

Brussels, 19 September 2008
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Your Excellency,

It is with great surprise and concern that I learned of the decision taken yesterday by the Romanian Government to restructure, by means of an emergency ordinance, the National Regulatory Authority for Communications and Information Technology as the National Authority for Communications.

The independence of the national regulatory authorities is at the heart of the EC regulatory framework for electronic communications. The single market in this area cannot function if the Member States do not ensure that the national regulatory authorities are independent as required by the Framework Directive.

Therefore I am concerned about the measures which the Romanian Government has taken to restructure the Romanian Regulatory Authority, in particular by adopting an emergency ordinance at the same time as the Parliament is to adopt a new law with the same object and also on the same day that a Romanian court suspended the decision to remove the former president of the Authority. I also do not understand the adoption of this emergency ordinance considering that the Ministry had a close consultation with my services on the law now debated in the Parliament, which is supposed to respond to the flaws in the current legislation.

As the Commission, as guardian of the Treaty, is bound to examine the observance by the Member States of Article 3 of the Framework Directive, I would greatly appreciate if your services could inform us by 26 September of the reasons leading the Romanian Government to adopt this emergency ordinance in the above mentioned circumstances. In relation to this I would be very grateful if your services could provide detailed information concerning the reasons for the dismissal of the previous president of ANRCTI – Mr. Dan Christian Georgescu, as already requested by the Commission services on 2 September.



Yours sincerely,

His Excellency
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