[PL] Market Analysis of Broadcasting Transmission Services (18th Market)

IRIS 2005-3:1/32

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On 20 December 2004 the President of the Telecommunications and Post Regulatory Office (TPRO) announced a decision to launch a formal procedure to determine whether the market of broadcasting transmission services to deliver broadcast content to end users is effectively competitive.

In this decision he is following the provisions of the Telecommunications Law of 16 July 2004, which implements the European Community legal framework “On electronic communication” of 2002 (see IRIS 2004-8: 11), and the Regulation of 25 October 2004 on determining relevant product and service markets.

These regulations impose specific obligations regarding the analysis of relevant product and service markets. Market analysis will be conducted based on detailed forms that have been sent to interested parties (and made available to the public on the website of TPRO). The deadline given for returning the completed forms, together with the required annexes was 28February 2005. The Telecommunications Act provides that during the carrying-out of the market analysis the European Commission's guidelines on market analysis and assessment of significant market power under the Community regulatory framework for electronic communications networks and services of 11 July 2002 should be applied. The Telecommunications Act provides that if market analysis should prove that the aforementioned market is not effectively competitive, in the future an administrative, formal procedure on designation of business operators having significant market power and on the imposition of the regulatory obligations should be initiated. Decisions in this respect are taken by the President of TPRO in agreement with the Chairman of the Office for Competition and Consumer Protection and the Chairman of the National Broadcasting Council.

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Decision of the President of the Telecommunications and Post Regulatory Office (TPRO) of 20 December 2004

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