

NOTIFICATION FORM

Section 1 Market definition

1.1 The relevant product/service market. Is this market mentioned in the Recommendation on relevant markets?

Market of broadcasting transmission services, to deliver content to end users. This market is not included in the Annex to the Commission Recommendation 2007/879/EC, but is included in the Annex to the Commission Recommendation 2003/311/EC as **Market 18**.

The first round of analysis of Market 18 was carried out in 2006 and registered by the Commission under case references LT/2006/0376 and LT/2006/0468 whereby seven markets defined and four of them were found susceptible to *ex ante* regulation. The second round of analysis of Market 18 was conducted in 2009 and registered by the Commission under case reference LT/2009/1022 whereby nine individual markets were defined on Market 18, two of which were not found susceptible to *ex-ante* regulation.

On 3 October 2012, the third round of analysis of Market 18 was launched. In the course of the analysis, the Communications Regulatory Authority of the Republic of Lithuania (further referred to as RRT) established that due to the switch-off of analogue terrestrial television as of 29 October 2012, services related to analogue terrestrial television broadcasting transmission services, to deliver broadcast content to end users when a radio frequency is assigned to the transmission service provider Lietuvos radijo ir televizijos centras AB and analogue terrestrial television broadcasting transmission services, to deliver broadcast content to end users when a radio frequency is assigned to a broadcaster were not and could not be provided. It was therefore objectively impossible to define the relevant markets as relates to analogue terrestrial television broadcasting transmission services (formerly defined as markets No 4 and 7 in case LT/2009/1022) as well as there were no objective reasons to analyze them. Taking into consideration the said circumstances, Lietuvos radijo ir televizijos centras AB could be no longer considered as having significant market power on markets No 4 and 7 and could no longer be subject to obligations of access, non-discrimination, and transparency as well as price control, cost accounting, and accounting separation. On 15 May 2013 RRT communicated to the Commission the final decision as regards withdrawal of obligations on markets No 4 and 7.

Hereby RRT notifies the Commission of the results of the rest analysis of **Market 18** where 21 individual submarkets were defined:

1. Market of analogue terrestrial radio broadcasting transmission services provided by Lietuvos radijo ir televizijos centras AB in the territory of Lithuania (further referred to as Submarket 1).
2. Market of analogue terrestrial radio broadcasting transmission services provided by J. Varno Vilniaus radijo studija IĮ in Vilnius city and its district (further referred to as Submarket 2).
3. Market of analogue terrestrial radio broadcasting transmission services provided by broadcasters in the territory of the Republic of Lithuania (further referred to as Submarket 3).

4. Market of digital terrestrial television broadcasting transmission services provided by Lietuvos radijo ir televizijos centras AB in the territory of the Republic of Lithuania (further referred to as Submarket 4).

5. Market of digital terrestrial television broadcasting transmission services provided by TEO LT, AB in the territory of the Republic of Lithuania (further referred to as Submarket 5).

6. Market of digital terrestrial television broadcasting transmission services provided by V. Krušna IĮ in the district of Alytus city (further referred to as Submarket 6).

7. Market of digital terrestrial television broadcasting transmission services provided by Česlovas Rulevičius in Trakai city and its district (further referred to as Submarket 7).

8. Market of digital terrestrial television broadcasting transmission services provided by “Alytaus regioninė televizija” VšĮ in Alytus city and its district (further referred to as Submarket 8).

9. Market of digital terrestrial television broadcasting transmission services provided by “Kėdainių krašto televizija” UAB in Kėdainiai city and its district (further referred to as Submarket 9).

10. Market of digital terrestrial television broadcasting transmission services provided by “Pūkas” UAB in Kaunas city and its district (further referred to as Submarket 10).

11. Market of digital terrestrial television broadcasting transmission of television provided by “Marijampolės televizija” VšĮ in Marijampolė city and its district (further referred to as Submarket 11).

12. Market of digital terrestrial television broadcasting transmission services provided by “Roventa” UAB in Mažeikiai city and its district (further referred to as Submarket 12).

13. Market of digital terrestrial television broadcasting transmission services provided by “Aukštaitijos televizija” UAB in Panevėžys city and its district (further referred to as Submarket 13).

14. Market of digital terrestrial television broadcasting transmission services provided by “Balticum TV” UAB in Plungė city and its district, and in Klaipėda city and its district (further referred to as Submarket 14).

15. Market of digital terrestrial television broadcasting transmission services provided by “Raseinių krašto televizija” VšĮ in Raseiniai city and its district (further referred to as Submarket 15).

16. Market of digital terrestrial television broadcasting transmission services provided by “TV7” UAB in Jonava city and its district (further referred to as Submarket 16).

17. Market of digital terrestrial television broadcasting transmission services provided by “Šiaulių apskrities televizija” UAB in Šiauliai city and its district (further referred to as Submarket 17).

18. Market of digital terrestrial television broadcasting transmission services provided by “Ilorā” UAB in Naujoji Akmenė city and its district (further referred to as Submarket 18).

19. Market of cable television broadcasting transmission services provided in the territory of the Republic of Lithuania (further referred to as Submarket 19).

20. Market of IPTV television broadcasting transmission services provided in the territory of the Republic of Lithuania (further referred to as Submarket 20).

21. Market of satellite television broadcasting transmission services provided in the territory of the Republic of Lithuania (further referred to as Submarket 21).

To identify whether the relevant market defined is susceptible to *ex ante* regulation, the three criteria test was applied in every submarket listed above. Only two of the 21 submarkets were

found to be susceptible to *ex ante* regulation, namely Submarkets 4 and 5. More detailed results of the three criteria test are provided below:

1. Submarket 1 did not meet the second criterion of the three criteria test. Stable prices of transmission services and the possibility for the broadcasters to substitute transmission services provided by Lietuvos radijo ir televizijos centras AB with the self-supplied transmission services (after receiving the authorization to broadcast radio programs via their own network using currently free radio resources) are characteristics that limit the power of Lietuvos radijo ir televizijos centras AB to behave to an appreciable extent independently of competitors, customers, and ultimately consumers. Therefore Submarket 1 is not susceptible to *ex ante* regulation.

2. Submarket 2 did not meet the second criterion of the three criteria test. The possibility for the broadcasters to substitute transmission services provided by Lietuvos radijo ir televizijos centras AB with the self-supplied transmission services (after receiving the authorization to broadcast radio programs via their own network using currently free radio resources) is a characteristic that limits the power of J. Varno Vilniaus radijo studija IĮ to behave to an appreciable extent independently of competitors, customers, and ultimately consumers. Therefore Submarket 2 is not susceptible to *ex ante* regulation.

3. Submarket 3 did not meet the first criterion of the three criteria test. 47 available free radio channels, current regulation of infrastructure access to provide radio broadcast transmission services and market analysis of the facilities to provide broadcasting transmission services (initiated by RRT on 16 September 2013), which might show the need to regulate infrastructure access to provide transmission services, reduce the barriers to enter Submarket 3. Therefore, Submarket 3 is not susceptible to *ex ante* regulation.

4. Submarket 4 and Submarket 5 have met all criteria of the three criteria test. Therefore Submarkets 4 and 5 are susceptible to *ex ante* regulation.

5. Submarkets 6-18 did not meet the second criterion of the three criteria test. All the broadcasters were issued authorizations to use radio frequencies to establish local digital terrestrial television stations to provide broadcast transmission services to themselves or other broadcasters. The authorizations to use radio frequencies include special conditions for the pricing of broadcast transmission services and these conditions will limit the power of undertakings to behave to an appreciable extent independently of competitors, customers, and ultimately consumers. Therefore, Submarkets 6-18 are not susceptible to *ex ante* regulation.

6. Submarket 19 did not meet the second criterion. There were 41 providers of cable television broadcasting transmission services at the end of 2012 and the market share of the largest service provider was 29.4 per cent. The providers of cable television broadcasting transmission services were competing on the retail broadcasting market and had an incentive to provide transmission services for broadcasters in order to have a competitive advantage. A large number of cable television broadcasting transmission service providers and their own incentive to transmit television broadcasts are characteristics that limit the undertakings' power to behave to an appreciable extent independently of competitors, customers, and ultimately consumers. Therefore, Submarket 19 is not susceptible to *ex ante* regulation.

7. Submarket 20 did not meet the first criterion of the three criteria test. The regulation of access to physical infrastructure (market 4 of the Commission Recommendation 2007/879/EC) and the regulation of access to wholesale broadband access services (market 5 of the Commission Recommendation 2007/879/EC) reduce or remove barriers to enter the market of IPTV television broadcasting transmission services, and the increasing number of IPTV television broadcasting transmission service providers shows that barriers to enter are low. Therefore, Submarket 20 is not susceptible to *ex ante* regulation.

8. Submarket 21 did not meet the first and the second criteria of the three criteria test. At least 12 satellites cover the territory of the Republic of Lithuania and broadcasts could be transmitted to the satellites from Lithuania and other countries. To build an earth station costs about 1 million litas and these investments are not considered a high barrier to enter the relevant market. Even if the investments required to construct an earth station were considered as a limiting factor, the possibility for a broadcaster to transmit broadcasts to the satellite from Lithuania and from other countries would limit the power of a provider of satellite television broadcasting transmission services to behave to an appreciable extent independently of competitors, customers, and ultimately consumers. Therefore, Submarket 21 is not susceptible to *ex ante* regulation.

1.2 The relevant geographic market

The territory of the Republic of Lithuania and particular cities with their districts:

1. The geographical scope of Submarkets 1, 3, 4, 5, 19, 20, and 21 is **the territory of the Republic of Lithuania**.
2. The geographical scope of Submarket 2 is **Vilnius city and its district**.
3. The geographical scope of Submarket 6 is **district of Alytus city**.
4. The geographical scope of Submarket 7 is **Trakai city and its district**.
5. The geographical scope of Submarket 8 is **Alytus city and its district**.
6. The geographical scope of Submarket 9 is **Kėdainiai city and its district**.
7. The geographical scope of Submarket 10 is **Kaunas city and its district**.
8. The geographical scope of Submarket 11 is **Marijampolė city and its district**.
9. The geographical scope of Submarket 12 is **Mažeikiai city and its district**.
10. The geographical scope of Submarket 13 is **Panevėžys city and its district**.
11. The geographical scope of Submarket 14 is **Plungė city and its district, and Klaipėda city and its district**.
12. The geographical scope of Submarket 15 is **Raseiniai city and its district**.
13. The geographical scope of Submarket 16 is **Jonava city and its district**.
14. The geographical scope of Submarket 17 is **Šiauliai city and its district**.
15. The geographical scope of Submarket 18 is **Naujoji Akmenė city and its district**.

1.3 A brief summary of the opinion of the national competition authority and market players where provided.

RTT organized two national consultations. The first national consultation lasted from 16 October 2013 until 15 November 2013 and the second national consultation lasted from 22 November 2013 until 17 January 2014. The summary is provided for the first and for the second national consultations separately.

The first national consultation: For the first national consultation RRT submitted its proposal to withdraw regulation in Market 18. RRT received comments from 7 undertakings: TEO LT, AB, “Baltijos TV” UAB, “Laisvas ir nepriklausomas kanalas” UAB, “TELE-3” UAB, Lietuvos nacionalinis radijas ir televizija VŠĮ, “SATV network” UAB, Lietuvos radijo ir televizijos centras AB. The Competition Council of the Republic of Lithuania did not provide its opinion during the first round of the national consultation. Broadcasters (TEO LT, AB, “Baltijos TV” UAB, “Laisvas ir nepriklausomas kanalas” UAB, “TELE-3” UAB, Lietuvos nacionalinis radijas ir televizija VŠĮ) and a potential lessee of infrastructure to be used for the provision of transmission services (“SATV network” UAB) opposed the withdrawal of regulation from

Submarkets 4 and 5. The main arguments against the removal of the regulation of digital terrestrial television broadcasting transmission services were that:

a) the definition of the relevant submarket was faulty or the analysis of potential competition was incorrect (RRT defined two separate markets, but made a conclusion that one market had a competitive constraint on another);

b) the evaluation of the impact of broadcasting license on the ability of the broadcaster to change the transmission services provider was faulty; RRT incorrectly evaluated the effect of broadcasting licensing on the ability to switch between the providers of digital terrestrial television broadcasting transmission services;

c) circumstances that could influence the ability and willingness to change the transmission service provider were not fully evaluated. According to TEO LT, AB, the costs related to informing the viewers about the change of transmission service provider, the loss of revenues due to a change of transmission service provider, technological differences between digital terrestrial television networks of TEO LT, AB and Lietuvos radijo ir televizijos centras AB, uncertainty about the development of the new digital terrestrial television networks from 1 July 2014 were the circumstances that would limit the ability and incentives to change the providers of digital terrestrial television broadcasting transmission services;

d) the market of digital terrestrial television broadcasting transmission services is a duopoly market, and limited resources of spectrum restrain the entry of the new providers of digital terrestrial television broadcasting transmission services;

e) limited resources of spectrum restrain the construction of additional national networks for the provision of analogue terrestrial radio broadcasting transmission services.

In general, there was no opposition to remove regulation of analogue terrestrial radio broadcasting transmission services provided by Lietuvos radijo ir televizijos centras AB and radio broadcasters. But according to the comments received, the regulation of digital terrestrial television broadcasting transmission services can cease only if the regulation of access to digital terrestrial television broadcasting transmission infrastructure is effective.

Lietuvos radijo ir televizijos centras AB agreed with the proposal of RRT to withdraw regulation. The Competition Council of the Republic of Lithuania did not provide its opinion during the first round of the national consultation.

The second national consultation: For the second national consultation RRT submitted its proposal to withdraw regulation in Submarkets 1 and 3 and to leave *ex ante* regulation in Submarkets 4 and 5.

RRT received comments from 2 undertakings: TEO LT, AB and Lietuvos radijo ir televizijos centras AB. The Ministry of Transport and Communications of the Republic of Lithuania as a shareholder of Lietuvos radijo ir televizijos centras AB also provided its comments during the public hearing of comments.

The Competition Council of the Republic of Lithuania had no comments, objections, or proposals for RRT proposal to remove the regulation of analogue terrestrial radio broadcasting transmission services and to leave the regulation of digital terrestrial television broadcasting transmission services.

TEO LT, AB provided minor comments to correct one figure showing a value chain of broadcast transmission services.

Lietuvos radijo ir televizijos centras AB provided 20 comments for the market analysis of digital terrestrial television broadcasting transmission services. The main comments are as follows:

- a) In the opinion of Lietuvos radijo ir televizijos centras AB, RRT did not carry out a substitution analysis of retail television broadcasting services.
- b) In the opinion of Lietuvos radijo ir televizijos centras AB, RRT did not make a thorough demand substitution analysis of television broadcasting transmission services and made no supply substitution analysis of television broadcasting transmission services. Due to this, RRT incorrectly defined market of television broadcasting transmission services. According to Lietuvos radijo ir televizijos centras AB, there is a substitution between Over-the-Top services and digital terrestrial television broadcasting transmission services provided via digital terrestrial television networks, cable television and IPTV networks, satellite networks. According to RRT, the regulator had to define a single market for television broadcasting transmission services, but did not separate television broadcasting transmission services provided via digital terrestrial television networks, cable television, IPTV, and satellite networks.
- c) In the opinion of Lietuvos radijo ir televizijos centras AB, RRT should to carry out a more thorough analysis of OTT services.
- d) A faulty definition of a relevant market led RRT to carry out a three criteria test incorrectly. According to Lietuvos radijo ir televizijos centras AB, potential possibility to change a provider of digital terrestrial television broadcasting transmission services, a possible migration from DVB-T standard to DVB-T2 standard, a possible development of the two new DVB-T networks that would bring additional transmission resources, a possible substitution between different platforms of television broadcasting transmission services show that characteristics in the markets of digital terrestrial television broadcasting transmission services would limit anticompetitive behavior. Therefore, these markets should not be susceptible to *ex ante* regulation.
- e) A faulty definition of a relevant market led to an incorrect analysis of competition situation in Submarket 4. According to Lietuvos radijo ir televizijos centras AB, a potential possibility to change the provider of digital terrestrial television broadcasting transmission services, possible migration to DVB-T2 standard, substitution between different platforms of television broadcasting transmission services, and possible development of additional DVB-T networks show that the market of digital terrestrial television broadcasting transmission services is competitive.

The comments of the Ministry of Transport and Communications of the Republic of Lithuania on the relevant market were in line with the comments of Lietuvos radijo ir televizijos centras AB.

1.4. A brief overview of the results of the public consultation to date on the proposed market definition (e.g. how many comments were received, which respondents agreed with the proposed market definition, which respondents disagreed with it).

RRT organized two national consultations. The summary is provided for the first and for the second national consultation separately.

The first national consultation: No direct comments were received on market definition during this consultation. TEO LT, AB provided comments on the analysis of the second criterion of the three criteria test which also involved a remark on the incorrect definition of the relevant market. TEO LT, AB disagreed with the conclusion of RRT that Submarket 4 had a competitive constraint on Submarket 5 and vice-versa. TEO LT, AB concluded that if TEO LT, AB had a potential competitive constraint on Lietuvos radijo ir televizijos centras AB, RRT either incorrectly defined the relevant markets by separating the markets of television broadcast

transmission services provided by TEO LT, AB and by Lietuvos radijo ir televizijos centras AB or came to an incorrect conclusion about potential competition.

The second national consultation: RRT received one comment from Lietuvos radijo ir televizijos centras AB. It disagreed with RRT conclusion that television broadcast transmission services provided via digital terrestrial television networks, cable, IPTV and satellite networks form individual relevant markets. In the opinion of Lietuvos radijo ir televizijos centras AB, there is a substitution between television broadcast transmission services provided via digital terrestrial television networks, cable, IPTV and satellite networks, therefore, one individual market of television broadcast transmission services should be defined. Please note that during the first national consultation Lietuvos radijo ir televizijos centras AB provided no comments regarding market definition.

The Competition Council of the Republic of Lithuania had no comments regarding the definition of relevant markets.

1.5 Where the relevant market is different from those listed in the Recommendation on relevant markets, a summary of the main reasons justifying the proposed market definition by reference to Section 2 of the Commission Guidelines on market analysis and the assessment of significant market power under the Community regulatory framework for electronic communications and services, and the three main criteria mentioned in recitals 5 to 13 of the Recommendation on relevant markets and Section 2.2 of the accompanying Explanatory Note.

Submarkets 1-21 of Market 18 were defined in the Commission Recommendation 2003/11/EC and not listed in the Commission Recommendation 2007/879/EC. In addition, the current market analysis included the review of the five submarkets out of nine which were defined in the analysis of Market 18 in 2009 (case LT/2009/1022) and which have been subject to *ex ante* regulation until now; obligations in two submarkets out of the said nine markets in Market 18 were withdrawn in 2012 (case LT/2012/1369) due to the switch-off of analogue television. To review whether *ex ante* regulation was still reasoned, RRT had to carry out analysis of Market 18, i.e. RRT had to define relevant market (markets) and to assess whether this market (those markets) were susceptible to *ex ante* regulation. The definition of a relevant market of broadcasting transmission services, to deliver content to end users involved the following procedures:

Firstly, RRT analyzed retail broadcasting services. This analysis showed that:

1. Retail broadcasting services should be split into radio and television broadcasts as those two services satisfy different needs of customers.

2. Radio broadcast services could be received via analogue terrestrial radio networks, cable television, broadband, satellite, IPTV, and cable networks. The most popular services were radio broadcasts via analogue terrestrial radio networks.

3. Television broadcasting services could be divided into pay television and free (non-payable) television services, pay television being the most popular service (in 2012, 55.4 per cent of households subscribed to pay television services). The most popular platform was digital terrestrial television (at the end of June 2012, 53.9 per cent of households were watching television via digital terrestrial television networks). The second most popular platform was cable television; at the end of June 2012, 45.2 per cent of households watched television via cable television networks.

Secondly, RRT briefly analyzed technical characteristics of various transmission services used to deliver radio and television broadcasts.

At the third stage, RRT carried out a substitution test on supply and demand side of various transmission services whereby two separate markets for transmission services for radio and television broadcasts were defined. Those two services were further analyzed. Firstly, RRT analyzed whether transmission of radio broadcasts via analogue terrestrial, cable television, IPTV, satellite and broadband networks were substitutes. Afterwards RRT analyzed whether analogue terrestrial radio broadcasting transmission services provided by transmission service providers and broadcasters constituted the same market. Lastly, RRT analyzed whether analogue terrestrial radio broadcasting transmission services provided by different transmission service providers should fall into the same market. In defining separate markets for the transmission of television broadcasts, RRT analyzed whether transmission of television broadcasts via digital terrestrial television networks, cable television, IPTV and satellite networks were substitutes. Then RRT analyzed whether digital terrestrial television broadcasting transmission services provided by different transmission service providers fell in the same market.

After several sets of substitution analysis on demand and supply side were performed, the markets listed in Section 1.1 of this notification were defined. The demand and supply side substitution tests are described in detail in section 3.2 of the draft report of Market 18.

At the fourth stage, RRT made a three criteria test for every relevant market defined. RRT started its analysis from the analysis of the first criterion. If the first criterion failed, analysis of the second and third criteria was not carried out anymore. If the first criterion was met, the analysis of the second criterion was carried out. If the second criterion was not met, the third criterion was not analyzed anymore. If the second criterion was met, the analysis of the third criterion was carried out. The summary of the Submarkets that have passed the first, the second or all the criteria is provided in Section 1.1 of this notification.

Section 2

Designation of undertakings with significant market power

2.1 The name of the undertakings designated as having, individually or jointly, significant market power.

1. Lietuvos radijo ir televizijos centras AB is designated as having significant market power in Submarket 4 (Market of digital terrestrial television broadcasting transmission services provided by Lietuvos radijo ir televizijos centras AB in the territory of the Republic of Lithuania).

2. TEO LT, AB, is designated as having significant market power in Submarket 5 (Market of digital terrestrial television broadcasting transmission services provided by TEO LT, AB in the territory of the Republic of Lithuania).

Where applicable, the name of the undertakings considered no longer to have significant market power.

1. Lietuvos radijo ir televizijos centras AB is designated as having significant market power on Submarket 1 (Market of analogue terrestrial radio broadcasting transmission services provided by Lietuvos radijo ir televizijos centras AB in the territory of Lithuania).

2. Lietuvos radijo ir televizijos centras AB is designated as having significant market power on Submarket 3 (Market of analogue terrestrial radio broadcasting transmission services provided by broadcasters in the territory of the Republic of Lithuania).

3. Lietuvos radijo ir televizijos centras AB is designated as having significant market power on the Market of digital terrestrial radio broadcasting transmission services provided by Lietuvos radijo ir televizijos centras AB in the territory of the Republic of Lithuania.

2.2 The criteria used to designate an undertaking as having significant market power, individually or jointly, or not.

Criteria used to designate Lietuvos radijo ir televizijos centras AB as having significant market power on Submarket 4 were as follows:

1. Market structure (market shares).
2. Barriers to enter the market.
3. Economies of scale and scope.
4. Absence of countervailing buying power.
5. Absence of potential competition.

Criteria used to designate TEO LT, AB as having significant market power on Submarket 5 were as follows:

1. Market structure (market shares).
2. Barriers to enter the market.
3. Absence of countervailing buying power.
4. Vertical integration.
5. Absence of potential competition.

2.3 The name of the main undertakings (competitors) active in the relevant market.

The undertaking acting on Submarket 4 is Lietuvos radijo ir televizijos centras AB. The undertaking acting on Submarket 5 is TEO LT, AB. There are no other undertakings acting on Submarkets 4 and 5. Though both Lietuvos radijo ir televizijos centras AB and TEO LT, AB provide digital terrestrial television broadcasting transmission services, the competition between Lietuvos radijo ir televizijos centras AB and TEO LT, AB is very limited or currently impossible due to limited frequency resources, full usage of digital terrestrial networks and licensing of broadcasters.

2.4 The market shares of the undertakings mentioned above and the basis for calculation of market share (e.g. turnover, number of subscribers).

Lietuvos radijo ir televizijos centras AB is the only undertaking acting on Submarket 4 and therefore the market share of Lietuvos radijo ir televizijos centras AB is considered to be 100 per cent.

TEO LT, AB is the only undertaking acting on Submarket 5 and therefore the market share of TEO LT, AB is considered to be 100 per cent.

2.5 The opinion of the national competition authority, where provided.

The Competition Council of the Republic of Lithuania had no comments, objections, or proposals for the market definition, designation of undertakings having significant market power, imposition and removal of remedies.

2.6 The results of the public consultation to date on the proposed designation(s) as undertakings having significant market power (e.g. total number of comments received, numbers agreeing/disagreeing).

This information is provided in Section 1.4. of this notification.

Section 3

Regulatory obligations

3.1 The legal basis for the obligations to be imposed, maintained, amended or withdrawn (Articles 9 to 13 of Directive 2002/19/EC).

The legal basis to amend obligations imposed on Lietuvos radijo ir televizijos centras AB in Submarket 4 is as follows:

- Obligation to provide access – Article 12 of Access Directive; Article 21 of the Law on Electronic Communications of the Republic of Lithuania;
- Obligation of non-discrimination – Article 10 of Access Directive; Article 19 of the Law on Electronic Communications of the Republic of Lithuania;
- Obligation of transparency – Article 9 of Access Directive; Article 18 of the Law on Electronic Communications of the Republic of Lithuania;
- Price control and cost accounting obligations – Article 13 of Access Directive; Article 23, of the Law on Electronic Communications of the Republic of Lithuania;
- Accounting separation obligation – Article 11 of Access Directive; Article 20, paragraph 1 of the Law on Electronic Communications of the Republic of Lithuania.

The legal basis to amend obligations imposed on TEO LT, AB in Submarket 5 is as follows:

- Obligation to provide access – Article 12 of Access Directive; Article 21 of the Law on Electronic Communications of the Republic of Lithuania;
- Obligation of non-discrimination – Article 10 of Access Directive; Article 19 of the Law on Electronic Communications of the Republic of Lithuania;
- Obligation of transparency – Article 9 of Access Directive; Article 18 of the Law on Electronic Communications of the Republic of Lithuania;
- Price control and cost accounting obligations – Article 13 of Access Directive; Article 23, of the Law on Electronic Communications of the Republic of Lithuania;
- Accounting separation obligation – Article 11 of Access Directive; Article 20, paragraph 1 of the Law on Electronic Communications of the Republic of Lithuania.

The legal basis to withdraw obligations imposed on Lietuvos radijo ir televizijos centras AB in Submarket 1 is as follows:

- Article 8 paragraph 3 of Access Directive;
- Article 17 paragraph 7 of the Law on Electronic Communications of the Republic of Lithuania.

The legal basis to withdraw obligations imposed on Lietuvos radijo ir televizijos centras AB in Submarket 3 is as follows:

- Article 8 paragraph 3 of Access Directive;
- Article 17 paragraph 7 of the Law on Electronic Communications of the Republic of Lithuania.

The legal basis to withdraw obligations imposed on Lietuvos radijo ir televizijos centras AB in the market of digital terrestrial radio broadcasting transmission services provided by Lietuvos radijo ir televizijos centras AB in the territory of the Republic of Lithuania are as follows:

- Article 8 paragraph 3 of Access Directive;
- Article 17 paragraph 7 of the Law on Electronic Communications of the Republic of Lithuania.

3.2 The reasons for which the imposition, maintenance or amendment of obligations on undertakings is considered proportional and justified in the light of the objectives laid down in Article 8 of Directive 2002/21/EC. Alternatively, indicate the paragraphs, sections or pages of the draft measure where such information is to be found.

The detailed reasoning is provided in Chapters 6.1, 6.2, 6.3.1-6.3.5, 6.4.1-6.4.5, 6.5 of the draft report on analysis of Market 18.

3.3 Where the remedies proposed are other than those set out in Articles 9 to 13 of Directive 2002/19/EC, please indicate what « exceptional circumstances » within the meaning of Article 8 (3) of that directive justify the imposition of such remedies. Alternatively, indicate the paragraphs, sections or pages of the draft measure where such information is to be found.

Not applicable.

Section 4

Compliance with international obligations

4.1 Whether the proposed draft measure intends to impose, amend or withdraw obligations on market players as provided for in Article 8(5) of Directive 2002/19/EC.

Not applicable.

4.2 The name of the undertakings concerned.

Not applicable.

4.3 What international commitments entered into by the Community and the Member States are to be met.

Not applicable.