

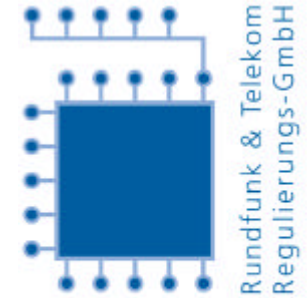
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Interconnection & Universal Service

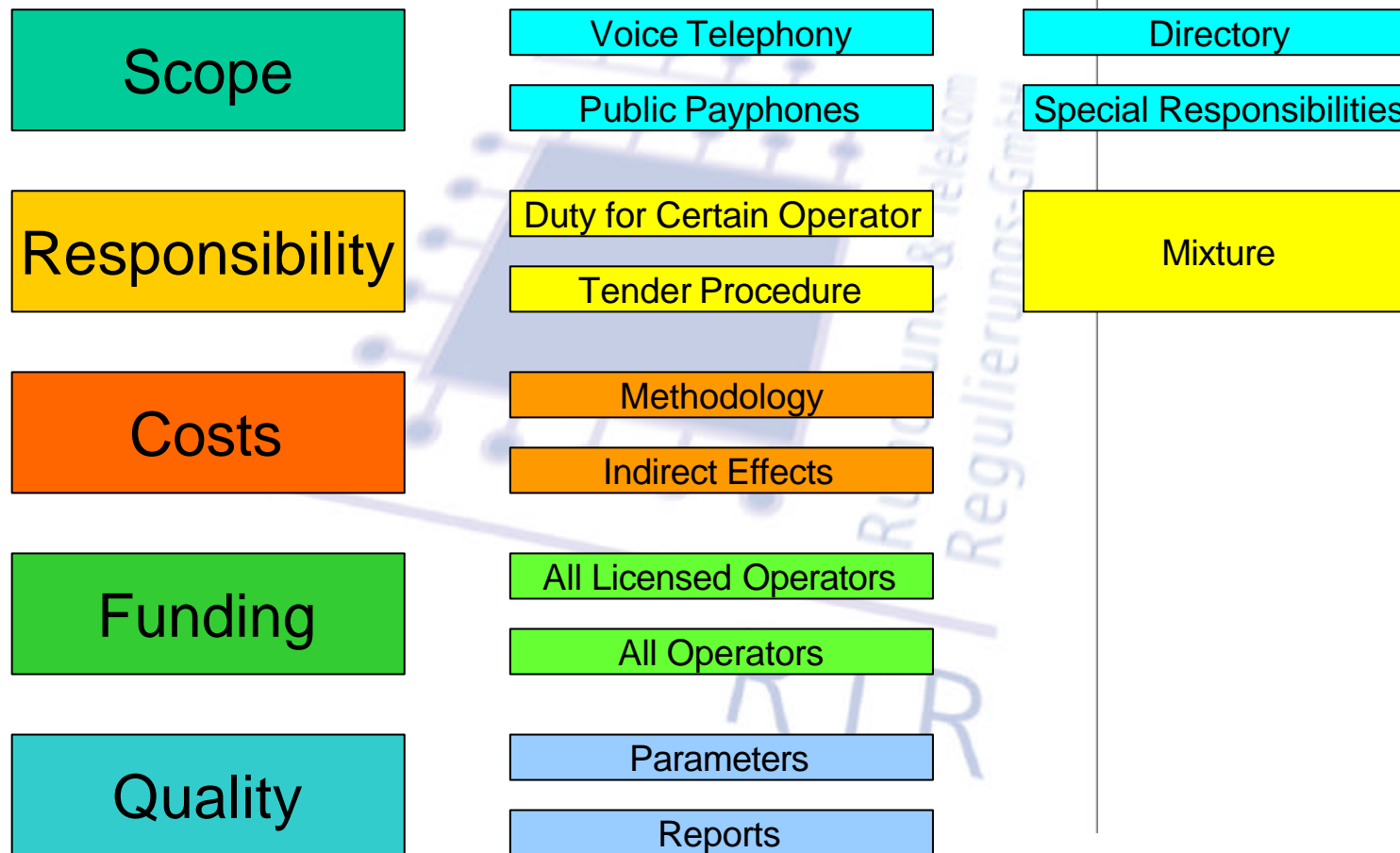
Roland Belfin

Broadcasting & Telecom
Regulatory Authority

Universal Service

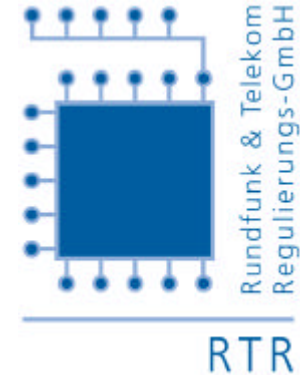


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Telecommunications Act

Scope



PART 4

UNIVERSAL SERVICE

Definition and scope

§ 24. (1) Universal service is a minimum range of public telecommunications services to which all users must have access at an affordable price irrespective of their place of residence or work. An affordable price is defined as the price in force on January 1, 1998. The regulatory authority can use a price capping procedure to fix future tariffs, with the provisions of § 18 Section 7 being applied analogously.

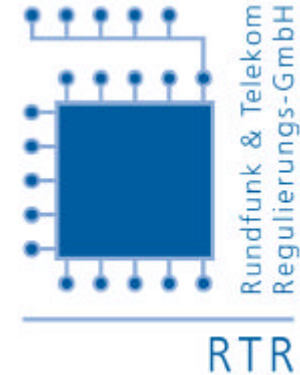
(2) Universal service comprises the following services:

1. access to the public voice telephony service via a fixed network connection, via which a fax machine and modem can also be operated, including the transfer of data at rates compatible with transmission paths for voice communication,
2. unrestricted access free of charge to emergency services, including the correct processing of emergency calls and the necessary identification of the caller's location,
3. access to directory enquiry services,
4. access to directories of subscribers to public voice telephony services and
5. full area coverage with public pay telephones at generally accessible locations.

(3) The Federal Minister of Science and Transport can issue an ordinance to include other services in universal service if these services are already wide-spread and contribute significantly to social and economic life.

Public Payphones

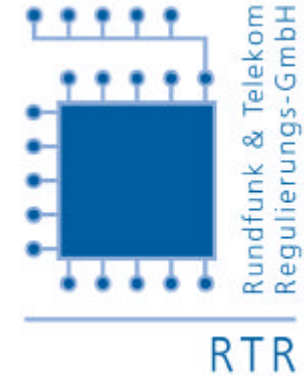
Requirements



- free access to all emergency numbers and identification of the location
- either calls to the directory enquiry service or regional directories have to be provided free of charge
- information about the still available credit- access to all numbers except for carriers access codes, as far as technically possible.
- support of multifrequency dialling

Telecommunications Act

Subscriber Directory



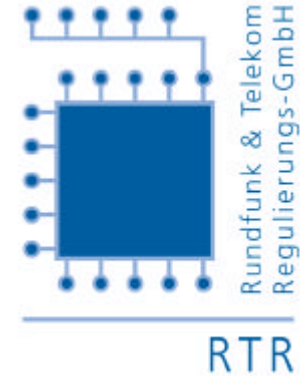
Subscriber directory for the public voice telephony service

§ 26. (1) The regulatory authority shall ensure that a uniform directory of all subscribers to public voice telephony services is available in printed or electronic form. If such a directory is not offered on the market in line with demand, the authority shall publish one or make arrangements for its publication. This applies to a directory of subscribers arranged by branches of industry (professional groups) according to the available data. The regulatory authority shall ensure that a directory enquiry service is also available.

(2) Licencees who offer a public voice telephony service via a fixed network or a mobile network are obliged to provide the regulatory authority, free of charge, with subscriber data in a form to be specified by the authority so that the authority can fulfil its obligations in accordance with Section 1.

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Providers



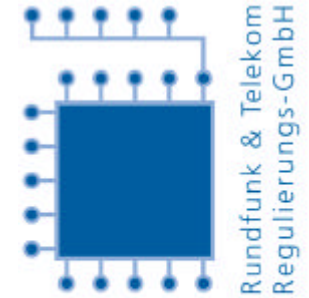
Providers

§ 28. (1) The provision of universal service and compliance with the special service obligations shall be put out to public tender by the Federal Minister of Science and Transport and awarded according to the regulations governing the award of services. It can make use of the regulatory authority. The provision of universal service and compliance with the special service obligations shall be based separately on objective or regional factors. The provision of universal service shall be put out to public tender periodically, at least every ten years. The prime consideration in awarding the contract is who will need the smallest contribution to the cost of providing the service.

(2) The invitation to tender shall be published in the "Amtsblatt zur Wiener Zeitung" (Official Gazette of the Wiener Zeitung) with an appropriate deadline for applications and an indication of the area to be supplied and the type of service to be provided.

(3) If a tender to provide the specified service is not received within the deadline for applications, the regulatory authority can compel the provider of a public voice telephony service who has the largest share of the relevant technical or geographic market to provide this service in accordance with the conditions defined in this Law.

Responsibilities

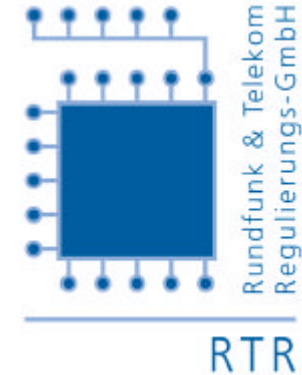


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	Regulator	USO Operator	Other Operators
Delivery of USO services		yes	
Application for USO refunding		yes	
Check if USO refunding is possible	yes		
Delivery of cost calculation		yes	
Check of cost calculation	yes		
Management of USO fund	yes		
Financing of USO fund		yes	yes
Publication of USO report	yes		

Telecommunications Act

Compensation



Financial compensation

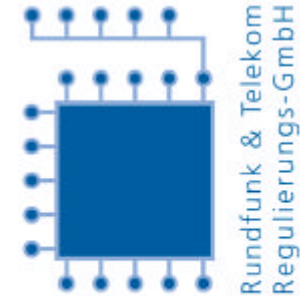
§ 29. (1) The demonstrable costs of universal service that cannot be recovered despite good economic management shall be compensated to the provider of the service at his request at the end of the calendar year. Cost accounting shall be based on Annex 3 of the Connection Guidelines.

(2) If the provider of universal service has a share of the relevant market (public voice telephony service) that exceeds 80% by turnover, he cannot claim compensation.

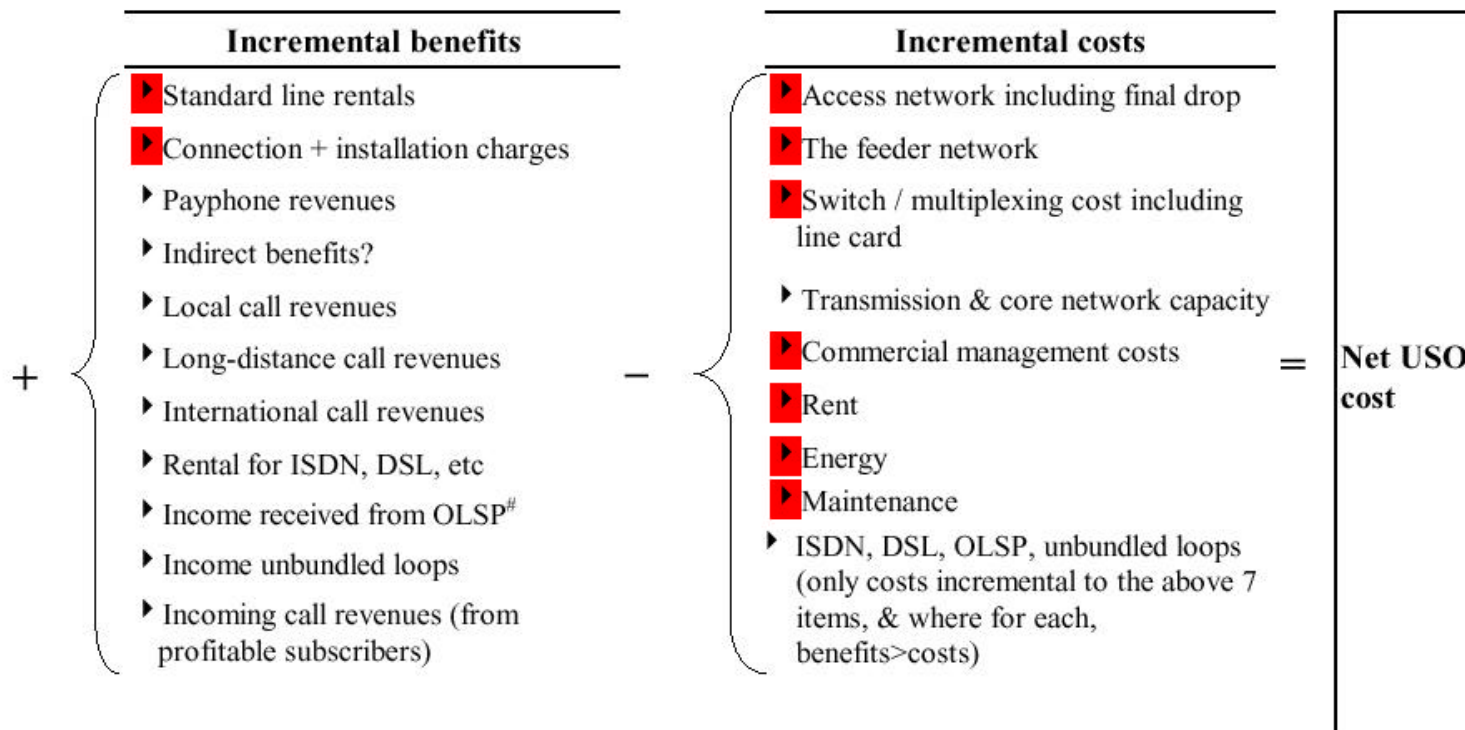
(3) The regulatory authority shall be presented with appropriate documents by the provider of universal service to enable it to check the information relating to the demonstrable costs. For this purpose, the authority itself or an auditor appointed by the authority can inspect the books and records, make comparisons with other suppliers and take any other measures that will achieve the desired objective or serve the interests of comparability. In justifiable cases the regulatory authority can define a lower amount than the amount requested.

(4) In the event of an invitation to tender in accordance with § 28, the regulatory authority shall grant compensation at most in line with the results of the invitation.

Net Cost Universal Service



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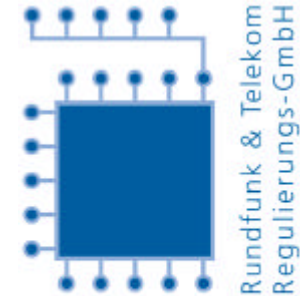


Notes: ▶ Represents those elements that in part or in entirety go to making up any access deficit. They are also elements that enter into an assessment of net USO costs.

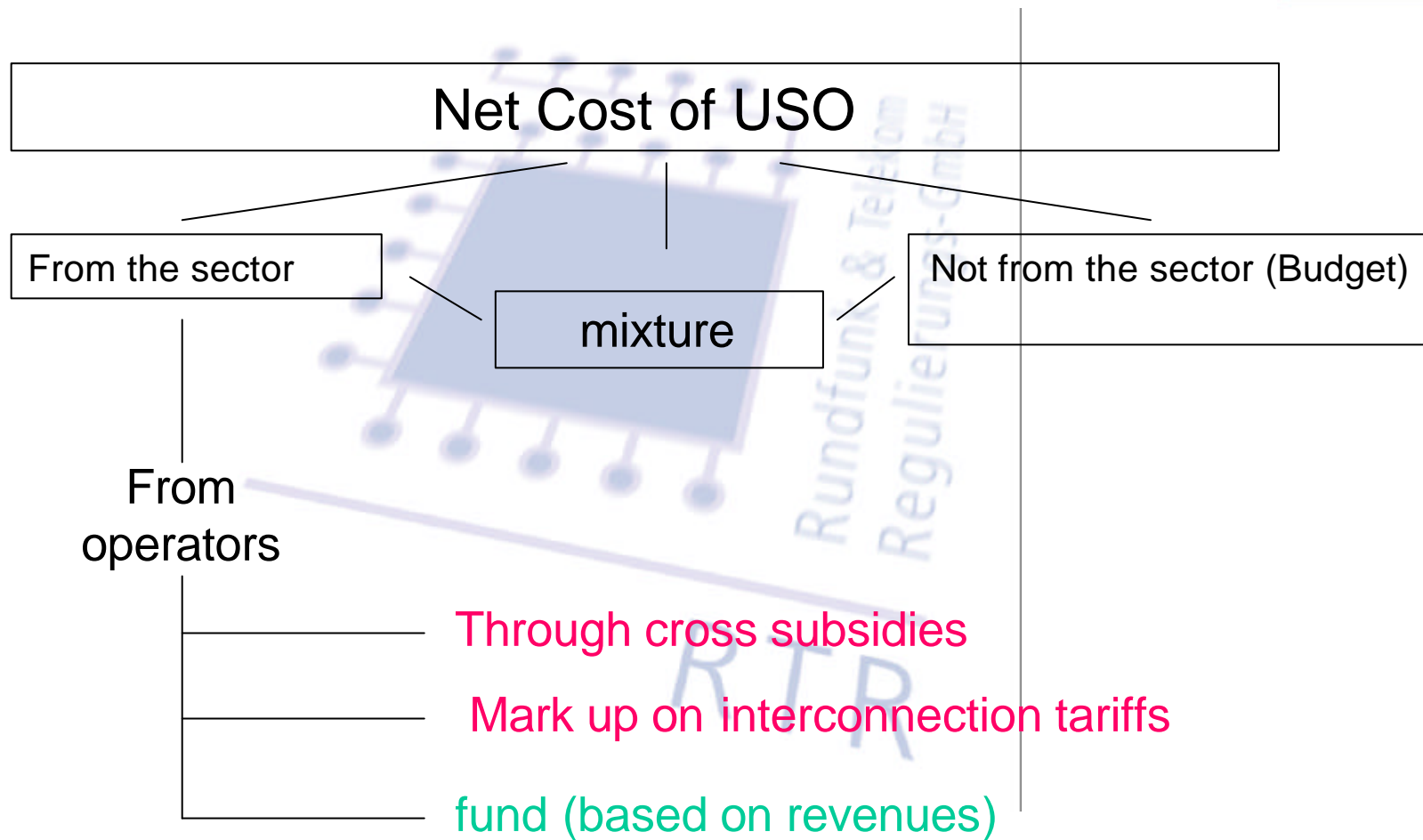
[#] OLSP = online service providers.

Source: WIK

Financing Options

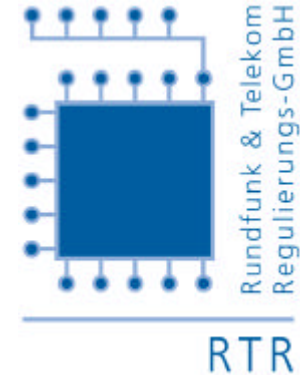


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Funding



Universal service fund

§ 30. (1) The regulatory authority shall, if necessary, set up and manage a universal service fund. The fund is used to finance universal service (§ 29 Section 1). The fund shall publish an annual report on its activities and achievements.

(2) Licencees who offer a public voice telephony service via a fixed network or a mobile network and have an annual turnover of more than ATS 250 million shall contribute to financing the universal service fund and financing the management of the fund according to their relative market share (universal service contribution). The proportion is calculated according to the relationship between turnover and the total turnover of the contributing licensee on the relevant market within the scope of this Federal Law.

(3) At the end of the calendar year for which compensation according to § 29 is granted, the regulatory authority shall set the shares of the service providers contributing to this compensation and shall inform the parties involved.

(4) Suppliers contributing to the compensation according to § 29 are obliged to pay the regulatory authority the shares defined for them by the regulatory authority within four weeks. This period commences on the day the message defined in Section 3 is received.

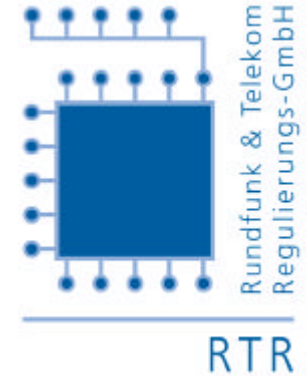
(5) If a supplier is more than three months in arrears with paying the fees, the regulatory authority shall issue an official notification relating to the arrears and shall enforce such fee.

Turnover reports

§ 31. If a service operator is obliged in accordance with § 28 to provide universal service, suppliers who are active on the market of the relevant telecommunications service shall inform the regulatory authority annually of their turnover on this market on request. Otherwise the regulatory authority itself or an auditor appointed by the authority can inspect the books and records and make an estimate.

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Quality

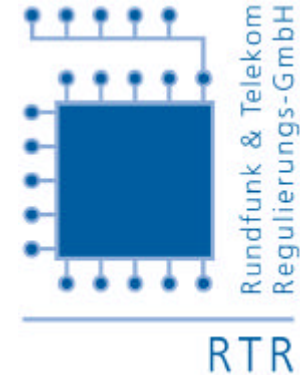


Quality

§ 25. Universal service must cover the entire country, must be available at a uniform and affordable price and must meet certain standards in terms of quality. The quality criteria shall be defined by ordinance by the Federal Minister of Science and Transport in accordance with the relevant provisions of the European Communities and in consideration of the state of the art economic circumstances. The following must be regulated:

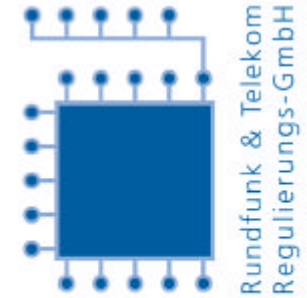
1. the transmission requirements,
2. the supply time for (initial) network access,
3. availability,
4. fault frequency,
5. successful call attempts as a proportion of all call attempts,
6. the reaction time to faults and the time needed to eliminate faults, and
7. the maximum response time for enquiry services.

QoS for Universal Service



- Obligation for certain quality parameters
- Measurement
 - Unsuccessful call ratio
 - Speech Transmission Quality
 - Response time for directory enquiry services
- Publication

Interconnection



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