[CH] “Last Mile” Unbundling Decreed

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The Swiss Federal Communications Commission (ComCom) is taking its first step towards the unbundling of local loops and, in a decision of 10 November 2000, issued as a precautionary measure, ordered Swisscom to grant a request by diAx for the unbundling variant Bitstream Access. In partnership with diAx, Swisscom must work out a standard offer for both Shared Line Access and Full Access.

As part of the standard prognoses made during the process of taking precautionary measures, ComCom found that unbundling should almost certainly be considered part of the requirement for interconnection. All three forms of unbundling (Bitstream Access, Shared Line Access and Full Access) would involve Swisscom's access lines being connected to the telecommunications installation of an alternative service provider in local exchanges. ComCom bases this view on a detailed interpretation of the Fernmeldegesetz (Telecommunications Act) of 30 April 1997. Furthermore, on the basis of a report by the Competition Commission (WEKO) published in February, ComCom concluded that Swisscom held a dominant position in the telecommunications access market, since there were currently no adequate alternatives to Swisscom's extensive network. ComCom's decision forces Swisscom to offer diAx xDSL services with Bitstream Access and in the four band widths 256 kbit/s, 512 kbit/s, 1,024 kbit/s and 2,048 kbit/s. Broadband services are to be introduced in stages: firstly, the technical and administrative conditions for the introduction of Bitstream Access must be established within three months in the seven Swiss cities where Swisscom already offers its "Broadband Connectivity Service" (Lausanne, Geneva, Zürich, St. Gallen, Basel, Bern and Lucerne). The same conditions must be in place in all access switchboards with more than 3,000 active connections within six months of the ComCom decree, and, although only at the request of diAx, in those with more than 1,000 active connections within nine months.

In principle, service providers must pay Swisscom cost-related compensation for the use of unbundled access lines. In the absence of any other guidelines, ComCom had to fix these wholesale prices in line with European benchmarks. One-off set-up costs must also be paid. ComCom's decision, which Swisscom is to challenge before an Administrative Court, is consistent with developments across Europe. It enables Switzerland to remain in step with EU countries. Unbundling has already taken place or is about to become a reality in some EU countries (Denmark, Germany, Finland, Italy, Netherlands, France and Austria). In addition, following the lead of the European Council of Ministers, the European Parliament

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passed a Regulation on 26 October 2000, obliging all Member States to introduce unbundling by 31 December 2000.

Pressemitteilung der Eidgenössischen Kommunikationskommission (ComCom) vom 10. November 2000

http://www.fedcomcom.ch/ger/press/mitteilung/142.html

Press release of the Swiss Federal Communications Commission (ComCom) of 10 November

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