

<b>Contact</b> <a href="mailto:omzet@acm.nl">omzet@acm.nl</a>	<b>Our Ref.</b> ACM/DTVP/2014/204189	<b>Your ACM Registration Number(s)</b>
<b>Date</b> August 2014	<b>Subject</b> Submission of (EC) Turnover Specification	<b>Enclosures</b> - Turnover Specification Form - Instructions for Submitting Turnover

**IMPORTANT: You are required by law to submit a statement of your turnover specification for 2013 to the Authority for Consumers & Markets (ACM), no later than 1 September 2014. Failure to do so on time will constitute a breach of law.**

Dear Madam/Sir,

The Authority for Consumers & Markets (hereafter: ACM) regulates the Electronic Communications Sector. ACM charges an annual fee for this work. In order to determine the amount of this fee, ACM requires details of your annual turnover.

The amount of the fee for 2015 is based on your net turnover achieved in 2013. Under Section 5c (2) of the Decision for Compensation under the (Dutch) Telecommunications Act, providers of public electronic communication activities in the Netherlands with a relevant turnover of more than 20 million euro, are under obligation to submit to ACM their turnover for 2013 no later than 1 September 2014. ACM requires you therefore to submit your turnover for 2013 before 1 September 2014.

ACM requests you to ensure that your statement complies with the formal and material requirements set out in the *Instructions for Submitting a Turnover Specification*.

#### **Decision On-charged Expenses ACM**

In the Streamline Act [ACM-Stroomlijningswet] a harmonized basis is introduced for ACM's on-charged expenses to market organizations. In this way an unequivocal and transparent method has been developed, which applies to all sectors involved (telecommunications, post, energy and transport). By applying this method, the differences that have developed over the years between these sectors, will be removed. This method will be further elaborated on in a general administrative measure (Decision On-charged Expenses ACM) which is anticipated to come into force on 1 January 2015.

The turnover for 2013 that you are obliged to submit according to the Decision on fees under the Dutch Telecommunications Act, shall be used to determine your regulation costs for 2015, based on the Decision On-charged Expenses ACM.

You will find more information about the Decision On-charged Expenses ACM at:

<http://www.internetconsultatie.nl/besluitdoorberekeningkostenacm>

## **Mediation for the Deaf and the Hearing-Impaired**

Certain basic services must be made available to all residents of the Netherlands, irrespective of where they live, for a reasonable price. These services are named *universal services*. Under the Telecommunications Act, Section 9.1, first subsection, preamble and part f, it is stipulated that affordable services which make the public telephone services accessible, must be made available to end users with a physical handicap, at a level which is equivalent to that of other end users. Further specifications laid down in Section 2.3a of the Decision for Universal Services and End Users Interests (hereafter: BUDE), state that this universal service must consist of a mediation service which converts text and images of sign language into spoken language and vice versa, so that equivalent access to public telephone services is rendered available to end users who are deaf or hearing-impaired.

The Dutch Minister of Economic Affairs (hereafter: the Minister) deems that the availability, affordability and quality of mediation cannot be guaranteed by the normal functioning of the market. The Minister has appointed the Dutch telecommunications company, KPN B.V. to act as an intermediary since 1 October 2013. The appointed intermediary has a right to compensation according to Section 9.4 of the Telecommunications Act.

The costs of compensation for mediation will be apportioned among the providers of electronic communication services and networks that had a turnover of at least 2 million euro in the calendar year preceding the calendar year related to the compensation costs (Section 2.6 of the BUDE). The amount due from each provider is determined according to the distribution code in Section 2.13 of the BUDE.

Should your achieved turnover in 2013 amount to at least 2 million euro after tax, in 2015 ACM will charge you for the costs of mediation that took place in 2014.

## **What will happen if you do not respond (on time)?**

ACM looks forward to receiving your turnover specification for 2012 no later than 1 September 2014. When a turnover specification remains forthcoming, ACM will use enforcement resources, which include imposing an order for incremental penalty payments. Furthermore ACM is empowered to make an estimate for a missing or incomplete turnover specification. In which case ACM shall charge payment according to this estimate. When your payment is effected, you are still obliged to send in a completed turnover specification form. ACM will enforce compliance with this obligation.

## **Any Questions?**

If you have any questions, please send your query by email to: [omzet@acm.nl](mailto:omzet@acm.nl).

Yours sincerely,  
Authority for Consumers & Markets

sgd  
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