

Brussels, 28 September 2022  
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Fjarskiptastofa  
Sudurlandsbraut 4  
108 Reykjavik  
Iceland

For the attention of:  
Mr. Hrafnkell V. Gíslason  
Managing Director

Dear Mr. Gíslason,

**Subject: Mila wholesale tariff for access to rectifier equipment and weighted average cost of capital (WACC) - Remedies**

**Article 7(3) of Directive 2002/21/EC (“Framework Directive”)<sup>1</sup>: No comments**

## I. PROCEDURE

On 29 August 2022, the EFTA Surveillance Authority (“ESA”) received a notification of a draft national measure in the field of electronic communications pursuant to Article 7 of the Framework Directive from the Icelandic national regulatory authority, *Fjarskiptastofa* (“ECOI”)<sup>2</sup>, concerning remedies in the markets for wholesale local access provided at a fixed location, wholesale central access provided at a fixed location for mass-market

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<sup>1</sup> Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services, OJ L 108, 24.4.2002, p. 33 (as amended by Regulation (EC) No 717/2007, OJ L 171, 29.6.2007, p. 32 and Regulation (EC) No 544/2009, OJ L 167, 29.6.2009, p. 12) as referred to at point 5 cl of Annex XI to the EEA Agreement and as adapted to the Agreement by Protocol 1 (“the Framework Directive”). On 24 September 2021, the EEA Joint Committee adopted Decision (“JCD”) No 275/2021 incorporating Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code (Recast), as corrected by OJ L 334, 27.12.2019, p. 164 and OJ L 419, 11.12.2020, p. 36 (“the Code”), into the EEA Agreement. Directive (EU) 2018/1972 will repeal, inter alia, the Framework Directive. However, until JCD No 275/2021 enters into force, the Framework Directive remains applicable.

<sup>2</sup> On 1 July 2021, the name of the national regulatory authority in Iceland was changed from Póst- og fjarskiptastofnun (the Post and Telecoms Administration or PTA) to Fjarskiptastofa (the Electronic Communications Office of Iceland or “ECOI”). For ease of reference, the new name ECOI will be used throughout this letter even when referring to activities pre-dating 1 July 2021.