

ORGANISATION DE COOPÉRATION ET DE DÉVELOPPEMENT ÉCONOMIQUES



ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT

COMMUNICATIONS OUTLOOK 2001

Country: POLAND

Date completed: 14 June 2000

TELECOMMUNICATIONS

Market Structure and Regulatory Status (Questions 1 -10)

1. Please provide details of the regulation of communication infrastructure, including the public switched telecommunication network (PSTN), provision in your country.

Infrastructure provision for following service	Regulatory Status (e.g. monopoly, duopoly, certain number, fully open to any applicant)	Number of licensed operators (2000)
Fixed PSTN (Local, National and International)	certain number - TP S.A. monopoly for international services	53
Network infrastructure capacity (Includes only companies not licensed to provide voice services)	fully open for the Polish entities, some limitations for the companies with foreign capital participation	
Analogue Cellular Mobile (e.g. NMT etc.)	monopoly	1
Digital Cellular Mobile (e.g. GSM, PCS etc.)	certain number	3
Wireless local loop (fixed wireless)		
IMT-2000 Operators (i.e. UMTS and 3 rd Generation)	_____	5 -planned

2. Please provide details for the major public telecommunication operator (PTO) of public switched telecommunication services in your country. (PTOs are state and privately owned entities providing public switched telecommunication services over their own infrastructure)

Name of PTO	PTO Ownership Status (2000) (e.g. state owned/privately owned) If a balance of ownership exists please indicate the share (%) held by the government
POLISH TELECOMMUNICATION COMPANY - TP SA	70 % held by the government 15% employees (not tradable yet) 15% investors
NETIA TELECOM	privately owned
EL-NET	privately owned
TELEFONIA LOKALNA "Dialog"	privately owned
POLISH TELECOMMUNICATIONS OPERATORS	privately owned

3. Please provide details of market share for the largest PTO in the following categories.

	The largest PTO's share	
	End 1998	End 1999
Local Access: % of access lines	96,33%	94,72 %
Local Access: % of local calls		
National Long Distance (% of total minutes) ¹	100%	100%
International (% of total outgoing MiTT)	100%	100%
Internet Subscribers ²		

1. If % of minutes is not available, please indicate the % of revenue

2. If share of subscribers is not available, please indicate number of Internet subscribers for the PTO.

4. Please provide details of the number of subscribers by cellular and PCN mobile communication operators.

Name of Operator	Number of Subscribers (End 1999)
1.CENTERTEL NMT	150 000
2.CENTERTEL DCS/GSM	300 000
3.ERA GSM/DCS	1 750 000
4.POLKOMTEL GSM/DCS	1 800 000
5.	

5. Please provide a description of the most significant recent policy changes affecting the provision of telecommunications services, as well as any draft laws, or regulatory proposals to be implemented in 2000 to 2001.

Please provide details:

- 1. Draft of Telecommunication Law will enter into force on 1 January 2001 and will change legal regulation concerning telecommunication activity .**
- 2. Regulation of the Minister of Posts and Telecommunications, of 9 September 1999, on interconnections has specified general rules of inter-carriers connections and settlements.**

6. Please provide a brief description of the responsibilities of the national regulatory authorities for public telecommunication services. Please highlight any changes over the last 12 months.

Please provide details:

Currently, The Minister of Posts and Telecommunications is responsible for telecommunications regulations.

According to the new Telecommunication Law an independent regulator will be established - Office of Telecommunications Regulation.

7. Are there any foreign ownership, size of shareholding or other ownership restrictions on individuals and corporations investing in the incumbent PTO(s) in your country? Yes/ No

If 'yes', please provide details:

Deployment and use of international telecommunications networks and radio-communications equipment used to provide radio-communications beyond the borders of the Republic of Poland is restricted for the entities with 100 % Polish capital share. Providing telecommunications services except for international services such as universal, long distance, mobile radiocommunication and cable television services or deployment and use of long distance networks, mobile telephony, radiocommunication and cable television are restricted for the companies where

- share of foreign equity in total company equity doesn't exceed 49%,
- the share of votes of the foreign organisation and of the organisations controlled by foreign equity at the General Shareholders' Meeting shall not exceed 49 %,
- Polish citizens residing in Poland shall have the majority in the Management Board and in the Supervisory Board.

The above mentioned limitations will be cancelled when the Telecommunication Law enters into force (01.01.2001).

8. Are there any communication infrastructures or services (*e.g. mobile, cable television, terrestrial broadcasting, satellite broadcasting*) that PTOs in your country are not permitted to provide directly? In addition, please specify any restrictions on PTOs investing in companies that provide such infrastructure or services. Please include information on requirements by the incumbent PTO to divest cable networks.

Please provide details:

10. What selection procedures are used to grant licences for new Wireless Local Loop (WLL) and IMT-2000 services? (e.g. spectrum auctions, calls for tenders, government appointments, licence on request)?

Please provide details:

UMTS - a license auction

WLL - license on request: need to obtain frequency assignment

11. Under the communication regulation existing in your country how would national and international voice telephony services provided over the Internet, by entities other than a PTO, be defined and treated? Please mention any restrictions or obligations that may apply.

Please provide details:

Pricing (Questions 11 -12)

12. What, if any, conditions are applied to the tariffs set by PTOs? (Please include any price control information such as price caps or approvals and specify for which services they apply).

Please provide details:

1. Prices are set by an operator.

2. The Minister of Posts and Telecommunications may impose price caps for universal telecommunications services.

3. Tariffs for international telecommunications services shall be set forth upon consultation with the Minister of Posts and Telecommunications.

13. If communication discount schemes are available in your country please provide information on one or more popular schemes applicable to low users and dial-up Internet access users from the incumbent PTO. In the space below please indicate the main features:

Low User scheme:

Internet Access Discount Scheme:

(Additional pamphlets from the PTO in English or French, or with the main points translated into one of these languages, would be most appreciated. Please provide data in local currency).

Note: Low user schemes is a term sometimes applied by PTOs to schemes designed for segments of the community that are financially disadvantaged. A dial-up Internet user refers to a consumer accessing the Internet via a PC with a modem over the local public switched telecommunication network.

Numbering/Domain Names (Questions 13 - 14)

14. Please describe the numbering policy in your country. Please mention the responsible authority and whether portability (including geographic portability) has been introduced and for which services (e.g. 800 numbers, cellular numbers, local PSTN numbers).

Please provide details: Responsible authority - Ministry of Posts and Telecommunications
Number portability exists for 800 numbers and local PSTN numbers.
Number portability for geographical PSTN numbers will be introduced after digitalisation of network.

15. Which organisation is responsible for the administration of your Internet country code top level domain names. (An example of a country code top level domain name is .be for Belgium). Please provide any details of any recent policy initiatives relating to country code domains.

Please provide details: Responsible for the administration of code top level is NASK - Naukowo-Akademicka siec Komputerowa, Bartycka str. 18 00-716 Warsaw

Interconnection (Questions 15)

16. Interconnection between fixed networks.

	Yes /No	Details
Are PSTN interconnect or access charges a matter for commercial agreement between operators? And if so, is there provision for arbitration and by whom?	Yes	Interconnection charges are set by commercial negotiations, in co-operation agreements. Upon a request of either party, the Minister of Posts and Telecoms, through a decision, may determine conditions for co-operation and settlements (in the cases specified by the Telecommunications Law)
Is there a requirement on the incumbent to publish the rate for PSTN interconnect or access charges?	Yes	Interconnection access charges offered by TP S.A. are assumed to be published after an opinion has been given by the Minister of Posts and Telecom.
For the purpose of establishing interconnect or access charges is accounting separation used?	Yes	There is the obligation on the national incumbent to have an accounting system enabling the settlement of costs separately for each kind of services
Once the interconnection or access charge of the incumbent has been established, is it available as a standard rate for other service providers (including other PTOs and resellers)?	Yes	Interconnection rates are the element of standard conditions for co-operations and settlements and as such they are subject to publication after an opinion has been given by the Minister of Posts and Telecommunications.
Does regulation specify that competitive service providers can collocate facilities on the same site as incumbent PTOs? (Please indicate whether resellers and Internet Service Providers can collocate equipment under the same terms and conditions as PTOs without being designated as a PTO?)		Terms and conditions for collocation of points of interconnection for telecommunications networks, technical requirements for interconnection of telecommunications networks as well as conditions for collocating interconnection facilities are the subject matter of the co-operation agreement.
What kind of interconnection accounting methodology (e.g. LRIC, FDC, etc.) is used for calculating the incumbent's interconnection charges?		The PSTN incumbent should calculate its interconnection charges on the basis of reasonable costs of the admission of additional telecommunication traffic, taking into account the proportional share of indirect costs and overheads. The LRIC accounting methodology is highly recommended.
Is carrier pre-selection implemented? If so, please describe the coverage of carrier pre-selection (e.g. local, long-distance and international).		The implementation of pre-selection by long-distance carriers is assumed once points of interconnection between long-distance carriers have become operational.

18. Fixed to Mobile Network Interconnection

	Details
Are termination rates to mobile networks published?	No
How are the termination rates for fixed-to-mobile calls determined in your country (e.g. commercial negotiated between operators, determined by mobile operator or other)?	The termination rates are based upon commercial negotiation between operators.
Are these rates subject to any regulation (e.g. must they be cost orientated if operators have significant market power)?	Settlements on the basis of cost oriented rates are recommended.

Unbundling (Questions 17 -18)

19. Please describe initiatives for local loop unbundling and indicate when unbundling policies were put in place or the expected date of implementation.

Please provide details:

The new telecommunications law, coming in force on 01.01. 2000, provides for local loop unbundling

20. Please provide the prices for access to unbundled local loops and specify the service on offer (e.g. raw copper, DSL subscriber line).

Please provide details:

Consumer Issues (Questions 19 -20)

21.

	Details
In the context of universal service policies, which elements of telecommunication service are considered as part of universal service in your country?	According the still valid law: telephony and telegraph services Under the new law: telephony, fax, data transmission via modem over phonic frequencies
Please provide details of any explicit funding mechanism for addressing universal service and its coverage (this can include initiatives related to infrastructure in respect to addressing digital divide issues).	The possibility for intra-zonal operators of obtaining additional fees on connections, due to unbalanced tariffs, if investments in the rural areas exceed 20 % of their investment total.
Is the cost of providing universal service calculated? If so please provide the latest annual costing.	
What percentage of telephone subscribers do not have access to an Internet service provider's point of presence with a local call?	
What is the average monthly online time for a subscriber to the largest PTO's Internet access service (e.g. number of hours).	
What is the average household consumption expenditure of telecommunication services in your country? Please provide the data in local currency and specify the year of the survey. Please indicate which of the following telecommunications services are included or excluded -- fixed PSTN services, cellular mobile services and Internet access -- or provide a definition of the indicator used in your country.	

22.

	2000	2001	2002	2003
Please report any estimates of the potential coverage of access lines with DSL by the end of the following years (as a % of total subscriber lines) by the incumbent(s):				