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Viestintävirasto (FICORA)

Itämerenkatu 3 A
FI-00180 Helsinki
Finland

For the attention of:
Ms Asta Sihvonen-Punkka
Director General

Fax: +358 295 390 270

Dear Ms Sihvonen-Punkka,

Subject: Commission Decision concerning Case FI/2013/1498: Wholesale markets for call termination on individual public telephone networks provided at a fixed location in Finland

Opening of Phase II investigation pursuant to Article 7 of Directive 2002/21/EC as amended by Directive 2009/140/EC

I. PROCEDURE

On 2 September 2013, the Commission registered a notification from the Finnish national regulatory authority, Viestintävirasto (FICORA), concerning the review of the wholesale markets for call termination on individual public telephone networks provided at a fixed location in Finland[1].

The national consultations[2] ran from 25 January 2013 to 25 February 2013. The deadline for the EU consultation under Article 7 of the Framework Directive is 2 October 2013.

On 10 September 2013, a request for information (RFI)[3] was sent to FICORA, and a response was received on 13 September 2013.

1 Corresponding to market 3 in Commission Recommendation 2007/879/EC of 17 December 2007 on relevant product and service markets within the electronic communications sector susceptible to ex ante regulation in accordance with Directive 2002/21/EC of the European Parliament and of the Council on a common regulatory framework for electronic communications networks and services (Recommendation on Relevant Markets), OJ L 344, 28.12.2007, p. 65.

2 In accordance with Article 6 of the Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services, OJ L 108, 24.4.2002, p. 33, as amended by Directive 2009/140/EC (Better Regulation Directive), OJ L 337, 18.12.2009, p. 37, and Regulation (EC) No 544/2009, OJ L 167, 29.6.2009, p. 12 (Framework Directive).

3 In accordance with Article 5(2) of the Framework Directive.

II. DESCRIPTION OF THE DRAFT MEASURE

II.1. Background

The previous review of the fixed termination markets was notified by FICORA on 26 October 2007.[4] FICORA stated that 35 telecommunications operators had significant market power in the market for call termination on its own public telephone network. The following remedies were imposed on these operators: interconnection, transparency, price control (cost-orientation and non-discrimination), cost accounting and accounting separation. The Commission commented on the cost-orientation and cost accounting obligations in the fixed termination markets expressing concerns as regards the freedom left to each operator to select the cost-accounting model it wished to use. Furthermore, the Commission stressed the need for a coherent European approach and invited FICORA to revisit its analysis as soon as a common approach will have been established at European level.

II.2. Market definition

FICORA defines the wholesale market for voice call termination as the transmission of incoming voice traffic from the point of interconnection to the called party. FICORA acknowledges that it is not possible to substitute wholesale call termination provided in a given fixed network with call termination provided in another network.

FICORA, therefore, concludes that the relevant 31 geographic markets are limited to the network of each operator providing wholesale call termination services.

The corresponding retail market is defined as telephony services, i.e. voice and subscription. The geographic markets are national in scope.

II.3. Finding of significant market power

FICORA first analyses the substitutability of voice services in the retail market and considered that mobile telephone subscriptions and fixed VoIP[5] subscriptions are substitutes for fixed telephone subscriptions. Therefore, also calls made from these subscriptions are substitutes for calls made from fixed telephone subscriptions. On the supply side, FICORA also notes that local loop unbundling is another possibility for operators to enter the market[6]. FICORA's considerations are based on the following elements:

- The costs incurred from switching from fixed to mobile telephone subscription cannot be regarded as significant taking into consideration that it is much less expensive to use a mobile subscription than a fixed subscription.
- The availability of mobile is at least as good as the availability of fixed telephone subscriptions. Almost everywhere in Finland, end users can select a telephone subscription provider among at least one fixed network operator and three mobile network operators.

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4 Under case number FI/2007/0704; D/207180.

5 FICORA notes that only a minor part of end-users are using VoIP services in Finland. Thus, VoIP services do not have a major influence on the conclusions made in the market analysis. Many operators (incumbents and entrants) have ceased offering VoIP services because VoIP services are not competitive for mobile services which most of the end-users are using.

6 This substitutability analysis has already been presented by FICORA in its recent review of the market for wholesale call origination on the public telephone networks provided at a fixed location (market 2 of the Recommendation on relevant markets). The notification has been assessed under case FI/2013/1444 (C(2013)2862; in which no comments were addressed to FICORA.

- The majority of end-users in Finland have switched to using mobile telephone services only. Also, 98-99% of residents and 96% of non-residential customers have one or more mobile telephone subscriptions; only 7% of fixed telephone subscribers do not have a mobile subscription.

FICORA observes that in recent years, less and less end-users use both fixed and mobile telephone subscriptions, with a very small share using a fixed subscription only. In 2012, 14 % of residential users had a fixed subscription and 98% a mobile subscription, 13% had both a fixed and a mobile subscription, 1% had a fixed only subscription and 85% had only a mobile subscription. For 2010, the respective figures for non-residential customers are as follows: 54% had both a fixed and a mobile subscription, 2% had only a fixed subscription and 97% had a mobile subscription, and 43% had a mobile subscription only.

FICORA clarifies with respect to non-residential customers that the main reasons for large companies in particular to still use fixed telephony are: customer service, habits, incompatibility of mobile phones with other systems. However, the number of fixed telephone subscriptions used by non-residential customers has dropped by more than a quarter.

The volume of fixed subscriptions is strongly declining (by 53% in five and a half years), the annual average decrease being 12% and FICORA expects it to fall further. The number of mobile subscriptions has increased during the same period, the average annual growth being 9%.

The average retail price for a three minute call originated in a mobile network (irrespective of the destination network) is 7 eurocents/min, whereas the prices for a call originated in a fixed network are as follows: 6 eurocents/min for a local Fixed to Fixed call, 13 eurocents/min for a long-distance Fixed to Fixed call and 21 eurocents/min for a Fixed to Mobile call. According to FICORA, in case of an increase of retail prices (due a FTR increase), even the cheapest Fixed to Fixed call would become more expensive than a call made from a mobile network.

In the reply to the RFI FICORA indicated that the majority of mobile operators have priced Mobile to Fixed calls and Mobile to Mobile calls similarly. There is a small difference between average MTRs (EUR 0.028) and FTRs (EUR 0.0242) in Finland. This difference has been decreasing during the last years.

In 2011, 10 % of terminated call minutes in Finland were terminated in a fixed network. This figure includes call minutes terminated within the same network. This share was 23% in 2007.

FICORA concludes that end users can substitute calls made to a fixed telephone subscription by making a call from a fixed or mobile telephone subscription to a mobile telephone subscription.

Following its analysis of substitutability at retail level, FICORA analyses countervailing buyer power in the wholesale market for fixed termination and maintains that an increase in wholesale call termination price would lead to the substitution of calls away from the network that raised wholesale call termination charges, and that this would exercise a sufficient constraint on FTRs, which would make a FTR rise unprofitable.

FICORA specifies in the response to the RFI that it does not expect discriminatory and asymmetric FTRs for the following reasons: (i) efficient substitutes are available in the retail market; (ii) presence of many fixed network operators providing termination services, none of them having a market share over 50 %, and (iii) fixed network operators are both buying and selling termination services from each other so that the termination traffic is roughly in balance between operators.

Consequently, if one of the operators tries to apply FTRs in a discriminatory and non-symmetric way other operators could respond to this (e.g. by raising FTRs vis-à-vis the operator which raised FTRs in the first place). Should they do so, they risk harming themselves when end-customers switch telephone service providers, calls are reduced, or diverted to mobile numbers. FICORA confirms that, even though each operator has a 100% (market) share of providing call termination to subscribers in its own telephone network, the market power is constrained by end users' behaviour in the retail market.

FICORA states in the reply to the RFI that the finding of non-SMP is based on sufficient countervailing buying power coming from indirect competitive constraints at retail level.

While taking into account that termination rates have no direct impact on the called party due to the calling party pays (CPP) principle, FICORA considers that a change in FTRs may affect indirectly the behaviour of the called party. If the called party is not called anymore and cannot therefore enjoy the benefits of a subscription, the FTR increase would lead to end-users switching to mobile networks thus reducing both the retail and wholesale revenues of the fixed operator who has increased its termination rate.

The rise in FTRs would also lead to a reduction/diversion of calls to that operator and a reduction in the operator's termination revenues. The net effect of the FTRs' increase on the wholesale revenue depends on the price elasticity of demand for calls made to the fixed network. In this respect, FICORA distinguished three scenarios: on-net fixed call termination, off-net Fixed to Fixed call termination and Mobile to Fixed call termination. Given that under the first scenario the increase in the FTR has an impact mainly on the networks' own end-users, FICORA concentrates its analysis on the two last scenarios.

- In the Mobile to Fixed termination scenario, FICORA explains that given regulation of MTRs, mobile operators could absorb an increase in FTRs only by increasing the retail price for a call made to the company who has increased the FTR. FICORA sustains in this respect that some mobile and fixed offers are already characterised by "network-dependent" pricing, i.e. price differentiation depending on the destination network of the call. Thus, FICORA argues that there are no factors that would prevent mobile operators from increasing their retail price.[7]
- Fixed to Fixed off-net scenario: in case one operator raises its FTRs, other fixed operators can either increase their own FTRs or retail prices for the subscriber of the network whose FTRs have risen. The same reasoning applies as in the Mobile to Fixed scenario.

The countervailing buyer power of the operators is, therefore, according to FICORA leveraged through the retail customers. FICORA refers in this respect to the explanatory note to the recommendation on relevant markets, according to which price setting of wholesale call termination on a given fixed telephone network might be constrained by

[7] In its reply to the RFI, FICORA gives the following arguments to support this statement: The majority of mobile operators do not distinguish between M2F and M2M calls. There is a small difference between average MTR (EUR 0.028) and FTR (EUR 0.0242) in Finland. This difference has been decreasing during the last years. Also, the mobile operators in Finland face a competitive situation in the voice services retail market, with the majority of their retail income coming from voice services. Additionally, the Finnish mobile call rates are currently at a low level, which is a sign of competitive retail pricing. FICORA refers to a recent European Commission's comparison of mobile call prices, the per-minute cost of a mobile call in Finland was EUR 0.061, a low value compared to the EU average of EUR 0.091. It is not expected that the operators would absorb significantly increased production costs in a situation where they have the opportunity to raise the retail price.

demand substitution at the retail level, provided that the substitute (mobile in the present case) leads to an effective constraint on the setting of call termination charges by making it unprofitable for a telecoms operator to raise wholesale termination charges.

FICORA further stresses the fact that such alternatives might include terminating the call to the called party on a mobile network instead of the fixed network. Based on its market analysis, FICORA argues that there is an effective constraint on the markets for fixed voice call termination in Finland coming from an effectively competitive retail market which includes both fixed and mobile services and that therefore there is no SMP on the relevant markets.[8]

FICORA states that it can in exceptional circumstances impose obligations on a non-SMP operator including an obligation to interconnect at reasonable prices. According to Finnish law, the general interconnection obligation implies interconnection at reasonable terms. Furthermore, FICORA could impose specific interconnection obligations on non-SMP operators.

FICORA concludes that none of the operators has significant market power in the market for call termination on individual public telephone networks provided at a fixed location in Finland.

II.4. Regulatory remedies

FICORA concludes that regulation in the wholesale market for call termination on the public telephone network provided at a fixed location is no longer justified as the SMP status of all fixed operators should be lifted.

III. ASSESSMENT

The Commission have examined the notification and the additional information provided by FICORA and has the following comments:

Need to carry out regular market reviews

The wholesale market for fixed voice call termination in Finland was last reviewed in 2007. FICORA explains this delay in the market analysis with the high number of markets to be reviewed and with the need to give priority to markets which are more dynamic than the termination markets.

The Commission reminds FICORA that call termination is the least replicable element required for the provision of retail call services, thus stressing the importance of reviewing these markets in a timely manner. In addition, the Commission points out that important review delays imply the risk of not implementing EU legislation in a proper and timely manner. This is precisely the case for the relevant termination markets with respect to which the Commission issued in 2009 a Recommendation on the regulatory treatment of termination rates across the EU[9].

The Commission calls on FICORA to respect in the future the three year period foreseen in Article 16(6) of the Framework Directive[10] for market review, with a

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9 Commission Recommendation of 7 May 2009 on the Regulatory treatment of Fixed and Mobile Termination Rates in the EU, OJ L124, p.67 (the Termination Rates Recommendation).

10 Article 16 (6) of the Framework Directive states that NRAs must, as a rule, carry out an analysis of the relevant market and notify the corresponding draft measure in accordance with Article 7 of the Framework Directive within three years from the adoption of a previous measure relating to that

view to complying with the objectives set out in Article 8 of the Framework Directive, and in particular with Article 8(5)(a) according to which NRAs should promote regulatory predictability by ensuring a consistent regulatory approach over appropriate review periods.

Furthermore, following the examination of the notification and the additional information provided by FICORA, the Commission considers that draft measures concerning the market for call termination on individual public telephone networks provided at a fixed location in Finland fall within the scope of Article 7(4)(b) of the Framework Directive. The Commission has serious doubts as to the compatibility of FICORA's draft measures with EU law and considers that they create barriers to the internal market.

Draft measures aiming at not to designate as having significant market power undertakings having 100% market share in the wholesale market or fixed voice call termination in Finland may have an influence, direct or indirect, actual or potential, on the ability of undertakings established in other Member States to offer electronic communication services. FICORA's notification comprises measures that have a significant impact on operators and/or users in other Member States, *inter alia* measures which affect prices for users. Consequently, such draft measures may affect the patterns of trade between Member States[11].

Pursuant to Article 8 (2) (b) of the Framework Directive, NRAs shall promote competition in the provision of electronic communications services by ensuring that there is no distortion or restriction of competition in the electronic communications sector.

The Commission has serious doubts as to whether FICORA presents sufficient evidence to support its finding of absence of SMP on the markets for fixed call termination on individual public telephone networks. The assessment submitted in the present case does not seem to be in line with Articles 14 and 16 of the Framework Directive, as well as with Article 8 (2) (b) of the same directive.

FICORA argues that individual operators providing fixed voice call termination services in Finland would not have SMP despite each holding a 100% market share on their respective network. The Commission is of the view that a 100% market share raises a strong presumption of SMP, save in exceptional circumstances, which need to be clearly and unambiguously demonstrated by the NRA.

FICORA's conclusion of existence of sufficient countervailing buying power (finding of non-SMP of fixed operators) is based on alleged indirect competitive constraints at retail level, i.e. a FTR increase would lead to end-users switching to mobile and/or other fixed networks thus reducing both the retail and wholesale revenues of the fixed operator who has increased its termination rate.

The Commission expresses serious doubts in this regard for the following main reason:

market.

11 See Recital 38 of the Framework Directive.

FICORA has not provided convincing evidence that, despite a 100% market share, operators would not have SMP on the market for call termination on individual public telephone networks provided at a fixed location.

Need for an appropriate SMP assessment

Call termination markets are likely to be characterised by similar competition problems i.e. strong and persistent incentives for the SMP operators to refuse to provide access and to charge excessive prices[12]. According to the Recommendation on relevant markets, call termination markets should be regulated as each operator has market power over access of other customers calling subscribers to its own network. Call termination services can only be supplied by the operator to which the called party is connected.

The Explanatory note to the same Recommendation recognises the possibility for demand substitution at the retail level to exercise indirect competitive constraints on operators active in the related upstream market. It underlines in this respect that proposed alternatives lead to an effective constraint on the setting of call termination charges by making it unprofitable for a network to raise the call termination charge. The existence of buyer power and the ability of network operators to raise termination rates above the competitive level should be examined on a case-by-case basis in the context of the SMP assessment of the relevant termination market.

The Commission has in similar cases noted[13] that competition at the retail level may be such as to exert an indirect constraint on the wholesale market and that such indirect pricing constraints can be taken into account in the SMP assessment, potentially leading to a non-SMP finding. However, the Commission also pointed out that the degree of strength of the constraint should be correctly estimated and that in that regard it needs to be demonstrated that *inter alia* i) wholesale price increases would be passed through, depending also on the wholesale/retail price ratio, ii) there would be sufficient demand substitution at the retail level such as to render the wholesale price increase unprofitable.

In the present case, FICORA concludes that an increase in wholesale call termination price would lead to the substitution of calls away from the network that raised wholesale call termination charges, which would exercise a sufficient constraint on FTRs, thus making a FTR rise unprofitable. FICORA's conclusion is based on the assumption that an increase in FTRs would translate in higher retail prices since competing operators would not be able to absorb such an increase. As further developed below, FICORA has not provided a quantitative analysis supporting this assumption. FICORA's approach is not following the point 78 of the SMP guidelines according to which before coming to a conclusion as to the existence of SMP, NRAs should undertake a thorough and overall analysis of the economic characteristics of the relevant market.

Furthermore, the SMP Guidelines[14] indicate that market power should be essentially measured by the ability of the undertakings to raise prices without incurring a significant loss of sales and revenues.

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12 See for example case LV/2012/1296, C(2012)1805; PT/2013/1491, C(2013) 5410.

13 See for example Case UK/2007/0733, SG-Greffe (2008) D/200640.

14 Commission guidelines on market analysis and the assessment of significant market power under the Community regulatory framework for electronic communications networks and services (2002/C 165/03).

FICORA has not provided convincing evidence that demand substitution at retail level exercises competitive constraints strong enough to make an FTR increase unprofitable, thus not complying with Article 14 and Article 16 of the Framework Directive according to which un undertaking shall be deemed to have significant market power if it is able to behave to an appreciable extent independently of competitors, customers and ultimately consumers, by taking into utmost account the SMP Guidelines.

The Commission takes this view in light of the following:

FICORA considers that an increase in FTRs would translate in higher retail prices. No sufficient evidence is provided whether this is effectively the case. While FICORA explains that some fixed and mobile operators already apply network-specific pricing schemes, no comprehensive information is provided on how the cost of wholesale inputs (here voice call termination) is reflected in the retail pricing structure of the individual operators.

Neither does FICORA demonstrate the quantitative impact of increased FTRs on retail prices. FICORA could have supported its analysis by means of a simulation (based for example on existing contracts), thus demonstrating to which extent the increase in FTRs is likely to be translated into the retail price.

Moreover, it appears that FICORA considers the pass-through ratio to be complete. In view of the Commission, further data is needed to demonstrate that competitors would not be able to at least partially absorb the price increase in their margins rather than passing the FTR increase entirely to the end-users of retail telephone services. In view of the limited share of wholesale input costs (FTRs) in comparison to average retail prices[15], such complete pass-through cannot be readily assumed. Further to that, such automatic pass-through needs to be explained in the context of an effectively competitive retail calls market, as assumed by FICORA. Where retail markets are competitive, operators may not find it feasible to raise retail prices in response to an increase in wholesale input costs, which would also call for a more rigorous analysis of the relationship between input costs and retail prices in the Finnish calls market.

More specifically, in the Fixed to Fixed scenario considered in its analysis of countervailing buying power FICORA explains that fixed operators can react to an increase of FTRs by increasing either their respective FTRs or their retail prices. FICORA should have however provided a more thorough assessment of the factors that would influence the choice between the two options[16], and what the overall impact would be on the alleged indirect constraints.

Further to that, while fixed to mobile substitutability at the retail level may be at a rather advanced state in Finland, no sufficient evidence is provided to which extent fixed subscribers would effectively switch to mobile subscriptions because of the increase in FTRs, or mobile numbers are called instead of fixed ones. In this respect, the Commission observes that there is an important difference in the shares of residential and non-residential users who have both fixed and mobile subscriptions, respectively 13% and 54%. These figures presume a different

15 Currently the average FTR amounts only to a third of the average mobile and fixed retail price.

16 In the current draft measure, FICORA states that the increase of FTRs would be passed at retail level in situations, where "an operator, for reasons unknown, cannot or will not cover the costs incurred from the increased call termination prices by making a reciprocal increase of wholesale call termination charges".

degree of substitution in the two segments. Moreover, the 54% figure could also be an indication that fixed and mobile are complementary rather than substitutable services at least for some non-residential customers. In addition, as noted by FICORA with respect to non-residential customers, there are other reasons (than price) to keep fixed telephone services. Indeed, public authorities, specific businesses (e.g. banks, hospitals), might have specific (public service- or business- related) needs, which could not be fully satisfied by a mobile service. Therefore, FICORA should have analysed the behaviour of those (specifically non-residential) customers, which subscribe to both fixed and mobile and are less susceptible to switching services in response to a FTR increase.

Finally, even though some fixed to mobile substitution may occur, FICORA has not demonstrated that a rise in FTRs would be unprofitable for fixed operators. Depending on the elasticity of demand for fixed services, and considering the notion of 'captive' users as outlined above, an increase in FTRs may in fact be profitable despite the associated decline in revenues, and which would in view of the Commission require a more thorough investigation of this relationship. While FTRs and MTRs are at very close levels (the difference between them being EUR 0.0038), it may, for example, be profitable for fixed operators to raise their FTRs at least up to the MTR level.

For all the above reasons the Commission has serious doubts that FICORA has provided convincing evidence that, despite a 100% market share, operators would not have SMP on the market for call termination on their individual public telephone networks provided at a fixed location in Finland.

Creation of barriers to the internal market

The Commission is also of the view that lifting regulation from the fixed voice call termination markets in Finland where there are doubts that FICORA has provided sufficient evidence to prove that operators would not have SMP may lead to excessive pricing, which in turn may increase the costs for the provision of fixed services and lower the ability of other operators and service providers (including those established in other Member States) to provide electronic communication services in Finland. Such excessive pricing is incurred at the expense of the operators, and eventually consumers, in the Member States from where the calls originate and where FTRs are regulated.

According to BEREC data[17], the FTR applied by the incumbent in Finland of 2.42 eurocents/min is already today the highest in Europe. The Commission further notes that the gap between Finnish and other Member States' FTRs will increase with the prospective implementation of the recommended bottom up long run incremental cost model (BU-LRIC)[18].

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[17] BoR(13)60: Berec Termination Rates Benchmark Snapshot as of January 2013.

[18] Countries who have implemented the recommended BU-LRIC model for fixed termination.

Country (Art.7 case number)	**Target Rate (€ct/min)**
FR (FR/2011/1236)	0.08
DK (DK/2012/1385)	0.06 peak; 0.032 off-peak; 0.063 call set up
IE (IE/2012/1371)	0.098
MT (MT/2012/1402)	0.0443
BG (BG/2013/1409-1410)	0.256

The Commission notes that despite regulation, FTRs in Finland are considerably high, and that based on the evidence provided by FICORA countervailing buyer power is unlikely to constrain FTRs in the future

The Commission further believes that deregulation of the fixed voice call termination markets based on a flawed SMP assessment could also lead to asymmetry of termination rates within Finland and compared to other Member States Indeed, it is doubtful, even in presence of an interconnection obligation imposed on non-SMP operators, that more than 30 fixed operators would charge the same (symmetrical) termination rates.**.** Any considerable asymmetry in fixed termination rates within the EU not only distorts and restricts competition but have a significant detrimental effect on the development of the internal market, i.e. creates a considerable barrier to the single market, and, therefore, results in a violation of the principles and objectives of Article 8(2) and (3) of the Framework Directive.

The Commission therefore concludes that in the absence of a proper SMP assessment, i.e. based on a thorough analysis of the competitive conditions, the proposed deregulation of the fixed voice call termination market is not justified and creates barriers to the internal market.

Conclusion

For the reasons set out above, the Commission has serious doubts as to whether the SMP analysis proposed by FICORA meets the requirements laid down in Articles 14 and 16 of the Framework Directive, as well as Article 8 (2) (b) of the same directive. These serious doubts stem from the lack of reasoned evidence as to the conclusions on the non-designation of operators with SMP. The Commission also takes the view at this stage that the notified regulatory measure would create a barrier within the internal market.

The above assessment reflects the Commission's preliminary position on this particular notification, and is without prejudice to any position it may take vis-à-vis other notified draft measures.

The Commission points out that, in accordance with Article 7 of the Framework Directive, the draft measures on the market for call termination on individual public telephone networks provided at a fixed location in Finland shall not be adopted for a further two months period.

Pursuant to Recommend 17 of Recommendation 2008/850/EC[19], the Commission will publish this document on its website, together with a notice inviting third parties to submit observations on this serious doubts letter within five working days. The Commission does not consider the information contained herein to be confidential. You are invited to inform the Commission[20] within three working days following receipt whether you consider that, in accordance with European Union and national rules on business confidentiality, this document contains confidential information which you wish to have deleted prior to such publication. You should give reasons for such request.

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19 Commission Recommendation 2008/850/EC of 15 October 2008 on notifications, time limits and consultations provided for in Article 7 of Directive 2002/21/EC, OJ L 301, 12.11.2008, p. 23.

20 Your request should be sent either by email: CNECT-ARTICLE7@ec.europa.eu or by fax: +32.2.298.87.82.

Yours sincerely,
For the Commission
Neelie Kroes
Vice-President