



press release

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ACCJ and EBC Issue Joint Public Comment on Ministerial Ordinances of the Telecommunications Business Law

January 15, 2004 (Tokyo)— The American Chamber of Commerce in Japan (ACCJ) Telecommunications Subcommittee and the European Business Community (EBC) Telecommunications Committee today submitted comments to the Ministry of Public Management, Home Affairs and Posts and Telecommunications (MPHPT) concerning the ministerial ordinances of the Telecommunications Business Law.

The EBC and the ACCJ feel that Japan has the potential to become the most competitive and innovative telecommunications market in the world, providing the best value to consumers and businesses for both traditional and innovative services. Implementing the revised Telecommunications Business Law, through the related ministerial ordinances, will play a crucial role in this transformation. The ordinances must give the MPHPT the power to actively enforce and monitor the designation of services needed to prevent anticompetitive activity by the dominant provider, NTT.

The EBC and ACCJ urge the MPHPT to pay particular attention to:

- Ensure against anticompetitive practices in the pricing and provision of access circuits including fiber provided by NTT to competing telecommunications carriers
- Ensure against anticompetitive practices in situations in which NTT/East and NTT/West provide wholesale services that are inputs to downstream retail services provided by competitors and can, potentially, squeeze competitors out of the market
- Enhance the transparency of the procedure for interested parties to request the Ministry to review a particular tariff or service provision practice of NTT on the basis of anti-competitive concerns, including the publication of the ministry's conclusions, along with its reasoning

The EBC and ACCJ are disappointed by the short time allowed for formal public comment on such important ordinances—a period of a little over one calendar month spanning the New Year holiday period—which is significantly shorter than the period allowed for public comment in other countries on matters of similar importance. A longer comment period would be beneficial in that it encourages a wider range of views from industry participants.

About the ACCJ

The ACCJ, established in 1948 by representatives of 40 American firms, has worked on behalf of member companies in the Japanese market for the past 56 years. The ACCJ today represents nearly 3200 individual members and more than 1300 companies in Japan, and has offices in Tokyo, Osaka, and Nagoya, covering three of Japan's most important economic regions. Activities are conducted primarily through the Chamber's more than seventy sector-specific committees, with over 500 programs and meetings held annually. In addition to carrying out numerous targeted advocacy activities in both the United States and Japan to improve opportunities for member business interests in Japan, the ACCJ also maintains strong working ties with various Japanese and U.S. business organizations as well as the U.S. Embassy.

About the EBC

The European Business Community (EBC) is the trade policy arm of the 13 European National Chambers of Commerce and Business Associations in Japan. Established in 1972, the EBC works to improve the trade and investment environment for European companies doing business in Japan. The EBC currently represents more than 3,000 local European companies and individuals who are members of their national chambers of commerce. Over 300 of these companies participate directly in the EBC's 26 industry committees, whose work aims to improve the local business environment in a wide variety of economic sectors. The EBC works closely with the Delegation of the European Commission in Japan and the embassies of European countries to co-ordinate policy proposals and facilitate European business in Japan.

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