------------|-----------------------|
| INDICATORS | Indicator code | Engagement credits | Budgetary credits | | Budgetary engagements | Legal engagements | Payments | Legal engagements to be paid | Effective expenditure |
| | | | Initial | Final | | | | | |
| A | B | 1 | 2 | 3 | 4 | 5 | 6 | 7=5-6 | 8 |
| National financing | 56.01.01 | 1,907,000 | 1,926,000 | 1,926,000 | 7,244 | 156,487 | 7,244 | 149,243 | 7,244 |
| Non-refundable external financing | 56.01.02 | 7,620,000 | 7,692,000 | 7,692,000 | 28,955 | 625,463 | 28,955 | 596,508 | 28,955 |
| Non-eligible expenses | 56.01.03 | 3,706,000 | 3,727,000 | 3,727,000 | 8,688 | 732,122 | 8,688 | 723,434 | 8,688 |
| TITLE IX. SOCIAL WELFARE (code 57.01+57.02) | 57 | 0 | 1,500,000 | 1,500,000 | 859,772 | 859,772 | 828,047 | 31,725 | 839,177 |
| Social insurances (code 57.02.01 + 57.02.04) | 57.02 | 0 | 1,500,000 | 1,500,000 | 859,772 | 859,772 | 828,047 | 31,725 | 839,177 |
| Cash social aid | 57.02.01 | 0 | 1,500,000 | 1,500,000 | 859,772 | 859,772 | 828,047 | 31,725 | 839,177 |
| TITLE X OTHER EXPENSES (code 59.01 to 59.28 + 59.30 to 59.34) | 59 | 0 | 50,000 | 50,000 | 150 | 150 | 150 | 0 | 150 |
| Civil compensations | 59.17 | 0 | 50,000 | 50,000 | 150 | 150 | 150 | 0 | 150 |
| CAPITAL EXPENSES (code 71+72+75) | 70 | 92,418,000 | 97,430,000 | 97,430,000 | 22,929,522 | 67,986,656 | 14,964,389 | 53,022,267 | 40,624,317 |
| TITLE XII NON-FINANCIAL ASSETS (code 71.01 to 71.03) | 71 | 92,418,000 | 97,430,000 | 97,430,000 | 22,929,522 | 67,986,656 | 14,964,389 | 53,022,267 | 40,624,317 |
| Fixed assets (code 71.01.01 to 71.01.03 + 71.01.30) | 71.01 | 92,418,000 | 97,430,000 | 97,430,000 | 22,929,522 | 67,986,656 | 14,964,389 | 53,022,267 | 40,624,317 |
| Constructions | 71.01.01 | 23,107,000 | 14,500,000 | 14,500,000 | 2,940,798 | 2,940,798 | 774,624 | 2,166,174 | 2,302,875 |
| Cars, equipment and means of transport | 71.01.02 | 51,296,000 | 60,430,000 | 60,430,000 | 12,165,001 | 52,827,797 | 8,181,137 | 44,646,660 | 31,361,968 |
| Furniture, bureaucratic and other tangible assets | 71.01.03 | 0 | 2,500,000 | 2,500,000 | 1,546,003 | 1,546,003 | 157,871 | 1,388,132 | 852,699 |
| Other fixed assets | 71.01.30 | 18,015,000 | 20,000,000 | 20,000,000 | 6,277,720 | 10,672,058 | 5,850,757 | 4,821,301 | 6,106,775 |

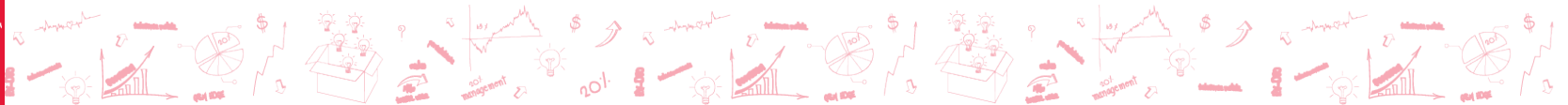
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|--|----------------|--------------------|-------------------|---------------|-----------------------|-------------------|---------------|------------------------------|-----------------------|
| | | | Initial | Final | | | | | |
| A | B | 1 | 2 | 3 | 4 | 5 | 6 | 7=5-6 | 8 |
| FINANCIAL OPERATIONS (code 80+81) | 79 | 0 | 32,500,000 | 32,500,000 | 28,640,530 | 28,640,530 | 28,640,530 | 0 | 6,537,142 |
| TITLE XVI LOAN REPAYMENTS (code 81.01+ 81.03) | 81 | 0 | 32,500,000 | 32,500,000 | 28,640,530 | 28,640,530 | 28,640,530 | 0 | 6,537,142 |
| Repayment of external debts (code 81.01.01 + 81.01.02 + 81.01.05 + 81.01.06) | 81.01 | 0 | 32,500,000 | 32,500,000 | 28,640,530 | 28,640,530 | 28,640,530 | 0 | 6,537,142 |
| Repayment of external debts contracted by the credit principals | 81.01.01 | 0 | 32,500,000 | 32,500,000 | 28,640,530 | 28,640,530 | 28,640,530 | 0 | 6,537,142 |
| TITLE XVII PAYMENTS MADE IN THE PREVIOUS YEARS AND RECOVERED IN THE CURRENT YEAR (code 85) | 85 | 0 | 0 | 0 | (84,318) | (84,318) | (84,318) | 0 | 0 |
| Payments made in the previous years and recovered in the current year | 85.01 | 0 | 0 | 0 | (84,318) | (84,318) | (84,318) | 0 | 0 |
| TITLE XVIII RESERVES, SURPLUS-DEFICIT | 90 | 0 | (299,012,000) | (299,012,000) | 0 | 0 | (107,930,600) | 0 | 0 |
| Deficit | 93.01 | 0 | (299,012,000) | (299,012,000) | 0 | 0 | (107,930,600) | 0 | 0 |

| Execution account of the public institution budget – Incomes | | | | | | | | | |
|---|----------|------------------------------|----------------------------|---------------------|----------------|--------------|-------------------|--|-------------------------|
| as of 31.12.2012 | | | | | | | | | |
| Indicators | Code | Initial budgetary provisions | Final budgetary provisions | Rights acknowledged | previous years | current year | Payments received | Liquidation through other means than payments received | Payments to be received |
| | | | | Total, of which: | | | | | |
| A | B | 1 | 2 | 3=4+5 | 4 | 5 | 6 | 7 | 8=3-6-7 |
| Total revenues | | 156,155,000 | 156,155,000 | 281,637,983 | 16,443,470 | 265,194,513 | 210,793,851 | 434,735 | 70,409,397 |
| Other taxes on goods and services | 12.10 | 0 | 0 | 5,897,491 | 5,875,823 | 21,668 | 562,116 | 0 | 5,335,375 |
| Incomes from the share of the turnover achieved in the electronic communications sector | 12.10.08 | 0 | 0 | 5,897,491 | 5,875,823 | 21,668 | 562,116 | 0 | 5,335,375 |



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|---|-------------|------------------------------------|----------------------------------|------------------------|-------------------|--------------|----------------------|--|----------------------------|
| Indicators | Code | Initial budgetary provisions | Final budgetary provisions | Rights acknowledged | previous years | current year | Payments received | Liquidation through other means than payments received | Payments to be received |
| | | | | Total, of which: | | | | | |
| A | B | 1 | 2 | 3=4+5 | 4 | 5 | 6 | 7 | 8=3-6-7 |
| Incomes from service provision and other activities | 33.10 | 152,300,000 | 152,300,000 | 269,634,277 | 9,669,398 | 259,964,879 | 205,212,101 | 416,333 | 64,005,843 |
| Incomes from service provision | 33.10.08 | 152,300,000 | 152,300,000 | 269,634,277 | 9,669,398 | 259,964,879 | 205,212,101 | 416,333 | 64,005,843 |
| Incomes from interests | 31.10 | 3,000,000 | 3,000,000 | 5,049,226 | 171,094 | 4,878,132 | 4,913,858 | 0 | 135,368 |
| Other incomes from interests | 31.10.03 | 3,000,000 | 3,000,000 | 5,049,226 | 171,094 | 4,878,132 | 4,913,858 | 0 | 135,368 |
| Various incomes | 36.10 | 0 | 0 | 1,055,839 | 727,155 | 328,684 | 104,628 | 18,400 | 932,811 |
| Other incomes | 36.10.50 | 0 | 0 | 1,055,839 | 727,155 | 328,684 | 104,628 | 18,400 | 932,811 |
| Incomes from the capitalization of certain goods | 39.10 | 0 | 0 | 1,150 | 0 | 1,150 | 1,148 | 2 | 0 |
| Incomes from the capitalization of certain goods belonging to the public institutions | 39.10.01 | 0 | 0 | 1,150 | 0 | 1,150 | 1,148 | 2 | 0 |
| Amounts received from the UE on account of the payments made | 45.10 | 855,000 | 855,000 | 0 | 0 | 0 | 0 | 0 | 0 |
| Programmes of the European Regional Development Fund (FEDR) | 45.10.01 | 855,000 | 855,000 | 0 | 0 | 0 | 0 | 0 | 0 |
| Amounts received on account of the payments made in the current year | 45.10.01.01 | 770,000 | 770,000 | 0 | 0 | 0 | 0 | 0 | 0 |
| Amounts received on account of the payments made in the previous years | 45.10.01.02 | 85,000 | 85,000 | 0 | 0 | 0 | 0 | 0 | 0 |

14.

| | |
|----------------------------|--|
| ANCOM | National Authority for Management and Regulation in Communications |
| AOMR | Association of Mobile Operators from Romania |
| BEREC | Body of European Regulators for Electronic Communications |
| BWA | Broadband Wireless Access Systems |
| CATV | Cable TV |
| EC | European Commission |
| CEE Regional Working Group | Central Eastern Europe Regional Working Group |
| CEPT | European Conference of Postal and Telecommunications Administrations |
| CNA | National Audiovisual Council |
| CNPR | Romanian Post National Company |
| CoCom | Communications Committee |
| DSNG | Digital Satellite News Gathering |
| DTH | Direct-To-Home |
| ERG | European Regulators Group |
| GMDSS | Global Maritime Distress Safety System |
| GMPCS | Global Mobile Personal Communications by Satellite |
| HDTV | High Definition Television |
| IARU | International Amateur Radio Union |
| ICCJ | High Court of Cassation and Justice |
| INS | National Statistics Institute |
| IRG | Independent Regulators Group |
| ISPC | International Signalling Point Codes |

| | |
|---------|--|
| ITU | International Telecommunication Union |
| LURN | Licence for the use of numbering resources |
| MCSI | Ministry of Communications and Information Society |
| MHP | Multimedia Home Platform |
| MMDS | Multipoint Multichannel Distribution System |
| MNC | Mobile Network Codes |
| NIC | Network Identification Codes |
| NNP | National Numbering Plan |
| NSPC | National Signalling Point Codes |
| NTFA | National Table for Frequency Allocation |
| PAMR | Public Access Mobile Radiocommunications |
| PVR | Personal Video Recorder |
| PMR | Professional Mobile Radiocommunications |
| RAINWAT | Regional Arrangement for INland WATerways |
| RN | Routing Numbers |
| RIO | Reference Interconnection Offer |
| RSC | Radio Spectrum Committee |
| RSPG | Radio Spectrum Policy Group |
| S-PCN | Satellite-Personal Communication Networks |
| S-PCS | Satellite Personal Communications Services |
| SNR | Radiocommunications National Company – S.A. |
| SNUAU | Unique National System for Emergency Calls |
| VoIP | Voice over Internet Protocol |
| VPN | Virtual Private Networks |
| VSAT | Very Small Aperture Terminal |

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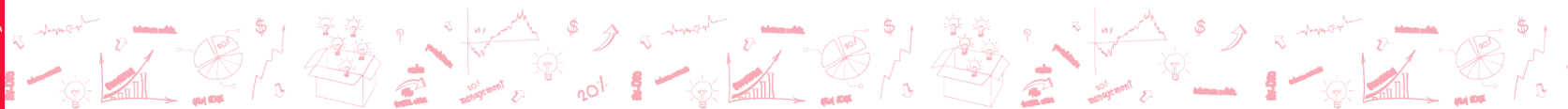
15. List of the ANCOM President's Decisions adopted in 2012

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1. Decision no.987/2012 on the general authorisation regime for the provision of electronic communications networks and services
2. Decision no.976/2012 on the terms for elaborating and auditing the separate financial statements by the National Company Romanian Post
3. Decision no.975/2012 amending and completing certain regulations on the designation conditions and procedure, as well as on the designation of the universal service providers in the postal sector
4. Decision no.892/2012 amending and completing the Decision of the President of the National Authority for Management and Regulation in Communications no. 168/2010 on the harmonisation of the use of the pairs of radio frequency bands 880-915 MHz, 925-960 MHz, 1710-1747.5 MHz and 1805-1842.5 MHz
5. Decision no.801/2012 amending the Decision of the President of the National Authority for Management and Regulation in Communications no.459/2010 on the allocation and use of national short numbers for services of public interest at national level
6. Decision no.351/2012 on amending certain regulations in the field of number portability
7. Decision no.551/2012 on establishing the spectrum usage tariff
8. Decision no.274/2012 on approving the regulations for conducting separate accounts, within the internal accounting system, by S.C. Romtelecom S.A.
9. Decision no.541/2012 on the organisation of the selection procedure for awarding the radio frequency usage rights
10. Decision no.392/2012 on amending and completing the Decision of the Inspectorate General for Communications and Information Technology no.686/2005 on the Procedure of charging tariffs and

the List of tariffs for the use of the radio spectrum, which are to be paid, annually, to the Inspectorate General for Communications and Information Technology

11. Decision no.1722/2011 on the radio frequencies or the radio frequency bands excepted from the licensing regime
12. Decision no.101/2012 designating Volio Communications – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligation
13. Decision no.109/2012 designating Vodafone Romania – S.A. as a provider with significant power on the market for call termination, at a mobile location, on the provider's individual public telephone network and imposing their corresponding obligations
14. Decision no.108/2012 designating Telemobil – S.A. as a provider with significant power on the market for call termination, at a mobile location, on the provider's individual public telephone network and imposing their corresponding obligations
15. Decision no.107/2012 designating Romtelecom – S.A. as a provider with significant power on the market for call termination, at a mobile location, on the provider's individual public telephone network and imposing their corresponding obligations
16. Decision no.106/2012 designating RCS & RDS – S.A. as a provider with significant power on the market for call termination, at a mobile location, on the provider's individual public telephone network and imposing their corresponding obligations
17. Decision no.105/2012 designating Orange Romania – S.A. as a provider with significant power on the market for call termination, at a mobile location, on the provider's individual public telephone network and imposing their corresponding obligations
18. Decision no.104/2012 designating Cosmote Romanian Mobile Telecommunications – S.A. as a provider with significant power

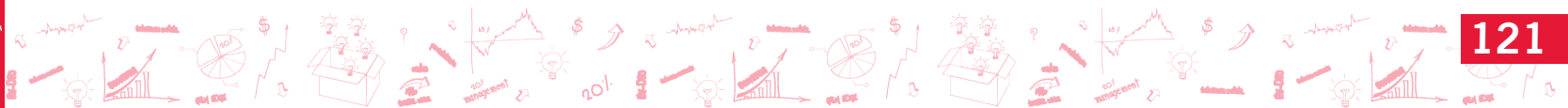


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on the market for call termination, at a mobile location, on the provider's individual public telephone network and imposing their corresponding obligations

19. Decision no.103/2012 designating Voxline Communication – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
20. Decision no.102/2012 designating Voxility – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
21. Decision no.100/2012 designating Vodafone Romania – S.A. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
22. Decision no.99/2012 designating Vitanic RO – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
23. Decision no.98/2012 designating Vialtex Prodcum – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
24. Decision no.97/2012 designating UPC Romania – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
25. Decision no.96/2012 designating Trans Tel Services – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations

26. Decision no.95/2012 designating Telemobil – S.A. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
27. Decision no.94/2012 designating Telemax – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
28. Decision no.93/2012 designating Telefonet Comm Tech – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
29. Decision no.92/2012 designating Telcor Communications – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligation
30. Decision no.91/2012 designating Romtelecom – S.A. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
31. Decision no.90/2012 designating Real Network and Telecommunications – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
32. Decision no.89/2012 designating RCS & RDS – S.A. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
33. Decision no.88/2012 designating Rartel – S.A. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations

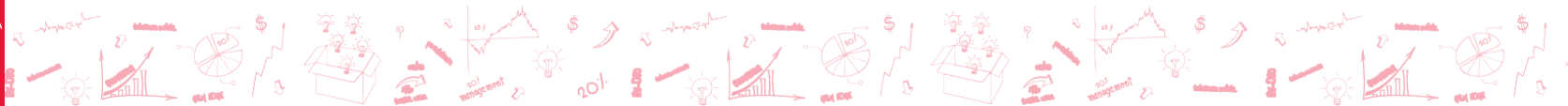


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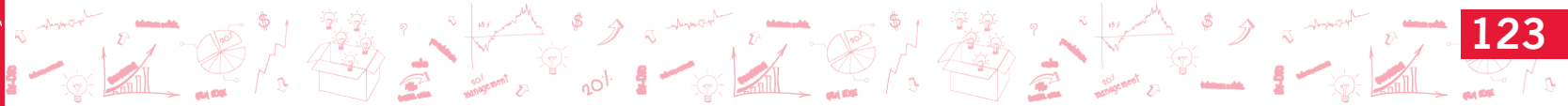
34. Decision no.87/2012 designating The National Radiocommunications Company S.A. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
35. Decision no.86/2012 designating Prime Telecom – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
36. Decision no.85/2012 as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
37. Decision no.84/2012 designating Nobel Romania – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
38. Decision no.83/2012 designating Nextgen Communications – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
39. Decision no.82/2012 designating Net-Connect Internet – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
40. Decision no.81/2012 designating Necc Telecom Romania – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
41. Decision no.80/2012 designating Media Sat – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
42. Decision no.79/2012 designating Iristel Romania – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
43. Decision no.78/2012 designating Intersat – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
44. Decision no.77/2012 designating Interpoint – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
45. Decision no.76/2012 designating Internet Telecom – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
46. Decision no.75/2012 designating Ines Group – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
47. Decision no.74/2012 designating Idilis – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
48. Decision no.73/2012 designating GTS Telecom – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
49. Decision no.72/2012 designating GBA Network Group – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations



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50. Decision no.71/2012 designating Euroweb Romania – S.A. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
51. Decision no.70/2012 designating Dotro Telecom – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
52. Decision no.69/2012 designating Digital Cable Systems – S.A. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
53. Decision no.68/2012 designating Digicom Systems – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
54. Decision no.67/2012 designating Dial Telecom – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
55. Decision no.66/2012 designating Cosmote Romanian Mobile Telecommunications – S.A. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
56. Decision no.65/2012 designating Contact Telecom – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
57. Decision no.64/2012 designating Connet-RO – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations

58. Decision no.63/2012 designating Combridge – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
59. Decision no.62/2012 designating Cobalt IT – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
60. Decision no.61/2012 designating Cellebral – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
61. Decision no.60/2012 designating Canal S – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
62. Decision no.59/2012 designating Atlas Telecom Network Romania – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
63. Decision no.58/2012 designating Aqualogic – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
64. Decision no.57/2012 designating Alizee Telecom Network – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
65. Decision no.56/2012 designating Aeroglobal – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations



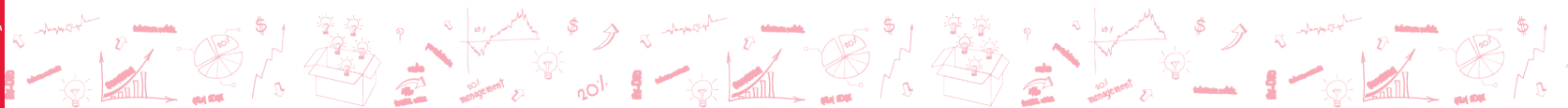
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66. Decision no.55/2012 designating Advanced Business Solutions International – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
67. Decision no.54/2012 designating Adisam Telecom – S.A. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations

68. Decision no.53/2012 designating A1 Telecom Network ISP – S.R.L. as a provider with significant power on the market for call termination, at a fixed location, on the provider's individual public telephone network and imposing their corresponding obligations
69. Decision no.34/2012 on identifying the relevant markets in the electronic communications sector corresponding to the services of call termination, at a fixed location, respectively corresponding to the services of call termination, at a mobile location



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- Source: 2012 Annual Report of the National Authority for Management and Regulation in Communications;
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- A clear wording with the same meaning as above.

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