Text consolidated by Valsts valodas centrs (State Language Centre) with amending decisions of:

20 August 2015 [shall come into force from 25 August 2015];

30 March 2017 [shall come into force from 5 April 2017].

If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Decision No. 1/38 of the Board of the Public Utilities Commission

Adopted 19 December 2013

**Regulations Regarding the Reference Interconnection Offer**

*[20 August 2015]*

*Issued pursuant to*

*Section 39, Paragraph three and Paragraph four, Clause 1, and Section 44, Paragraph two of the Electronic Communications Law*

**I. General Provision**

1. Regulations regarding the reference interconnection offer (hereinafter – the Regulations) prescribe:

1.1. the procedures by which an electronic communications merchant with a significant market power and for which the Public Utilities Commission (hereinafter – the Regulator) has determined the obligation in the field of access or interconnection shall develop and publish the reference interconnection offer (hereinafter – the reference offer);

1.2. the requirements for the information to be included in the reference offer, its required level of detail and publication of the reference offer.

*[Decision No. 1/11 of BPUC of 20 August 2015]*

**II. Information to be Included in the Reference Offer**

2. A merchant shall include the general and special information in the reference offer.

3. A merchant shall include the following general information in the reference offer:

3.1. the offered wholesale services and descriptions thereof by including the used technologies, also the type of signalling system and audio codecs which are supported in the electronic communications network of the merchant;

3.2. the procedures and time periods for the application for and installation of the wholesale services;

3.3. the procedures for the informing of the changes planned in the electronic communications network, including of the additional costs in relation to introduction of changes;

3.4. the technical provisions, requirements and conditions, including the restrictions of technical nature, provisions for electrical safety and electromagnetic compatibility, and also references to the relevant Latvian national standards, standards of international and regional standardisation organisations or standards of certain sectors, authorities and merchants adapted in the status of the Latvian national standard and registered in accordance with the specified procedures;

3.5. the description of the measures necessary for the protection and safety of electronic networks, co-operation between the parties and provision of mutual information regarding safety hazards or violations, including unauthorised use of the interconnected electronic communications networks or equipment, measures for ensuring the integrity and interoperability of electronic communications networks and services in conformity with the technologies used in such electronic communications networks and in the provision of electronic communications services;

3.6. the procedure for damage reporting and levels of the damage elimination services;

3.7. the provisions for access to technical premises and equipment;

3.8. the provisions for the quality of the offered wholesale services;

3.9. the provisions, procedures and time periods for the settlement of payments;

3.10. detailed description of the offered services, elements and activities thereof and tariffs, as well as detailed description of service elements and activities which may be taken by the applicant himself or herself upon the choice of the applicant;

3.11. liability of the parties;

3.12. the procedures for the settlement of mutual disputes;

3.13. the procedures and time frames for conducting the negotiations on the conclusion of the contract on wholesale services;

3.14. the procedures for concluding the contract and provisions for making amendments;

3.15. the termination of the provision of wholesale services, provisions for the termination of the contract;

3.16. the application form for the wholesale service;

3.17. the sample contract for the wholesale service;

3.18. the contact details of the responsible person of the merchant.

*[Decision No. 1/12 of the BPUC of 30 March 2017]*

4. A merchant shall include the following special information in the reference interconnection offer:

4.1. forecasting of the traffic amount and provisions for the recording accounting of the traffic;

4.2. the provisions for the actions of both parties upon change of the traffic;

4.3. the procedures and provisions for the establishment of interconnections;

4.4. the provisions for ensuring routing and transit services, including to ported numbers;

4.5. the provisions for ensuring a carrier selection and carrier pre-selection services if the obligation to ensure such services is imposed on the merchant;

4.6. the provisions for the calling line identification;

4.7. the procedures and provisions for the identification code maintenance and provision of other services related to the use of numbering;

4.8. the procedures for the examination and testing of the established interconnections and scope thereof, examination of mutual compatibility of electronic communications networks and services, the procedures for informing of the results of the examination and possible interruptions of services;

4.9. the procedures by which routing of calls and access to numbers and electronic communications services shall be terminated, as well as the procedures for the settlement of mutual payments in cases when fraud performed using numbering or incorrect use of numbering is detected.

5. [Decision No. 1/11 of the BPUC of 20 August 2015]

6. A merchant shall determine the procedures by which the information which the merchant has specified as restricted access information in the reference offer in accordance with the procedures laid down in laws and regulations shall be available to another merchant. The merchant shall publish these procedures simultaneously with the reference offer.

7. Where necessary for the provision of wholesale services, a merchant may additionally include other information in the reference offer.

**III. Requirements for the Publication of the Reference Offer**

8. A merchant shall publish the reference offer within two months from the day when the relevant obligations enter into effect.

9. A merchant shall publish the reference offer on its website.

10. When publishing the reference offer or amendments thereto on its website, a merchant shall publish the type of the reference offer and internet address of the website where the reference offer is available in the official gazette *Latvijas Vēstnesis*.

11. If the Regulator has found that the published reference offer fails to comply with the requirements laid down by the Regulator, a merchant shall make amendments within the time period specified by the Regulator and publish the reference offer as amended on its website.

12. A merchant shall ensure that the reference offer published on its website is without any printout restrictions.

**IV. Closing Provisions**

13. Decision No. 1/16 of the Public Utilities Commission of 20 July 2011, Regulations Regarding the Information to be Included in the Reference Offer and Publication Thereof (*Latvijas Vēstnesis*, 2011, No. 116), is repealed.

14. These Regulations shall come into force on the day following their publication in the official gazette *Latvijas Vēstnesis*.

Chairperson of the Board of the Public Utilities Commission V. Lokenbahs