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Swiss Competition Commission Finds Mobile Operators to Have a Dominant Position in the Market for Terminating Calls in Their Own Networks

In its expert opinion of November 10, 2006, the Swiss Competition Commission (CompCom) found the mobile operators Swisscom, TDC (Sunrise) and Orange to have a dominant position in the market for the termination of calls on their networks. Tele2 was held not to have a dominant position.

The finding that these three mobile operators have a dominant position in the market for terminating calls in their own networks was rendered upon the request of the Swiss Communication Commission (ComCom) in an interconnection proceeding.

It will now permit the ComCom to determine the mobile termination fees charged by the three mobile operators on a cost oriented (LRIC) basis. The prices charged in Switzerland are – compared to Europe – still too high.

Furthermore, it was announced that the CompCom has nearly finished its independent investigation commenced back in 2002 regarding abusive termination fees. In this proceeding the CompCom may also pronounce fines against the mobile operators, if they are found guilty of abusive pricing.

It is to be expected that the findings of the CompCom will be challenged by the mobile operators. The expert opinion is available at http://www.weko.admin.ch/news/00008/Gutachten_Mobilfunk.pdf?lang=de

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