

05071

17 April, 2007

Mr. J. Tabone
Chairman
Malta Communications Authority


Dear Mr. Tabone,

The Office for Fair Competition (OFC) has been asked to provide its opinion in respect of the outcome of the Malta Communications Authority's (MCA) review and market analysis of the Wholesale Unbundled Access to the Local Loop market.

The OFC is of the view that in the exercise undertaken by MCA to define the proposed market it applied principles based on best practice for defining relevant markets in competition analysis. The OFC believes it is reasonable to accept MCA's findings that the above-mentioned proposed market exists in Malta, at least for the period under review. Nonetheless, MCA should monitor market developments in this regard.

We would like to point out that our views are being submitted in the context of the specific provisions of the SMP guidelines relating to the relationship between markets defined for the purpose of ex-ante regulation vis-à-vis competition law enforcement. The OFC reserves the right to re-examine any or all of the issues underlying these MCA recommendations in the light of facts and evidence that may arise in specific future cases before it.

Yours sincerely,


Dr Mireille Vella
Director General

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