



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

The European Commission

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National Regulatory Authorities
in Member States

Body of European Regulators
for Electronic Communications

NOTIFICATION OF MARKET 18

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, on 3 October 2012 the Communications Regulatory Authority of the Republic of Lithuania (further referred to as RRT) launched the analysis of the market of broadcasting transmission services, to deliver content to end users which is not included in the annex of Commission Recommendation of 17 December 2007 (2007/879/EC) on relevant product and service markets, but is included in the Annex to the Commission Recommendation of 11 February 2003 (2003/311/EC) as Market 18.

The first round of analysis of Market 18 was carried out in 2006 (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 (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 market analysis, 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. Therefore, RRT took a decision to withdraw obligations imposed on Lietuvos radijo ir televizijos centras AB on the markets mentioned and notified its decision to the Commission (case LT/2013/1419).

Hereby RRT notifies the draft measure as regards the rest analysis of Market 18 where 21 individual submarkets are defined. The Submarket of digital terrestrial radio broadcasting transmission services, to deliver content to end users, when radio frequency is assigned to Lietuvos radijo ir televizijos centras AB was not defined in the current analysis of Market 18 because as of 1 February 2010 those services were not provided anymore and it was impossible to carry demand and supply substitution analysis. The definition of the said submarket was provided in the analysis

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of Market 18 in 2009 (case LT/2009/1022) and, in the period of the current analysis of Market 18, has been susceptible to *ex ante* regulation.

Two individual Submarkets out of 21 were found to be susceptible to *ex ante* regulation, namely the Market of transmission of television broadcasts via digital terrestrial television networks provided by Lietuvos radijo ir televizijos centras AB in the territory of the Republic of Lithuania (referred to as Submarket 4 in the attached standard notification form) and the Market of transmission of television broadcasts via digital terrestrial television networks provided by TEO LT, AB in the territory of the Republic of Lithuania (referred to as Submarket 5 in the attached standard notification form). Lietuvos radijo ir televizijos centras AB is designated as having significant market power on Submarket 4, and TEO LT, AB is designated as having significant market power on Submarket 5.

RTT organized two national consultations (from 16 October 2013 to 15 November 2013 and from 22 November 2013 to 17 January 2014) where RRT received comments from market players and received no comments from the Competition Council of the Republic of Lithuania.

This notification is submitted in line with Article 16, Paragraph 12 of the Law on Electronic Communication of the Republic of Lithuania transposing Article 7, Paragraph 3 of the Directive 2002/21/EC of the European Parliament and of the Council on a common regulatory framework for electronic communications networks and services.

This notification contains the following documents:

1. The summary notification form (non-confidential).
2. The Report on Market Analysis (non-confidential).
3. Draft order of the Director of RRT on the repeal of orders of the Director of RRT (non-confidential).
4. Draft Order of the Director of RRT on the definition of the Market of broadcasting transmission services, to deliver content to end users (non-confidential).
5. Draft order the Director of RRT on designation of undertaking Lietuvos radijo ir televizijos centras AB as having significant market power in the Market of digital terrestrial television broadcasting transmission services provided by Lietuvos radijo ir televizijos centras AB in the territory of the Republic of Lithuania (non-confidential).
6. Draft order the Director of RRT on designation of undertaking TEO LT, AB as having significant market power in the Market of digital terrestrial television broadcasting transmission services provided by TEO LT, AB in the territory of the Republic of Lithuania (non-confidential).

Yours sincerely,

Acting Director General



Romualdas Leonavičius