

IT News

PINHEIRO NETO ADVOGADOS

HIGHLIGHTS:

Proposed Amendment to STFC Regulation Opens for Public Consultation

Anatel and Italian Communications Authority Sign Cooperation Statement

ANATEL's proposal for amendments in the Personal Mobile Service Regulation opened for Public Consultation

New figures on telephonic accesses in Brazil

OFFICES

R. Boa Vista, 254/280
São Paulo SP
01014-907 Brasil
Tel. (55-11) 3247-8400
Fax (55-11) 3247-8600

Av. Nilo Peçanha, 11
Rio de Janeiro RJ
20020-100 Brasil
Tel. (55-21) 2506-1600
Fax (55-21) 2506-1660

SCS, Quadra 1, Bloco I
Brasília DF
70304-900 Brasil
Tel. (55-61) 312-9400
Fax (55-61) 312-9444

www.pinheironeto.com.br
pna@pinheironeto.com.br

This is a monthly publication of Pinheiro Neto Advogados issued with the intention of providing our clients with news on developments in the legal field that may affect their businesses or personal affairs. For your convenience, this newsletter is also published on our web page.

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FOREWORD

We are glad to offer you the 17th issue of Pinheiro Neto Advogados' IT News.

In this edition, we present highlights on the opening for public comments and suggestions, by the National Telecommunications Agency – ANATEL, of proposals for amendments, among others, of the Public Switched Telephone Network Regulation and of the Personal Mobile Service Regulation.

We also devote special attention to the issuing, by ANATEL, of new figures on telephonic accesses in Brazil.

Thanks for joining us!

Esther Donio Bellegarde Nunes
esthernunes@pinheironeto.com.br

Rodrigo d'Avila Mariano
rdavila@pinheironeto.com.br

BIDDING

Bidding for the granting of the 3,5 GHz and 10,5 GHz frequency bands opened by ANATEL

On October 19, 2005, ANATEL issued a bidding notice setting the procedures for the granting of the right of usage of the 3,5 GHz and 10,5 GHz frequency bands. The deadline for the receipt of the identification documents and financial proposals from the interested parties is January 23rd, 2006.

The 3,5 GHz frequency band, for instance, will enable the usage of “triple play” technology (simultaneous transmission of data, image and sound). According to ANATEL's technicians, this is a good opportunity for telecommunication companies to implement services involving wireless broadband technology, such as high speed ATM and WLL telephony (wireless fixed telephonic access).

FIXED TELEPHONY*Proposed Amendment to STFC Regulation Opens for Public Consultation*

On September 9, 2005, ANATEL opened for public consultation the proposed amendment to the Switched Fixed Telephone Service (Serviço de Telefonia Fixo Comutado – STFC) Regulation. Public Consultation No. 641 proposes amendments to the general rules for STFC, as well as an expansion of the rights of users and of the duties of telecom operators. The service modes are also contemplated by the public consultation.

The sale of service plans and the introduction of accessibility rules and special services to handicapped users are amongst the main structural innovations of the proposal.

The full text of the public consultation is available at ANATEL's website; the deadline for comments ended on October 10, 2005.

Proposed Conversion of Pulse-based Tariffing System Opens for Public Consultation

On September 27, 2005, ANATEL approved Public Consultation No. 644 which proposed changes in the tariffing system for fixed telephony, from the current pulse-based to a minute-based system.

The changes will come into force on January 1, 2006 when the current STFC Concession Agreements are slated for renewal, as seen in the draft concession agreements approved by ANATEL Resolution No. 341 of June 20, 2003.

The full text of the Proposal is available at ANATEL's website, and the deadline for comments to the Public Consultation ended on October 24, 2005.

Rule for Certification and Homologation of Public Use Telephone is Approved

On August 3, 2005, ANATEL approved a rule on the characteristics required for certification and homologation of Public Use Telephones (*Telefone de Uso Público – TUP*). The approved text is an adaptation of an ancient TELEBRÁS rule concerning this issue and brings innovations in terms of accessibility, such as a longer telephone set wire to make its handling easier by handicapped users or the standardization of numeric keyboard to make identification easier for users with impaired vision.

New Rule on STFC's Quality Indicators is Approved

Pursuant to Resolution No. 417 of October 17, 2005, ANATEL approved the new Regulation on Quality Indicators of Fixed Switched Telephone Services – STFC (RIQ), providing for the definitions, methods and data collection intervals relating to the quality indicators defined in the STFC General Quality Target Plan (PGMQ), to be consolidated and submitted by service providers to ANATEL. The new RIQ, which will come into force on January 1, 2006, results from the contributions made to ANATEL's Public Consultation No. 602, as well as from ANATEL's past experience with the former regulation issued by it in 2000.

MOBILE COMMUNICATION

ANATEL's proposal for amendments in the Personal Mobile Service Regulation opened for Public Consultation

On September 15, 2005, ANATEL released Public Consultation 642, which aims at receiving public comments and suggestions on the amendments proposed in the Personal Mobile Service (*Serviço Móvel Pessoal – SMP*) Regulation.

The Public Consultation comprises several modifications, especially in connection with obligations to the SMP carriers and rights to which the SMP users are entitled.

Grounded comments and suggestions to the text conveyed by this Public Consultation were to be submitted to ANATEL until November 21, 2005.

INTERNATIONAL COOPERATION

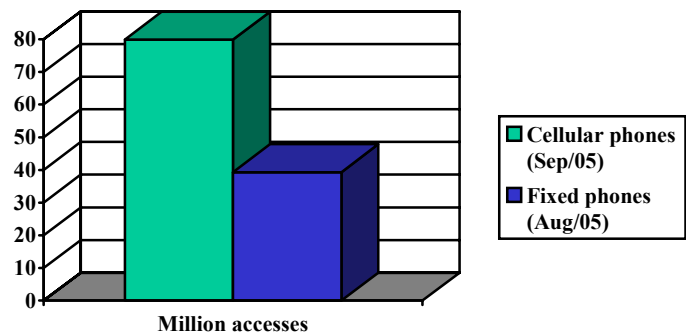
Anatel and Italian Communications Authority Sign Cooperation Declaration

ANATEL's former President Elifas Chaves Gurgel do Amaral and representatives of the Italian Authority for Guarantee of Communications (AGCOM), Roberto Napoli and Enzo Savarese, signed on September 9, 2005 a 'Joint Declaration about Cooperation'. This declaration aims at the exchange of information and experiences concerning communication regulations, by an interchange of official documentation between ANATEL and AGCOM. This is the 19th declaration of cooperation executed by ANATEL since its inception in 1997.

TELEPHONIC ACCESSES

New figures on telephonic accesses in Brazil

According to figures released by ANATEL's press agency on October 18th, 2005, the total number of mobile telephonic plants in Brazil added up to 79.9 million accesses in September. This sum adds up to a number of cellular phones which is more than twice as greater as the number of fixed telephones in currently in service (39.3 million accesses as of August, 2005), as indicated below.



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Juliana R. Mendonça Pereira, Julia Peixoto de Azevedo Arruda, Laura de Barros Mello, and Bruno Zuccherelli contributed to this IT News issue.

THE TELECOM AND IT PRACTICE GROUP

Our Telecom and IT Practice Group gathers professionals skilled in the various fields of information technology, from straight telecommunications regulatory matters through Internet, Computer Law, Software and Industrial/Intellectual Property issues.

SÃO PAULO

Partners

Noemia C.M. de Oliveira Novaes

noemianovaes@pinheironeto.com.br

Esther Donio Bellegarde Nunes

esthernunes@pinheironeto.com.br

Raphael de Cunto

rapdecunto@pinheironeto.com.br

Rodrigo d'Avila Mariano

rdavila@pinheironeto.com.br

Associate Lawyers

Ana Paula Bialer Ingham

anabialer@pinheironeto.com.br

Rachel B. Mejlachowicz Camargo

rachelbejla@pinheironeto.com.br

Camila Martino Parise

camila@pinheironeto.com.br

Juliana R. Mendonça Pereira

jmendonca@pinheironeto.com.br

Daniel Gama e Colombo

dcolombo@pinheironeto.com.br

RIO DE JANEIRO

Partners

Leila R. Vianna Gonçalves

leilavianna@pinheironeto.com.br

Marcelo Viveiros de Moura

mvmoura@pinheironeto.com.br

Associate Lawyers

Rodrigo Moura A. Faria

rodrigomoura@pinheironeto.com.br

Ana Gabriela Gouvêa D. M. Kurtz

anagabriela@pinheironeto.com.br

Francisco Werneck Maranhão

fmaranhao@pinheironeto.com.br

BRASÍLIA

Partner

Marta Mitico Valente

martamitico@pinheironeto.com.br

Associate Lawyers

Marcos Colares

mcolares@pinheironeto.com.br