

13 March 2008

The Telecommunications Industry and Consumers

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Dear Sirs,

Notice of Revocation of SMP Condition MA6

Monitoring compliance with charge controls statement – 18 December 2007

Please find attached a formal notification that Ofcom proposes to revoke significant market power (SMP) conditions MA6.

It has come to our attention that we did not notify, as we should have, the European Commission under s50 (3) of the Communications Act 2003 of our consultation on the proposed SMP condition MA6.

This is an important part of the consultation process and therefore we are withdrawing our Monitoring Compliance with Charge Controls statement of 18 December 2007 and revoking the accompanying SMP conditions MA6. This also means that we are withdrawing the statement on the Charge Control Compliance Standard of 18 December 2007.

The effect of revoking SMP Condition MA6 will be to remove the requirement on mobile operators with significant market power, to carry out various procedures regarding compliance with the mobile charge control (as set out in the statement on mobile call termination of 27 March 2007 and SMP conditions MA3 and MA4). These procedures include requirements for those operators to: submit information to Ofcom according to the Charge Control Compliance Standard, to have an independent assurance report prepared on certain compliance information and to publish some of the information and the assurance report.

It remains our view that there has been no material change to the relevant product markets since the publication of the 27 March 2007 statement on mobile call termination.

Any interested parties who wish to make representations to Ofcom regarding this revocation should do so by 15 April 2008 and send their comments to Andrew Boardman (by email at: andrew.boardman@ofcom.org.uk, by fax to: 020 7783 4103 or by post to the address below).

Kind regards,



Craig Lonie
Competition Finance Director