



Measurement and Reduction of Administrative Burdens in 13 sectors in Greece

Final Report Telecommunications



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Acronyms and Abbreviations

The list below provides the abbreviations used throughout the report. All terms related to the Standard Cost Model (SCM) method are described in detail in the Greek SCM ‘Manual for the implementation of the Standard Cost Model in Greece’

AB	Administrative Burden
AC	Administrative Cost
BAU	Business As Usual
CAC	Central Archaeological Council
CC	Consultancy Cost
EETT	National Telecommunications Regulatory Authority
f	Frequency
GAEC	Greek Atomic Energy Commission
HCAA	Hellenic Civil Aviation Authority
IO	Information Obligation
NEB	Normally Efficient Business
OOP	Out of Pocket cost
PA	Priority Area (in Greek SCM often referred to as ‘Sector’)
P	Price
Q	Quantity
SET:	Standard Environmental Terms
SILYA:	System for Electronic Application Submission

Executive summary

This report presents the findings from the measurement of the selected information obligations in the priority area Telecommunications, together with recommendations to reduce administrative burdens.

The measurement involved interviews with businesses and experts. The information obligations selected for telecommunications form the ninth largest proportion of administrative costs and burdens in this project. They represent a **total administrative cost of EUR 20.77 million to businesses in Greece**. Of this, **EUR 14.76 million (71%) has been classified as administrative burdens**. The remainder is business-as-usual cost which businesses would be likely to continue to incur if the obligations did not exist.

The following recommendations are made as an action plan to reduce administrative costs and burdens in the selected telecommunications obligations¹:

Recommendation	Calculated reduction in administrative costs	Calculated reduction in administrative burdens
“Centralisation” of the application process for mobile base stations and fixed network permissions*	EUR 2 079 277	EUR 2 079 277
Connection of all competent authorities to the electronic application system (SILYA)*	EUR 606 563	EUR 606 563
Reduction of the need for modification of base station permits and certifications of completeness	EUR 1 826 305	EUR 1 826 305
Establishment of an ‘electronic one-stop-shop’ for right of way application process*	EUR 2 085 703	EUR 2 085 703
Setting of Accepted Technical Standards in order to reduce required documentation for fixed telephony network expansion projects	EUR 2 498 877	EUR 2 498 877
Identification of “low-impact projects” requiring simpler approval process or no approval for right of way	EUR 4 600 113	EUR 4 600 113

The recommendation to **“centralise” the application process for mobile base stations and fixed network permissions** would reduce the number of authorities involved in the process of

¹ In line with standard practice, the reduction calculations have been made individually for each recommendation. It is therefore not possible to add together these calculated reductions to obtain an overall total reduction because different recommendations affect the same obligations. The overall reduction obtained depends on the sequencing of recommendations. The impact of the recommendations marked * would be reduced by the other recommendations being implemented, and the impact of recommendations which are not marked would be affected similarly by prior implementation of the recommendations marked *.

applications for new base stations or modifications of existing base stations as well as applications for right of way for fixed network expansion projects. One central competent authority would be identified which would accept applications through its one-stop shop and be responsible for distributing the documents among other authorities involved. This would reduce the time needed for preparing documentation as well as consultancy costs. It would also reduce discrepancies among local authorities in applying legislation.

The recommendation to **connect all competent authorities to the electronic application system (SILYA)** would involve all authorities participating in the application process in the existing electronic application system. This would enable electronic circulation of all documents leading to time savings both for businesses and for public administration. In addition, it would also help to make the process more effective by its standardisation and the identification of bottlenecks.

The recommendation to **reduce the need for modification of base station permits and certifications of completeness** would reduce the number of cases where an application for modification of the permit or certificate of completeness of a base station is required through identification of modifications with potentially low impact where simple notification would suffice. This would reduce the number of applications as well as the time needed for the preparation of dossiers for telecommunications companies.

The recommendation to **establish an ‘electronic one-stop-shop’ for the right of way application process** would lead to a single point of contact where all applications would be submitted in an electronic form. This would reduce the number of authorities businesses have to deal with and save time as well as the out-of-pocket costs spent on multiple copies of the documentation. In addition, it would allow standardising of the application process, increasing consistency in the application of the law.

The recommendation to **set Accepted Technical Standards in order to reduce required documentation for fixed telephony network expansion projects** would lead to developing a set of generally accepted technical standards that could be used for this type of project. Applicants would only declare that they will adhere to these standards instead of submitting voluminous documentation.

The recommendation to **identify “low-impact projects” requiring simpler approval process or no approval for right of way** would lead to a definition of fixed network expansion projects with potentially low impacts. The application process for these projects could be simplified requiring fewer pre-approvals and documentation, thus limiting cases where a full application process is required.

The **implementation of recommendations** in the telecommunications area should be given medium priority because, despite a relatively limited number of businesses involved in this sector, there are some considerable opportunities for administrative burden reduction and therefore increasing investments in developing telecommunication infrastructure and therefore faster progress in the development of the Telecommunication sector.

Different and **additional options and suggestions** were made by stakeholders about obligations in the priority area Telecommunications. These are included to provide additional material for the Greek government to consider further measures to simplify and reduce administrative burdens and irritation.

The measurement covered the following selected obligations in the priority area Telecommunications:

Obligation to apply for a permit to install or modify a mobile communications antenna (base station) - new

Obligation to apply for a permit to install or modify a mobile communications antenna (base station) - modifications

Obligation to apply to authorities for permission to obtain right of way to run a fixed network through public and communal property

1. Introduction

1.1. Background

The Ministry of Administrative Reform and e-Government of the Hellenic Republic (“the Ministry”) and the Organisation for Economic Co-operation and Development (“the OECD”) signed a Contribution Agreement in the last quarter of 2012 for OECD to carry out this project to measure and reduce administrative burdens in 13 key sectors of the Greek economy.

The project is expected to provide independent assessment, using the Greek modification of the internationally-recognised Standard Cost Model (“SCM”), to help to identify shortcomings and unnecessary administrative burdens for business in the regulatory environment that hinder the functioning of markets, damaging long-term growth and limiting benefits to corporate and household consumers. The SCM is a method for determining the administrative costs for business imposed by regulation. The SCM breaks down regulation into a range of manageable components that can be measured. The SCM neither addresses nor questions the policy objectives of each piece of regulation. As such, the measurement and analysis focus only on the administrative activities that must be undertaken in order to comply with regulation, not on the benefits that accrue from the legislation.

Economic recovery in any country is partly hampered by the quality of the regulatory framework. In 2006, the European Commission estimated that administrative costs amounted to approximately 6.8% of Greek GDP, and that a reduction of 25% in administrative costs in Greece might yield benefits of an increase of up to 2.4% of GDP by 2025.

This report describes the situation regarding administrative costs and administrative burdens at 1 September 2013 for the Telecommunications priority area. It was prepared by the OECD Secretariat in co-operation with Capgemini Consulting Netherlands and Deloitte Business Solutions SA Greece and, for legal analysis, in co-operation with Cocalis & Psarras law firm. The report gives an overview of the measurement results of the burden in the Telecommunications priority area and makes specific recommendations to reduce administrative burdens in this area.

1.2. Project approach

The project covers information obligation (IOs) stemming from different laws and regulations grouped into 13 Sectors or priority areas (PAs):

1. Agriculture and agricultural subsidies
2. Annual accounts/company law
3. Energy
4. Environment
5. Fisheries
6. Food safety
7. Pharmaceutical legislation
8. Public procurement
9. Statistics
10. Tax law (VAT)
11. Tourism
12. Telecommunications
13. Working environment/employment relations

The project uses the Greek Standard Cost Model (SCM) methodology as its basis and is structured in the following five phases.

1. Screening and collection of sector relevant laws and regulations

2. Qualitative scan of mapped regulations
3. Quantitative measurement of administrative burdens selected
4. Formulation of recommendations for redesigning/abolishing (parts of) laws and regulations
5. Publication and exploitation

The first phase of the project concerned the screening and selection of relevant laws and regulations by means of desk research. The result of this step was an overview of all regulations potentially causing administrative burdens in the 13 different Priority Areas.

Based on this overview, a qualitative scan of the mapped regulations was performed in order to identify the most likely burdensome and/or irritating areas. This scan, accompanied with additional meetings with key stakeholders, resulted in a selection of obligations for in-depth assessment.

The final report covers in depth stages 3 and 4: the results from the work undertaken under the quantitative measurement of administrative burdens stemming from selected laws and regulations and the formulation of recommendations to reduce administrative burdens in the Priority Area Telecommunications.

More precisely this report contains:

- A description of the IOs and respective laws and regulations in measurement scope for the priority area Telecommunications
- The main findings of the measurement
- Recommendations with quantified reduction proposals

This report does not include a detailed description of the methodology followed in the different stages. An analysis of the measured IOs within this priority area is in Annex 1.

The words “businesses” and “companies” are used interchangeably throughout this report. Where necessary, the term “businesses” includes sole traders and freelancers.

1.3.Methodology

The methodology used during this project is based on the ‘Manual for the implementation of the Standard Cost Model in Greece’ A short introduction to the main characteristics of the measurement approach is presented below.

The Standard Cost Model Manual (SCM) is a widely recognised method to calculate administrative burdens, which has been applied in many international projects from 2002 onwards. The model breaks down administrative costs imposed by legal acts into components that can be assessed with reasonable accuracy. The tool is characterised by the economic approach to law-making and regulation. Its aim is to identify all obligations arising from specific legislation, which render the law and procedures particularly aggravating to the functioning of the market and the economy.

The methodology neither addresses nor questions the fundamental objectives of legislation. Instead, the measurement focuses only on the administrative activities that must be undertaken in order to comply with legislation. The scope of this measurement lies within measuring the administrative costs for business to be compliant.

The SCM method during this project focuses solely on the administrative costs for businesses. Thus, administrative costs are defined as the costs incurred by businesses in meeting IOs. An IO is defined as: “An obligation contained in legal, regulatory or other explanatory text of the public administration and which require from the company to provide data to public authorities or third parties, or to maintain data which can be made available to public authorities or others if requested. Moreover, obligation which imposes the above but has been adopted by the daily administrative practice in public services.”

Every IO has attributes that describe:

- Content of the data required or “data requirement” (what must be provided)
- Target group (the population that must provide it)
- The frequency of the obligation (when it must be provided)

IOs can stem from either EU legislation or from nationally implemented laws and regulations. This project focuses on both IOs stemming directly from EU legislation and on those stemming from the national implementation of EU legislation.

During stage two of the project particular attention has been paid to screening and identifying of “over-implementation” (or “gold-plating”) of an EU legal act at national level, in terms of additional IOs or procedural requirements, amended frequency, or population (i.e. coverage) as this could lead to an increase in administrative costs linked to the provisions of EU legislation, as well as national measures.

The SCM method distinguishes between information that would be collected and processed by business even in the absence of the legislation and information that is solely gathered for the purpose of the legal obligation. The former are called “business-as usual” (BAU) costs, the latter administrative burdens. Together, the administrative burdens and business-as-usual costs constitute the administrative costs on businesses.

Altogether, the total administrative costs for business are assessed on the basis of the average cost of the required administrative activity (Price) multiplied by the total number of occurrences of the obligation performed per year (Quantity). The cost is estimated by multiplying a standard tariff attributed to a specific employee type (base on average labour cost per hour including *pro rata* overheads) by the time per action (the internal costs). Where appropriate, other types of cost such as outsourcing/consulting costs, equipment or costs of supplies that can reasonably be attributed to an information obligation are taken into account (the external costs). Furthermore, for this measurement, “additional costs” (costs posted on businesses which do not stem from laws and regulations but which are faced as part of a specific IO) are separately taken into account. The quantity is calculated as the frequency of the required activities multiplied by the number of entities concerned. This results in the following core equation of the SCM method:

$$\sum P \times Q$$

Where

- P (Price) = Tariff \times Time
- Q (Quantity) = number of entities \times frequency.

In stage 3 of the project, interviews and expert assessments were conducted to estimate the time and other costs for businesses to comply with IOs. All results were standardised with the objective of providing a single estimate of what would be required for a normally efficient business to complete each of the administrative activities in order to comply with the IO. Information on the quantity was gathered by public servants from government sources and desk research. If no Q was available or further work seemed necessary, an informed estimate was made by Capgemini Consulting Netherlands and Deloitte Business Solutions SA Greece.

It should be emphasised that the goal of the standardisation is not to average the cost data obtained through the interviews and/or expert assessments but to derive a plausible result for a normally efficient business for each IO. The SCM method defines a normally efficient business as a business within the target group that performs administrative activities required by the IO neither better nor worse than may be reasonably expected.

2. Introduction to priority area and overview of measurement results

This chapter presents the results of the mapping and selection of the measured IOs and an overview of the measurement results within this priority area.

2.1. Selection of IOs and respective laws and regulations

The table below provides the selection of IOs and the respective national laws and regulations and the relevant EU legislation which were identified and examined during the previous stages of the project and in which the selected IOs within the priority area Telecommunications are contained and/or in which they have a legal base.

Annex 1 provides a detailed description and process models of the IOs.

Table 2.1 Regulatory framework

Information Obligation	Legislation in scope
<p>IO 49: Obligation to apply for a permit to install or modify a mobile communications antenna (base station)</p>	<p>Primary national legislation:</p> <p>Law 4070/2012 Regulations on electronic communications, transport, public works and other provisions</p> <p>Secondary national legislation:</p> <p>EETT's Decision 661/2/17/9/2012 Regulation for the Licenses of antenna structure on land</p> <p>Joint Ministerial Decision No. 53571/3839 Public protection safeguards from the operation of land-based antennas</p> <p>Ministerial Decision 27217/505 (2013) Facilities Construction Antenna of Low Electromagnetic nuisance exempted from licensing in accordance with paragraph 23 of Article 30 of Law 4070/2012</p> <p>Ministerial Decision 11926/261 (2011) Specific procedure for licensing of installations of standardized antenna constructions</p> <p>EU legislation:</p> <p>Directive 2002/21/EC of the European Parliament and of the Council on a common regulatory framework for electronic communications networks and services (Framework Directive), as amended from Directive 2002/19/EC</p> <p>Regulation (EC) 717/2007 of the European Parliament and of the Council on roaming on public mobile telephone networks within the Community and amending Directive 2002/21/EC</p>

Information Obligation	Legislation in scope
	<p>Regulation 544/2009/EC of the European Parliament and of the Council on roaming on public mobile telephone networks within the Community</p> <p>Directive 2002/20/EC on the authorization of electronic telecommunications networks and services (authorization directive), as amended by Directive 2009/140/EC</p> <p>Regulation (EU) 531/2012 of the European Parliament and of the Council on roaming on public mobile communications networks within the Union</p>
<p>IO 50: Obligation to apply to authorities for permission to obtain right of way to run a fixed network through public and communal property</p>	<p>Primary national legislation:</p> <p>Law 4070/2012 Regulations on electronic communications, transport, public works and other provisions</p> <p>Law 3431/2006 Electronic Communications and other provisions</p> <p>Law 2801/2000 Regulations of issues of the Ministry of Transport and Communications</p> <p>Also relevant: regarding the jurisdiction of other government entities in this area:</p> <p>Law 4014/2011 on Environmental licensing of projects and activities</p> <p>Law 3028/2002 on the protection of antiquities and cultural heritage</p> <p>Law 2971/2001 on seashore, coast line and other provisions</p> <p>P.D. 14.7.1999 Code of Basic Civil Planning Regulation</p> <p>Secondary national legislation:</p> <p>Joint Ministerial Decision 725/23 Process granting rights of way to Electronic Communications Networks". Decision authorized by Law 3431/2006 replaced by law 4070/2012, but is still in force.</p> <p>Ministerial Decision 72146/2316/30.12.2008 "Definition for technical specifications on works referring to the installation of telecommunications networks outside of buildings" - GG 21 B of 7th January 2009</p>

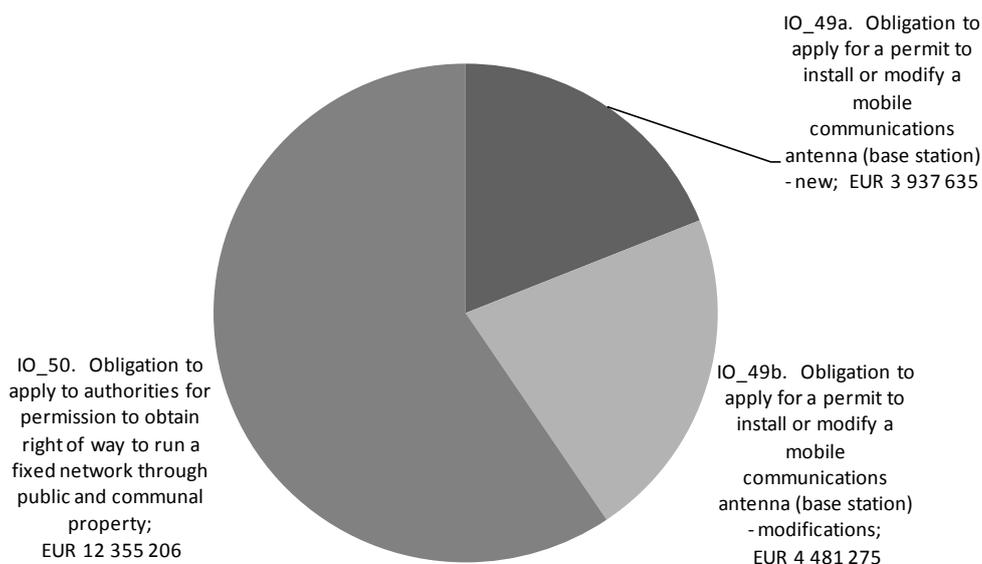
Information Obligation	Legislation in scope
	<p>EETT's Decision 528/075 of 23 June of 2009 regarding the definition of Transit Fees, Right of Way Fees and the amount for Performance Guarantees</p> <p>EETT's Decision 676/30 regarding the granting of rights to use radio frequencies under General Licenses for the Provision of Networks and / or Electronic Communications Services</p> <p>EETT's Decision 661/2 of 19.7.2012 regulation for land-based antenna construction licenses</p> <p>Also relevant: regarding the jurisdiction of other government entities in this area:</p> <p>Joint Ministerial Decision No. 198015/2012 "Model environmental conditions for mobile telephone base stations" – GG 1510/B/4.5.2012</p> <p>Ministerial Decision No. 1958/2012 "Categorization of public and private projects and activities in categories and subcategories according to article 1 par. 4 of Law 4014/2011" – GG 21/B/13.1.2012</p> <p>Ministerial Decision No. 20741/2012 "Amendment of Ministerial Decision No. 1958/2012" – GG 1565/B/8.5.2012</p> <p>Ministerial Decision No. 15277/2012 "Specialization of categories for incorporation of the approval for intervention provided in the provisions of Woodland Legislation in the Decisions Approving Environment Terms or the Model Environmental Conditions for projects and activities of categories A and B of the Ministerial Decision 1958/2012" – GG 1077/B/9.4.2012</p> <p>EU legislation:</p> <p>Directive 2002/21/EC on a common regulatory framework for electronic communications networks and services (framework directive), as amended from Directive 2002/19/EC, Article 11</p>

2.2. High level measurement results

The total administrative cost for Priority Area telecommunications is **EUR 20.77 million**. The total administrative burdens measured in this priority area are **EUR 14.76 million**, which is 71% of the administrative cost.

The pie chart below provides the high-level findings of the measurement. It contains the administrative cost per information obligation within this priority area.

Figure 2.1: Total identified Administrative Cost for the priority area



The most burdensome IO within this Priority Area is IO 50 related to applying for permission to obtain right of way to run fixed networks through public and communal property.

The Information Obligations, as well as the laws and regulations in concern are diversified enough to cover a variety of costs within this Priority Area. They do differ in terms of benefit for society, governance structure and/or target group. Comparing several IOs in terms of administrative cost therefore creates a picture that must be interpreted with considerable caution. The figure above presents the share of administrative cost per IO as part of the total administrative cost in the Priority Area. The unit of comparison in the figure is total administrative cost.

Furthermore, this measurement covers only a selection of all legislation relevant to the Priority Area. Therefore, additional administrative cost and burden exist that has not been covered by the measurement. A detailed description of the origin, process and measurement results of the IOs is presented in Annex 1.

3. Action Plan and Recommendations for Priority Area Telecommunications

This chapter describes the consideration of alternatives to the current situation for the IOs measured. It makes and quantifies recommendations to simplify the current situation and reduce administrative burdens. It also describes the suggested sequencing and prioritisation of the reduction proposals and suggested ways to facilitate their implementation. The recommendations are explained in detail and quantified on the basis of previous experiences and expert assessments.

The recommendations to reduce administrative burdens and costs in the priority area telecommunications are calculated to reduce administrative costs and burdens by the following amounts:

Recommendation	Calculated reduction in administrative costs	Calculated reduction in administrative burdens
“Centralisation” of the application process for mobile base stations and fixed network permissions*	EUR 2 079 277	EUR 2 079 277
Connection of all competent authorities to the electronic application system (SILYA)*	EUR 606 563	EUR 606 563
Reduction of the need for modification of base station permits and certifications of completeness	EUR 1 826 305	EUR 1 826 305
Establishment of an ‘electronic one-stop-shop’ for right of way application process*	EUR 2 085 703	EUR 2 085 703
Setting of Accepted Technical Standards in order to reduce required documentation for fixed telephony network expansion projects	EUR 2 498 877	EUR 2 498 877
Identification of “low-impact projects” requiring simpler approval process or no approval for right of way	EUR 4 600 113	EUR 4 600 113

Note that adding together the individual reduction calculations for each recommendation gives an understanding of the magnitude of the potential reduction, rather than an exact figure. In line with standard practice, the reductions are calculated separately for each recommendation based on the costs as measured for this project. The impact of the recommendations marked * would be reduced by the other recommendations being implemented in advance, and the impact recommendations which are not marked would be affected similarly by prior implementation of the unmarked recommendations.

3.1. Identification of potential simplification and reduction options

During stage 4 of the project, potential simplification and reduction options were identified as appropriate from the views of businesses expressed during the measurement stage, stakeholder views, experience of other administrative burden reduction exercises, and the views of the teams of Greek public servants involved in the project.

Potential simplification and reduction options were developed by Greek public servants on the basis of a structured questionnaire developed by the OECD using the “IO Burden Reduction Pyramid” which was developed by the Capgemini, Deloitte and Ramboll consortium as part of the EU project on baseline measurement and reduction of administrative costs in 2009-10. The questionnaire asked public servants to respond to the following prompts, in order, about each IO measured:

1. What is the policy goal of the IO?
2. Option A: Remove completely this IO in order to reduce administrative burdens (arguments in favour, arguments against, conclusion)
3. Option B: Redesign public administration processes in this IO to reduce administrative burdens (identify opportunities for public administration to act in a less burdensome way, and conclude which appear most suitable)
4. Option C: Target the IO more precisely to the policy goal (identify less burdensome ways to meet the policy goal identified, and conclude which appear most suitable)
5. Option D: Make the IO as flexible as possible for business (identify ways to make complying with the IO more flexible for business, and conclude which appear most suitable)
6. Option E: Reduce the variables in the SCM equation: Population, frequency, time and tariff (identify possible changes to each of the four variables, and conclude which appear most suitable)

This provided a structured way to consider larger reforms ahead of smaller reforms, and ensured that attention was not only on small changes to the variables of the SCM equation.

3.2. Recommendations for the priority area Telecommunications

Certain measures from the potential simplification and reduction measures were examined further in order to develop a compatible set of recommendations for the project which could form a coherent action plan for administrative burden reduction for the project. The potential measures which have been developed into recommendations are those which appear to have the potential to make meaningful reductions to administrative burdens or irritation factors, and which appear to be compatible with the overall policy goals of the obligations.

The recommendations are presented individually in the remainder of this section. The background to each recommendation is described, as well as the current situation as presented to the project and the desired future situation which would happen if the recommendation was implemented. A list of the relevant parts of legislation and regulation which would need to be considered for amendment is included. This is based on the project team's assessment of the original legal mapping done by the Greek public servants in Stage 1 of the project, and also on additional legal analysis in order to identify relevant provisions and compatibility with EU law. Finally, an assessment is made of the likely reduction in administrative burdens which would result from the implementation of each recommendation.

As is common practice in administrative burdens exercises, the reduction in administrative burdens for each recommendation is provided independently, i.e. the reduction is calculated on the basis of the implementation of each recommendation from the current situation, and no account is taken of the combined effect of recommendations. This means that the total reduction in administrative burdens which would be achieved by implementing all recommendations cannot be calculated by simply adding together the reductions for each recommendation; further analysis would be required once it was clear which recommendations would be implemented.

3.2.1. “Centralisation” of the application process for mobile base stations and fixed network permissions

Summary of recommendation

The implementation of this recommendation is calculated to reduce both administrative burdens and administrative costs by EUR 2 079 277 on a stand-alone basis.

The aim of this recommendation is to reduce the number of authorities involved in the process of applications for new base stations or modifications of existing base stations as well as applications for right of way for fixed network expansion projects. Currently, the applications must be submitted by telecommunication companies to numerous competent authorities, which are often geographically disbursed.

With this proposal, applications would be submitted to only one Competent Authority through its one-stop-shop. The Competent Authority would then be responsible for forwarding the applications to other “centralized” competent authorities which are responsible for providing their opinion / approval. Local offices of these centralised authorities would conduct field visits only if requested by the centre, based on risk-assessment.

IOs affected

This recommendation reduces administrative costs primarily for the following Information Obligations:

IO 49: Obligation to apply for a permit to install or modify a mobile communications antenna (base station)

IO 50: Obligation to apply to authorities for permission to obtain right of way to run a fixed network through public and communal property

Background and rationale

Applications for new base stations or modifications of existing base stations as well as applications for right of way for fixed network expansion projects must be submitted by telecommunication companies to multiple competent authorities, which are geographically disbursed. Furthermore, such a large number of local competent authorities involved in the application process leads to discrepancies and inconsistencies within the approval process.

As telecommunication companies’ headquarters are mainly in the region of Attica, while Competent Authorities involved in the application process for new base stations and fixed network expansions are located all over the country, companies and their contractors are forced to incur travelling costs for the submission of dossiers.

In order to reduce delays and simplify the process as well as to ensure consistency in administrative decisions, applications should be made to one Competent Authority which will function as a one-stop-shop in comparison to the numerous local authorities under the current process.

The aim of this recommendation is to reduce the number of authorities involved in the process overall as well as the number of contacts the applicant has to make with various authorities. Therefore, it is recommended that applications would be received by the Competent Authority responsible for the one-stop-shop, this Competent Authority would then be responsible for forwarding the applications to other “centralized” competent authorities which are responsible to provide their opinion / approval. These include the Division of Construction and Building Regulations (Διεύθυνση Οικοδομικών και Κτιριακών Κανονισμών - Δ.Ο.Κ.Κ.) of the Ministry of Environment, Energy and

Climate Change instead of the local urban planning offices (a similar procedure is already being implemented for antenna applications of remote border areas), the Central Archaeological Council, instead of, to all three local Archaeological Ephorates, and the Special Secretariat for Forests of the Ministry of Environment, Energy and Climate Change, instead of the local Forest Inspection Offices. The “centralised” Competent Authorities will assign to their local offices the task of performing these visits, only after a risk assessment screening.

The government should consider whether the National Telecommunications and Post Commission (EETT) can function as such a central focal point (one-stop-shop) within the application process for new antennas and fixed network expansions. Companies might send the complete application dossier to EETT, which would then proceed to forward to the relevant competent authorities accordingly. Alternatively, this role might be assumed by the Ministry of Infrastructure, Transport and Networks.

A detailed process mapping of all administrative procedures necessary for the applications should be conducted to make the process transparent and predictable. It would be helpful to set up a clear roadmap on how to obtain public rights of way and mobile base station permissions and publish it on a central website.

The introduction of centralized authorities will also allow for increased standardisation of the application/approval processes, ensuring consistent application of the legislation and reducing discrepancies in decisions between different local authorities

Description of current situation

Companies wishing to apply for a permit to install or modify an existing mobile communication antenna (IO49), as well as companies wishing to expand a fixed telephony network (IO50) must submit their applications to numerous Competent Authorities authorised to provide approval / permission within the process.

They are then submitting the application dossier to the relevant Authorities for the final approval (EETT and Regional Authorities).

Description of desired situation

Applications are submitted to one “central authority”, which will proceed with the forwarding of the application to the relevant competent authorities such as the Division of Construction and Building Regulations, the Central Archaeological Council, the Special Secretariat for Forests, etc.

The company is able to communicate with only one central authority in order to be informed about the progress of a specific application eliminating the need of being in contact with numerous Competent Authorities.

Legislation to be examined

On the basis of an assessment of the current situation and the legislation in scope identified in the previous stages of the project, in order for the recommendation to be implemented there needs to be a review and/or amendment of the following national legislation taking into consideration the EU legislation in this priority area:

The main legislation to be examined is:

National Legislation:

Law 4070/2012 on Electronic Communications - (IO 49 & IO 50), art. 28 on rights of way and art. 30 on antenna installations

EETT's Decision 661/2/19.07.2012 Regulation on Land-based Antenna Constructions Licenses – GG 2529 of 17th September 2012 (IO49)

Joint Ministerial Decision 725/23/04.01.2012 “Procedure for granting electronic communications network rights of way” – GG 5 of 5th January 2012 (IO50)

National Legislation regarding the jurisdiction of other government entities in this area:

Law 4014/2011 on Environmental licensing of projects and activities

Law 3028/2002 on the protection of antiquities and cultural heritage

Law 2971/2001 on seashore, coast line and other provisions
P.D. 14.7.1999 Code of Basic Civil Planning Regulation

Joint Ministerial Decision No. 198015/2012 “Model environmental conditions for mobile telephone base stations” – GG 1510/B/4.5.2012

Ministerial Decision No. 1958/2012 “Categorization of public and private projects and activities in categories and subcategories according to article 1 par. 4 of Law 4014/2011” – GG 21/B/13.1.2012

Ministerial Decision No. 20741/2012 “Amendment of Ministerial Decision No. 1958/2012” – GG 1565/B/8.5.2012

Ministerial Decision No. 15277/2012 “Specialization of categories for incorporation of the approval for intervention provided in the provisions of Woodland Legislation in the Decisions Approving Environment Terms or the Model Environmental Conditions for projects and activities of categories A and B of the Ministerial Decision 1958/2012” – GG 1077/B/9.4.2012

EU legislation which sets relevant obligations in this area
(references are to consolidated versions)

Directive 2002/21/EC on a common regulatory framework for electronic communications networks and services (framework directive), as amended from Directive 2002/19/EC (OJ L 337, 18.12.2009, p. 37)

Article 9 (Management of radio frequencies for radio-telecommunication services)

Article 9b (Transfer or lease of individual right to use radio frequencies)

Article 11 (Rights of way)

Article 12 (Collocation and sharing of network elements for providers of telecommunication networks)

Chapter IIIA (Security and integrity of networks and services)

Directive 2002/20/EC on the authorization of electronic telecommunications networks and services (authorization directive), as amended by Directive 2009/140/EC (OJ L 108, 24.2.2002, p. 21)

Article 5 (Rights of use for radio frequencies and numbers)

Article 6 (Conditions attached to the general authorization and to the rights of use for radio frequencies and numbers and specific obligations)

Article 7 (Procedure for limiting the number of rights of use to be granted for radio frequencies)

Article 8 (Harmonized assignment of radio frequencies)

Decision No. 676/2002/EC on a regulatory framework for radio spectrum policy in the European Community

Assessment of impact on administrative costs and burdens

The establishment of such a “centralised” application process has been estimated to lead to reduction of consulting costs, as contractors which facilitate the application process will have a simpler task of submitting the application dossiers to only one central Competent Authority in comparison to the multitude of Competent Authorities under the current process. It is estimated that consulting costs will be reduced by approx. 15% for new antennas (IO 49a) and 12% for fixed networks (IO50). Furthermore, especially for IO50, which is characterised by discrepancies among the documentation required by various local authorities, a further reduction of 30% (1 hour) is estimated for preparing documentation.

On this basis, the reductions in both administrative burdens and costs for this recommendation have been calculated as a reduction of EUR in administrative burdens and a reduction of EUR 2 079 277.40 in administrative costs.

Total for this recommendation		
Measured relevant IOs:	Estimated future figures:	Reduction potential:
AB=EUR 14 766 012.38 AC=EUR 20 774 116.68	AB=EUR 12 686 734.98 AC=EUR 18 694 839.27	Reduction of EUR 2 079 277.40 AB EUR 2 079 277.40 AC

of which:

IO 49: Obligation to apply for a permit to install or modify a mobile communications antenna (base station)		
Measurement results: P (sum segments) = EUR 3 797.43 f= 1 Q= 2 217 BAU= 20% AB=EUR 6 735 128.23 AC=EUR 8 418 910.29	Estimated future figures: P = EUR 3 565.14 f= 1 Q= 2 217 BAU= 21% AB=EUR 6 220 128.23 AC=EUR 7 903 910.29	Potential reduction: (of IO 45) EUR 515 000.00 AB EUR 515 000.00 AC
IO 50: Obligation to apply to authorities for permission to obtain right of way to run a fixed network through public and communal property		
Measurement results: P = EUR 2 643.96 f= 1 Q= 4 673 BAU= 35% AB=EUR 8 030 884.15 AC=EUR 12 355 206.39	Estimated future figures P = EUR 2 309.21 f= 1 Q= 4 673 BAU= 40% AB=EUR 6 466 606.75 AC=EUR 10 790 928.98	Potential reduction: Reduction of 19% (of IO 50) Reduction of EUR 1 564 277.40 AB EUR 1 564 177.40 AC

3.2.2. Connection of all competent authorities to the electronic application system (SILYA)

Summary of recommendation

The implementation of this recommendation is calculated to reduce both administrative burdens and administrative costs by EUR 606 563 on a stand-alone basis.

The recommendation involves the inclusion of all authorities participating in the application process in the electronic application system (SILYA). This will eliminate the mandatory requirement for hard copy filing of each dossier in addition to electronic filing, as all documents of all Competent Authorities involved in the process can circulate in the electronic form, leading to time savings.

IOs affected

This recommendation reduces administrative costs primarily for the following Information Obligations:

IO 49: Obligation to apply for a permit to install or modify a mobile communications antenna (base station)

Background and rationale

The EETT's SILYA information system aims to function as a one-stop shop for applications for a permit to install or modify a mobile communications antenna. However, the only authorities which have online access to this system are EETT, the Greek Atomic Energy Commission and the Hellenic Civil Aviation Authority. Other Authorities such as Archaeological Ephorates, local Urban Planning Offices and local Forest Inspection Offices are not connected. The system does not allow for a fully electronic procession of documents. Therefore, the applicants still has to send their application to various authorities, even though they are using SILYA.

To fully exploit the potential of SILYA, it is necessary that all competent authorities that are involved in the process of granting a permit to install or modify a mobile communications antenna are connected to the system, are able to receive electronic applications and documents through the system and submit their decisions to the system.

There is a close relation with the previous recommendation, since "centralisation" of the application process would enable to identify all authorities that need to be included in SILYA.

Such system would also help to increase the efficiency of the application process. With the system, it would be possible to check the status of the application at any point (whether it has been approved by which authorities, which approval opinion is awaited). This would help to identify bottlenecks in the process where the delays are the most significant and adjust the process accordingly.

It would be advisable to set up an interministerial task force to co-ordinate the works on connecting competent authorities to the system. The Ministry of Infrastructure, Transport and Networks should play a leading role in this co-ordination.

Description of current situation

The company prepares documentation for the application and uploads all applications / studies which constitute the complete dossier onto the electronic filing system (SILYA).

If applications / studies / approvals are required from competent authorities which do not have access to SILYA (i.e. Archaeological Ephorates, local Forest Inspection Offices, Urban Planning

Offices etc), the company updates the SILYA with relevant correspondence with these Authorities (protocol numbers, receipts for submitted documents, etc.) with the help of the contractors.

Description of desired situation

The SILYA application system functions as a true electronic “one-stop-shop”, as companies are able to submit applications / studies to ALL Competent Authorities involved in the process, and will also have instant updates regarding any approval or rejection.

Legislation to be examined

On the basis of an assessment of the current situation and the legislation in scope identified in the previous stages of the project, in order for the recommendation to be implemented there needs to be a review and/or amendment of the following national secondary legislation:

EETT’s Decision No. 661/2/19.07.2012 Regulation on Land-based Antenna Constructions Licenses – GG 2529 of 17th September 2012

EETT’s Decision No. 672/2/13.11.2012 Commencement of Operation of the Electronic Application System (SILYA) – GG 3295/B/11.12.2012

Assessment of impact on administrative costs and burdens

It is estimated that such inclusion of all competent authorities in the SILYA system would reduce consulting costs for new applications by EUR 300 and for modifications by EUR 200, due to a simpler process to be followed by contractors. Furthermore, a significant reduction in time required for the submission of the dossier is estimated (more than 2 hours), as it will no longer be required to manually upload documentation of Competent Authorities which are not “online” on the SILYA system.

Combining this recommendation with the centralization of the application process (previous recommendation) will provide incremental impacts to businesses.

On this basis, the reductions in both administrative burdens and costs for this recommendation have been calculated as a reduction of EUR 606 562.

Total for this recommendation		
Measured relevant IOs:	Estimated future figures:	Reduction potential:
AB=EUR 6 735 128.23 AC=EUR 8 418 910.29	AB=EUR 6 128 566.54 AC=EUR 7 812 348.60	Reduction of EUR 606 562.70 AB EUR 606 562.70 AC

of which:

IO 49: Obligation to apply for a permit to install or modify a mobile communications antenna (base station)		
Measurement results: P (sum segments) = EUR 3 797.43 f= 1 Q= 2 217 BAU= 20% AB=EUR 6 735 128.23 AC=EUR 8 418 910.29	Estimated future figures: P = EUR 3 523.84 f= 1 Q= 2 217 BAU= 22% AB=EUR 6 128 566.54 AC=EUR 7 812 348.60	Potential reduction: Reduction of 9% (of IO 49) Reduction of EUR 606 562.70 AB EUR 606 562.70 AC

3.2.3. Reduce the need for modification of base station permits and certificates of completeness

Summary of recommendation

The implementation of this recommendation is calculated to reduce both administrative burdens and administrative costs by EUR 1 826 305 on a stand-alone basis.

This recommendation aims at reducing the number of cases where an application for modification of the Permit or Certificate of Completeness of a base station is required. In some clearly defined cases where changes will not have significant impacts, providers would not have to go through the same process as in case of the original application and would not need to resubmit all the documents, only those that relate to the planned modifications of the project. They would still need to notify the competent authority (EETT) of the planned changes.

This would reduce the number of applications as well as the time needed for the preparation of dossiers for telecommunications companies.

IOs affected

This recommendation reduces administrative costs primarily for the following Information Obligations:

IO 49: Obligation to apply for a permit to install or modify a mobile communications antenna (base station)

Background and rationale

The process to be followed in the event of a desired modification of a base station does not differ from the process for applying for a permit for a new installation. Currently, any change to a base station, even those which do not exceed the limits of the radio-emissions study, requires a resubmission of all documents needed for the original application for a permit (including those that remain unchanged from the original application). The period of 4 months waiting time is added anew (as for the evaluation of the initial application dossier).

The recommendation involves reducing the number of cases where an application is required for modification of the permit or certificate of completeness of a base station. For example, addition of frequencies within the provisions of the radio-emissions study and without any changes to the base station structure or when architectural changes are made only to surrounding area without affecting security measures mentioned in the radio-emissions study.

Telecommunication companies should be required to notify EETT about the desired change and have the obligation to submit any revised plans as well as the updated radio-emissions study, which proves that emissions are still within allowed limits. The notification would be processed as a priority by the Greek Atomic Energy Commission within a specified period. At any case, only modified documents should be uploaded. Business will not need to cease the base station operation, as compliance audits can be performed ex-post.

Some examples: in the Czech Republic an upgrade of a base station is allowed without further permission if it does not involve any change in terms of construction work. In Denmark, simple upgrades (as long as height on existing structure is not exceeded) or sharing of sites do not require further permissions, but notification of the site upgrade need to be submitted to authorities. In the

Netherlands, most upgrades are permit-free – depending on construction and environmental impact. In France, existing constructions are exempted from a planning permission whenever:

- the new construction does not affect the outside aspect of an existing building;
- there are no changes in the shelter and surface is smaller than 5 m².

Nine amendments to the Law 4040/2012 have been already prepared where modification is replaced by notification, for example, when the upgrade does not involve any construction changes. These amendments should be discussed in the Parliament in the upcoming weeks.

Description of current situation

In order to modify an existing permit or Certificate of Completeness, mobile communication providers submit, through the electronic filing system (SILYA), the study or approval which must be updated due to the desired modification of the base station, as well as all other documents that were filed in the original dossier for the permit, which are not affected by the planned modification.

NB: There are no specific provisions in current legislation that the company should stop operating the antenna, however, recent legislation proposals by EEKT (Greek Mobile Operators Association) proposes the introduction of specific clauses in L. 4070/2012 that would allow companies to continue operations of the antennas.

Description of desired situation

A notification process for modifications within tolerance criteria in the radio-emissions study under which a base station permit or certificate of completeness can be valid without amendment is outlined in detail in legislation.

A company wishing to modify a base station within the tolerance criteria of radio-emissions notifies EETT, within a specific time period, about the desired alterations e.g. submits new architectural plans as well as the revised radio-emissions study which confirms that emissions continue to be within allowed limits.

The new submitted study will have to be examined by the Greek Atomic Energy Commission as a priority and within a specified period of time. As the revised radio-emissions study is being processed by the Greek Atomic Energy Commission the licence is not revoked and the base station remains operational. Ex-post controls will be used in order to assess compliance.

For all modification applications, (even those which alter the radio-emissions study), only documents which have changed in comparison to the initial application for permit will be required to be submitted.

Legislation to be examined

On the basis of an assessment of the current situation and the legislation in scope identified in the previous stages of the project, in order for the recommendation to be implemented there needs to be a review and/or amendment of the following national legislation taking into consideration the EU legislation in this priority area:

The main legislation to be examined is:

National Legislation:

Law 4070/2012 on Electronic Communications –, Article 30 on antenna installations

EETT's Decision No. 661/2/19.07.2012 Regulation on Land-based Antenna Constructions Licenses – GG 2529 of 17th September 2012

National Legislation regarding the jurisdiction of other government entities in this area:

Law 4014/2011 on Environmental licensing of projects and activities

Law 3028/2002 on the protection of antiquities and cultural heritage

Law 2971/2001 on seashore, coast line and other provisions

P.D. 14.7.1999 Code of Basic Civil Planning Regulation

Joint Ministerial Decision No. 198015/2012 “Model environmental conditions for mobile telephone base stations” – GG 1510/B/4.5.2012

Ministerial Decision No. 1958/2012 “Categorization of public and private projects and activities in categories and subcategories according to article 1 par. 4 of Law 4014/2011” – GG 21/B/13.1.2012

Ministerial Decision No. 20741/2012 “Amendment of Ministerial Decision No. 1958/2012” – GG 1565/B/8.5.2012

Ministerial Decision No. 15277/2012 “Specialization of categories for incorporation of the approval for intervention provided in the provisions of Woodland Legislation in the Decisions Approving Environment Terms or the Model Environmental Conditions for projects and activities of categories A and B of the Ministerial Decision 1958/2012” – GG 1077/B/9.4.2012

**EU legislation which sets relevant obligations in this area
(references are to consolidated versions)**

Directive 2002/21/EC on a common regulatory framework for electronic communications networks and services (framework directive), as amended from Directive 2002/19/EC (OJ L 337, 18.12.2009, p. 37)

Article 9 (Management of radio frequencies for radio-telecommunication services)

Article 11 (Rights of way)

Article 12 (Collocation and sharing of network elements for providers of telecommunication networks)

Directive 2002/20/EC on the authorization of electronic telecommunications networks and services (authorization directive), as amended by Directive 2009/140/EC (OJ L 108, 24.2.2002, p. 21)

Article 5 (Rights of use for radio frequencies and numbers)

Article 6 (Conditions attached to the general authorization and to the rights of use for radio frequencies and numbers and specific obligations)

Decision No. 676/2002/EC on a regulatory framework for radio spectrum policy in the European Community

Assessment of impact on administrative costs and burdens

It is estimated that by limiting instances requiring application modification, the total number of modification applications can be reduced by 40%. Furthermore, the remaining of modification

applications are estimated to achieve time savings at the level of 50% (more than 2 hours) for the preparation of the dossier.

On this basis, the reductions in both administrative burdens and costs for this recommendation have been calculated as a reduction of EUR 1 826 305.

Total for this recommendation		
Measured relevant IOs:	Estimated future figures:	Reduction potential:
AB=EUR 6 735 128.23 AC=EUR 8 418 910.29	AB=EUR 4 908 823.23 AC=EUR 6 592 605.29	Reduction of EUR 1 826 305.00 AB EUR 1 826 305.00 AC

of which:

IO 49: Obligation to apply for a permit to install or modify a mobile communications antenna (base station)		
Measurement results:	Estimated future figures:	Potential reduction:
P (sum segments) = EUR 3 797.43 f= 1 Q= 2 217 BAU= 20% AB=EUR 6 735 128.23 AC=EUR 8 418 910.29	P = EUR 4 291.50 f= 1 Q= 1 536 BAU= 26% AB=EUR 4 908 823.23 AC=EUR 6 592 605.29	Reduction of 27% (of IO 49) Reduction of EUR 1 826 305.00 AB EUR 1 826 305.00 AC

3.2.4. Establishment of an ‘electronic one-stop-shop’ for rights of way application process

Summary of recommendation

The implementation of this recommendation is calculated to reduce both administrative burdens and administrative costs by EUR 2 085 703 on a stand-alone basis.

This recommendation suggests creating an electronic one-stop shop for the right of way application process. This electronic portal would allow applicants to submit their applications for right of way to only one competent authority which would then be responsible for sharing the application and the documentation with other competent authorities.

This would allow standardisation of the application process, increasing consistency in the application of the law and improving transparency and predictability of the process. For businesses, this would reduce the number of authorities they have to deal with and save time as well as the out-of-pocket costs spent on multiple copies of the documentation.

IOs affected

This recommendation reduces administrative costs primarily for the following Information Obligations:

IO 50: Obligation to apply to authorities for permission to obtain right of way to run a fixed network through public and communal property

Background and rationale

The application process is currently not supported by a “one-stop shop” and companies need to apply to a multitude of authorities granting permission i.e. Archaeological Ephorates, Forest Inspection Offices (as a pre-approval) as well as the authorities granting the actual right of way which, according to the predefined route chosen, may be more than one (various sections of the route may have different responsible regional Authorities). Also, the multitude of involved parties impedes the full adherence to a standardised process.

In order to reduce delays and simplify the process, applications should be submitted in electronic format to one “central” authority compared to the numerous local authorities under the current process, allowing for a “one-stop-shop”.

The recommendation will also allow for increased standardisation of the approval processes ensuring the effective application of the legislation, eliminating inconsistencies in decisions among various local authorities in terms of requested documentation, pre-approvals, fees and guarantees, technical specifications, legal agreements, etc.

“Centralised” Competent Authorities such as the Division of Construction and Building Regulations (Διεύθυνση Οικοδομικών και Κτιριακών Κανονισμών - Δ.Ο.Κ.Κ.) of the Ministry of Environment, Energy and Climate Change and not the local urban planning offices, the Central Archaeological Council, instead of all three local Archaeological Ephorates and the Special Secretariat for Forests of the Ministry of Environment, Energy and Climate Change, instead of the local Forest Inspection Offices would have electronic access to dossiers in order to provide their opinion / approval. Only if site visits are required the “centralised” Competent Authorities will assign to their local offices the task of performing these visits.

It should be examined if the National Telecommunications and Post Commission (EETT) or alternatively the Ministry of Infrastructure, Transport and Networks could assume the role of the “central authority”, responsible for the electronic “one-stop-shop”.

The legislation provisions regarding deadlines for Competent Authorities to reply should remain unchanged, namely, pre-approval and the right of way is granted automatically if 30 days (90 days for private networks) elapse with no decision by the Authority.

Such a one-stop-shop is already planned by the Ministry of Infrastructure, Transport and Networks. This is connected with the project of the European Commission on the reduction of the cost of deploying high speed electronic communications networks. SILYA should be used as a template for this new one-stop shop. When developing this information system, mapping of all administrative procedures and licenses and permits needed should be conducted. This could help to streamline the process but also to provide more accurate information to potential applicants and to make the process more transparent and predictable. The new system should work with the currently developed Geographic Information System of all infrastructure projects (see section 3.4).

Description of current situation

Companies need to apply to a multitude of Authorities granting permission (pre-approval) i.e. Archaeological Ephorates, Forest Inspection Offices in order for all required permissions to be granted.

Companies then need to submit a full application to the authorities granting the actual right of way which, according to the predefined route chosen, may be more than one (various sections of the network route may have different responsible Authorities – these can be Municipalities or Prefectures).

Description of desired situation

Companies desiring to expand their fixed networks through public and communal property submit their application for right of way in the electronic format to a “central authority” via a one-stop-shop.

The “central authority”, responsible for the “one-stop shop” will undertake the study of the application dossier and will proceed with the forwarding of the application to the relevant competent authority on behalf of the company.

If an on-site visit is required before approval can be granted, then the system will inform the applicant within a specified time period.

Legislation to be examined

On the basis of an assessment of the current situation and the legislation in scope identified in the previous stages of the project, in order for the recommendation to be implemented there needs to be a review and/or amendment of the following national legislation taking into consideration the EU legislation in this priority area:

National Legislation:

Law 4070/2012 on Electronic Communications, Article 28 on rights of way

Joint Ministerial Decision 725/23/04.01.2012 “Procedure for granting electronic communications network rights of way” – GG 5 of 5th January 2012

National Legislation regarding the jurisdiction of other government entities in this area:

Law 4014/2011 on Environmental licensing of projects and activities

Law 3028/2002 on the protection of antiquities and cultural heritage

Law 2971/2001 on seashore, coast line and other provisions
P.D. 14.7.1999 Code of Basic Civil Planning Regulation

Joint Ministerial Decision No. 198015/2012 “Model environmental conditions for mobile telephone base stations” – GG 1510/B/4.5.2012

Ministerial Decision No. 1958/2012 “Categorization of public and private projects and activities in categories and subcategories according to article 1 par. 4 of Law 4014/2011” – GG 21/B/13.1.2012

Ministerial Decision No. 20741/2012 “Amendment of Ministerial Decision No. 1958/2012” – GG 1565/B/8.5.2012

Ministerial Decision No. 15277/2012 “Specialization of categories for incorporation of the approval for intervention provided in the provisions of Woodland Legislation in the Decisions Approving Environment Terms or the Model Environmental Conditions for projects and activities of categories A and B of the Ministerial Decision 1958/2012” – GG 1077/B/9.4.2012

**EU legislation which sets relevant obligations in this area
(references are to consolidated versions)**

Directive 2002/21/EC on a common regulatory framework for electronic communications networks and services (framework directive), as amended from Directive 2002/19/EC (OJ L 337, 18.12.2009, p. 37) - Article 11 (Rights of way)

Assessment of impact on administrative costs and burdens

It is estimated that the development of an electronic “one-stop-shop”, which can be developed building upon the experience of the SILYA system used for base stations, will reduce the time spent on preparing dossiers by 40% (2 hours), while consulting fees could be reduced by 15%, reflecting the reduction of contractors involvement.

On this basis, the reductions in both administrative burdens and costs for this recommendation have been calculated as a reduction of EUR 2 085 703.

Total for this recommendation		
Measured relevant IOs:	Estimated future figures:	Reduction potential:
AB=EUR 8 030 884.15 AC=EUR 12 355 206.39	AB=EUR 5 945 180.95 AC=EUR 10 269 503.18	Reduction of EUR 2 085 703.21 AB EUR 2 085 703.21 AC

of which:

IO 50: Obligation to apply to authorities for permission to obtain right of way to run a fixed network through public and communal property		
Measurement results:	Estimated future figures:	Potential reduction:
		Reduction of 26%

P = EUR 2 643.96 f= 1 Q= 4 673 BAU= 35% AB=EUR 8 030 884.15 AC=EUR 12 355 206.39	P = EUR 2 197.63 f= 1 Q= 4 673 BAU= 42% AB=EUR 5 945 180.95 AC=EUR 10 269 503.18	(of IO 50) Reduction of EUR 2 085 703.21 AB EUR 2 085 703.21 AC
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3.2.5. Setting of Accepted Technical Standards in order to reduce required documentation for fixed telephony network expansion projects

Summary of recommendation

The implementation of this recommendation is calculated to reduce both administrative burdens and administrative costs by EUR 2 498 877 on a stand-alone basis.

This recommendation suggests developing a set of generally accepted technical standards that could be used for this type of project (e.g. technical characteristics for road incisions, cabinet construction or safety measures to be followed, etc.). Applicants would only declare that they will adhere to these standards instead of submitting voluminous documentation.

This would also allow increasing consistency in requirements and reducing discrepancies among local authorities.

IOs affected

This recommendation reduces administrative costs primarily for the following Information Obligations:

IO 50: Obligation to apply to authorities for permission to obtain right of way to run a fixed network through public and communal property

Background and rationale

It is assumed that the major part of the core fixed telephony network in Greece has been already built. Therefore, the majority of the projects in the near future are expected to become more standardised.

There are no technical standards set per project type either for ICTs used or for the construction works, allowing each authority to request their own technical standards, which in many cases increase the costs of a project significantly. Furthermore, companies are required to describe technical details of the desired works in each application, a time-consuming task that could be omitted if technical standards were set by central authorities.

A central authority should be responsible for the setting of accepted technical standards per project type which telecommunication companies will have to adhere to. These technical standards would concern both the construction works as well as the ICTs used and could refer to description of the work, materials and equipment to be used, safety measures to be followed, etc. This recommendation would ensure the elimination of discrepancies on desired technical standards among local authorities and would decrease the effort required on behalf of companies for the description of the desired project's technical specifications which are included in the documentation of each application. However, it must be stressed that descriptions such as the desired route to be followed must still be described in the dossier.

Furthermore, currently each dossier must include documents which are rarely updated, such as legal documentation of the company and a Certificate of EETT (of latest semester), stating that applicant operates under the General Permits scheme, providing public electronic communications networks. It is recommended that these documents should be submitted only once to a central authority (or not submitted at all if the recipient of the application is the EETT) and afterwards, only when they are updated.

We understand a study conducted by the Greek Technical Chamber could be used as a background for setting these standards.

Description of current situation

There are no technical standards set per project type, allowing diversity of requirements within each local authority.

Companies are required to describe technical details of the desired works in each application increasing the overall costs of a project

Specific documents not pertaining to project specifics but to the actual telecommunications provider are re-submitted in every dossier.

Description of desired situation

There is an agreement in place upon technical standards which are set per project type (e.g. technical characteristics for road incisions, cabinet construction or safety measures to be followed, etc.)

Companies state by a solemn declaration (included in the application dossier) that they will adhere to these standards.

Documents such as legal documentation or EETT's Certificate is submitted only once to a Central Authority, without the need to be included in each application dossier.

Legislation to be examined

On the basis of an assessment of the current situation and the legislation in scope identified in the previous stages of the project, in order for the recommendation to be implemented there needs to be a review and/or amendment of the following national legislation taking into consideration the EU legislation in this priority area:

National Legislation:

Law 4070/2012 on Electronic Communications, Article 28 on rights of way

Joint Ministerial Decision 725/23/4.1.2012 "Procedure for granting electronic communications network rights of way" – GG 5 of 5th January 2012

Ministerial Decision 72146/2316/30.12.2008 "Definition for technical specifications on works referring to the installation of telecommunications networks outside of buildings" - GG 21 B of 7th January 2009

EU legislation which sets relevant obligations in this area (references are to consolidated versions)

Directive 2002/21/EC on a common regulatory framework for electronic communications networks and services (framework directive), as amended from Directive 2002/19/EC (OJ L 337, 18.12.2009, p. 37) - Article 17 (Standardisation)

Decision No. 676/2002/EC on a regulatory framework for radio spectrum policy in the European Community

Assessment of impact on administrative costs and burdens

Since the major part of the core network in Greece has been finished, the majority of the projects in the near future are expected to become more standardised. The reduction in time results from the preparation of the application dossier by 30% (1.5 hours), while it also expected that consulting costs can be reduced by 25%.

On this basis, the reductions in both administrative burdens and costs for this recommendation have been calculated as a reduction of EUR 2 498 877.

Total for this recommendation		
Measured relevant IOs:	Estimated future figures:	Reduction potential:
AB=EUR 8 030 884.15 AC=EUR 12 355 206.39	AB=EUR 5 532 006.75 AC=EUR 9 856 328.98	Reduction of EUR 2 498 877.40 AB EUR 2 498 877.40 AC

of which:

IO 50: Obligation to apply to authorities for permission to obtain right of way to run a fixed network through public and communal property		
Measurement results:	Estimated future figures:	Potential reduction:
P = EUR 2 643.96 f= 1 Q= 4 673 BAU= 35% AB=EUR 8 030 884.15 AC=EUR 12 355 206.39	P = EUR 2 109.21 f= 1 Q= 4 673 BAU= 44% AB=EUR 5 532 006.75 AC=EUR 9 856 328.98	Reduction of 31% (of IO 50) Reduction of EUR 2 498 877.40 AB EUR 2 498 877.40 AC

3.2.6. Identification of “low-impact projects” requiring simpler approval process or no approval for right of way

Summary of recommendation

The implementation of this recommendation is calculated to reduce both administrative burdens and administrative costs by EUR 4 600 113 on a stand-alone basis.

Fixed network expansion projects with potentially low impacts should be defined based on clearly defined criteria (e.g. projects up to a certain amount of metres, or mere repair projects). The application process for these projects could be simplified requiring fewer pre-approvals and documentation, thus limiting instances which require a full application process.

This recommendation would reduce the number of applications needed as well as the time spent on the preparation of dossiers. It would therefore enable faster expansion of the existing infrastructure.

IOs affected

This recommendation reduces administrative costs primarily for the following Information Obligations:

IO 50: Obligation to apply to authorities for permission to obtain right of way to run a fixed network through public and communal property

Background and rationale

All fixed network expansion projects, which are required to obtain a right of way, regardless of their size and complexity, need to follow the same application process (e.g. it has been reported that certain authorities may substantiate a road incision of only a few centimetres after the completion of works throughout the road’s width).

A central authority should be responsible for defining “low impact” projects (e.g. projects up to a certain amount of metres, or mere repair projects), whereby the application process could be simpler, requiring fewer pre-approvals and documentation, thus limiting instances which require a full application process. In specific cases (e.g. small repair projects), the elimination of the approval process is proposed and replacement with a notification to the competent authorities. Agreement on the date and time that works can take place will still need to be agreed, so that measures can be taken before the construction commences e.g. diversion of traffic, etc. Competent Authorities will have to reply within a set deadline on the proposed date of works commencement, otherwise they will need to justify the reasoning for postponement.

For example, under Australian Government legislation carriers are permitted to install “low-impact facilities” without the need to obtain local government planning approval. Low-impact facilities are those that are considered essential to maintaining telecommunications networks, but are of low visual impact and unlikely to cause significant disruption to the community during installation or operation. They include, but are not limited to, telecommunication towers less than 5 metres high attached to buildings, underground cabling and in-building subscriber connections.

Description of current situation

There is no provision for a simplified process for cases of low impact projects.

Even the most minor expansion and repair projects, which may require construction of as little as one day or planned works which are in areas where there already exists a fixed network are required to follow the main process, which may have a duration of weeks or even months.

Description of desired situation

There is an agreement on the definition of the “low-impact” projects.

These projects require a simpler application process (e.g. omitting pre-approvals by Archaeology Departments in cases where other subterranean networks already exist along the desired route) or even eliminating the need for an approval all together (e.g. for small repairs) which are replaced by simply informing the Authority in advance and receiving agreement for the date and time that works can take place

Legislation to be examined

On the basis of an assessment of the current situation and the legislation in scope identified in the previous stages of the project, in order for the recommendation to be implemented there needs to be a review and/or amendment of the following national legislation taking into consideration the EU legislation in this priority area:

National Legislation:

Law 4070/2012 on Electronic Communications, Article 28 on rights of way

Joint Ministerial Decision 725/23/04.01.2012 “ Procedure for granting electronic communications network rights of way” – GG 5 of 5th January 2012

National Legislation regarding the jurisdiction of other government entities in this area:

Law 4014/2011 on Environmental licensing of projects and activities

Law 3028/2002 on the protection of antiquities and cultural heritage

Law 2971/2001 on seashore, coast line and other provisions
P.D. 14.7.1999 Code of Basic Civil Planning Regulation

Joint Ministerial Decision No. 198015/2012 “Model environmental conditions for mobile telephone base stations” – GG 1510/B/4.5.2012

Ministerial Decision No. 1958/2012 “Categorization of public and private projects and activities in categories and subcategories according to article 1 par. 4 of Law 4014/2011” – GG 21/B/13.1.2012

Ministerial Decision No. 20741/2012 “Amendment of Ministerial Decision No. 1958/2012” – GG 1565/B/8.5.2012

Ministerial Decision No. 15277/2012 “Specialization of categories for incorporation of the approval for intervention provided in the provisions of Woodland Legislation in the Decisions Approving Environment Terms or the Model Environmental Conditions for projects and activities of categories A and B of the Ministerial Decision 1958/2012” – GG 1077/B/9.4.2012

EU legislation which sets relevant obligations in this area (references are to consolidated versions)

Directive 2002/21/EC on a common regulatory framework for electronic communications networks and services (framework directive), as amended from Directive 2002/19/EC (OJ L 337, 18.12.2009, p. 37) - Article 11 (Rights of way)

Assessment of impact on administrative costs and burdens

This recommendation is expected to eliminate the number of applications for pre-approvals and right of way by 30%. For the remainder of applications, it is estimated that contractor fees can be reduced (by 20% for 10% of the remaining applications assumed to fall under the simplified application process and by 40% for 20% of the remaining applications replaced with notifications). Also, the time spent on preparing application dossiers is expected to be reduced by 20% (1 hour), due to the simpler preparation requirements for the affected by this recommendation projects.

On this basis, the reductions in both administrative burdens and costs for this recommendation have been calculated as a reduction of EUR 4 600 113.

Total for this recommendation		
Measured relevant IOs:	Estimated future figures:	Reduction potential:
AB=EUR 8 030 884.15 AC=EUR 12 355 206.39	AB=EUR 3 430 711.11 AC=EUR 7 755 093.35	Reduction of EUR 4 600 113.04 AB EUR 4 600 113.04 AC

of which:

IO 50: Obligation to apply to authorities for permission to obtain right of way to run a fixed network through public and communal property		
Measurement results:	Estimated future figures:	Potential reduction:
P = EUR 2 643.96 f= 1 Q= 4 673 BAU= 35% AB=EUR 8 030 884.15 AC=EUR 12 355 206.39	P = EUR 2 370,79 f= 1 Q= 3 271 BAU= 56% AB=EUR 3 430 711.11 AC=EUR 7 755 093.35	Reduction of 57% (of IO 50) Reduction of EUR 4 600 113.04 AB EUR 4 600 113.04 AC

3.3. Suggested sequencing and prioritisation

The sequencing and prioritisation of these recommendations should depend on both their relative impact and difficulty. The difficulty is best appreciated by the relevant Ministries of the administration, which also have competing priorities.

The Telecommunications priority area is the ninth largest priority area covered by this project in terms of the size of its administrative burdens and it affects a relatively limited number of businesses (including sole traders/freelancers) in the economy. Therefore in relative terms within the administrative burden reduction project, the implementation of recommendations in this area should be accorded **medium** priority.

Comparative analysis of the recommendations shows that:

- **Identification of “low-impact projects” requiring simpler approval process or no approval for right of way** will have the highest impact in reducing administrative burdens. It involves definition of fixed network expansion projects with potentially low impacts by competent authorities and simplification of the application process for these projects. It would reduce the number of applications needed as well as the time spent on the preparation of dossiers. It would therefore enable faster expansion of the existing infrastructure.
- **Setting of Accepted Technical Standards in order to reduce required documentation for fixed telephony network expansion projects** will have the second highest impact in reducing administrative burdens. It involves developing of a set of generally accepted technical standards that could be used for this type of projects, applicants would only declare adherence to these standards.
- **Establishment of an ‘electronic one-stop-shop’ for right of way application process** will have the third highest impact in reducing administrative burdens. It involves creating an electronic one-stop shop which would allow applicants to submit their applications for right of way to only one competent authority.

Some legislative amendments have already been prepared with the aim to reduce the need for modifications of base station permits. Concerning other recommendations, we suggest that the Ministry starts working on setting the Accepted Technical Standards as well as on the identification of “low-impact projects” without further delay. At the same time, an interministerial task force should be established to enable discussion among involved authorities on how to “centralise” the application process both for fixed telephony and mobile base station projects and also how to connect all involved authorities to the SILYA system and a similar system for right of way application process.

Government and businesses should co-operate and act jointly in order to successfully reduce administrative burdens. The government should take the lead in abolishing and/or simplifying regulations or practices and involve and consult sector organisations and businesses throughout the implementation process.

3.4. Other issues

The following relevant issues were raised by stakeholders during the project. They are not administrative burden reduction recommendations within the scope of this priority area, but they are irritations to business which the government could consider addressing:

- Effective utilization of Certification of Completeness (Base Stations)

Currently, telecommunication companies may proceed with the construction of a base station having obtained a “Certification of Completeness”, while approvals from authorities such as Archaeological Ephorates and Forest Inspection Offices are still pending. These local Authorities need to go out “in the field” and perform site visits in order to be able to grant their authorization, however these are commonly delayed significantly. Under the current framework, any decisions of rejection by Archaeological Ephorates and Forest Inspection Offices which are taken later on, lead to the revocation of the Certification of Completeness and the construction of the base station must stop. If the base station was already operational then it must be dismantled, with significant costs for the telecommunication providers. During measurement, it was stated by all interviewees that one of the most common reasons for rejection of applications by Archaeological Ephorates is “visual contact” with a monument, which in some cases might be ambiguous as per to definition, while objections could not always be linked with specific provisions within the legislation.

A re-determination of the significance of the “Certification of Completeness” is therefore proposed. Firstly, Competent Authorities must set clear standards which can effectively guide businesses (explained via codified requirements and the development of guidelines / case studies), as to what constitutes a violation which may lead to a revocation of a Certification of Completeness later on. This standardisation will ensure that mobile operators will know exactly what the pre-conditions are to be met in order to state that they comply with them. This could be, for example, a minimum distance from a historical monument, the maximum height when close to a monument, etc.

By making the standards clear in order for the licence to be granted, effectively there is no real need for a Certification of Completeness. Ex-post controls by competent authorities can still take place and will be based on the set standards / criteria and will not rely on the subjectivity of the inspector, which is common at the moment. If a company is found during an ex-post control not to be in compliance with the standards, then the permit will be revoked.

The above recommendation though will ensure that instances where companies are required to dismantle a base station due to pure “subjective” judgement received after the base station has begun operation are significantly reduced.

- Development of GIS mapping in order to facilitate rights of way application

A GIS project for the mapping of all networks (telecommunication, natural gas, water, drainage, etc) per local authority is considered essential as companies would know exactly to which Authority they would have to apply to, if they would require pre-approvals i.e. from Natural Gas operators, etc.

The project is currently under way and should also include a mapping of base stations.

3.5.Conclusion

This report identifies the priority area telecommunications as the ninth largest of the 13 priority areas covered by the project in terms of the total administrative costs and administrative burdens measured. On the basis of the fieldwork, the total administrative costs were measured at EUR 20.77 million and the total administrative burdens at EUR 14.76 million.

This is explained in part a relatively low number of businesses affected by regulations in this sector. Nevertheless, according to the measurement data they have to face some significant administrative burdens that can be reduced through the recommendations. This would attract more investments and improve development of the Telecommunications sector in Greece.

This report makes six recommendations for administrative burden reduction measures on Telecommunications²:

Recommendation	Calculated reduction in administrative costs	Calculated reduction in administrative burdens
“Centralisation” of the application process for mobile base stations and fixed network permissions*	EUR 2 079 277	EUR 2 079 277
Connection of all competent authorities to the electronic application system (SILYA)*	EUR 606 563	EUR 606 563
Reduction of the need for modification of base station permits and certifications of completeness	EUR 1 826 305	EUR 1 826 305
Establishment of an ‘electronic one-stop-shop’ for right of way application process*	EUR 2 085 703	EUR 2 085 703
Setting of Accepted Technical Standards in order to reduce required documentation for fixed telephony network expansion projects	EUR 2 498 877	EUR 2 498 877
Identification of “low-impact projects” requiring simpler approval process or no approval for right of way	EUR 4 600 113	EUR 4 600 113

The IOs with the most reduction potential in this Priority Area are Identification of “low-impact projects” requiring simpler approval process or no approval for right of way; Setting of Accepted Technical Standards in order to reduce required documentation for fixed telephony network expansion

² In line with standard practice, the reduction calculations have been made individually for each recommendation. It is therefore not possible to add together these calculated reductions to obtain an overall total reduction because different recommendations affect the same obligations. The overall reduction obtained depends on the sequencing of recommendations. The impact of the recommendations marked * would be reduced by the other recommendations being implemented, and the impact of recommendations which are not marked would be affected similarly by prior implementation of the recommendations marked *.

projects; Establishment of an ‘electronic one-stop-shop’ for right of way application process and “Centralisation” of the application process for mobile base stations and fixed network permissions. The recommendations will result in a considerable reduction of administrative burdens, faster development of communication infrastructure in Greece and increased investments in this sector. In addition, they would also reduce inconsistencies in applying legislation in this sector and therefore also reduce space for maladministration and corruption.

The involvement of businesses is key to achieving the burden reduction through implementation. The government should take the lead and also ensure that businesses and their representatives are consulted and engaged during implementation to assure that solutions are well-designed.

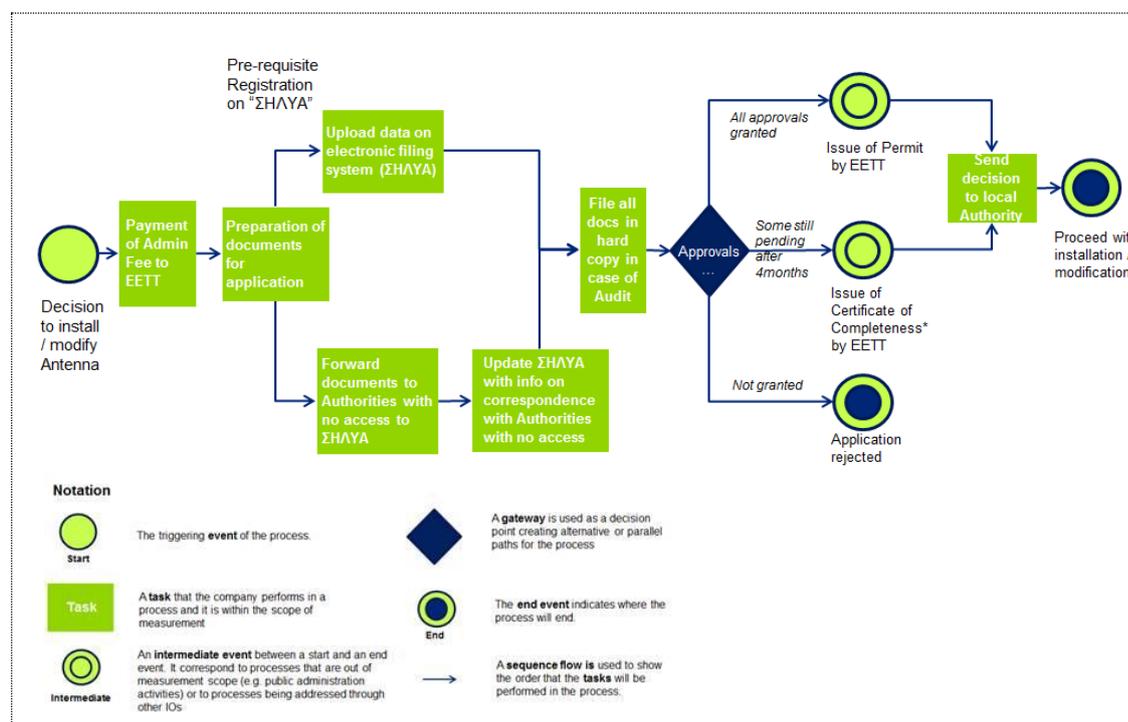
Annex 1: Analysis of information obligations and quantification of administrative costs

This Annex provides the measurement results of the study per IO within this Priority Area. For every IO the origins and process description are presented and the detailed measurement results are described and analysed.

1.1. Obligations relating to applying for a permit to install or modify a mobile communications antenna (base station) – IO49

1.1.1. Origins and process of the information obligation (brief assessment of purposes of IO)

Figure 1.1 Process for complying with the requirement “Obligation to apply for a permit to install or modify a mobile communications antenna (base station)”



Law 4070/2012 provides the legislative framework for the installation of mobile communication antennas. According to the law, before the installation or modification of a mobile communication antenna, interested parties must submit a complete file via EETT’s electronic filing system “SILYA”, which functions as a “one-stop shop”. Furthermore, EETT’s Decision Nr. 661/2 as published in the Government Gazette no. 2529 (17/9/2012) describes the process to be followed.

Mobile communication providers in order to install a new or modify an existing antenna (base-station) must firstly apply for a permit with EETT, the National Telecommunications Regulatory Authority. Each application is comprised by a number of approvals or studies by competent authorities such as the Civil Aviation Authority, the Greek Atomic Energy Commission as well as local Urban Planning Offices and under circumstances Archaeological Ephorates and/or Forest Inspection Offices. Therefore before applying to EETT, the mobile communication providers must have firstly applied to the relevant competent authorities.

Authorized staff members of the mobile communications providers which have access to EETT’s electronic filing system (SILYA) upload all relevant documentation (approvals, studies, applications), which EETT will process and then proceed to either a) issue the permit for the new or modified base

station, b) issue a Certificate of Completeness, which also provides mobile communication providers with the right to proceed with the installation / modification of the antenna, provided that minimum approvals by the Civil Aviation Authority and the Greek Atomic Energy Commission have been provided, or c) reject the application.

Once the permit or Certificate of Completeness has been provided, the mobile communications providers must inform the relevant local authority (Municipality) and may then proceed with the desired installation / modification.

It must be mentioned that the process to be followed in the event of a desired modification of a base station does not differ from the process for applying for a permit for a new installation. In order to modify an existing permit or Certificate of Completeness, mobile communication providers submit once again through the electronic filing system (SILYA) the complete file of the base station containing all documents. The applicant files the application, study or approval which must be updated due to the desired modification of the base station as well as all documents that were filed in the original dossier for the permit which are not affected by the planned modification. A similar approval process by EETT then ensues.

1.1.2. Results from measurement and quantification

The IO is divided into two parts, with the first one (a) addressing new applications and the other (b) to modifications of mobile communications antennas.

Table 1.1 Composition of Administrative Cost and Administrative Burden (IO 49)

PA: Telecommunications	Price (P)				Nr of entities / occurrences (q)	frequency (f)	BAU (%)	Total AB (in EUR million)	Total AC (in EUR million)
	Time (in minutes)	Consulting costs (in EUR)	Out of pocket / Equipment Costs (in EUR)	P (in EUR)					
IO 49a: Obligations relating to applying for a permit to install or modify a mobile communications antenna (base station) – new base station									
Non-segmented	2 480	6 500	120	7 646	515	1	20	3.15	3.94
IO 49b: Obligations relating to applying for a permit to install or modify a mobile communications antenna (base station) – modifications									
Non-segmented	1 240	2 000	120	2 633	1 702	1	20	3.59	4.48

Note: All of the above costs do not include environmental related obligations that are being addressed by the Priority Area “Environment” such as the task of preparing the Statement for subjection to Standard Environmental Commitments or Environmental Impact Studies.

Standardised description of the activities related to the IO 49

The main employee type involved in the process is under the category “Professionals” representing the Mechanical Engineers of Telecommunications companies’ technical departments. The above mentioned figures of “q” refer to the average number of applications for new base stations as well as modifications respectively during the last three years.

More specifically the standardized process to be followed in the event of an application for installing a new or modifying an existing mobile communications antenna (base station) is described below:

1. Preparation of dossier:

The Company prepares documentation for the application. This includes the following:

- Standardised application of the electronic filing system (SILYA), containing applicants information, description of services to be provided by the antenna, description of the antenna installation, technical characteristics, etc
- Application towards EETT containing the decision number granting the right to use specific radio-frequency and under circumstances a study for the protection of stations of the National System for Management and Monitoring of Spectrum
- Application to the Hellenic Civil Aviation Authority (HCAA) on the safety of aviation
- Study of electro-magnetic radiation justifying a positive opinion by the Greek Atomic Energy Commission (GAEC)
- A statement for subjection to Standard Environmental Terms (SET), which is the usual case for urban base stations or under circumstances an Environmental Impact Study, in the cases of larger rural base stations
- Study for the installation of the construction under urban planning / zoning laws
- Other possible applications / declarations / notifications as included by the applicant
- Solemn declaration that dossier is complete and all data is true and accurate
- Receipt of payment of Admin Fee

The total time for the preparation of the dossier for new antennas is estimated to require 2 260 minutes (4.7 days).

The above step of preparation of the application documentation is usually performed with the support of contractors at a fee (approx. EUR 6 500 per application). To a large extent all applications which must be made to local competent authorities (i.e. local Urban Planning Offices, local Archeological Ephorates, local Forest Inspection Offices) are handled by the contractors, while “centralized” applications i.e. towards the HCAA or GAEC are handled by the mobile communication providers in-house. To these costs the EETT Admin Fee of EUR 120 per application must be added.

2. Submission of Dossier

The company then uploads all Applications / Studies which constitute the complete dossier onto the electronic filing system (SILYA). This has as a pre-requisite the registration on electronic filing system by authorized company staff.

This step usually, as it is very technical in its nature is performed by highly skilled staff members (usually mechanical engineers), which are the authorized users of the SILYA system and cannot be performed e.g. by administrative staff.

If applications / studies / approvals are required from Competent Authorities which do not have access to SILYA (i.e. Archeological Ephorates, local Forest Inspection Offices, etc), the company updates the SILYA with relevant correspondence with these Authorities (protocol numbers, receipts for submitted documents, etc)

Companies usually have the relevant documentation previously scanned with the support from the contractor, a task which is included in the overall service fee received for the support of the application process.

The total task of uploading documentation on to the SILYA system takes approximately 220 minutes (3.6 hours) for a normal efficient business.

3. EETT review and decision:

EETT proceeds with one of the following steps after reviewing the dossier:

- Issue of Permit to install antenna, if dossier is complete and all Competent Authorities have given their approval, or, rejection of application under circumstances i.e. there is a rejection from one Authority, the dossier is not complete, statement for subjection to Standard Environmental Terms is incomplete, application refers to an antenna already in use, etc.
- Issue of Certificate of Completeness, if all of the following circumstances are met:
 - the dossier is complete,
 - 4 months have elapsed,
 - as a minimum the Civil Aviation Authority and the Greek Atomic Energy Commission have consented
 - EETT has provided right to use radio-frequency (if it was required)
 - there are no pending replies to clarifications or additional information required and
 - there has not been a rejection from any Competent Authority.

It must be noted that the company may proceed with the installation / modification of the antenna with only the Certificate of Completeness, however by decision of EETT this Certificate may be revoked if at least one of the pending approvals from a Competent Authority is not granted. The company is then notified by EETT in such an event and must proceed with the immediate dismantling of the antenna construction.

4. Notification of local authority:

The company notifies the relevant local authority of the antenna location with the decision (Issue of Permit or Issue of Certification of Completeness) for their information, a task that only takes a few minutes to be performed as it entails the mere forwarding of EETT's decision.

5. Modification of Mobile Communication Antennas

The above described process is also required for the modification of mobile communication antennas. More specifically companies apply for a permit to modify a permit or the Completeness Certification if changes to the characteristics of an antenna are to be undertaken.

The applicant files the application, study or approval which must be updated due to the desired modification of the base station as well as all documents that were filed in the original dossier for the permit which are not affected by the planned modification, via SILYA. A similar approval process by EETT then ensues.

The preparation of the dossier in the case of a desired modification of an existing antenna requires approximately 1 080 minutes (2.3 working days), while the uploading of documentation on to the SILYA system requires 160 minutes (2.6 hours).

A significant portion of tasks to be performed within the application process for modifications are again outsourced to contractors, which per application charge approx. EUR 2 000 for their services. To these costs the EETT Admin Fee of EUR120 per application must be added.

It must be mentioned that companies are currently in the process of following the modification procedure for all base stations that were approved before the implementation of the SILYA system. This means that companies are currently following a “modification” process for all these base stations, so that they can be uploaded on to the SILYA system, having firstly gained all approvals as per the current legislation. A deadline has been set for the 7th March 2014 for this task to be completed.

1.1.3. Analysis of measurement results IO 49

The measurement results show that if these IOs (apply, reporting, inspections) are completely removed, the administrative burden for the Greek economy would be reduced by EUR 6 735 128. The administrative cost reduction if this IO is abolished completely would amount to EUR 8 418 910.

The preparation of the dossier is the most burdensome activity within the process, amounting to 91% of total time spent within the process for the case of new base stations and 87% for the case of modifications. The preparation of the dossier encompasses the groundwork for the SILYA application which includes all technical data of the base station, while it also encompasses the preparation of other applications / studies towards competent Authorities such as EETT, the Hellenic Civil Aviation Authority (HCAA), the Greek Atomic Energy Commission (GAEC) and under circumstances Urban planning offices, Archaeological Ephorates, Forest Inspection Offices, etc.

In normal cases of modification, most of the needed documentation exists from the initial application; therefore the time to prepare the dossier is reduced by over 50%.

During interviews companies stated modest levels of Business as Usual, which at a standardized level amounts to 20%, as interviewees mentioned they would only perform specific activities e.g. related to the study of radio-emissions and structural studies and would not perform other activities such as seeking approval from Archaeological Ephorates, Forest Inspection Offices, Urban Planning Offices, etc.

The submission of data is also quite burdensome as it also encompasses the scanning and uploading of all documents from and correspondence with competent Authorities which have no access to SILYA (note: the only Authorities which currently have access to ΣΗΛΥΑ are EETT, the HCAA and the GAEC). This task amounts to 9% of total spent time on the process of applying for new antennas and 13% of the total spent time on the process of applying for modifications.

Main irritation points

The suggestions presented below represent the views of businesses collected through the interviews conducted. They do not take into account the views of the OECD, the Greek authorities or the consultants’ assessment.

The most significant irritating points regarding the process of application for a permit to install or modify mobile communication antennas are displayed below:

- Not a true “one-stop-shop”:

The process which is currently followed namely the application via EETT's SILYA system aims to function as a one-stop-shop, however due to the fact that the only Authorities which have online access to this system are EETT, the Greek Atomic Energy Commission and the Hellenic Civil Aviation Authority, while other Authorities such as Archaeological Ephorates, local Urban Planning Offices and local Forest Inspection Offices are not "online" does not allow for a fully electronic one-stop-shop process.

Moreover, applications to authorities which are not online, namely Archaeological Ephorates, Urban Planning Offices and Forest Inspection Offices, are submitted at the respective local offices even in the most remote areas and not at one centralized Authority. It is typical of the process that applications must be made to three separate local Archaeological Ephorates (Prehistoric and Classical Antiquities, Byzantine Antiquities, Modern Antiquities). For each application multiple visits to these local authorities might be required in order to gain information regarding the status of each application.

- Delays in the process:

Delays in approvals from local authorities, which in some cases might reach 4-5 months suggest that these authorities such as the Archaeological Ephorates and Forest Inspection Offices do not have the needed resources to address these applications, as public servants from these local Authorities need to go out "in the field" and perform autopsies in order to be able to grant their authorization.

The above mentioned delays in the process do not only lead to opportunity costs but there are also additional sunk costs as rent is paid for the desired location (land plot or roof of building) of the base station throughout the application period, since the precise location is a prerequisite for the application. Moreover delays in the approval process lead to faster depreciation of unused materials and equipment.

Although the Certification of Completeness is to be issued after four months (if the dossier is complete and all requests for clarifications have been addressed), delays occur regularly.

The lack of continuity in government administration leads to significant delays and even a de facto standstill in the approvals of applications.

One of the most mentioned irritating factors has to do with the interpretation of the legislature with regards to the revocation of a permit. Although the legislature (EETT Decision 661 - GG 2529/2012) mentions that a permit will be revoked after a non-appealable revocation has occurred, permits are revoked even when the revocation is being appealed, without waiting for a finality of judgment. The appeals process of course adds significantly to the time delays.

Currently companies are required to prepare applications of modification for all existing base stations which were approved before the implementation of the SILYA system (the third time this has been performed after an equal number of legislature changes). It is estimated that approximately 40% of existing base stations still need to be uploaded and approved via SILYA before the set deadline of 7th March 2014. The current rate of approvals creates uncertainty as to if this deadline can be achieved, e.g. a certain company mentioned that in previous periods up to 80 base station approvals were granted per month, while currently up to 10 approvals are granted per month.

- Ambiguity in rejection - revocation justifications / process:

One of the most common reasons for rejection of applications by Archaeological Ephorates is "visual contact" with a monument, which in some cases might be ambiguous as per its definition.

Such decisions are usually appealed by the mobile communication providers, however appeals to the CAC (Central Archaeological Council) can take even 1-2 years and delay the procedure.

The fact that companies incur legal costs with regards to appeals, refuting of charges and complaints within the application process for new base stations as well as existing approved base stations, was also mentioned as a irritating factor.

- Revocation after Certification of Completeness:

Revoked approvals at later times (e.g. after a base station has been built with a Certification of Completeness lead to significant costs for companies e.g. dismantling costs for the stations (up to EUR 6 000 per antenna), costs for the redesign of networks, as well as loss of revenue.

- The need for record keeping in hard copy:

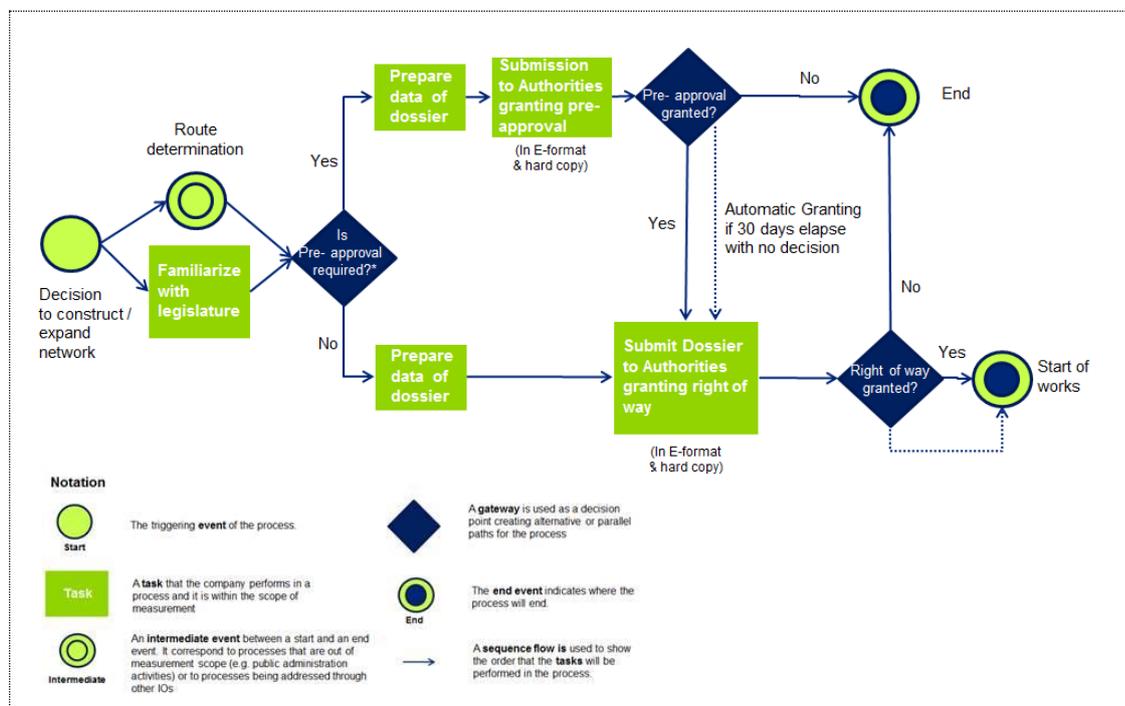
Finally, the fact that the companies need to keep full records of the application dossier of each base station in hard copy (in the event of an Audit) creates a significant overhead. In some cases companies reported to need storage space of several hundred square meters as well as significant costs (e.g. for shelves, folders, boxes, etc)

On the one hand all hard copy files are scanned and uploaded on to SILYA, while on the other hand electronic approvals are printed in order to be archived in the hard copy file of each base station.

1.2. Obligations relating to applying to authorities for permission to obtain right of way to run a fixed network through public and communal property – IO50

1.2.1. Origins and process of the information obligation (brief assessment of purposes of IO)

Figure 1.2 Process for complying with the requirement “Obligation to apply for permission to obtain right of way to run a fixed network through public and communal property”



Law 4070/2012 provides the legislative framework for permissions of right of way when running a fixed network through public and communal property. Electronic Telecommunications providers may gain the right of way for their fixed networks on, over or under public and communal property, however firstly they must apply for permission from the local Authority (Municipality or Region), which is authorized to grant the right of way. Under circumstances, pre-approvals are required by competent authorities such as Archaeological Ephorates, local Forest Inspection Offices, Urban Planning Offices, Port Authorities, the Ministry of Defence, the Ministry of Environment, Energy and Climate Change, etc. Joint Ministerial Decision 725/23 as published in the Government Gazette no. 5 (5/1/2012) outlines the circumstances under which a pre-approval is required as well as the application process to be followed, both if pre-approvals are required or not.

Firstly a company reaches the decision to construct or expand its fixed network and determines the desired network route. The company must then determine whether the desired network route requires a pre-approval or not. Cases under which a pre-approval is required include instances when a desired fixed network passes through areas such as traditional settlements, Ministry of Defence areas, Natura 2 000 areas, archaeological sites, ports, forest or areas under re-forestation, etc. In such an event the company must firstly apply to the relevant competent authorities granting pre-approval.

Once the pre-approval has been granted or if 30 days have elapsed after the application and without action on behalf of the competent Authority, the company may proceed with its application to the Authority granting the right of way, namely usually Municipalities or Regional Authorities. The Authorities review the application and may either grant the right of way or reject the application under certain circumstances. If however 30 days elapse without action on behalf of the responsible Authority, the company may proceed with the start of works following an extrajudicial statement.

1.2.2. Results from measurement and quantification

Table 1.2 Composition of Administrative Cost and Administrative Burden (IO 50)

PA: Telecommunications	Price (P)				Nr of entities / occurrences (q)	frequency (f)	BAU (%)	Total AB (in EUR million)	Total AC (in EUR million)
	Time (in minutes)	Consulting costs (in EUR)	Out of pocket / Equipment Costs (in EUR)	P (in EUR)					
IO 50: Obligations relating to applying to authorities for permission to obtain right of way to run a fixed network through public and communal property									
Non-segmented	348	2 500	-	2 644	4 673	1	35	8.03	12.36

Standardised description of the activities related to the IO 50

The main employee type involved in the process is under the category “Professionals” representing the Mechanical Engineers of Telecommunications companies’ Technical Departments. The above mentioned figures of “q” refer to the average number of applications for right of way of fixed network through public and communal property during the last 3 years.

More specifically the standardized process to be followed for applying to authorities for permission to obtain right of way to run a fixed network through public and communal property is described below:

1. Familiarisation with legislature

Under circumstances, depending on the route of the network to be followed a pre-approval / permission for the granting of right of way must be acquired. Having determined the desired route, the company must familiarise itself with the legislature in order to determine if a pre-approval is required or not and to which Competent Authority it must apply to. It must be noted that a pre-approval is required if the network route passes through areas such as protected areas, traditional settlements, Ministry of Defence areas, Natura 2 000 areas, archaeological sites, ports, forest or areas under re-forestation, while for certain structures a building permit or simple approval by the local planning office may be required. This task requires approximately 40 minutes for a normal efficient business.

2. Preparation of Dossier / Submission to Authorities granting pre-approval

The company then prepares the dossier (in electronic format and in hard copy) and submits it to the relevant authorities. The dossier must include the following documents:

- Application according to the template provided
- Legal documentation of the company
- Solemn declaration with details on contractors which will conduct works
- Design / drawing of route to be followed
- Detailed budget for reconstruction works according to price listings of Ministry of Environment, Energy and Climate Change
- Technical description of work and equipment to be used

- Certificate of EETT (of the latest semester), stating that applicant operates under the General Permits scheme, providing public electronic communications networks
- Detailed description of works (schedule, route, safety measures, potential diversion routes for mass transport, etc)

Companies are usually supported in the preparation of the dossier by the contractor which will assume the construction works, at a service fee which is estimated at EUR 2 500 per application, which is either invoiced and charged separately or included in the overall construction costs. As the dossier is usually prepared by the contractors, companies spend an approximate time of 280 minutes (4.6 hours) per application in order to review, sign relevant documents, etc.

3. Review by Competent Authority granting pre-approval

The Competent Authority has 30 days (90 days for private networks), assuming the dossier is complete, in order to review and decide to grant pre-approval / permission.

More specifically the Competent Authority may:

- Reject the application
- Modify the proposed route
- Grant pre-approval / permission

Pre-approval is granted automatically if 30 days (90 days for private networks) elapse with no decision by the Authority. In that case, the company is required to deliver to the Competent Authority an extrajudicial declaration which together with a certified copy of the application showing the protocol number serves as the pre-approval / permission. However, this is not considered normal practice and therefore no extra time / costs have been included.

4. Preparation of Dossier / Submission to Authorities granting right of way

The company then prepares the dossier (in electronic format and in hard copies) and submits it to the relevant authorities. The dossier must include all documents as submitted to the authority granting pre-approval as well as:

- Detailed budget of transit fees and right of way fees
- The pre-approval / permission granted (if it was required)

Physical submission is usually handled by contractors, however all applications are signed by the responsible executives of the Telecommunications providers. As all relevant documentation is prepared in order to be submitted (if so required) to the competent Authority granting pre-approval, no new effort is required for the preparation of the dossier to be submitted to the competent Authority granting the right-of-way.

5. Review by Competent Authority granting right of way

The Competent Authority has 30 days (90 days for private networks), assuming the dossier is complete, in order to review and decide to grant right of way. More specifically the relevant authority may:

- Reject the application
- Modify the proposed route and / or schedule

- Grant right of way

The deadline is normally observed; while companies, even in the case of delay, are scarcely make use of their right to proceed with the construction works following an extrajudicial statement.

6. Handling of Clarification requests of Competent Authority

The Competent Authority may require clarifications regarding the technical details of the desired network expansion project. These are mainly handled by the contractor; however, another 30 minutes per application are required by the Telecommunications technical department staff.

After permission is granted, the company will need to deposit one off transit fees at the Greek Loan and Consignment Fund and then proceed with works. Additional fees to the local Authority are due each year. Both are calculated based on the length of the network and other factors, while transit fees take into account even the average objective value of landed property of the municipality or the region. These costs start occurring after the approval granting and are not included in the standardized costs of the application process.

1.2.3. Analysis of measurement results

The measurement results show that if these IOs (apply, reporting, inspections) are completely removed, the administrative burden for the Greek economy would be reduced by EUR 8 030 884. The administrative cost reduction if this IO is abolished completely would amount to EUR 12 355 206.

The preparation of the dossier is the most burdensome activity within the process, amounting to 80% of total time spent within the process. The preparation of the dossier encompasses the groundwork for the application which includes legal documentation, technical details of the project, details on contractors, design of the desired route, budget information, EETT Certificate, etc.

However prior to the preparation of the dossier, companies need to familiarize themselves with the legislature, namely determine if a pre-approval is required or not and to which Competent Authority it must apply to. This particular activity although not especially burdensome is rather irritating, as companies do not always have a clear view as to which Authority they must apply to, thus creating delays in the process.

Finally, although contractors usually handle the physical submission of the dossier to the relevant competent Authorities, companies must liaise with contractors or also with staff members of the relevant competent Authorities in order to reply to requests for clarifications with regards to the submitted dossier.

As stated above, if 30 days (or 90 days for private networks) elapse with no decision by the Authority, the right of way is automatically granted. However the company is required to deliver to the relevant Authority an extrajudicial declaration which together with a certified copy of the application showing the protocol number serves as the granted right of way. Even in cases where the deadline is not observed they choose to maintain a positive relationship with the Authorities and therefore scarcely make use of their right to proceed with the construction works following an extrajudicial statement.

Cases were identified, where companies, may incur additional expenses, as Authorities in some instances ask for other “compensatory works” in order to grant the right of way i.e. in kind or monetary sponsorships (e.g. for children’s sports teams), the execution of other non-related construction works, provision of wi-fi equipment. Again this is not considered normal practice although these costs may be in the range of EUR 2 000 – EUR 5 000 per application.. There is evidence from the market that this practice has somewhat diminished in recent years. Currently they approximately apply to 5-10% of the applications.

Interviewees cited a standardized 35% of the effort to be Business as Usual, as they mentioned that companies would only perform specific activities e.g. related to the design of the route and technical specifications of the desired network expansion and would not perform truly burdensome activities based on their point of view such as seeking approval from Authorities granting pre-approval e.g. Archaeological Ephorates, Forest Inspection Offices, Urban Planning Offices, etc.

Main irritation points

The suggestions presented below represent the views of businesses collected through the interviews conducted. They do not take into account the views of the OECD, the Greek authorities or the consultants' assessment.

- Fragmented Process – Lack of a “one-stop shop”

The process is not supported by a “one-stop shop”, to the contrary companies need to apply to a multitude of Authorities granting permission i.e. Archaeological Ephorates, Forest Inspection Offices (as a pre-approval) as well as the Authorities granting the actual right of way, which according to the predefined route chosen may be more than one (various sections of the route may have different responsible Authorities)

- Non-adherence to Standardized Process and Legislature

As mentioned during interviews, although the process as well as the required paperwork to be included in the application is outlined in the JMD 725/23 (GG 5 of 5/1/2012), this is in fact not followed across all Authorities.

Although the legislature states that Authorities may only charge transit fees and right of way fees, companies mentioned that certain Authorities ask for other compensations in order to grant the right of way i.e. in kind or monetary sponsorships, the execution of other non-related construction works, etc. Although not mentioned in the legislature, a certain municipality requests a fee of 90EUR per building block in the desired route within the application process.

Furthermore, although the amounts for right of way fees and transit fees are defined in the legislature, several Authorities demand higher amounts either because they unaware of the legislature or because they consider the fees inadequate.

Once the right of way has been granted, Authorities may ask for letters of guarantee from companies (performance guarantees) in order to ensure that after the completion of construction works, the route shall be reconstructed to its previous state. Although the allowed guarantee amount as well as allowed duration is defined in the legislature, Authorities require longer and higher guarantees. Moreover, Authorities delay the inspection of works and therefore delay the return of letters of guarantee to the companies

Although it is clearly stated in the legislature (JMD 725/23 - GG 5 of 5/1/2012) that Authorities will carry the responsibility and costs in the case of a required transposition of the Telecommunications equipment i.e. due to reconstruction / expansion of road networks, certain Authorities in order to grant the right of way require the signing of a special agreement under which such costs will in fact be carried by the companies.

Although the legislature JMD 725/23 - GG 5 of 5/1/2012 mentions only four (4) circumstances under which rejections by Authorities are justified, (i.e. solely for reasons relating to (a) the protection of the environment, (b) the protection of public health, (c) the protection of national defence, (d) the protection of archaeological sites or monuments and historical sites) it was reported that Authorities have rejected applications not within the grounds of these 4 reasons mentioned in the JMD, forcing companies to appeal decisions.

- Lack of technical standards

There are no technical standards set per project type, allowing each Authority to request their own technical standards, which at many cases increase the costs of a project significantly (e.g. it was reported that certain Authorities may require that a road incision of only a few centimetres is mended after the completion of works throughout the road's width, increasing the company's estimation of costs). Furthermore, companies are required to describe technical details of the desired works in each application, a time-consuming task that could be omitted if technical standards had been set.

- Delays in the process

The deadline of 30 days by which the responsible Authority must reply is not always observed, while companies in order to retain positive relationships with Authorities scarcely make use of their right to proceed with the construction works following an extrajudicial statement. By general observation the application process is quite lengthy, as it may last 10 times longer than the duration of the actual construction works.

Delays occur since up to as many as 5 signatures / approvals within the Authorities may be required before the right of way is granted, while in many cases the companies transfer documents themselves from office to office, building to building in order to expedite the process.

Full permissions i.e. from Archaeological Ephorates are required even in cases where routes to be used have already been used by other telecom providers as well as natural gas providers, water pipes, drainage pipes, etc causing delays in the process.

It is not always clear who is responsible for certain sections of a chosen route, namely to whom the application should be addressed, causing delays in the application. It has been reported that a GIS project which was planned by EETT has been "frozen".

- Additional information obligations even after granted right of way

It must be stated that even after the granting of the right of way, within the overall process of implementing network expansions, companies have other information obligations either before initiating the works (i.e. towards the Police, Mass Transport Authorities, etc) or after the completion of any construction works (i.e. sending network "as built" plans to local Authorities).

Annex 2: Hourly rate per employee type

Employee Type	Hourly Rates (per employee type)
1: Legislators, senior officials and managers	EUR 34.62
2: Professionals	EUR 24.82
3: Technicians and associate professionals	EUR 19.06
4: Clerks	EUR 16.73
5: Service workers and shop and market sales workers	EUR 13.46
6: Craft and related trades workers	EUR 18.03
7: Plant and machine operators and assemblers	EUR 17.19
8: Manual workers (agricultural and fisheries)	EUR 13.21
9: Elementary occupations	EUR 12.92

To calculate the total AC and AB, employee types are used. For every employee type a standardised hourly wage rate is used. The hourly rates presented above are based on employer costs and include a 25% overhead. They are used to calculate the administrative cost and burden for the different IOs in scope of this measurement.