

NOTIFICATION FORM

Section 1 Market definition

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

The notified draft measures concern the **market of wholesale call origination on the public telephone network provided at a fixed location in Lithuania corresponding to market 2 (hereinafter referred to as Market 2)** of the Commission Recommendation 2007/879/EC of 17 December 2007 on relevant product and service markets within the electronic communication sector susceptible to *ex ante* regulation in accordance with Directive 2002/21/EC of the European Parliament and of the Council on a common regulatory framework for electronic communications networks and services (hereinafter – EC Recommendation of 2007). This market is not included in the Annex to the Commission Recommendation 2014/710/EU

This is the third round of the analysis of the market of wholesale call origination on the public telephone network provided at a fixed location in Lithuania. Previously it was notified to the Commission in September 2014 (registered as case LT/2014/1646) and the final measures were adopted in October 2014.

In line with the EC Recommendation of 2007, RRT defined *call origination on the public telephone network provided at fixed location market where the geographic territory of the market is the territory of the Republic of Lithuania*.

1.2 The relevant geographic market

The relevant geographic market corresponds to the territory of the Republic of Lithuania.

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

National public consultation ran from 23 March 2017 until 28 April 2017.

The Competition Council of the Republic of Lithuania had no comments, remarks or proposals for the proposed draft measures.

RRT received a letter from AB “Lietuvos geležinkeliai” and this undertaking had no comments, remarks or proposals for the proposed draft measures.

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 received no comments, remarks or proposals for the proposed draft measures.

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.

Not applicable.

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.

“Teo LT”, AB, (since the 1st February of 2017 the company name was changed into “Telia Lietuva”, AB) no longer has significant market power on the market of call origination on the public telephone network provided at fixed location as it was defined in the notified analysis of Market 2 in 2014.

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

“Teo LT”, AB, (since the 1st February of 2017 the company name was changed into “Telia Lietuva”, AB).

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

The three criteria test was performed. The first criteria (barriers to entry and to the development of competition) was not met.

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

Besides “Teo LT”, AB, (since the 1st February of 2017 the company name was changed into “Telia Lietuva”, AB) 7 operators which provided call origination services to themselves over their own network included AB Lietuvos radijo ir televizijos centras, AB “Lietuvos geležinkeliai”, UAB “Nacionalinis telekomunikacijų tinklas”, UAB “CSC Telecom”, UAB “Baltnetos komunikacijos”, UAB “Ecofon” and UAB “TCG Telecom”.

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

The undertaking “Teo LT”, AB, (since the 1st February of 2017 the company name was changed into “Telia Lietuva”, AB) has 90.3 per cent of the share of Market 2 in terms of minutes of the originated call. The market share of the other undertakings altogether total to 9.7 per cent.

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

The Competition Council of the Republic of Lithuania had no comments, remarks or proposals.

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)

RRT received a letter from AB “Lietuvos geležinkeliai” and this undertaking had no comments, remarks or proposals for the proposed draft measures.

The Competition Council of the Republic of Lithuania had no comments, remarks or proposals for the proposed draft measures.

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 withdraw obligations is Article 17(7) of the Law on Electronic Communications.

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 2.2 and 3 of the draft Report on wholesale market for call origination on the public telephone network provided at fixed location.

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.