**Decision No. 1/21 of the Board of the Public Utilities Commission**

Adopted 15 September 2022

**Regulations Regarding Reference Offer for Access**

*Issued pursuant to*

*Section 83, Paragraph one of the Electronic Communications Law,*

*Section 25, Paragraph one of the law On Regulators of Public Utilities*

**I. General Provisions**

1. The regulations prescribe:

1.1. the information to be included in the reference offer for access to associated facilities, unbundled access to the subscriber line, and bitstream access (hereinafter – the reference offer for access), the requirements, time periods, type, and level of detail for the publication thereof for an electronic communications merchant with a significant market power for whom an obligation to publish the relevant reference offer for access has been specified (hereinafter – the merchant);

1.2. the information to be published for the merchant, the requirements, time periods, type, and level of detail for the publication thereof.

2. The following terms are used in the regulations:

2.1. **unbundled access to the subscriber line (hereinafter – the unbundled access)**– an access service provided by the merchant to another electronic communications merchant for the provision of the electronic communications service by using the subscriber line or a part thereof fully or jointly;

2.2. **backhaul**– a connection established between the access point for access and the electronic communications network facilities of the lessee;

2.3. **Ethernet**– a set of electronic communications network data transmission technologies and protocols;

2.4. **terminating segment**– a part of the subscriber line between the termination point and the first distribution point in the direction from the termination point to the central office where cables are distributed to the part of the building or one or more neighbouring buildings, including covering horizontal and vertical internal installation cables;

2.5. **physical collocation**– the type of physical collocation of facilities where the lessee uses the territory, premises, or facilities owned by the merchant for unbundled access, bitstream access, or associated facilities, placing its facilities therein;

2.6. **key performance indicators**– the values and parameters which are stipulated and measured by the merchant and according to which the merchant ensures a possibility for the Public Utilities Commission (hereinafter – the Regulator), the applicant, and the lessee to evaluate the activity of the merchant for the provision of wholesale services;

2.7. **cable duct pipe branch**– a structural element used for the creation of a branch of the cable duct route;

2.8. **bend of the cable duct pipe**– a structural element of the pipe used for building of the turn or pipe-bend of the cable duct route; in certain cases the turn or branch of the cable duct route is made of the cable duct pipe itself;

2.9. **lessee**– an electronic communications merchant which has entered into a contract for the use of the wholesale service;

2.10. **element of the service**– the stage of provision of the wholesale service included in the reference offer;

2.11. **additional service**– the part of the wholesale service included in the reference offer which includes physical collocation and ensuring of backhaul;

2.12. **applicant**– an electronic communications merchant which wishes to receive the wholesale service;

2.13. **tool**– an information system established by the merchant and accessible by electronic means which constitutes a list or database through which the merchant ensures the wholesale service upon request of the applicant and where published information is available;

2.14. **wholesale service**– an electronic communications service included in the reference offer and provided by the merchant to another electronic communications merchant.

3. The following abbreviations are used in the regulations:

3.1. **HF**– high frequency;

3.2. **Ethernet P2P**– Ethernet Point to Point Technology;

3.3. **FTTB** (Fibre to the Building) – ensuring of optical fibre cables to the building;

3.4. **FTTH** (Fibre to the Home) – ensuring of optical fibre cables to the premises of an end-user;

3.5. **FTTN** (Fibre to the Node) – ensuring of optical fibre cables to the distribution cabinet;

3.6. **FTTx** (Fibre to the x) – ensuring of optical fibre cables to the building, premises of an end-user, or distribution cabinet;

3.7. **GPON**– Gigabit-capable Passive Optical Network;

3.8. **IP**– Internet Protocol;

3.9. **NTU**– Network Termination Unit;

3.10. **OLT**– Optical Line Terminal;

3.11. **OSI**– Open Systems Interconnection;

3.12. **P2P** (Point to Point) – access network point-to-point architecture;

3.13. **VULA**– Virtual Unbundled Local Access;

3.14. **VDSL2 Vectoring**– Very High Speed Digital Subscriber Line 2 Vectoring.

**II. Requirements for the Publication of the Reference Offer for Access**

4. The merchant shall prepare and publish on its website the reference offer for access within two months from the day when the relevant special request for the reference offer for access enters into effect.

5. The merchant shall, within five working days from the publication of the reference offer for access or amendments thereto on the website of the merchant, inform the Regulator thereof, indicating the name of the reference offer for access, the type of access, and the website address at which the reference offer is available.

6. The Regulator shall, within five working days from receipt of the information referred to in Paragraph 5 of these regulations, publish on its website the name of the merchant, the website address of the merchant, and the published or amended name of the reference offer for access, and the type of access.

7. The merchant shall ensure that the reference offer for access published on its website is without any printout restrictions.

**III. Basic Principles of the Reference Offer for Access**

8. In the reference offer for access, the merchant shall include the developed technological solutions, the technical requirements, the description of the process for ensuring the wholesale service, a sample application and contract in accordance with the special requirements imposed thereon.

9. In the reference offer for access, the merchant shall include the list of elements of the service to such level of detail as to ensure that the applicant can order the relevant wholesale service and calculate the estimated costs thereof by taking into account the information included in the reference offer.

10. In the reference offer for access, the merchant shall include detailed information on the payments which the applicant is making for ensuring the requested wholesale service, including services provided by the sub-contractor of the merchant such as pumping water from manholes.

11. In the reference offer for access, the merchant shall include such descriptions of the application for the wholesale service and of technical, theoretical, and practical research and installation processes which allow the applicant to discontinue execution of the application at any stage, paying the merchant for the works completed until the moment when the execution of the application is discontinued.

**IV. Descriptions of the Process for Ensuring the Wholesale Service, Wholesale Service Contracts and the Guarantees Thereof**

12. In the reference offer for access, the merchant shall include a sample application for access of the applicant and a sample contract between the applicant and the merchant.

13. In the reference offer for access, the merchant shall include in the description of the process for the wholesale service which allows the applicant or lessee to exchange information of their choice on the processes for ensuring the wholesale service which have been specified in Sub-paragraphs 71.3, 71.4, and 71.5 of these regulations with the merchant, using the following means of communication:

13.1. the tool;

13.2. electronic mail and telephone.

14. In the reference offer for access, the merchant shall indicate the periods for subscription of the tool ensuring that the applicant can choose to receive the wholesale service with the minimum period for subscription of the tool which is one month. The merchant shall, upon the choice of the applicant, continue providing the wholesale service also after discontinuation of subscription of the tool, provided that all processes for ensuring the wholesale service which have been chosen by the applicant and specified in Sub-paragraphs 71.1 and 71.2 of these regulations are complied with.

15. The merchant is entitled to request only such information from the applicant which is necessary for the evaluation of the technical possibilities of access, for ensuring the access, and for entering into a contract.

16. In the reference offer for access, the merchant shall include such description of the process for the wholesale service as to establish a working group for the evaluation of technical possibilities of the access upon request of the applicant. The merchant shall, upon request of the applicant, include the applicant in the working group.

17. The merchant shall, upon request of the applicant, prepare an inspection report and append it to the reply to the applicant regarding access possibilities.

18. In the reference offer for access, the merchant shall include such time period for the provision of a reply regarding availability and costs of the wholesale services within which the merchant shall provide a reply to its units and related merchants and the related merchants and their units – to the merchant but without exceeding the time period specified in Annexes 1 and 2 to these regulations from the moment when the application for the execution of the element of the wholesale service has been received.

19. If the merchant cannot ensure the wholesale service requested, the merchant shall provide a justified refusal within the time period specified in Paragraph 18 of these regulations.

20. In the reference offer for access, the merchant shall determine the process and procedures for extending the time period specified in Annexes 1 and 2 to these regulations if it has objectively justified reasons of which the merchant shall inform the applicant. The merchant shall publish a list of objectively justified reasons in the reference offer for access.

21. In the reference offer for access, the merchant shall indicate the time period for repairing faults which is shorter than the time period for repairing faults specified in the contract for the wholesale services provided by the merchant but not exceeding the time period specified in Annexes 1 and 2 to these regulations.

22. In the reference offer for access, the merchant shall include such description of the process for the wholesale service in which the merchant, ensuring unbundled access to a subscriber line and bitstream access, and in the case of FTTN and shielded twisted pair subscriber line, provides addresses of distribution cabinets to the applicant, upon its request, within the requested territory of the specific applicant and addresses of the buildings connected to distribution cabinets with an indication which of them use

VDSL 2 Vectoring.

23. In the reference offer for access, the merchant shall include a description of the process for the wholesale service in which the merchant, ensuring unbundled access to a subscriber line and bitstream access, and in the case of FTTH P2P, FTTH GPON, and FTTB, gives addresses of buildings connected to the central office to the applicant, upon its request.

24. In the reference offer for access, the merchant shall include such time period for the provision of a reply regarding the information specified in Paragraphs 22 and 23 of these regulations within which the merchant provides a reply to its units and related merchants and the related merchants and their units – to the merchant but without exceeding the time period specified in Annex 2 to these regulations from the moment when the application for the execution of the element of the service has been received.

25. In the reference offer for access, the merchant shall include at least the following conditions of the wholesale service contracts and contractual penalties as indicated in Annexes 1 and 2 to these regulations:

25.1. the merchant shall provide the service within the time period specified in the contract, except for the cases specified in Paragraph 20 of these regulations;

25.2. the merchant shall offer the amount of contractual penalty which guarantees that the merchant fulfils its obligations within the time period;

25.3. the merchant shall pay the contractual penalty to the applicant in the case of failure to comply with the conditions of the service contract;

25.4. the payment of the contractual penalty shall not be increased after reaching the maximum number of working days or hours missed as specified in Annexes 1 and 2 to these regulations;

25.5. after reaching the maximum number of working days or hours missed, the merchant shall agree with the applicant separately on further activity and ensuring of the wholesale service through the exchange of information, using the following means of communication:

25.5.1. electronic mail;

25.5.2. telephone;

25.6. the merchant shall continue paying the contractual penalty according to the conditions for the contractual penalty after expiry of the time period for the circumstances referred to in Paragraph 20 of these regulations.

26. The merchant shall, within ten working days after entering into or amending the contract, submit information to the Regulator on the date of entering into or amending the access contract, the type of access, and the name of the lessee.

**V. Information to be Included in the Reference Offer for Access**

27. The merchant shall include the following information in the reference offer for access:

27.1. the services offered and the descriptions thereof, including the technologies used;

27.2. the procedures and time periods for the application for and installation of the services;

27.3. the procedures for informing of the changes planned in the electronic communications network, including of the additional costs and time periods for the solution in relation to the introduction of changes;

27.4. the technical provisions, requirements, and conditions which include restrictions of technical nature, including justification of restrictions;

27.5. a description of the measures necessary for the protection and safety of electronic communications networks, cooperation between the parties and provision of mutual information on safety hazards or violations, including unauthorised use of the interconnected electronic communications networks or facilities, measures for ensuring the integrity and interoperability of electronic communications networks and services according to the technologies used in such electronic communications networks and in the provision of electronic communications services;

27.6. the conditions for access to technical premises and facilities, the conditions for physical collocation of facilities of the lessee;

27.7. the conditions for the operation of the facilities used jointly;

27.8. the conditions for the quality of the wholesale services offered;

27.9. the conditions, procedures, and time periods for the settlement of accounts;

27.10. a list of elements of the service for the provision of wholesale services (Annex 3), a detailed description of activities, and tariffs;

27.11. a detailed list of the elements of the service and activities which can be carried out by the applicant itself according to its choice;

27.12. the responsibility of the parties;

27.13. the procedures for the examination of disputes;

27.14. the procedures and time periods for conducting negotiations on entering into a wholesale service contract;

27.15. the procedures for entering into the wholesale service contract and the conditions for making amendments thereto;

27.16. the discontinuation of the provision of the wholesale service, the conditions for the termination of the wholesale service contract and release of the infrastructure of the merchant;

27.17. the procedure for informing of faults;

27.18. the procedure for ordering the wholesale service;

27.19. the contact details of the responsible person of the merchant.

28. The merchant may include any additional information in the reference offer for access which is necessary for the provision of the wholesale service.

**VI. Reference Offer for Access to Associated Facilities**

29. The merchant shall publish information on the following types of related facilities in the reference offer for access to associated facilities:

29.1. cable ducts;

29.2. a pole;

29.3. a distribution point;

29.4. a frame, including a cross of shielded twisted pair and optical fibre cables or facility equivalent thereto;

29.5. a technical building or a part thereof which is intended for physical collocation of associated facilities or equipment.

30. In the reference offer, the merchant shall include the following general technical provisions applicable to the access to associated facilities:

30.1. for the cable ducts:

30.1.1. the cable duct technologies used;

30.1.2. the technical requirements for the pipes, bends, branches, blocks of the cable ducts used and for the channels, manholes, and connection boxes included therein;

30.2. for the pole:

30.2.1. the maximum mass of the aerial cables of the line pole;

30.2.2. the external diameter and mass of the aerial cables;

30.2.3. the requirements for the structure of the aerial cables – maximum tautness force, cover, shield, cable maximum slag;

30.2.4. the requirements for the cable fastening elements to the pole and to the wire rope;

30.2.5. the requirements for the performance of cable suspension works;

30.2.6. the requirements for earthing materials and the procedures for the installation of earthing;

30.2.7. the requirements for the placement of the distribution point on the pole;

30.2.8. the requirements for the labelling of the cable and distribution point;

30.3. for the facilities to be physically collocated in the distribution point:

30.3.1. the electromagnetic radiation;

30.3.2. the labelling;

30.4. for the facilities to be physically collocated in the technical building, cross:

30.4.1. the maximum permissible dimension;

30.4.2. the operating temperature;

30.4.3. the electromagnetic radiation;

30.4.4. the labelling;

30.5. specific safety requirements if applicable.

31. The merchant shall include the following information in the reference offer for access to associated facilities:

31.1. the information to be included in the application of the applicant for the access to cable ducts;

31.2. the information to be included in the inspection report on technical possibilities of the access to cable ducts of the merchant or working group;

31.3. the elimination of overloading of the cable duct channel of the merchant and repair of the blocked cable duct channel, and also covering of the costs of eliminating the overloading of the cable duct channel and repairing the blocked cable duct channel;

31.4. the evaluation of the capacity available for cable ducts if additional capacity of cable ducts has been built;

31.5. the methodology for detecting the capacity available for cable ducts in the case of using cable ducts with pulling and blowing technologies.

32. In the reference offer for access to associated facilities, the merchant shall include the following descriptions of processes for the wholesale service for the access to cable ducts:

32.1. the merchant shall conduct the theoretical technical research according to the choice of the applicant;

32.2. the applicant shall conduct the theoretical technical research according to the choice of the applicant, using information in the tool, and the merchant shall not request any remuneration for conducting the theoretical research.

33. In the reference offer for access to associated facilities, the merchant shall include the following descriptions of processes for the wholesale service for the access to cable ducts and poles:

33.1. the practical technical research shall occur separately from cable installation works;

33.2. the practical technical research shall occur together with cable installation works by designing installation in advance if the applicant orders the merchant or sub-contractor thereof to carry out the works;

33.3. the merchant shall submit the technical provisions to the applicant together with a positive conclusion of the practical research if the applicant requires the technical provisions;

33.4. the applicant shall order the merchant or sub-contractor thereof, the sub-contractor selected by the applicant to carry out installation design and cable installation works or shall carry out such works itself.

34. In the reference offer for access to associated facilities, the merchant shall include the following procedures for determining the lease of the place for the requested cable ducts and the length of the route for the theoretical and practical technical research where the length of branch thereof does not exceed 1000 metres:

34.1. all lengths of cable duct sections related to cable duct manholes or branches requested by the applicant shall be summed up, taking into account the number of cables physically collocated in each section;

34.2. the total length of routes shall be rounded to the next full 100 metres.

35. In the reference offer for access to associated facilities, the merchant shall include such description of the process for the wholesale service in which the merchant offers to the applicant:

35.1. access to poles where it is technically possible and where it is not possible to ensure access to cable ducts in the geographical location preferred by the applicant;

35.2. access to cable ducts where it is technically possible and where it is not possible to ensure access to poles in the geographical location preferred by the applicant;

35.3. the shortest possible alternative route where it is not possible to ensure access to cable ducts along the cable duct route selected by the applicant;

35.4. a cable duct route between two or more points for access.

36. In the reference offer for access to associated facilities, the merchant shall include the tariffs approximated to the costs for at least such elements of the service necessary for the provision of services which are indicated in Annexes 4 and 5 to these regulations and the description of the activity necessary for the provision thereof.

37. In the reference offer for access to associated facilities, the merchant shall include the requirements not exceeding the minimum requirements laid down in laws and regulations, including not providing for burdens on implementation of the complex of engineering structures or engineering solutions, and also of the complex of resources related to use thereof necessary for the provision of services.

38. If the merchant intends, over the next two years after publication of this information on its website, to use the capacity available for cable ducts or part thereof for laying its cables, the merchant shall indicate in the reference offer for access to associated facilities that it reserves the capacity available for cable ducts or part thereof for its needs.

39. In the case specified in Paragraph 38 of these regulations, the merchant shall, within ten working days after provision of refusal of the access to cable ducts to the applicant, submit a derivative of the refusal to the Regulator. The Regulator has the right to verify the justification of the refusal and to request additional information and planning documents from the merchant.

40. The merchant shall, within ten working days from the provision of the refusal to the applicant, submit to the Regulator a derivative of the refusal of the access to cable ducts, a pole, a distribution point, a cross, including a cross of shielded twisted pair and optical fibre cables or facility equivalent thereof, and a technical building or part thereof intended for physical collocation of facilities or equipment.

**VII. Reference Offer for Unbundled Access to the Subscriber Line**

41. In the reference offer for unbundled access to the subscriber line, the merchant shall include the tariffs approximated to the costs for elements of the service and the description of the activity necessary for the provision thereof.

42. If the merchant ensures full access to the shielded twisted pair subscriber line, the merchant shall include the tariffs approximated to the costs in the reference offer for unbundled access to the subscriber line for the following elements of the service:

42.1. the lease of the shielded twisted pair:

42.1.1. technical research;

42.1.2. installation;

42.1.3. lease;

42.2. the lease of a connecting cable:

42.2.1. technical research;

42.2.2. installation;

42.2.3. lease;

42.3. the physical collocation of a cable in cable ducts for backhaul purposes:

42.3.1. theoretical technical research;

42.3.2. practical technical research;

42.3.3. installation design;

42.3.4. installation of a cable;

42.3.5. lease of the place for a cable;

42.4. the physical collocation of a cable in poles for backhaul purposes:

42.4.1. theoretical technical research;

42.4.2. practical technical research;

42.4.3. installation design;

42.4.4. installation of a cable;

42.4.5. lease of the place for a cable;

42.5. the lease of premise area for physical collocation of facilities:

42.5.1. technical research;

42.5.2. installation;

42.5.3. lease;

42.6. physical collocation of a cable inside the premises of the merchant:

42.6.1. technical research;

42.6.2. installation;

42.6.3. lease.

43. If the merchant ensures access to the shielded twisted pair subscriber line, i. e. unbundling in the distribution cabinet of the merchant, by using physical or remote collocation, the merchant shall include the tariffs approximated to the costs in the reference offer for unbundled access to the subscriber line for the following elements of the service:

43.1. the lease of the shielded twisted pair:

43.1.1. technical research;

43.1.2. installation;

43.1.3. lease;

43.2. the lease of a connecting cable:

43.2.1. technical research;

43.2.2. installation;

43.2.3. lease;

43.3. the physical collocation of a cable in cable ducts for backhaul purposes:

43.3.1. theoretical technical research;

43.3.2. practical technical research;

43.3.3. installation design;

43.3.4. installation of a cable;

43.3.5. lease of the place for a cable;

43.4. the physical collocation of a cable on poles for backhaul purposes:

43.4.1. theoretical technical research;

43.4.2. practical technical research;

43.4.3. installation design;

43.4.4. installation of a cable;

43.4.5. lease of the place for a cable;

43.5. the lease of the place in a container, cabinet:

43.5.1. technical research;

43.5.2. installation;

43.5.3. lease.

44. If the merchant ensures joint access to the shielded twisted pair subscriber line, i. e. lease of HF band, by using physical or remote collocation, the merchant shall include the tariffs approximated to the costs in the reference offer for unbundled access to the subscriber line for the following elements of the service:

44.1. the lease of the HF band:

44.1.1. technical research;

44.1.2. installation of a filter block in the cross of the merchant;

44.1.3. installation of the HF band per each twisted pair;

44.1.4. lease of a filter block in the cross of the merchant;

44.1.5. lease of the HF band per each twisted pair;

44.1.6. lease of a connecting cable;

44.1.7. technical research;

44.1.8. installation;

44.1.9. lease;

44.2. the physical collocation of a cable in cable ducts for backhaul purposes:

44.2.1. theoretical technical research;

44.2.2. practical technical research;

44.2.3. installation design;

44.2.4. installation of a cable;

44.2.5. lease of the place for a cable;

44.3. the physical collocation of a cable in poles for backhaul purposes:

44.3.1. theoretical technical research;

44.3.2. practical technical research;

44.3.3. installation design;

44.3.4. installation of a cable;

44.3.5. lease of the place for a cable;

44.4. the lease of premise area for physical collocation of facilities:

44.4.1. technical research;

44.4.2. installation;

44.4.3. lease;

44.5. the physical collocation of a cable inside the premises of the merchant:

44.5.1. technical research;

44.5.2. installation;

44.5.3. lease.

45. If the merchant uses the FTTH P2P solution, the merchant shall include the tariff approximated to the costs in the reference offer for unbundled access to the subscriber line for the following elements of the service:

45.1. the lease of the subscriber line fibre;

45.1.1. technical research;

45.1.2. installation;

45.1.3. lease;

45.2. the FTTH P2P VULA access:

45.2.1. technical research;

45.2.2. installation with the merchant’s NTU;

45.2.3. installation with the applicant’s NTU;

45.2.4. lease of the service with the merchant’s NTU;

45.2.5. lease of the service with the applicant’s NTU;

45.3. the lease of a connecting cable for backhaul purposes:

45.3.1. technical research;

45.3.2. installation;

45.3.3. lease;

45.4. the lease of premise area for physical collocation of facilities:

45.4.1. technical research;

45.4.2. installation;

45.4.3. lease;

45.5. the physical collocation of a cable inside the premises of the merchant:

45.5.1. technical research;

45.5.2. installation;

45.5.3. lease;

45.6. the lease of dark fibre for backhaul purposes:

45.6.1. technical research;

45.6.2. installation;

45.6.3. lease;

45.7. the Ethernet backhaul:

45.7.1. technical research;

45.7.2. installation;

45.7.3. lease;

45.8. the physical collocation of a cable in cable ducts for backhaul purposes:

45.8.1. theoretical technical research;

45.8.2. practical technical research;

45.8.3. installation design;

45.8.4. installation of a cable;

45.8.5. lease of the place for a cable;

45.9. the Ethernet access point in the case of VULA:

45.9.1. technical research;

45.9.2. installation;

45.9.3. lease.

46. If the merchant ensures the FTTH GPON solution in the case of GPON VULA, the merchant shall include the tariffs approximated to the costs in the reference offer for unbundled access to the subscriber line for the following elements of the service:

46.1. the technical research;

46.2. the installation with the merchant’s NTU;

46.3. the installation with the applicant’s NTU;

46.4. the lease of the service with the merchant’s NTU;

46.5. the lease of the service with the applicant’s NTU.

47. If the merchant ensures the FTTB VULA solution, the merchant shall include the tariffs approximated to the costs in the reference offer for unbundled access to the subscriber line for the following elements of the service in the case of FTTB VULA:

47.1. the technical research;

47.2. the installation with the merchant’s NTU;

47.3. the installation with the applicant’s NTU;

47.4. the lease of the service with the merchant’s NTU;

47.5. the lease of the service with the applicant’s NTU.

48. If the merchant ensures the FTTN solution, the merchant shall include the tariffs approximated to the costs in the reference offer for unbundled access to the subscriber line for the following elements of the service:

48.1. the lease of the shielded twisted pair:

48.1.1. technical research;

48.1.2. installation;

48.1.3. lease;

48.2. the lease of a connecting cable:

48.2.1. technical research;

48.2.2. installation;

48.2.3. lease;

48.3. the physical collocation of a cable in cable ducts for backhaul purposes:

48.3.1. theoretical technical research;

48.3.2. practical technical research;

48.3.3. installation design;

48.3.4. installation of a cable;

48.3.5. lease of the place for a cable;

48.4. the lease of the place in a container, cabinet:

48.4.1. technical research;

48.4.2. installation;

48.4.3. lease;

48.5. the lease of dark fibre for backhaul purposes:

48.5.1. technical research;

48.5.2. installation;

48.5.3. lease;

48.6. the Ethernet backhaul:

48.6.1. technical research;

48.6.2. installation;

48.6.3. lease.

49. If the merchant ensures the VULA access in the Ethernet distribution frame, the merchant shall include the tariffs approximated to the costs in the reference offer for unbundled access to the subscriber line for the following elements of the service:

49.1. the FTTH GPON VULA access:

49.1.1. technical research;

49.1.2. installation with the merchant’s NTU;

49.1.3. installation with the applicant’s NTU;

49.1.4. lease of the service with the merchant’s NTU;

49.1.5. lease of the service with the applicant’s NTU;

49.2. the FTTB VULA access:

49.2.1. technical research;

49.2.2. installation with the merchant’s NTU;

49.2.3. installation with the applicant’s NTU;

49.2.4. lease of the service with the merchant’s NTU;

49.2.5. lease of the service with the applicant’s NTU;

49.3. in the Ethernet distribution frame, in the case of the shielded twisted pair, VULA access:

49.3.1. technical research;

49.3.2. installation with the merchant’s NTU;

49.3.3. installation with the applicant’s NTU;

49.3.4. lease of the service with the merchant’s NTU;

49.3.5. lease of the service with the applicant’s NTU;

49.4. the Ethernet access point:

49.4.1. technical research;

49.4.2. installation;

49.4.3. physical collocation of a cable in cable ducts for backhaul purposes;

49.4.4. theoretical technical research;

49.4.5. practical technical research;

49.4.6. installation design;

49.4.7. installation of a cable;

49.4.8. lease of the place for a cable;

49.5. the lease of premise area for physical collocation of facilities:

49.5.1. technical research;

49.5.2. installation;

49.5.3. lease;

49.6. physical collocation of a cable inside the premises of the merchant:

49.6.1. technical research;

49.6.2. installation;

49.6.3. lease;

49.7. the lease of dark fibre for backhaul purposes:

49.7.1. technical research;

49.7.2. installation;

49.7.3. lease;

49.8. the Ethernet backhaul:

49.8.1. technical research;

49.8.2. installation;

49.8.3. lease.

50. If the merchant ensures the FTTH P2P or GPON solution, the merchant shall include the tariffs approximated to the costs in the reference offer for unbundled access to the subscriber line for the following elements of the service in the case of the terminating segment of access:

50.1. the lease of the terminating segment fibre;

50.1.1. technical research;

50.1.2. installation;

50.1.3. lease;

50.2. the lease of a connecting cable:

50.2.1. technical research;

50.2.2. installation;

50.2.3. lease;

50.3. the lease of the place in a container, cabinet:

50.3.1. technical research;

50.3.2. installation;

50.3.3. lease.

51. The merchant shall include the tariffs approximated to the costs in the reference offer for unbundled access to the subscriber line for the following elements of the service in the case of the terminating segment of access:

51.1. the lease of the shielded twisted pairs:

51.1.1. technical research;

51.1.2. installation;

51.1.3. lease;

51.2. the lease of a connecting cable:

51.2.1. technical research;

51.2.2. installation;

51.2.3. lease;

51.3. the lease of the place in a container, cabinet:

51.3.1. technical research;

51.3.2. installation;

51.3.3. lease.

52. If the merchant ensures the FTTH P2P or GPON solution, the merchant shall include in the reference offer for unbundled access to the subscriber line the possibility to establish a branch in the drawable optical fibre cable of the inner installation inside the building unless it has already been provided.

53. If the applicant uses its own NTU, the merchant shall include in the reference offer for unbundled access to the subscriber line regarding establishing of the branch in the drawable optical fibre cable of the inner installation the tariff approximated to the costs for drawing of fibre, installation of the optical distribution box as close as possible to the drawable optical fibre cable, and ensuring of the fibre up to the box in which the applicant can connect its own optical fibre and install it up to the termination point.

54. If the applicant uses the merchant’s NTU, the merchant shall include in the reference offer for unbundled access to the subscriber line regarding establishing of the branch in the drawable optical fibre cable of the inner installation the tariff approximated to the costs for drawing of fibre and ensuring of the fibre up to the termination point.

55. If the merchant ensures the FTTH GPON solution providing the VULA, the merchant shall include in the reference offer for unbundled access to the subscriber line the tariff approximated to the costs for connecting the appropriate optical fibre to the passive optical distributor unless it has already been connected.

**VIII. Reference Offer for Bitstream Access**

56. In the reference offer for bitstream access, the merchant shall include the description of the activity necessary for the provision of the service.

57. If the merchant ensures bitstream access to the access network architectures of the regional or national level of the geographical hierarchy in the electronic communications network of the merchant such as shielded twisted pair, FTTH P2P, FTTH GPON, FTTN, FTTB, the merchant shall include the tariffs approximated to the costs in the reference offer for bitstream access for the following elements of the service:

57.1. the FTTH GPON access:

57.1.1. technical research;

57.1.2. installation with the merchant’s NTU;

57.1.3. installation with the applicant’s NTU;

57.1.4. lease of the service with the merchant’s NTU;

57.1.5. lease of the service with the applicant’s NTU;

57.2. the FTTH P2P access:

57.2.1. technical research;

57.2.2. installation with the merchant’s NTU;

57.2.3. installation with the applicant’s NTU;

57.2.4. lease of the service with the merchant’s NTU;

57.2.5. lease of the service with the applicant’s NTU;

57.3. the FTTB access:

57.3.1. technical research;

57.3.2. installation with the merchant’s NTU;

57.3.3. installation with the applicant’s NTU;

57.3.4. lease of the service with the merchant’s NTU;

57.3.5. lease of the service with the applicant’s NTU;

57.4. the FTTN access:

57.4.1. technical research;

57.4.2. installation with the merchant’s NTU;

57.4.3. installation with the applicant’s NTU;

57.4.4. lease of the service with the merchant’s NTU;

57.4.5. lease of the service with the applicant’s NTU;

57.5. the access to the shielded twisted pair:

57.5.1. technical research;

57.5.2. installation with the merchant’s NTU;

57.5.3. installation with the applicant’s NTU;

57.5.4. lease of the service with the merchant’s NTU;

57.5.5. lease of the service with the applicant’s NTU;

57.6. the access to the bitstream access point:

57.6.1. technical research;

57.6.2. installation;

57.6.3. lease;

57.7. the lease of premise area for physical collocation of facilities:

57.7.1. technical research;

57.7.2. installation;

57.7.3. lease;

57.8. the physical collocation of a cable inside the premises of the merchant:

57.8.1. technical research;

57.8.2. installation;

57.8.3. lease;

57.9. the bitstream backhaul:

57.9.1. technical research;

57.9.2. installation;

57.9.3. lease.

57.10. the access point to backhaul:

57.10.1. technical research;

57.10.2. installation;

57.10.3. lease.

58. If the merchant ensures bitstream backhaul, the merchant shall include the tariffs approximated to the costs in the reference offer for bitstream access for the one or more of the following elements of the service:

58.1. the connection established at the Ethernet OSI Layer 2 or IP OSI Layer 3;

58.2. the access to cable ducts or poles;

58.3. the lease of dark fibre.

59. In the reference offer for bitstream access, the merchant shall include such maximum interval between the disconnection of the electronic communications service provided by the merchant and the end time of installation of the bitstream access service which allows the lessee to ensure that any interruption of the service does not exceed four hours for the end-user.

60. In the case of the FTTH P2P or GPON, the merchant shall include in the reference offer for bitstream access the possibility to establish a branch in the drawable optical fibre cable of the inner installation inside the building unless it has already been provided.

61. If the applicant uses its own NTU, the merchant shall include in the reference offer for bitstream access regarding establishing of the branch in the drawable optical fibre cable of the inner installation the tariff approximated to the costs for drawing of fibre, installation of the optical distribution box as close as possible to the drawable optical fibre cable, and ensuring of the fibre up to the box in which the applicant can connect its own optical fibre and install it up to the termination point.

62. If the applicant uses the merchant’s NTU, the merchant shall include in the reference offer for bitstream access regarding establishing of the branch in the drawable optical fibre cable of the inner installation the tariff approximated to the costs for drawing of fibre and ensuring of the fibre up to the termination point.

63. In the case of the FTTH GPON, when ensuring bitstream access the merchant shall include in the reference offer for bitstream access the tariff approximated to the costs for connecting the appropriate optical fibre to the passive optical distributor unless it has already been connected.

**IX. Key Performance Indicators**

64. The merchant shall introduce and use the key performance indicators for the wholesale service.

65. The merchant shall include the key performance indicators in the reference offer for access in accordance with these regulations.

66. The merchant shall ensure that the key performance indicators include at least the following components of the provision of the wholesale service:

66.1. the ordering process:

66.1.1. the time period for providing a reply regarding result of the theoretical technical research of the service for access to cable ducts and poles;

66.1.2. the time period for providing a reply regarding result of the practical technical research of the service for access to cable ducts and poles;

66.1.3. the time period for providing a reply regarding possibilities of the wholesale service, except for access to cable ducts and poles;

66.2. the installation of the service;

66.3. the number of faults;

66.4. the fault repair time for the following activities:

66.4.1. repair of the notified fault without interruption of the electronic communications service;

66.4.2. repair of the notified fault with interruption of the electronic communications service.

67. In using the key performance indicators, the merchant shall ensure a possibility for the Regulator, the applicant, and the lessee to compare the wholesale services provided by the merchant internally, including all components of the provision of the services, with the wholesale services provided by the merchant externally to the lessee. The wholesale services provided internally shall include components of the provision of the wholesale service ensured and executed by the merchant to its subordinate retail structure and related merchant, i.e. to itself, or components of the provision of the service ensured and executed by the related merchant to the merchant.

68. The merchant and the applicant may agree on additional key performance indicators.

69. The merchant shall submit a report to the Regulator on the key performance indicators twice a year by 1 February for the second half of the previous calendar year and by 1 August for the first half of the current calendar year.

70. The Regulator shall publish on its website the key performance indicators submitted by the merchant.

**X. Requirements for the Publication of Information**

71. The merchant shall provide information in the tool on the following processes for ensuring the wholesale service:

71.1. application for the service;

71.2. application for supply of the service, including installation;

71.3. maintenance of the service;

71.4. informing of a fault of the service;

71.5. repair of a fault of the service.

72. In order to ensure that associated facilities can be used jointly and the applicant can conduct the theoretical technical research for access to cable ducts itself, the merchant shall indicate the following information in the tool:

72.1. the cable duct manholes, including cable chambers, connection boxes and sections, using the relevant geospatial information file formats (\*dgn or \*shp file format), indicating the numbers of cable duct manholes and the names of the nearby streets and motor roads;

72.2. the cable duct technology:

72.2.1. with pulling technology;

72.2.2. with blowing technology;

72.3. the number of the cable duct channels in each cable duct section, the development views of the walls of manholes, including cable duct jointing chambers, and connection boxes which are displayed on a photograph of each wall by indicating the identifiers of the development view of the walls of the relevant manholes, including cable chambers and connection boxes, the channels researched theoretically and practically for the needs of installation, and also the known blocked channels and the scale identifier (in centimetres) for each of the development views;

72.4. the internal diameter of the cable duct channel, the available capacity, also the address of the building in the case of the electronic communications network lead-in;

72.5. the additional designations for the cable duct manholes, including cable chambers, connection boxes and sections which confirm that they have several owners (electronic communications merchants which ensure cable ducts) or there is a disagreement on the property rights thereof, indicating other owners or owners involved in the disagreement;

72.6. the additional designations for the cable duct sections which the merchant intends to, over the next two years, completely fill with cables for the development of its electronic communications network and solutions for overloading of the cable ducts are not possible in accordance with the general authorisation and registration regulations in the electronic communications sector;

72.7. any other information where it is necessary for the applicant to conduct the theoretical technical research for access to cable ducts, using the tool.

73. If the tool does not contain any information for the applicant to conduct the theoretical technical research for access to cable ducts, then the merchant shall, upon request of the applicant, provide the applicant with this information free of charge.

74. In order to ensure access to poles, the merchant shall indicate information on poles in the tool, updating it within one month, or shall provide alternative application for the service to access the poles, including the theoretical technical research, the practical technical research, and the supply of the service.

75. In order to ensure unbundled access to the subscriber line, the merchant shall indicate in the tool the list of distribution points in which the terminating segment begins and addresses of the buildings connected to such distribution points where the FTTH P2P, GPON, or FTTB is ensured (Annex 6).

76. In order to ensure unbundled access to the subscriber line and bitstream access, the merchant shall indicate the following information in the tool (Annex 7):

76.1. the addresses and descriptions of location of all the central offices of the merchant;

76.2. the central offices of the merchant in which the FTTH P2P, GPON, or FTTB is ensured, and also the addresses of buildings connected in each of such cases.

77. In order to ensure bitstream access, the merchant shall indicate the following information in the tool:

77.1. addresses of locations of facilities at the regional level of the geographical hierarchy of its electronic communications network where bitstream access points can be established at the Ethernet OSI Layer 2 (Table 1 in Annex 8);

77.2. addresses of locations of facilities at the national level of the geographical hierarchy of its electronic communications network where bitstream access points can be established at the Ethernet OSI Layer 2 (Table 2 in Annex 8);

77.3. addresses of locations of facilities at the regional level of the geographical hierarchy of its electronic communications network where bitstream access points can be established at the IP OSI Layer 3 (Table 3 in Annex 8);

77.4. addresses of locations of facilities at the national level of the geographical hierarchy of its electronic communications network where bitstream access points can be established at the IP OSI Layer 3 (Table 4 in Annex 8).

78. If the tool does not contain information necessary for ensuring the wholesale service intended by the applicant on addresses of the last distribution cabinets and on such distribution cabinets as well as addresses of the buildings connected to the central offices (Annex 2), and also information on poles, then the merchant shall, upon request of the applicant, provide the applicant with this information free of charge.

79. The merchant shall include information in the tool within the following time periods, indicating the date of inclusion of the information:

79.1. the following information within 10 working days:

79.1.1. the information specified in Sub-paragraphs 72.2 and 72.3 of these regulations if a cable duct manhole, including a cable chamber, or a channel has been built or restored, the practical technical research has been conducted, or cable has been installed without the practical technical research, activities have been carried out involving a joint closure in the cable duct manhole, including the cable chamber or connection box;

79.1.2. the information specified in Sub-paragraphs 72.5 and 72.6 of these regulations in case of any changes in the information on the property rights or cable ducts intended for its electronic communications network;

79.1.3. the information specified in Paragraph 75 of these regulations after any changes in the information to be included in the list of distribution points (Annex 6);

79.1.4. the information specified in Paragraph 76 of these regulations on any changes in the information to be included in the list of central offices (Annex 7);

79.1.5. the information specified in Paragraph 77 of these regulations after any changes in the information to be included in the list of addresses of locations of the merchant’s facilities of regional and national level (Annex 8);

79.2. within one month in the following cases:

79.2.1. the information specified in Sub-paragraph 72.1 of these regulations if a cable duct manhole, including a cable chamber, or a channel has been built or restored;

79.2.2. the information specified in Sub-paragraph 72.4 of these regulations if a cable duct manhole, including a cable chamber, or a channel has been built or restored, the practical technical research has been conducted, or cable has been installed without the practical technical research.

**XI. Closing Provisions**

80. Decision No. 1/12 of the Public Utilities Commission of 14 July 2016, Regulations Regarding Access to Associated Facilities (*Latvijas Vēstnesis*, 2016, No. 136; 2018, No. 199), is repealed.

81. Decision No. 1/25 of the Public Utilities Commission of 4 October 2018, Regulations Regarding Reference Offer of Access, Joint Use of Associated Facilities, Bitstream Access, and Unbundled Access to Subscriber Lines (*Latvijas Vēstnesis*, 2018, No. 199), is repealed.

82. The merchant shall, within six months from the day when these regulations come into force, ensure that the requirements laid down in Sub-paragraph 72.5 of these regulations are complied with.

83. The regulations shall come into force on 1 October 2022.

Chair of the Board of the Public Utilities Commission A. Ozola

**Annex 1**

Decision No. 1/21 of the Public Utilities Commission

15 September 2022

**Conditions of Service Contracts and Contractual Penalties**

**I. Conditions of the service contract and contractual penalties regarding the service of access to cable ducts**

Table 1

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| No. | Conditions of service contracts | Time periods | Contractual penalty for delay (EUR) | The maximum number of delayed wd1 or h2 |
| 1. | Provision of a reply regarding the theoretical technical research result of the service for a cable duct route with a length of up to 1000 m | 1 wd | wd x K3 | 10 |
| 2. | Provision of a reply regarding the theoretical technical research result of the service for a cable duct route with a length of more than 1000 m | one additional wd for each next 1000 m | wd x K | 10 |
| 3. | Provision of a reply regarding the practical technical research result of the service for a cable duct route with a length of up to 100 m | 14 wd | wd x K | 10 |
| 4. | Provision of a reply regarding the practical technical research result of the service for a cable duct route with a length of more than 100 m | additional 2 wd for each next 250 m | wd x K | 10 |
| 5. | Processing of a notification regarding the service fault without interruption of the electronic communications service | 1 h | h x K | 5 |
| 6. | Repair of the notified service fault without interruption of the electronic communications service | 30 wd | wd x K | 15 |
| 7. | Processing of a notification regarding the service fault with interruption of the electronic communications service | 1 h | h x K | 5 |
| 8. | Repair of the notified service fault with interruption of the electronic communications service | 72 h | h x K | 10 |

1wd – working days

2h – hours

3K – the amount of the contractual penalty offered by the merchant which depends on the service contract

**II. Conditions of the service contract and contractual penalties regarding the service of access to poles**

Table 2

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| No. | Conditions of the service contract | Time periods | Contractual penalty for delay (EUR) | The maximum number of delayed wd or h |
| 1. | Provision of a reply regarding the theoretical technical research result of the service with a route length which is comprised of up to 20 poles | 1 wd | wd x K | 10 |
| 2. | Provision of a reply regarding the theoretical technical research result of the service with a route length which is comprised of more than 20 poles | one additional wd for each next 20 poles | wd x K | 10 |
| 3. | Provision of a reply regarding the practical technical research result of the service with a route length which is comprised of up to six poles | 14 wd | wd x K | 10 |
| 4. | Provision of a reply regarding the practical technical research result of the service with a route length which is comprised of more than six poles | one additional wd for each next six poles | wd x K | 10 |
| 5. | Processing of a notification regarding the fault without interruption of the electronic communications service | 1 h | h x K | 5 |
| 6. | Repair of the notified fault without interruption of the electronic communications service | 20 wd | wd x K | 10 |
| 7. | Processing of a notification regarding the fault with interruption of the electronic communications service | 1 h | h x K | 5 |
| 8. | Repair of the notified fault with interruption of the electronic communications service | 72 h | h x K | 10 |

**III. Conditions of the service contract and contractual penalties regarding the service of unbundled access to the subscriber line**

Table 3

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| No. | Conditions of the service contract | Time periods | Contractual penalty for delay (EUR) | The maximum number of delayed wd or h |
| 1. | Provision of a reply regarding technical possibilities of the service | 10 wd | wd x K | 10 |
| 2. | Installation of the service after receipt of a positive reply regarding technical possibilities of the service and additional service if the applicant has selected lease of the merchant’s NTU, except for the time for installing the additional service of unbundled access | 30 wd | wd x K | 15 |
| 3. | Installation of the service after receipt of a positive reply regarding technical possibilities of the service and additional service if the applicant has selected its own NTU, except for the time for installing the additional service of unbundled access | 15 wd | wd x K | 10 |
| 4. | Service fault repair time without interruption of the electronic communications service | 5 wd | wd x K | 10 |
| 5. | Service fault repair time with interruption of the electronic communications service | 66 h | h x K | 10 |

**IV. Conditions of the service contract and contractual penalties regarding the service of bitstream access**

Table 4

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| No. | Conditions of the service contract | Time periods | Contractual penalty for delay (EUR) | The maximum number of delayed wd or h |
| 1. | Provision of a reply regarding technical possibilities of the service: |  |  |  |
| 1.1. | where the merchant provides the electronic communications service to the end-user before ensuring the bitstream access | 3 wd | wd x K | 10 |
| 1.2. | where the merchant does not provide the electronic communications service to the end-user before ensuring the bitstream access and the drawable optical fibre cable has been installed in the building but an employee of the merchant is not required to arrive to the building for the assessment of technical possibilities | 3 wd | wd x K | 10 |
| 1.3. | where the merchant does not provide the electronic communications service to the end-user before ensuring the bitstream access and the drawable optical fibre cable has been installed in the building but an employee of the merchant is required to arrive to the building for the assessment of technical possibilities | 5 wd | wd x K | 10 |
| 1.4. | where the merchant does not provide the electronic communications service to the end-user before ensuring the bitstream access and the drawable optical fibre cable has not been installed in the building | 10 wd | wd x K | 10 |
| 2. | Installation of the service after receipt of a positive reply regarding technical possibilities of the service and additional service, except for the time for installing the additional service of bitstream access: |  |  |  |
| 2.1. | where the merchant provides the electronic communications service to the end-user before ensuring the bitstream access and the number of installation applications received in one day does not exceed six | 4 wd | wd x K | 10 |
| 2.2. | where the merchant provides the electronic communications service to the end-user before ensuring the bitstream access and the number of installation applications received in one day exceeds six | 5 wd | wd x K | 10 |
| 2.3. | where the merchant does not provide the electronic communications service to the end-user before ensuring the bitstream access and the drawable optical fibre cable has been installed in the building | 5 wd | wd x K | 10 |
| 2.4. | where the merchant does not provide the electronic communications service to the end-user before ensuring the bitstream access and the drawable optical fibre cable has not been installed in the building | to be determined upon agreement between the parties | wd x K | 10 |
| 3. | Service fault repair time without interruption of the electronic communications service | 5 wd | wd x K | 10 |
| 4. | Service fault repair time with interruption of the electronic communications service | 66 h | h x K | 10 |

**Annex 2**

Decision No. 1/21 of the Public Utilities Commission

15 September 2022

**Conditions of the Additional Service Contract and Contractual Penalties Regarding the Services of Unbundled Access and Bitstream Access**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| No. | Conditions of the service contract | Time periods | Contractual penalty for delay (EUR) | The maximum number of delayed wd or h |
| 1. | Ensuring of the lease of a connecting cable | to be determined upon agreement between the parties but not exceeding 30 wd | wd x K | 10 |
| 2. | Fault repair time for the lease of a connecting cable without interruption of communications | 30 wd | wd x K | 10 |
| 3. | Fault repair time for the lease of a connecting cable with interruption of communications | 72 h | h x K | 10 |
| 4. | Ensuring of the physical collocation of facilities | to be determined upon agreement between the parties but not exceeding 30 wd | wd x K | 10 |
| 5. | Ensuring of the physical collocation of a cable inside buildings | to be determined upon agreement between the parties but not exceeding 30 wd | wd x K | 10 |
| 6. | Fault repair time for a cable physically collocated inside buildings without interruption of communications | 30 wd | wd x K | 10 |
| 7. | Fault repair time for a cable physically collocated inside buildings with interruption of communications | 66 h | h x K | 10 |
| 8. | Ensuring of the lease of dark fibre for backhaul purposes | to be determined upon agreement between the parties but not exceeding 30 wd | wd x K | 15 |
| 9. | Fault repair for the service of the lease of dark fibre without interruption of electronic communications | 30 wd | wd x K | 15 |
| 10. | Fault repair for the service of the lease of dark fibre with interruption of electronic communications | 72 h | h x K | 10 |
| 11. | Time for ensuring of the Ethernet or IP backhaul | to be determined upon agreement between the parties but not exceeding 30 wd | wd x K | 15 |
| 12. | Fault repair time for the Ethernet or IP backhaul service without interruption of the additional electronic communications service | 30 wd | wd x K | 15 |
| 13. | Fault repair time for the Ethernet or IP backhaul service with interruption of the additional electronic communications service | 72 h | h x K | 10 |
| 14. | In the case of FTTN and shielded twisted pair subscriber line, upon request of the applicant, the time for the provision of the addresses of distribution cabinets within the requested territory of the specific applicant and the list of addresses of the buildings connected to such distribution cabinets with an indication which of them use VDSL 2 Vectoring – up to 20 addresses of buildings | 3 wd | wd x K | 10 |
| 15. | In the case of FTTN and shielded twisted pair subscriber line, upon request of the applicant, the time for the provision of the addresses of distribution cabinets within the requested territory of the specific applicant and the list of addresses of the buildings connected to such distribution cabinets with an indication which of them use VDSL 2 Vectoring – more than 20 addresses of buildings | one additional wd for each next 20 addresses of buildings | wd x K | 10 |
| 16. | Time for the provision of the addresses of the buildings connected to the central offices where FTTH (P2P or GPON), FTTB are ensured upon request of the applicant in respect of each of the listed access network architectures or technologies individually – up to 20 addresses of buildings | 3 wd | wd x K | 10 |
| 17. | Time for the provision of the addresses of the buildings connected to the central offices where FTTH P2P or GPON, FTTB are ensured upon request of the applicant in respect of each of the listed access network architectures or technologies individually – more than 20 addresses of buildings | one additional wd for each next 20 addresses of buildings | wd x K | 10 |
| 18. | Time for ensuring of backhaul for access to cable ducts and poles | see Tables 1 and 2 in Annex 1 |

**Annex 3**

Decision No. 1/21 of the Public Utilities Commission

15 September 2022

**List of Elements for the Provision of the Wholesale Service**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| No. | Access obligation | Type of access | Service | Activity | Description of the activity | Unit of measurement, calculation methodology | Tariff excluding VAT1 (EUR) |
| 1. |  |  |  |  |  |  |  |
| 2. |  |  |  |  |  |  |  |
| 3. |  |  |  |  |  |  |  |

1– value added tax

**Annex 4**

Decision No. 1/21 of the Public Utilities Commission

15 September 2022

**Elements of Service Offered by the Merchant and Tariffs Thereof, Service of Access to Cable Ducts**

**I. Charge for the theoretical technical research**

Table 1

|  |  |  |  |
| --- | --- | --- | --- |
| No. | Element of the service | Length of route (m) | Tariff excluding VAT (EUR) |
| 1. | Theoretical technical research of the route | ≤100 |  |
| 2. | Theoretical technical research of the route for each next 100 m | >100 |  |

**II. Charge for preparations of the practical technical research**

Table 2

|  |  |  |  |
| --- | --- | --- | --- |
| No. | Element of the service | Number of manholes (pieces) | Tariff excluding VAT (EUR) |
| 1. | Removal of welding from a manhole hatch, per manhole | 1 |  |
| 2. | Removal of welding from a manhole hatch, per each next manhole | >1 |  |
| 3. | Cleaning of cable duct manholes, per manhole | 1 |  |
| 4. | Cleaning of cable duct manholes, per each next manhole | >1 |  |
| 5. | Pumping of water from cable duct manholes, per manhole | 1 |  |
| 6. | Pumping of water from cable duct manholes, per each next manhole | >1 |  |
| 7. | Welding of a manhole hatch, per manhole | 1 |  |
| 8. | Welding of a manhole hatch, per each next manhole | >1 |  |

**III. Charge for the practical technical research if it is conducted separately from installation of the cable**

Table 3

|  |  |  |  |
| --- | --- | --- | --- |
| No. | Element of the service | Length of route (m) | Tariff excluding VAT (EUR) |
| 1. | Practical technical research of the route | ≤100 |  |
| 2. | Practical technical research of the route, per each next 100 m | >100 |  |
| 3. | Preparation of executive documentation for a cable duct manhole, box, jointing chamber with photographic evidence of development views of walls for a route with a length, per cable duct manhole, box, jointing chamber | >100 |  |

**IV. Charge for the practical technical research if it is conducted together with installation of the cable**

Table 4

|  |  |  |  |
| --- | --- | --- | --- |
| No. | Element of the service | Length of route (m) | Tariff excluding VAT (EUR) |
| 1. | Preparation of executive documentation for a cable duct manhole, box, jointing chamber with photographic evidence of development views of walls for a route with a length, per cable duct manhole, box, jointing chamber | >100 |  |
| 2. | Practical technical research of the route if it is conducted together with installation of the cable | ≤100 |  |
| 3. | Practical technical research of the route if it is conducted together with installation of the cable, per each next 100 m | >100 |  |

**V. Total charge for elimination of the overloading of cable ducts**

Table 5

|  |  |  |  |
| --- | --- | --- | --- |
| No. | Element of the service | Length of route (m) | Tariff excluding VAT (EUR) |
| 1. | Elimination of the overloading of cable ducts | ≤100 |  |
| 2. | Elimination of the overloading of cable ducts, per each next 100 m | >100 |  |

**VI. Total charge for repair of the blocked cable duct channels**

Table 6

|  |  |  |  |
| --- | --- | --- | --- |
| No. | Element of the service | Number of faults | Tariff excluding VAT (EUR) |
| 1. | Repair of one cable duct channel by restoring the green area | 1 |  |
| 2. | Repair of one cable duct channel by restoring gravel surface of road | 1 |  |
| 3. | Repair of one cable duct channel by restoring the asphalt surface | 1 |  |
| 4. | Repair of one cable duct channel by restoring the new sett surface | 1 |  |
| 5. | Repair of one cable duct channel by restoring the old sett surface | 1 |  |

**VII. Monthly lease payment**

Table 7

|  |  |  |  |
| --- | --- | --- | --- |
| No. | Element of the service | Length of route (m) | Tariff excluding VAT (EUR) |
| 1. | Lease of the place for physical collocation of a cable in the route | ≤100 |  |
| 2. | Lease of the place for physical collocation of a cable in the route, per each next 100 m | >100 |  |

**VIII. Subscription fee for a user account for the tool**

Table 8

|  |  |  |  |
| --- | --- | --- | --- |
| No. | Element of the service | Unit of measurement | Tariff excluding VAT (EUR) |
| 1. | Payment for subscription of the user account for the tool per calendar month |  |  |

**Annex 5**

Decision No. 1/21 of the Public Utilities Commission

15 September 2022

**Elements of Service Offered by the Merchant and Tariffs Thereof, Service of Access to Poles**

**I. Charge for the theoretical technical research**

Table 1

|  |  |  |  |
| --- | --- | --- | --- |
| No. | Element of the service | Number of poles (pieces) | Tariff excluding VAT (EUR) |
| 1. | Theoretical technical research of the route | ≤6 |  |
| 2. | Theoretical technical research of the route starting from the 7th pole of the route, per pole | >6 |  |

**II. Charge for the practical technical research**

Table 2

|  |  |  |  |
| --- | --- | --- | --- |
| No. | Element of the service | Number of poles (pieces) | Tariff excluding VAT (EUR) |
| 1. | Practical technical research | ≤6 |  |
| 2. | Practical technical research starting from the 7th pole of the route, per pole | >6 |  |

**III. Monthly lease payment**

Table 3

|  |  |  |  |
| --- | --- | --- | --- |
| No. | Element of the service | Number of poles(pieces) | Tariff excluding VAT (EUR) |
| 1. | Lease of the place for physical collocation of a cable on poles for a route with a length | ≤6 |   |
| 2. | Lease of the place for physical collocation of a cable on poles for a route with a length, per each next pole | >6 |   |

**IV. Subscription fee for a user account for the tool**

Table 4

|  |  |  |  |
| --- | --- | --- | --- |
| No. | Element of the service | Unit of measurement | Tariff excluding VAT (EUR) |
| 1. | Payment for subscription of the user account for the tool per calendar month |   |   |

**Annex 6**

Decision No. 1/21 of the Public Utilities Commission

15 September 2022

**List of Distribution Points**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| No. | Access network architecture or technology | Identifier of the distribution point | Address and description of location of the distribution point | Addresses of the buildings connected to the distribution point |
| 1. | FTTHP2P |  |  |  |
| 2. | FTTHGPON |  |  |  |
| 3. | FTTB |  |  |  |

**Annex 7**

Decision No. 1/21 of the Public Utilities Commission

15 September 2022

**List of Central Offices**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| No. | Identifier of the central office | Addresses and description of location of the central offices | Addresses of the buildings connected to the central office | Access network architecture or technology |
| 1. |  |  |  | FTTH P2P |
| 2. |  |  |  | FTTH GPON |
| 3. |  |  |  | FTTB |

**Annex 8**

Decision No. 1/21 of the Public Utilities Commission

15 September 2022

**Addresses of Locations of Regional and National Facilities**

Table 1

I. Addresses of the locations of the merchant’s regional facilities where a bitstream access point can be established at the Ethernet OSI Layer 2

|  |  |  |
| --- | --- | --- |
| No. | Identifier | Address |
|   |   |   |

Table 2

II. Addresses of the locations of the merchant’s national facilities where it is possible to establish a bitstream access point at the Ethernet OSI Layer 2

|  |  |  |
| --- | --- | --- |
| No. | Identifier | Address |
|   |   |   |

Table 3

III. Addresses of the locations of the merchant’s regional facilities where it is possible to establish a bitstream access point at the IP OSI Layer 3

|  |  |  |
| --- | --- | --- |
| No. | Identifier | Address |
|   |   |   |

Table 4

IV. Addresses of the locations of the merchant’s national facilities where it is possible to establish a bitstream access point at the IP OSI Layer 3

|  |  |  |
| --- | --- | --- |
| No. | Identifier | Address |
|   |   |   |