



**LIETUVOS RESPUBLIKOS
RYŠIŲ REGULIAVIMO TARNYBA
COMMUNICATIONS REGULATORY AUTHORITY OF THE REPUBLIC OF
LITHUANIA**

The European Commission

2013-06-14 Our ref: (35.3) 1B-3025

BEREC

National Regulatory Authorities
in Members States

NOTIFICATION OF DRAFT MEASURES – WITHDRAWAL OF OBLIGATIONS

Dear Sir/Madam,

The Communications Regulatory Authority of the Republic of Lithuania (RRT), in line with its tasks and obligations set in the Law on Electronic Communications of the Republic of Lithuania, transposing the European Union regulatory framework of 2002, has conducted an analysis of the following four markets which are included as Markets 3, 4, 5, and 6 in the annex of Commission Recommendation of 11 February 2003 (2003/311/EC) on relevant product and service markets within the electronic communications sector susceptible to *ex ante* regulation in accordance with Directive 2002/21/EU of the European Parliament and of the Council on a common regulatory framework for electronic communications networks and services:

- 1) Publicly available local and/or national telephone services provided at a fixed location for residential customers (Market 3 of the Commission Recommendation 2003/11/EC);
- 2) Publicly available international telephone services provided at a fixed location for residential customers (Market 4 of the Commission Recommendation 2003/11/EC);
- 3) Publicly available local and/or national telephone services provided at a fixed location for non-residential customers (Market 5 of the Commission Recommendation 2003/11/EC);
- 4) Publicly available international telephone services provided at a fixed location for non-residential customers (Market 6 of the Commission Recommendation 2003/11/EC).

The first review of Markets 3, 4, 5, and 6 was previously notified in 2006 and assessed by the European Commission under case LT/2006/0425 for Market 3, case LT/2006/0426 for Market 5, case LT/2006/0427 for Market 4 and case LT/2006/0428 for Market 6 designating TEO LT, AB, the incumbent fixed network operator in Lithuania, as having significant market power on the notified Markets where TEO LT, AB was imposed an obligation of price control and cost accounting and obligation of accounting separation.

In 2008, RRT notified the Commission of the second review of Markets 3 and 5 which were registered under cases LT/2008/0763 and LT/2006/0764 respectively. In the analysis of Markets 3 and 5, RRT maintained the obligations of price control and cost accounting as well as accounting separation imposed on TEO LT, AB in the first round in 2006 and imposed an additional price control obligation related to the price for national off-net calls.

State budgetary agency

Code 121442211

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Data have been accumulated and
stored in the Register of Legal Entities

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RRT hereby notifies the Commission, Body of the European Regulators for Electronic Communications, and National Regulatory Authorities in Member States of the performed analyses of Markets 3, 4, 5, and 6 and informs that, with this notification on draft measures, RRT proposes, from 1 January 2014, to withdraw remedies imposed on TEO LT, AB as the said Markets tend towards effective competition and the second criteria of the “3 criteria” test is not met.

This notification is submitted in line with Article 16(12) of the Law on Electronic Communication of the Republic of Lithuania (Official Gazette Valstybės žinios, No 69-2382, 2004) and Article 7(3) of Directive 2002/21/EC of the European Parliament and of the Council on a common regulatory framework for electronic communications networks and services.

Responses to this consultation are due to be sent to Ms. Vaida Barkauskienė by e-mail: vaida.barkauskiene@rrt.lt and Mr. Audrius Šniepis by e-mail: audrius.sniepis@rrt.lt.

This notification contains the following documents:

1. The summary notification form (non-confidential, in the English language);
2. Draft analyses of Markets 3-6 (non-confidential, in the Lithuanian language);
3. Draft Order of the Director of RRT on the definition of publicly available local and/or national telephone services provided at a fixed location for residential customers (non-confidential, in the Lithuanian language);
4. Draft Order of the Director of RRT on the definition of publicly available international telephone services provided at a fixed location for residential customers (non-confidential, in the Lithuanian language);
5. Draft Order of the Director of RRT on the definition of publicly available local and/or national telephone services provided at a fixed location for non-residential customers (non-confidential, in the Lithuanian language);
6. Draft Order of the Director of RRT on the definition of publicly available international telephone services provided at a fixed location for non-residential customers (non-confidential, in the Lithuanian language);
7. Draft Order of the Director of RRT on withdrawal of remedies imposed on TEO LT, AB in the market of publicly available local and/or national telephone services provided at a fixed location for residential customers, in the market of publicly available international telephone services provided at a fixed location for residential customers, in the market of publicly available local and/or national telephone services provided at a fixed location for non-residential customers, in the market of publicly available international telephone services provided at a fixed location for non-residential customers (non-confidential, in the Lithuanian language);
8. Minutes of public discussions with market players (non-confidential, in the Lithuanian language).

Yours sincerely,

Acting Director



Romualdas Leonavičius