

GENERAL REQUIREMENTS FOR PROVISION OF PUBLIC ELECTRONIC COMMUNICATIONS

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Issued by the Communications Regulation Commission

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Section I. General Provisions

Art. 1. (1) These general requirements regulate the conditions, rights and obligations for provision of public communications by undertakings that have notified the Communications Regulation Commission (the Commission) of their intentions for provision of public electronic communications.

(2) The specific rights and obligations of undertakings that have notified the Commission of their intention to provide public electronic communications shall be applied to the specific undertaking depending on the type of the electronic communication networks and/or services used for their activities.

Art. 2. Public electronic communications shall be carried out following a notification to the Commission.

Art. 3. (1) An undertaking that has notified the commission of its intention to provide public electronic communications shall be entitled, but not limited to:

1. Provide electronic communication networks and / or services;
2. Build, use and make arrangements in relation to communication networks and facilities;
3. Negotiate and obtain access to and interconnection to networks of other undertakings that provide public electronic communication networks and/or services, in compliance with the requirements of current legislation;
4. Offer any or all services from the scope of the universal service, when defined for providing any or all services from the scope of universal service throughout the country territory or part of it.

(2) The rights under para. 1 arise as of the date of submission of proper notification form to the commission, except for cases where authorization is necessary for the use of individually assigned scarce resource.

(3) Undertakings intending to provide electronic communications service transfer of radio and television programmes through electronic communication networks for analogue terrestrial broadcasting, shall submit the notification under Art. 2 within 7 days of the

issuance of a license for radio and/or television activities by the Council for electronic media under the procedure of Chapter 5, Section II of the Electronic Communications Act (ECA).

Art. 4. Undertakings under Art. 3 shall be required to notify the commission for each change in circumstances declared in the notification within 14 days of occurrence of the change.

Art. 5. (1) Pursuant to the provisions of art. 38, para 1 of ECA, the undertakings under Art. 3 shall be required to submit annually, by April 30, a report on the activities for provision of electronic communication networks and/or services during the previous year. The report shall be drawn-up on a model form approved by the Commission.

(2) The model form shall be published on the website of the Commission by March 31 each year.

(3) In case the Commission has not published the model form within the deadline indicated in para 2, the undertaking shall present the report within one month of its publishing.

Art. 6. Undertakings engaged in public electronic communications shall be obligated to meet the requirements applicable to them in compliance with the networks used and/or the services provided.

Art. 7. (1) Undertakings under Art. 3 shall be obligated to provide the Commission, upon request under the procedure of art. 40 of ECA, additional information besides the one under Art.5, including financial, in an appropriate volume, time and details, necessary to carry out its regulatory obligations. This information shall be provided after justified written request by the commission to the undertakings.

(2) In providing information under para. 1, the undertakings shall define explicitly and in writing for each case the part of the information, which is commercially confidential.

(3) In a reasoned written request undertakings can declare that the provided information to the commission should not be granted by the European Commission to regulatory authorities of European Union member states.

Art. 8. Undertakings engaged in public electronic communications are required to ensure the security and confidentiality of communications and customers' data protection in accordance with Chapter fifteen of ECA.

Art. 9. Undertakings under Art. 3 shall be obliged to provide electronic communications services to end users in conformity with the principles and in compliance with the requirements of Chapter fourteen of ECA.

Art 10. (1) Undertakings providing universal service shall be obligated to present for coordination with the commission the general provisions of the contracts with end users for this service within a period of not less than 30 days before the start of the service provision.

(2) Undertakings providing public telephone services shall be obligated to submit to the commission for its information the general provisions of the contracts with end users.

(3) General provisions of contracts with end users could be drawn up by other undertakings that provide public electronic communication networks and/or services pursuant to the procedure of these General Requirements and ECA. The general provisions could be agreed or submitted for information to the commission at the discretion of the undertaking.

Art. 11. The content of the general provisions, the procedures and rules for development, approval, amendment, and publication of the general provisions shall be regulated in accordance with the provisions of chapter fourteen of ECA.

Art. 12. (1) Undertakings that provide public telephone services shall be obligated to pay installments to the Fund for universal service compensation (the Fund) under the conditions and procedures of Chapter eleven, Section V of ECA.

(2) The exact amount of installments under para. 1 for each undertaking shall be determined annually by the board of the fund, pursuant to art. 208, para. 2 read in combination with art. 206, para. 2 of ECA.

Art. 13. Undertakings that have submitted a notification to the commission shall be obliged to pay charges pursuant to Chapter VIII of ECA. The amount of charges, terms and method of payment shall be determined by a Tariff for the charges to be collected by the commission pursuant to ECA, and in case of authorization issued for individually assigned scarce resource – also in accordance with the specific amounts and terms indicated in the authorization.

Art. 14. The exercising of rights on the established easements, access rights and rights of way shall be implemented under the procedure of chapter seventeen of ECA.

Art 15. (1) Undertakings providing public electronic communication networks and/or services shall apply:

1. regarding radio-facilities and terminal telecommunication devices – the Bulgarian standards introducing the harmonized European standards published in the Official Newsletter of the Bulgarian Institute of Standardization, corresponding to those published in the Official Journal of the European Union.

2. for ensuring interoperability of the electronic communication services and enhancing the electronic communication services customers' freedom of choice, the recommended by the European Commission standards and/or specifications are included in a list published in the Official Journal of the European Union.

(2) When there are no published standards and/or specifications under para.1, item 2, the standards and/or specifications, published by the European standardization bodies ETSI, CEN, CENELEC, shall apply.

(3). In the absence of published standards and/or specifications under paragraph 1, item 2 and paragraph 2, international standards or recommendations of ITU, ISO and IEC shall apply.

(4) European and international standards shall be introduced as Bulgarian ones, and shall be applied in compliance with the provisions of the National Standardization Act.

(5) The commission shall impose compulsory application of standards and/or specifications only if these have been defined as compulsory in the Official Journal of the European Union.

Art. 16. Distribution of radio and television programmes through cable networks for distribution radio and television programs under the current legislation may be with a territorial coverage of a settlement and/or spatial entity.

Section II.

Requirements to Undertakings in Connection with Providing Access to Networks and Networks Interconnection

Art. 17. (1) Undertakings providing public electronic communication networks shall comply with the regulatory requirements relating to the implementation of access and/or interconnection and to the commission's decisions regarding interconnection and/or access, which stipulate rights and obligations of the respective undertaking.

(2) Undertakings under para. 1 shall be obligated to ensure the security of the electronic communication networks and services and, if possible, to provide their premises and network facilities for shared use to other undertakings providing public electronic communication networks and/or services.

Art. 18. Undertakings providing public electronic communication networks have the right, and if a request from another undertaking is in place – have also the obligation to negotiate interconnection of their networks for the provision of public electronic communications services and to ensure interoperability among the services in compliance with the requirements of Chapter ten of ECA.

Section III.

Requirements Regarding the Protection of Public Interest, National Security and Support of Electronic Communications for the Purposes of Defense and in Case of Crises

Art. 19. Undertakings providing public electronic communication networks and/or services shall be obliged to cooperate for the protection of the public interest, the protection of national security and for the support of electronic communications for purposes of defense and in cases of crises, and depending on the networks used and/or services provided, they shall:

1. provide conditions for restricting and eliminating the transmission of information content, contrary to existing legislation;
2. not convey electronic messages that contain misleading signs and/or signals for help, disaster, failure, accident or alarm;
3. provide an option for legitimate traffic tracking on their network by the competent state authorities;
4. set conditions on their own account for interception of electronic messages for the purposes of national security and public order;

Art 20. (1) Undertakings providing public electronic communication networks and/or services shall support an option their networks to be used in cases of crises, when introducing the scheme "military situation", "state of war" or "state of emergency", as well as for national security protection. Obligations, requirements and restrictions shall be in compliance with the Crises Management Act, the Act on Defense and Armed Forces of the Republic of Bulgaria and ECA.

(2) When "state of war" tasks are assigned to the undertakings, they shall use and maintain their electronic communication networks on alert for the support of electronic communications in crisis situations in compliance with the Crises Management Act, and in case of introducing the schemes "military situation", "state of war" or "state of emergency", within the sense of the Act on Defense and Armed Forces of the Republic of Bulgaria.

(3) To ensure the national security, the undertakings shall fulfill the obligations stipulated in art. 301, para 2 of ECA.

Art. 21. Undertakings providing public electronic communication networks and/or services shall support options for interception of electronic messages for the purposes of national security and public order protection in compliance with the provisions of Chapter nineteen of ECA.

Section IV.

Requirements to Undertakings with Regard to the Used Electronic Communication Networks and Facilities

Art. 22. Undertakings providing public electronic communications shall be obliged to follow all standards applicable in the Republic of Bulgaria with regard to avoiding harmful electromagnetic fields and emissions.

Art. 23. (1) In the event electromagnetic emissions generated as a result of the operation of electronic communication devices exceed the limit values specified in the relevant standards, the undertakings shall be obligated to bring them into compliance as soon as possible or failing to do so, to stop using the respective devices.

(2) In the event the excess of limit values of the electromagnetic emissions is a result of the operation of two or more devices located in close proximity to each other, and in case only one of them is working (or when previously installed devices are working)

exceeding the limits is not observed, the undertaking that has installed its device later, shall provide such conditions, which do not allow exceeding the limits of electromagnetic emissions or shall suspend the operation of the device.

Art. 24. (1) Undertakings shall use in their network only technically approved electronic communication devices with compliance assessment and marketed in accordance with the Law on technical requirements to products, the Regulation on the essential requirements and assessment of compliance of the radio- and terminal telecommunications equipment (SG, No. 79, 2002), the Regulation on the essential requirements and assessment of compliance for electromagnetic compatibility (SG, No. 32, 2007) and the Regulation on the essential requirements and assessment of compliance of electrical equipment to be used within certain voltage limits (SG, No. 62, 2001).

(2) In case of a problem related to electromagnetic compatibility, undertakings shall be obliged to undertake on their own account the prescribed by the Commission changes in the location and in the parameters of the electronic communication devices.

Art. 25. In the process of electronic communications, the undertakings shall:

1. install, maintain and use electronic communication devices only in a manner and for a purpose specified by the manufacturer, so that both in normal work and in terms of failure, to guarantee protection of the environment, the life and health of people;
2. not alter the technical characteristics of the used electronic communication devices compared to those specified by the manufacturer.

Section V.

Requirements to Undertakings Using Scarce Resource – Radio Frequency Spectrum

Art. 26. (1) Undertakings that have submitted notification of implementation of electronic communications, which require the use of an individually assigned scarce resource – radio frequency spectrum, may start carrying out activities after obtaining an authorization for use of individually assigned scarce resource– radio frequency spectrum.

(2) To obtain authorization under paragraph 1, undertakings shall be obliged to submit an application form accompanied by the required documents.

Art. 27. When implementing electronic communications using individually assigned scarce resource – radio frequency spectrum, the undertakings shall be obliged to comply with the specific technical requirements for operation of electronic communication networks and facilities associated with them.

Art. 28. Public networks using radio frequency spectrum, which is not subject to individual assignment, are:

1. electronic communication networks for broadband data transmission (WDTS) and wireless access, including radio local area networks (WAS/RLANs);
2. electronic communication VSAT networks and stations of the fixed satellite radio service;
3. electronic communication satellite networks of news gathering transportable earth stations (SNG TES);
4. electronic communication networks SAP/SAB, including ENG/OB - systems of networks, including temporarily operating radio-relay lines and other devices intended for ancillary activities in developing programmes (SAP) or in broadcasting (SAB).

Art. 29. The provision of public electronic communications using radio-frequency spectrum, which does not need to be individually assigned, shall be in conformity with the technical requirements set out in Annex No. 1.

Art. 30. When providing public electronic communications using radio-frequency spectrum, which does not need to be individually assigned, undertakings shall be obliged to avoid causing harmful interference to other electronic communication networks and not to claim protection from harmful interference originating from other electronic communication networks, provided that they do not violate the requirements for not generating interference while using the radio-frequency spectrum.

Art. 31. Undertakings providing public electronic communications using scarce resource - radio-frequency spectrum – shall be obliged to comply with the standards and requirements for protection of the population against the harmful influence of electromagnetic fields in accordance with Regulation No. 9 of 1991 on maximum admissible levels of electromagnetic fields in populated territories and determination of hygienic and safety areas around emitting objects (SG, No. 35, 1991).

Art 32. Undertakings providing public electronic communications using scarce resource - radio-frequency spectrum – shall be obliged to undertake the necessary measures to reduce to a minimum the risk for the population of harmful electromagnetic fields and emissions, deploying the electronic communication devices at locations where the population will be least exposed to harmful emissions.

Art. 33. (1) Undertakings intending to provide public electronic communications under Art. 28, items 3 and 4 for an unlimited period of time shall be required to submit notification to the Commission under Art. 66 of ECA.

(2) Undertakings intending to provide public electronic communications under Art. 28, items 3 and 4 for the period of a short-term event, shall be required to submit notification to the Commission in accordance with Annex No. 2 within 14 days before the start of the event.

Section VI.

Requirements to Undertakings Using Scarce Resource – Numbers

Art. 34. (1) Undertakings that have submitted notification for provision of electronic communications, which require the utilization of individually assigned scarce resource – numbers, may start carrying out activities after obtaining an authorization for use of individually assigned scarce resource – numbers.

(2) To obtain authorization under paragraph 1, undertakings shall be obliged to submit an application form accompanied by the required documents.

Art. 35. When providing electronic communications using individually assigned scarce resource – numbers, the undertakings shall be obliged to provide to the end users numbers from the National Numbering Plan and to comply with the regulatory requirements relating to the allocation of numbers and to the procedures for granting use, reservation and withdrawal of numbers.

Section VII.

Requirements to Undertakings providing Public Electronic Communications Via Electronic Communication Networks without Using Scarce Resource – Radio-Frequency Spectrum

Art. 36. Undertakings providing public electronic communications via electronic communication networks without using scarce resource – radio-frequency spectrum shall comply with the rules and standards for design, installation and putting into operation of electronic communication networks, facilities and related infrastructure, inclusive of the safety requirements stipulated with the provisions under art. 281, para 4 of ECA.

Art. 37. Transmission and/or dissemination of radio- and television programmes via public cable electronic communication networks shall be performed in compliance with the requirements set out in Annex No. 3.

Additional Provisions

§ 1. Within the meaning of the general requirements:

1. "VSAT (Very Small Aperture Terminal) station" is an earth station with a small aperture of the antenna from the fixed satellite radio service.
2. "earth station" is a station of the fixed satellite radio service located on the ground surface and designated for provision of electronic communications with one or more satellite stations.
3. "VSAT network" is a group of VSAT stations, announced before the Commission with a certain name and working with one satellite.
4. "Guarded borders" are the sites encompassed by the perimeter fence of the airport.
5. "SNG TES (Satellite News Gathering Transportable Earth Stations)" - radio-facility for transmission of television signals and accompanying sound from the place of the event to a satellite positioned at a geostationary orbit.
6. "SAP (Services Ancillary to Program making)" are ancillary services to produce programs facilitating activities in the production of programs like creating films, advertisements, corporate video links, concerts, theatres and other similar activities that originally are not intended for dissemination to the general public.
7. "SAB (Services Ancillary to Broadcasting)" are ancillary services for broadcasting, supporting the activities of TV broadcasters in the production of their programming material.
8. "ENG (Electronic News Gathering)" is an electronic news collecting - collection of video and/or audio material without the aid of film or recording tape, but with small, often hand-held electronic cameras and/or microphones, using radio connection to the studio and/or to portable or other recording devices.
9. "OB (Outside Broadcasting)" - the temporary use of equipment for on site program production and for direct broadcasting of news, sports or other events lasting from several hours to several weeks.
10. "Temporary radio-relay line" is a radio-relay line designed to transmit information from the place of the event and only for the time period of the covered event.

Final Provisions

§ 2. The general requirements shall be adopted pursuant to Art. para. 1 of the Electronic Communications Act.

§ 3. The general requirements shall come into force as of the date of promulgation in the State Gazette.

Technical Requirements

Table 1. Public electronic communication networks for broadband data transfer (WDTS) and wireless access, including radio local area networks (WAS / RLANs)

Radio-frequency band	Maximum power/ Field strength/ Power density	Additional regulatory parameters/Requirements for reduction of Radio interference	Other restrictions	Applicable standard
1	2	3	4	5
2400 - 2483,5 MHz	100 mW e.i.r.p. For devices using FHSS modulation, the maximum spectral density of e.i.r.p. is limited to 100 mW/100 kHz. For devices using broad-band modulation- other than FHSS, the maximum spectral density of e.i.r.p. is limited to 10 mW/1 MHz.	-	An embedded or specialized antenna is used.	BSS EN 300 328 BSS EN 300 328-1 BSS EN 300 328-2

5150 - 5250 MHz	200 mW maximum value of the average e.i.r.p. The maximum spectral density of the average e.i.r.p. is limited to 10 mW/1 MHz for each frequency band of 1 MHz.	-	The use is limited to in-door application within a residential or a public building or on board of aircraft	BSS EN 301 893
5250 - 5350 MHz	200 mW maximum value of the average e.i.r.p. The maximum spectral density of the average e.i.r.p. is limited to 10 mW/1 MHz for each frequency band of 1 MHz.	Regulation of the power of the transmitter (TPC), providing an average of 3 dB reduction of the maximum output power of the system and methods ensuring shared use with other systems should be used, in accordance with Recommendation ITU-R M.1652 of the International Telecommunication Union. These methods should provide equal probability for selection of a channel from all available channels. When TPC is not used, the maximum value of the average e.i.r.p. and the maximum spectral density of the average e.i.r.p. shall be reduced by 3 dB.	The use is limited to in-door application within a residential or a public building or on board of aircraft	BSS EN 301 893

5470 - 5725 MHz	1 W maximum value of the average e.i.r.p. The maximum spectral density of the average e.i.r.p. is limited to 50 mW/1 MHz for each frequency band of 1 MHz.	TPC that provides an average of 3 dB reduction of the maximum output power of the system and methods ensuring shared use with other systems should be used, in accordance with Recommendation ITU-R M.1652 of the International Telecommunication Union. These methods should provide equal probability for selection of a channel from all available channels. When TPC is not used, the maximum value of the average e.i.r.p. and the maximum spectral density of the average e.i.r.p. shall be reduced by 3 dB.	Allowed for in-door application within a residential or public building or on board of aircraft, as well as for outdoor application – outside the building	BSS EN 301 893
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Table 2. Public Electronic Communication VSAT Networks and Stations of Fixed Satellite Radio Service

Radio-frequency band	Direction	Maximum power	Additional regulatory parameters	Other restrictions	Applicable standard
12,50 - 12,75 GHz	Reception (Space – Earth)	Power of the transmitter: 2 W.	All other parameters are determined by the operator of the satellite electronic communication network.	The use of VSAT ground station at a distance of less than 500 m from the guarded borders of an airport is not allowed.	BSS EN 301 428
14,00 - 14,25 GHz	Transmission (Earth - Space)	50 dBW e.i.r.p.			BSS EN 301 489-12
				Antenna diameter: ≤ 3,8 m.	

Table 3. Public Electronic Communication Networks of Satellite News Gathering Transportable Earth Stations (SNG TES)

Radio-frequency band	Direction	Maximum density of the equivalent isotropic radiated power	Additional regulatory parameters	Other restrictions	Applicable standard
10,70 – 11,70 GHz and 12,50 – 12,75 GHz	reception (space – Earth)	for linear polarized component in each direction of φ from the axis of the main horizontal beam $33 - 25 \log \varphi$ dBW/40 kHz when $2,5^\circ \leq \varphi \leq 7,0^\circ$; +12 dBW/40 kHz,	The undertaking is obliged to provide public electronic communications, while observing the rules of the International Telecommunication Union (ITU). All other parameters are determined by the operator of the satellite electronic communication	Antenna diameter: ≤ 5 m. Use of SNG at a distance of less than 500m from the guarded borders of an airport is not allowed	BSS EN 301 430 BSS EN 301 489-12
12,75 – 13,25 GHz and 14,00 – 14,50 GHz	transmission (Earth – space)	for cross polarized component in each direction of φ from the axis of the main horizontal beam φ - the angle in degrees between the axis of the main beam and the direction of measurement			

			network.		
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Table 4. Public electronic communication networks SAP/SAB, including ENG/OB

Radio-frequency band	Type of connection	Area of service	Maximum e.i.r.p.	Minimum gain of transmitting antenna	Minimum gain of receiving antenna	Applicable standard
2300 - 2400 MHz	Cordless camera	< 500 m	6 dBW for radio-frequency bands	0 dBi	6 dBi	
10,00 - 10,15 GHz			2300 - 2400 MHz			
21,2 - 21,4 GHz			and 10,00 - 10,15 GHz			
47,20 - 48,50 GHz			13 dBW for radio-frequency bands			
			21,2 - 21,4 GHz and			
			47,2 - 48,50 GHz			BSS EN 302 064-1
2300 - 2400 MHz	Portable link	< 2 km	16 dBW	6 dBi	17 dBi	BSS EN 302 064-2
10,00 - 10,15 GHz						BSS EN 301 489-28
2300 - 2400 MHz	Mobile link (vehicular or aircraft)	< 10 km	26 dBW	3 dBi	13 dBi	
10,00 - 10,15 GHz	Temporary radio-relay line	< 80 km	40 dBW	13 dBi	17 dBi	
21,2 - 21,4 GHz						

1. The power of any out-of-band emissions, conducted or emitted, should not exceed the limit values specified in the applicable standards.

2. Up-to-date versions of the applicable standards could be found at <http://www.etsi.org>.

Annex No. 2 to Art. 33, para. 2

Notification for provision of electronic communications for covering short-term events (SNG TES, SAP/SAB, including ENG/OB)				
NOTIFICATION FOR TEMPORARY USE OF RADIO EQUIPMENT (SNG TES, SAP/SAB, including ENG/OB)				
Category of equipment*	Quantity	Location (Address)	Geographical coordinates	Radio-frequency band
			Longitude:	
			Latitude:	
SNG - Satellite News Gathering				Sports event <input type="checkbox"/> News/Press <input type="checkbox"/>
CC - cordless camera				Other (specify):
PL - portable link				Company/Organization:
ML - mobile link (vehicular or aircraft)				
TPL - temporary point-to-point links (Temporary radio-relay lines)				
SNG - Satellite News Gathering				Headquarters and address of operation:
				Country:
				Responsible person:
*Enter one or more abbreviations in the category of equipment column. Define additional abbreviations below, as needed.				
			Phone:	Data:
			Fax:	Signature:

Contact person:	
	Operating period:
Address for contact (during the event):	from: to:
	Official Vehicle Registration Number:
Phone (during the event):	
Please use block letters. Additional information can be given on the back of this form.	
Undertakings that have notified Commission for provision of electronic communications for covering short-term events are obliged to conform to the general requirements under the Electronic Communications Act.	

Annex No. 3 to Art. 37

Requirements		
To public cable electronic communication networks for transmission and/or distribution of radio and television programmes		
Requirements	Other restrictions	Applicable standard
1. Safety of end-users, service staff and all other persons under normal operating conditions, and in case of faults.		
2. Network operation quality.		BSS EN 50083-1
3. Meeting the requirements for electromagnetic compatibility of the established network		BSS EN 50083-7 BSS EN 50083-8
4. Frequency assignment of channels in the network	1.* Radio-frequency band 153 - 162.050 MHz	BSS 17224
	can be used in cable electronic communication networks at a distance of not less than 40km from the coastal line of the Black Sea and Danube River	BSS 17265
	2.* Radio-frequency band 162.050 - 174 MHz	
	can be used in cable electronic communication networks for transmission of information in digital format	

* Note: The restrictions apply to the respective frequency channels in Table 1 and Table 2 of BSS 17265