

Pursuant to Article 11, paragraph 1, sub-paragraph 1, Article 14, paragraph 1, sub-paragraph 6 and Article 83, paragraph 1, in conjunction with Article 82, paragraph 1, sub-paragraph 1 of the Law on Electronic Communications ("Official Gazette of Montenegro", No 40/13), the Council of the Agency for Electronic Communications and Postal Services at its meeting of 11.28.2013 passed

THE RULEBOOK

on criteria for assessing the justification of requests for access to public electronic communications network via the Universal Service

The Rulebook was published in the "Official Gazette of Montenegro", No 56/2013 of 12.06.2013.

Contents

Article 1

This Rulebook defines the criteria for assessing the justification of requests for access to public electronic communications network and publicly available electronic communications services through the Universal Service at a fixed location, providing voice communication and data transfer speed that allow functional Internet access.

Criteria for assessing the justification of the request

Article 2

A request for access to a public electronic communications network and publicly available electronic communications services at a fixed location through the Universal Service is submitted by a user in writing to the Universal Service operator that provides the service of the access to the public electronic communications network.

The request referred to in paragraph 1 of this Article relating to the locations where the operator does not have an electronic communications network built or adequate coverage provided is justified if:

1. the user requires only one connection to a public electronic communications network at the location of permanent residence or location of business.
2. the user at the location to which the request relates cannot use from other operator those electronic communications services that correspond to the services from the scope of the Universal Service, under conditions comparable to the conditions of the Universal Service.

The request referred to in paragraph 1 of this Article relating to the locations where the operator has an electronic communications network built or adequate coverage provided is justified if the user requires only one connection.

If the user wants more than one connection, the user shall pay each additional connection under normal commercial terms which are defined by the Universal Service operator.

Implementation of a reasonable request

Article 3

The Universal Service Operator shall carry out any reasonable request for access to a public electronic communications network and publicly available electronic communications services at a fixed location via Universal Service.

A reasonable request for the connection to a public electronic communications network can be implemented with any technology or combination of technologies that meet the requirements of the Universal Service.

For the purposes of the implementation of a reasonable request, the Universal Service operator can rent infrastructure and/or use the services of other operators if it has no electronic communications network built or an appropriate signal coverage provided at the location to which the request relates.

The Universal Service operator shall inform the Agency on monthly basis about all submitted requests for connection to a public electronic communications network for the previous month, with the explanation for the reason for accepting or rejecting the requests. In relation with realized requests, the operator shall submit an explanation for technical solutions.

Termination of validity

Article 4

On the effective date of this Rulebook, the Rulebook on the criteria assessing the justification of user requirements for connection to the public telephone network and end-user needs in terms of geographical coverage by public telephones ("Official Gazette of Montenegro", No 35/2010) shall cease to be valid.

Entry into force

Article 5

This Rulebook shall enter into force on the eighth day of its publication in the "Official Gazette of Montenegro".

No: 0402-5032/13

Podgorica, 28.11.2013

Agency for Electronic Communications and Postal Services

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President of the Council

m.p.