



ADMINISTRATIVE BOARD

DECISION

Registered with the Ministry of Justice of Republic of Moldova
no.746 on 07.04.2010

_____ **A. TANASE**
Minister

Regulation of access to public electronic communications services provided by means of access codes „1600-1639”

April 7, 2010

no.11

Based on art.9 p. (1) g) and art.42 p. (2) a) of the Law on Electronic Communications no. 241-XVI of 15.11.2007, p. 14 of the Regulations of the National Agency for Regulation in Electronic Communications and Information Technology (the Agency) approved by Government Decree no. 905 of 28.07.2008,

with the view of enforcing the provisions of art.8 p. (4) b) and p. (9) in corroboration with art.9 p. (1) u) of the Law on Electronic Communications no. 241-XVI of 15.11.2007, for the purpose of ensuring the access of end users to public electronic communications services by means of access codes „1600-1639” and in order to make the contractual relations between providers of electronic communications networks and services more efficient,

taking account of the tendency to reduce the tariffs for international calls for end users, and of the analysis of the technical and commercial interconnection conditions, offered by providers of public electronic communications networks, who have control over the access to end users for the provision of such services, the **Administrative Board** hereby ,

DECIDES:

1. The providers of public electronic communications networks, hereinafter - offering provider, shall, at the request of another provider of public electronic communications networks, hereinafter - requesting provider, negotiate and conclude and interconnection agreement with the requesting provider or, as appropriate, modify the previously concluded interconnection agreement with the requesting provider, under the terms and conditions stipulated in the Regulations on Interconnection, approved by

the Agency Administrative Board Decision no. 12 of 31.01.2009 and the provisions of the decision herein, in order to enable the requesting provider to provide electronic communications services for the offering provider's end users by means of access codes „1600-1639”, hereinafter access codes, assigned to the requesting provider from the National Numbering Plan (NNP) based on a decision of numbering resources assignment or a license for the use of numbering resources, issued by the Agency, as appropriate, based on Law on Telecommunications no. 520-XIII of 07.07.1995 or the Regulations on NNP Administration and Management, approved by Agency Administrative Board Decision no. 25 of 03.11.2008.

2. The interconnection agreement, concluded or modified in accordance with p. 1, shall contain the obligation of the offering provider to ensure the access of his own end users, except users of roaming services, to the access codes of the requesting provider, in compliance with the decision herein.
3. The offering provider shall ensure the transportation through his own network and the transfer to the requesting provider's network of calls made by means of access codes originated at the terminal points of the network operated by the offering provider according to the network architecture.
4. Calls made by means of access codes shall be carried by the offering provider to the requesting provider in accordance with the traffic routing schemes described in the interconnection agreements.
5. In indirect interconnection, calls made by means of the access codes of the requesting provider shall be carried via the network of a transit provider, and ensuring that transit shall be the requesting provider's obligation.
6. The offering provider shall convey to the requesting provider's network the format of the called access code and the information on calling line identification.
7. Upon receipt of a call made by means of access codes, the requesting provider shall ensure the connection with the called party and immediately return to the offering provider's network a „*Address Complete*” message via the SS7 signaling system. The message SS7 „*Answer*” shall be transmitted only when the called party or their relevant system answers the call. Any substitution or modification of codes within the signaling system shall be forbidden.
8. The offering provider shall start charging for the calls made by means of the access codes of the requesting provider upon receipt of SS7 „*Answer*” message. The charging shall stop upon receipt of the first SS7 „*Release*” message.
9. Where the calls made by means of access codes result in the following tones that shall be conveyed to the calling party: calling tone, busy tone, inexistent number or busy equipment, the SS7 „*Answer*” message shall not be transmitted, and the offering provider, where the contract provides for the terms of p.11 a), shall not charge for the calls made by means of the requesting provider's access codes.

10. For the provision of public electronic communications services by means of access codes, the requesting provider and the offering provider shall be allowed to use, based on interconnection agreements, another signaling protocol, more advanced than the SS7 one, on condition of compliance with p. 7, 8 and 9.
11. In order to provide public electronic communications services by means of access codes, providers shall decide, in their interconnection agreements, on one of the following payment methods, as stipulated in p.76 (1) and (3) of the Regulations on Interconnection:
 - a. Payment for interconnected services per traffic unit, depending on the tariffs set by providers for call origination (p.76 (1)) or
 - b. Charging their own subscribers and individually keeping the levied charges (sender keeps all) (p.76 (3)).
12. Where the providers agree upon the method stipulated in p. 11 a), the offering provider shall not charge the calling party for the call originated by the calling party from his network by means of access codes, including from public payphones. Calls made by the calling party by means of access codes shall be paid by the requesting provider at tariffs for call origination, taking into account the routing within the switching hierarchy of the offering provider (local or national level).
13. Where the providers agree upon the method stipulated in p. 11 b), the offering provider shall charge the calling party and shall keep the levied charges for the calls originated by calling parties from his own network by means of access codes, including from public payphones at cost-oriented tariffs for call origination, taking into account the routing within the switching hierarchy of the offering provider (local or national level).
14. The tariff for call origination shall be equal with the tariff for call termination in the network where the call was originated by means of access codes, taking into account the routing within the switching hierarchy of the offering provider (local or national level). The second shall be the charged unit. Where in interconnection agreements the tariffs for call origination are established in USA dollars, the tariff for the end user shall be equal to the tariff for call origination multiplied to the average exchange rate for national currency (leu) in relation to the USA dollar, as forecast by the Law on State Budget for the year of the interconnection relationship, as provided by the decision herein.
15. The offering provider shall carry the calls made by means of access codes to the requesting provider through the nearest possible interconnection operational point to from the location where such a call was originated, taking into account the routing within the switching hierarchy of the offering provider (local or national level).
16. The tariffs for call origination applied by the offering provider for calls made by means of access codes depend on the routing of the call via the network of the offering provider, are established in the Reference Interconnection Offer and are made publicly

available or, as appropriate, are established in the interconnection agreements concluded between providers.

17. In indirect interconnection the requesting provider shall pay the transit provider for transit services (local or national level). The second shall be the charged unit.
18. Where an interconnection agreement is negotiated by applying p. 11 a) of the decision herein, the requesting provider shall pay the offering provider tariffs for call origination under the terms established by the interconnection agreement, whether or not the requesting provider charged the calling party according to the tariffs for public electronic communications services, provided to them by the requesting provider by means of access codes „1600-1639”.
19. The offering provider shall not admit pricing non-discrimination with regards to the access of the end users to his own de electronic communications services provided by means of access codes and for electronic communications services provided by means of the requesting provider’s access codes.
20. For the provision of public electronic communications services by means of access codes, providers shall use the access codes assigned to them by the Agency and comply with the NNP, the Regulations on NNP Administration and Management NNP, general license conditions and, if appropriate, special license conditions for the use of numbering resources in public electronic communications networks. The use of other access codes shall be illegal.
21. Providers shall operate appropriate modifications to the Interconnection agreements in force, in order to adjust them to cover the provision of services by means of access codes, and to ensure the enforcement of the decision herein, within 30 days form the date it enters in force.
22. In case of non-compliance with the term set in p. 21, the provider admitting of delay in adjusting the interconnection agreement signed according to the decision herein shall be sanctioned in accordance with legislation in force.
23. The requesting provider shall ensure the quality of public electronic communications services provided by means of access codes “1600-1639”, perform measurements and make the information on values of service quality parameter publicly available, in accordance with Agency Administrative Board Decision no. 278 of 17.11.2009 on establishing quality parameters for public electronic communications services.
24. Decision of the Administrative Board of the National Regulatory Agency for Telecommunications and Informatics no. 11 of March 02, 2001 “Regulation of IP-telephony services and approval of access deficit tariff for the provision of these services” (Official Gazette of the Republic of Moldova, 2001, no. 27-28, art.88) shall be abrogated.

25. The Decision herein shall enter in force on the date it is published in the Official Gazette of the Republic of Moldova.

Chairman of the Administrative Board

Sergiu SITNIC

Board Members

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