



OFFICE FOR COMMUNICATIONS  
PRINCIPALITY OF LIECHTENSTEIN

File reference  
731.3 / 2023-28095

EFTA Surveillance Authority  
Case No. 92106 (Market 3b / 2016)

Contact  
GISI

Vaduz  
17 June 2024

## **COMMUNICATION TO THE EFTA SURVEILLANCE AUTHORITY UNDER ARTICLE 7(5) OF DIRECTIVE 2002/21/EC OF THE FINAL MEASURES ADOPTED IN THE**

### **Market for Wholesale Central Broadband Access provided at Fixed Location for mass market products (Market no. 3b of EFTA Surveillance Authority Recommendation of 11 May 2016) (Case No. 92106)**

The Liechtenstein Office for Communications (Amt für Kommunikation) hereby notifies the EFTA Surveillance Authority of the final measures adopted (“resulting draft measures” in accordance with Article 7(5) of Directive 2002/21/EC (“Framework Directive”, “FWD”)) in the market indicated above and of the manner in which it took utmost account of any comments received during the Article 7 FWD notification procedure in accordance with Point No. 20 of the EFTA Surveillance Authority’s Recommendation of 2 December 2009 on procedural aspects of the Article 7 FWD notification procedure.

#### **A. Notification pursuant to Article 7(5) FWD**

Date of summary notification: 26 April 2024;

Comments received: Comments by EFTA Surveillance Authority, dated 23 May 2024;

Final measures: Administrative decision dated 28 May 2024, “Decree Telecom Liechtenstein AG” available on the web page of the Office for Communications,  
<https://www.llv.li/en/national-administration/office-for-communications/electronic-communication/market-analyses-and-special-regulation/current-status/centralised-broadband-access-for-the-mass-market>

Addressee of measures: Telecom Liechtenstein AG

## **B. Final regulatory measures adopted**

The administrative decision ruled as follows and lifted regulatory measures of the previous market analysis, which were imposed to the party to the proceedings, which is Telecom Liechtenstein AG:

*Based on the market analysis carried out, pursuant to Art. 23 para. 3 KomG in conjunction with Art. 32 para. 3 VKND, the order issued to the party to the proceedings on 16 December 2009 is lifted in its entirety with all the measures issued therein.*

## **C. Manner in which comments have been taken utmost account of**

The Office for Communications received comments during the Article 7 FWD notification procedure from ESA. There were no comments from other NRAs. With regard to the market analysis per se (development of broadband market, market definition, state of competition, three-criteria test) and the lifting of the existing measures, the comments did not indicate any need for changes.

Accordingly, the market analysis was finalized, and the decree was issued to Telecom Liechtenstein AG on 28 May 2024. Both documents are available on the web page of AK.

Office for Communications

*Deputy Director*