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## PUBLIC CONSULTATION Nº 63

### Introduction

The Regulation on Local Areas for STFC (approved by Resolution No. 560, of 2011) provides for the obligation for Anatel to carry out the annual review, with a view to granting local treatment or expanding the local area to locations that may meet the requirements urban continuity provided for in the Regulation.

*"Art. 8 The review resulting from the provisions of items II and III of article 7 of this Regulation shall be carried out by Anatel, periodically, every 12 (twelve) months, counting from the date of publication of this Regulation, by means of Consultation § 1º The review provided for in the caput will be approved by Decree Order of the Superintendent responsible for the regulation process. (...)"* [Wording given by Resolution nº 728, of June 1, 2020]

In turn, the art. 7 of the Regulation establishes, in its items II and III, the criteria to be observed for the purpose of providing the STFC, emphasizing that the situations of local area and local treatment must be motivated due to urban continuity or by reasoned request from the local concessionaire of the service.

Resolution No. 728, of June 1, 2020, introduced significant changes to the Regulation on Local Areas for STFC, among which we highlight:

- i) the provision for Public Consultation for annual reviews of Local Areas / Local Treatment of the STFC; and
- ii) the change in the competence of these reviews, which are then approved by the Superintendent responsible for the regulatory process (the SPR).

It should be noted that the regulation deals expressly on the topic, since it admits the review of local areas based on technical criteria previously defined in a specific standard. Thus, it is up to the technical area to only carry out the appropriate technical analyzes based on the regulatory criteria and make the corresponding adjustments.

For these reasons, it is not possible to carry out a Regulatory Impact Analysis in these reviews, since the regulation provides the conditions under which such changes should occur. In fact, the only possible alternative is to comply with the standard, with no possibility of not carrying out the Annual Review of Local Areas of the STFC.

Thus, this Public Consultation deals with the annual review of Local Areas of the STFC, referring to the year 2020, already within the competence of the Superintendent of Planning and Regulation, considering the amendments to the Regulation on Local Areas for the STFC, which were introduced by [Resolution No. 728, of June 1, 2020](#) .

### DECISIONAL ORDER

#### [CONTRIBUTION](#)

The SUPERINTENDENT OF PLANNING AND REGULATION OF THE NATIONAL TELECOMMUNICATIONS AGENCY, in the use of his legal and regulatory attributions, especially the provision in art. 155, item IV, of Anatel's Internal Regulations, approved by Resolution No. 612, of April 29, 2013, examining the records of the above-mentioned Process, which deals with the Annual Review of Local Areas of the Switched Fixed Telephone Service Intended for Public Use in General - STFC (Year 2020);

WHEREAS art. 8 of the Regulation on Local Areas for the Switched Fixed Telephone Service for Use by the General Public, approved by Resolution No. 560, of January 21, 2011, with the amendment given by Resolution No. 728, of June 1, 2020;

CONSIDERING the comments arising from Public Consultation No. XX, of XX of XXXXX, of 2020, published in the Official Gazette, of XX of XXXX of 2020,

DECIDES:

To amend, in the form of the attachment to this Order, the Annex II Report of the Local Area Management System - SGAL, to grant local treatment to the location (s) below, due to meeting the criterion of area with urban continuity, as provision contained in item III, of art. 7 of the same Regulation:

Arara and Santa Fé, located in the municipalities of Arara / PB and Solânea / PB, respectively.

This Order enters into force XX of XXXXX of 202X (fill in at the time of publication of the Order, respecting the minimum term of 120 (one hundred and twenty days) days after the date of its publication).

## **ANNEX TO THE ORDER DRAFT**

### [CONTRIBUTION](#)

SGAL ANNEX II REPORT (LOCALITIES OF DIFFERENT LOCAL AREAS WITH LOCAL TREATMENT)

INCLUSION OF LOCAL TREATMENT SITUATION:

UF: PB

300 A) Local Areas: Arara, Solânea Locals with Local Treatment: Arara and Santa Fé (2)

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