

Pursuant to Arts. 8, para. 1, item 1), 23, para. 1 and 69, para. 2 of the Law on Electronic Communications (*Official Gazette of RS*, no. 44/10), Art. 12, para 1, item 1) and Art. 16, item 4 of the Statutes of the Republic Agency for Electronic Communications (*Official Gazette of RS*, no. 59/10),

the Managing Board of the Republic Agency for Electronic Communications, in its session held on 26 August 2011, passed the following

RULES
on the scope and content of the minimum set of leased lines

Article 1

These Rules shall stipulate in detail the scope and content of the minimum set of leased lines, with regard to enabling a partial or full lease of the minimum set of leased lines and with regard to the conditions for their usage, which an operator with significant market power (hereinafter: SMP) in the relevant market of leased lines shall be required to offer to other operators.

Article 2

The terms used herein shall have the following meaning:

Minimum set of leased lines service is a type of electronic communication service enabling a user-operator a transparent capacity of communication signal transmission between the network terminal points, regardless of the technology deployed, where the user-operator cannot participate in the control of switching function and signal directing.

User-operator is an operator of electronic communication network and/or service using or intending to use a part of or the full minimum set of leased lines.

Article 3

The minimum set of leased lines shall involve the lines with the following bitrate:

Bitrate	Standards applied
64 kb/s	EN 300 288, EN 300 289
2048 kb/s (non-structured)	EN 300 418, EN 300 247
2048 kb/s (structured)	EN 300 418, EN 300 419
34 Mb/s	EN 300 686, EN 300 687

Article 4

An SMP operator shall provide the leased lines service in the territory where they were designated as having SMP, in a non-discriminatory manner at cost-oriented prices.

An SMP operator shall be required to provide the minimum set of leased lines service at equal terms and conditions and with the same quality as those of the services used for their own needs and/or the needs of the related entities and partners, and they shall not limit the user-operator in terms of the type of service to be provided by the latter.

Article 5

An SMP operator shall be required to set out the terms and conditions for the provision of the basic set of leased lines in the form of standard offer.

The standard offer referred to in para. 1 herein shall be compliant with the Law on Electronic Communications (*Official Gazette of RS*, no. 44/10, hereinafter: Law) and the general bylaw of the Republic Agency for Electronic Communications (hereinafter: Agency) regulating the minimum content, level of detail and the manner of publication of the standard offer for leased lines service.

Article 6

An SMP operator and a user-operator shall close a contract on the minimum set of leased lines, pursuant to the standard offer.

The timeframe for closing the contract shall be set out in the standard offer.

An SMP operator shall be required to fulfil a closed contract, according to the leased line protocol, pursuant to the delivery time set out in the Commission Recommendation of 21 January 2005 on the provision of leased lines in the European Union. Part 1 - Major supply conditions for wholesale leased lines, C(2005) 103/1, given in the following table:

Bitrate	Delivery time
64 kb/s	18 days
2048 kb/s (unstructured)	30 days
2048 kb/s (structured)	33 days
34 Mb/s	52 days

Article 7

In case an SMP operator does not have the technical possibilities (requirements) necessary to provide the service of the minimum set of leased lines to a user-operator,

they shall be required to inform the user-operator thereof no later than 8 (eight) days following the receipt of the request.

The Agency may check the validity of grounds for the denial of the request referred to in para. 1 herein by an SMP operator and proceed according to the Law.

Article 8

The Rules shall enter in force on the eighth day following the publication in the *Official Gazette of the Republic of Serbia*.

Ref. no. 1-01-3400-15/11

Belgrade, 26 August 2011

**Chairman of the
Managing Board**

Prof. Dr. Jovan Radunovic