

ANNEX II

[^{F1}MINIMUM LIST OF ITEMS TO BE INCLUDED IN A REFERENCE OFFER FOR WHOLESALE NETWORK INFRASTRUCTURE ACCESS, INCLUDING SHARED OR FULLY UNBUNDLED ACCESS TO THE LOCAL LOOP AT A FIXED LOCATION TO BE PUBLISHED BY NOTIFIED OPERATORS WITH SIGNIFICANT MARKET POWER (SMP)]

Textual Amendments

- F1** Substituted by Directive 2009/140/EC of the European Parliament and of the Council of 25 November 2009 amending Directives 2002/21/EC on a common regulatory framework for electronic communications networks and services, 2002/19/EC on access to, and interconnection of, electronic communications networks and associated facilities, and 2002/20/EC on the authorisation of electronic communications networks and services (Text with EEA relevance).

For the purposes of this Annex the following definitions apply:

- (a) [^{F1}‘local sub-loop’ means a partial local loop connecting the network termination point to a concentration point or a specified intermediate access point in the fixed public electronic communications network;]
- (b) ‘unbundled access to the local loop’ means full unbundled access to the local loop and shared access to the local loop; it does not entail a change in ownership of the local loop;
- (c) [^{F1}‘full unbundled access to the local loop’ means the provision to a beneficiary of access to the local loop or local sub-loop of the SMP operator allowing the use of the full capacity of the network infrastructure;]
- (d) [^{F1}‘shared access to the local loop’ means the provision to a beneficiary of access to the local loop or local sub-loop of the SMP operator, allowing the use of a specified part of the capacity of the network infrastructure such as a part of the frequency or an equivalent.]

A. Conditions for unbundled access to the local loop

[^{F1}1. Network elements to which access is offered covering in particular the following elements together with appropriate associated facilities:

- (a) unbundled access to local loops (full and shared);
- (b) unbundled access to local sub-loops (full and shared), including, when relevant, access to network elements which are not active for the purpose of roll-out of backhaul networks;
- (c) where relevant, duct access enabling the roll out of access networks.

2. Information concerning the locations of physical access sites including cabinets and distribution frames, availability of local loops, sub-loops and backhaul in specific parts of the access network and when relevant, information concerning the locations of ducts and the availability within ducts;

3. Technical conditions related to access and use of local loops and sub-loops, including the technical characteristics of the twisted pair and/or optical fibre and/or equivalent,

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cable distributors, and associated facilities and, when relevant, technical conditions related to access to ducts;]

4. Ordering and provisioning procedures, usage restrictions.

B. Co-location services

[^{F1}1. Information on the SMP operator's existing relevant sites or equipment locations and planned update thereof⁽¹⁾.]

2. Co-location options at the sites indicated under point 1 (including physical co-location and, as appropriate, distant co-location and virtual co-location).

3. Equipment characteristics: restrictions, if any, on equipment that can be co-located.

4. Security issues: measures put in place by notified operators to ensure the security of their locations.

5. Access conditions for staff of competitive operators.

6. Safety standards.

7. Rules for the allocation of space where co-location space is limited.

8. Conditions for beneficiaries to inspect the locations at which physical co-location is available, or sites where co-location has been refused on grounds of lack of capacity.

C. Information systems

Conditions for access to notified operator's operational support systems, information systems or databases for pre-ordering, provisioning, ordering, maintenance and repair requests and billing.

D. Supply conditions

1. Lead time for responding to requests for supply of services and facilities; service level agreements, fault resolution, procedures to return to a normal level of service and quality of service parameters.

2. Standard contract terms, including, where appropriate, compensation provided for failure to meet lead times.

3. Prices or pricing formulae for each feature, function and facility listed above.

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- (1) [^{F1}Availability of this information may be restricted to interested parties only, in order to avoid public security concerns.]

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