services: a) Voice telephone services; (CPC 7521) b) Packet-switched data transmission services; (CPC 7523**) c) Circuit-switched data transmission services; (CPC 7523**) d) Telex services; (CPC 7523**) f) Facsimile services; (CPC 7521**, 7529**) g) Private leased circuit services; and (CPC 7522**, 7523**) o) Other	2) None 3) None except that foreign capital participation, direct and/or indirect, in Nippon Telegraph and Telephone Corporation (NTT)[19] must be less than one-third. 4) None	2) None 3) None except that board members and auditors in NTT and the Regional Companies are required to have Japanese nationality. 4) None	ADDITIONAL COMMITMENTS described below.

ADDITIONAL COMMITMENTS

Scope

The following are definitions and principles on the regulatory framework for the basic telecommunications services.

Definitions

In this ADDITIONAL COMMITMENTS:

(a) the term "telecommunications" means the transmission and reception of signals by any electromagnetic means;

(b) the term "public telecommunications transport service" means any telecommunications transport service required, explicitly or in effect, by Japan to be offered to the public generally. Such services may include, *inter alia*, telegraph, telephone, telex, and data transmission typically involving the real-time transmission of customer-supplied information between two or more points without any end-to-end change in the form or content of the customer's information;

(c) the term "public telecommunications transport network" means the public telecommunications infrastructure which permits telecommunications between and among defined network termination points;

(d) the term "essential facilities" means facilities of a public telecommunications transport network or service that:

(i) are exclusively or predominantly supplied by a single or limited number of suppliers; and

19 NTT must own all the shares issued by the Regional Companies.

(ii) cannot feasibly be economically or technically substituted in order to supply a service;

(e) the term "major supplier" means a supplier that has the ability to materially affect the terms of participation having regard to price and supply in the relevant market for basic telecommunications services as a result of:

(i) control over essential facilities; or

(ii) use of its position in the market;

(f) the term "facilities-based suppliers" means telecommunications carriers who establish telecommunications circuit facilities; and

(g) the term "services-based suppliers" means telecommunications carriers other than the facilities-based suppliers.

1. Competitive Safeguards

1.1 Prevention of Anti-competitive Practices in Telecommunications

Appropriate measures shall be maintained for the purposes of preventing suppliers, who alone or together are a major supplier, from engaging in or continuing anti-competitive practices.

1.2 Safeguards

The anti-competitive practices referred to in subparagraph 1.1 shall include in particular:

(a) engaging in anti-competitive cross-subsidization or pricing services in a manner that gives rise to unfair competition;

(b) discriminating specific persons unfairly in providing telecommunications services;

(c) using information obtained from competitors with anti-competitive results; and

(d) not making available to other service suppliers on a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to supply services.

2. Interconnection

2.1 Interconnection to be Ensured

Interconnection shall be ensured between a facilities-based supplier and any other facilities-based supplier or a services-based supplier to the extent provided for in the laws and regulations of Japan.

2.2 Interconnection with Major Suppliers

Interconnection with a major supplier shall be ensured at any technically feasible point in the network. Such interconnection is provided:

(a) under non-discriminatory terms, conditions (including technical standards and specifications), and rates, and of a quality no less favorable than that provided for its own like services, for like services of non-affiliated service suppliers or of its subsidiaries or other affiliates;

(b) in a timely fashion, on terms, conditions (including technical standards and specifications) and cost-oriented rates that are transparent, reasonable, having regard to economic feasibility, and sufficiently unbundled(Note) so that the service supplier need not pay for network components or facilities that it does not require for the services to be supplied; and

(Note) "Sufficiently unbundled" network components or facilities include unbundled local loop (including line sharing).