

Marcu, Nicu; Meghişan, Georgeta-Mădălina

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SOME HYPOTHESES REGARDING THE MOBILE TELECOMMUNICATIONS SERVICES MARKETING AND CONSUMERS RIGHTS FROM ROMANIA

Nicu Marcu^{1*}, Georgeta-Mădălina Meghișan²

^{1) 2)} University of Craiova, Romania

Abstract

The current research analysis consumers' rights concerning personal data processing and confidentiality protection within the public communications sector as they are stated in the 2002/58/CE Directive of the European Parliament and Council from 12th of July 2002. The study objectives are: the way that users/ subscribers get informed about their rights in the field of mobile telephony services; the way that mobile telephony services operators inform their users/ subscribers about the subscription included services; the way that mobile telephony services operators inform their uses/ subscribers about the supplementary services that can be demanded; the rights regarding the personal data processing and confidentiality protection that mobile telephony services consumers agree with; the users/ subscribers rights most frequently broken.

The marketing research used a questionnaire based survey during January - March 2013 on a sample of 85 users/ subscribers from Romania. It has a preliminary character, shaping a further investigation activity with a higher thematic coverage and a smaller error under the limit of 5%. The data gathering method was a questionnaire based interview. Data were analyzed using the SPSS informatics program, version 16.0 for Windows. The following statistical functions were used for validating/invalidating the hypotheses: descriptive statistics, factor analysis and correlation function.

Keywords: research hypothesis, general economic services, mobile telecommunications services marketing, mobile telecommunications consumers' rights, marketing research

JEL Classification: M38, M31, M30, L86, L87

Introduction

The traditional organization of mobile telecommunications sector in Romania, shaped as a monopoly, was replaced when the National Authority for Administration and Regulation in Communications (2002) was set up with the goal to implement a new European legislative

* Corresponding author, Georgeta-Mădălina Meghișan - madalina_meghisan@yahoo.com

frame for electronic communications. This step represented the premise for a competitive environment establishment, being the result of the “difficulties encountered in the control of the monopolies, technological evolutions and spread of the liberalization ideology” (Vialle, 1998, p. 65).

For Romania, „the first year of liberalization meant the highest rise of the subscribers’ base within the mobile telephony, reaching 2 million”, even though the telecommunications’ liberalization appeared in a wrong context, „on the basis of the telecommunications worldwide crisis, which led to a reduction of the investments in telecommunications” (Meghisan, 2012, p. 74). Today, “the economic globalization represents an important factor which offered clients the possibility to turn towards products and services that better satisfy their needs”, on the Romanian market currently existing 4 operators: Orange, Vodafone, Cosmote and RDS-RCS (Glavan *et al.*, 2009, p. 393). From another perspective, this process of globalization “determined the companies to act similarly on different markets, offering the same products and services to totally different consumers categories” (Pamfilie, 2010, p. 463). This is also the case of mobile telecommunications services that need to adhere to the 2002/58/CE Directive of the European Parliament and Council on 12th of July 2002, which establishes the legislative bases for processing the personal data of the mobile telecommunications users and confidentiality protection within the public communications sector. After 11 years, there still exist consumers within the field of general interest economic services, in this case, mobile telecommunications services, that do not know their rights concerning personal data processing and confidentiality protection within this sector. Moreover, some do not totally agree with the specifications of this directive. Moreover, the mobile telephony operators in Romania often take advantage of “consumers’ lack of information and attitude regarding their rights while consumers, due to an inadequate culture, remain in a state of unsatisfaction and mistrust regarding the possibility of their rights being respected, which determines a low level of trust” (Stefănescu and Bălătescu, 2010, p. 297).

That is why the novelty of this research consists in shaping an opinion and in formulating some further hypotheses regarding the analysis of the consumers’ rights concerning personal data processing and confidentiality protection within the public communications sector, as they are stated in the 2002/58/CE Directive of the European Parliament and Council on 12th of July 2002. The use of this directive as a starting point in making this research is linked to the inexistence of specialized studies in the field of the mobile telecommunications services.

To initiate and develop this study, we proposed a series of objectives, based on the 2002/58/CE Directive of the European Parliament and Council on 12th of July 2002:

- The way that users/ subscribers get informed about their rights in the field of mobile telephony services;
- The way that mobile telephony services operators inform their users/ subscribers about the subscription included services;
- The way that mobile telephony services operators inform their uses/ subscribers about the supplementary services that can be demanded;
- The rights regarding personal data processing and confidentiality protection that mobile telephony services consumers agree with;
- The users/ subscribers rights most frequently broken.

1. Methodology

The marketing research was made using a questionnaire based survey during January - March 2013. The researched collectivity is represented by users of mobile telecommunications services and subscribers of mobile telephony operators, that amounted over 25 million persons in 2008, if we take into consideration the fact that a person can use the mobile telephony services of several operators, meaning a market penetration of over 118,2%, according to some studies published in Capital Journal on 03.04.2008. The data gathering process is based on a questionnaire based survey. The data was analyzed using the SPSS software, version 16.0 for Windows.

In this preliminary stage, with the goal of shaping some consumers opinions and with the help of some hypotheses with pioneering character in Romania, the sample was made of a reduced number of only 85 users/ subscribers. The sample was calculated with the help of the probabilistic method, in which the accepted error is higher than the usual limit of 5%, being 9%. The proportion of the sample components that have the research characteristics is 0,5. This proportion corresponds to a maximal dispersion or spread $p(1-p)$, with no existence of similar research that could allow taking a common dispersion as guide:

$$n \geq \frac{t^2 * p(1-p)}{\varepsilon^2} \geq \frac{1.65^2 * 0.5(1-0.5)}{0.09^2} \cong 85 \text{ persons}$$

where n represents the sample dimension or the respondents number; p equals 0,5 and signifies the alternative variable average, corresponding to a maximal dispersion (generated by the weight in the sample of the components with the research characteristic); t refers to the coefficient associated to the probability of the research results guarantee (for a probability of the research guarantee of 95%, the value of t is 1,65); ε represents the accepted limited error.

The hypotheses were tested and confirmed through the analysis of the responses to the questions from the questionnaire applied to the respondents and, for a first research action of this kind, an error higher than 5% was accepted, being 9%, due to the lack of classical resources, time and financial means, that imposed the survey as the only solution. The hypotheses, 7 in total, derived from the opinions of 85 carefully selected and interviewed consumers, are:

Hypothesis no 1. Most frequently, users/ subscribers gather information concerning their rights regarding the mobile telephony services directly from mobile telecommunications operators.

Hypothesis no 2. Most frequently, mobile telephony services operators inform their users/ subscribers about electronic invoice as a service included in subscription.

Hypothesis no 3. Most frequently, mobile telephony services operators inform their users/ subscribers about mobile Internet as supplementary service automatically activated.

Hypothesis no 4. Most frequently, mobile telephony services operators inform their users/ subscribers about Roaming access as supplementary service that can be requested.

Hypothesis no 5. Mobile telephony services' consumers agree with the following rights concerning personal data processing and confidentiality protection: possibility to make calls

with unidentified number, possibility to reject incoming calls with unidentified number and protection towards unwanted commercial communications.

Hypothesis no 6. There is a correlation between the possibility to make calls with unidentified number and the possibility to reject incoming calls with unidentified number and also, between the possibility to reject incoming calls with unidentified number and that of the protection towards unwanted commercial communications.

Hypothesis no 7. Most frequently, the following rights of users/subscribers were violated: the right to receive the invoice without calls details, the right to identify incoming harassment calls with unidentified numbers.

2. Results and discussions

The following statistical functions were used for validating/invalidating hypotheses: descriptive statistics, factor analysis and correlation function.

Hypothesis no 1. Most frequently, users/ subscribers gather information concerning their rights within the mobile telephony services' field directly from mobile telecommunications operators.

As we can see in table. no. 1, users/subscribers often obtain information about their rights concerning personal data processing and confidentiality protection within the public communications sector from media (television, radio, press, Internet, outdoor), in a percentage of 48.2%. Using the descriptive statistics function, this percentage is followed by mobile telecommunications operators (20%), friends (20%) and family (1.8%).

**Table no. 1: Obtaining information regarding the rights
of the mobile telephony services' consumers**

I often obtain information about mobile telephony rights, from the following sources:				
		Frequency	Valid Percent	Cumulative Percent
Valid	Media (television, radio, press, Internet, outdoor)	41	48.2	48.2
	Mobile telecommunications operators	17	20.0	68.2
	Friends	17	20.0	88.2
	Family	10	11.8	100.0
	Total	85	100.0	

Software used: SPSS version 16.0 for Windows XP

Hypothesis no 1 is not verified. The main source of information about the rights of the mobile telephony services consumers is media (television, radio, press, outdoor), followed by operators, friends and family. The fact that operators are not the main source of information for users/subscribers puts a question mark on their credibility. Thus, media becomes the main information channel that the majority of consumers have access to.

Hypothesis no 2. Most frequently, mobile telephony services operators inform their users/ subscribers about electronic invoice as a service included in subscription.

More frequently, from the desire to make cost economies, operators focus on electronic invoice when they inform consumers, as a percentage of 41.2% of the respondents confirms this (table no. 2). This aspect has several disadvantages for mobile telephony customers. In many cases, customers complain about errors in costs calculation of invoices. An electronic invoice is hard to access, because the user/subscriber has to connect himself to the operator's Internet site, identify him by a name and password and, then, download the invoice, which, sometimes, can not be accessed, due to technical errors.

Besides the information linked to the possibility to receive an electronic invoice, operators' clients are also informed about: the possibility to call Customer Care Service (27.1%), the possibility to be informed about credit consumption (20%), the possibility to make an SOS call – Police, Firemen (4.7%), the possibility to consult voice messaging (2.4%). However, a percentage of 4.7% of the respondents declare that they had not received any kind of information, concerning services included into subscription, from their operator.

Table no. 2: Services included into subscription

Most frequently, the mobile telephony services operator informed me about the following services included into subscription:				
		Frequency	Valid percentage	Cumulated percentage
Valid	Electronic invoice	35	41.2	41.2
	SOS calls - Police, Firemen	4	4.7	45.9
	Calls to Customer Care Service	23	27.1	72.9
	Information about used credit	17	20.0	92.9
	Consulting voice messaging	2	2.4	95.3
	I have not received such information	4	4.7	100.0
	Total	85	100.0	

Software used: SPSS version 16.0 for Windows XP

Hypothesis no 2 is totally verified. Most frequently, mobile telephony services operators inform their users/ subscribers about electronic invoice as a service included in subscription. In a period of crisis, electronic format invoice became a way of reducing costs. Operators are not so interested in promoting the possibility to find out used credit or consult vocal message box free of charge. But, when it comes to costs economy, sending the invoice in electronic format becomes an option.

Hypothesis no 3. Most frequently, mobile telephony services operators inform their users/ subscribers about mobile Internet as supplementary service automatically activated.

Descriptive statistics is used for validation/invalidation of this hypothesis. Thus, a percentage of 56.5% of the respondents were informed about the possibility to benefit from mobile Internet, as supplementary service automatically activated. Users/subscribers were also informed about other supplementary services that can be automatically activated, such as: international calls (30.6%), access to applications – weather forecast information, foreign currency exchange course, horoscope etc. (5.9%). However, in a percentage of 7.1%, consumers were not informed about such services by the operator (table no. 3).

Once with the development of 3G and 4G technology, together with the apparition of the new generation mobile telephones – smartphones, iphones etc. on the market, which offer easy Internet access, operators’ offer also developed, including, besides national/international minutes, SMS and MMS, Internet traffic. But, new subscriptions have a higher price. An operator prefers one broadband subscription client, with a monthly average subscription of 50 euro, who is obliged by the contract to rest in the same network for at least one year, instead of 10 pre-pay clients that bring an average of 5 euro/month each, who may give up to the mobile telecommunications company’s network anytime.

Table no. 3: Supplementary services automatically activated

Most frequently, the mobile telephony services operator informed me about the following supplementary services automatically activated:				
		Frequency	Valid percentage	Cumulated percentage
Valid	International calls	26	30.6	30.6
	Mobile Internet	48	56.5	87.1
	Access to applications (weather forecast information, foreign currency exchange course, horoscope etc.)	5	5.9	92.9
	I have not received such information	6	7.1	100.0
	Total	85	100.0	

Software used: SPSS version 16.0 for Windows XP

Hypothesis no 3 is totally verified. Most frequently, mobile telephony services operators inform their users/ subscribers about mobile Internet (56.5%), as supplementary service automatically activated. According to the theory of new products adoption curve line, innovators – the first to adopt the innovations represent a percentage of only 3%, followed by early adopters (13%) – those that buy immediately, early majority (34%) - composed of persons that wait for the first experiences about the product/ service before buying, late majority (34%) – wait for the spread of the product/ service before buying and late comers (16%) – are the last to buy. Regarding the supplementary services that are automatically activated by mobile telephony operators, these are based on innovations (smartphones, iphones), with a frequent life cycle. That’s why, mobile telecommunications services companies invest in promoting these types of supplementary services that can be automatically activated.

Hypothesis no 4. Most frequently, mobile telephony services operators inform their users/ subscribers about Roaming access as supplementary service that can be requested.

Even though, among the supplementary services that can be requested are: Roaming access, MMS album, invoice on paper, personalized number, detailed invoice, Mobile Banking, a percentage of 50.6% of respondents declare that they had been informed mainly about Roaming access by the operator. This service can be activated on demand for free, but once used, implies higher costs for customers. As a marketing strategy and taking into consideration the consequences of the economic financial crisis, the operators created and extra option with international minutes, international SMS or MMS, internet access in Roaming for a monthly fee. Among the respondents’ answers there are: detailed invoice

(15.3%), Mobile Banking (10.6%), MMS album (5.9%) and invoice on paper (4.7%). A percentage of 4.7% of the respondents had not received such information from their operator (table no. 4).

Table no. 4: Supplementary services on request

Most frequently, the mobile telephony services operator informed me about the following supplementary services on request:				
		Frequency	Valid percentage	Cumulated percentage
Valid	Roaming access	43	50.6	50.6
	MMS album	5	5.9	56.5
	Invoice on paper	4	4.7	61.2
	Personalized number	7	8.2	69.4
	Detailed invoice	13	15.3	84.7
	Mobile Banking	9	10.6	95.3
	I have not received such information	4	4.7	100.0
	Total	85	100.0	

Software used: SPSS version 16.0 for Windows XP

Hypothesis no 4 is totally verified. Most frequently, mobile telephony services operators inform their users/ subscribers about Roaming access as supplementary service that can be requested. Supplementary services that can be demanded imply a supplementary charge from the operator. In a world in a continuous move, Roaming access becomes a necessary option for users/ subscribers.

Hypothesis no 5. Mobile telephony services consumers agree with the following rights concerning personal data processing and confidentiality protection: possibility to make calls with unidentified number, possibility to reject incoming calls with unidentified number and protection towards unwanted commercial communications.

Factor analysis was used for verifying this hypothesis. Factors took into consideration were extracted from the 2002/58/CE Directive of the European Parliament and Council from the 12th of July 2002. These are:

- Subscribers have to have the right to receive invoice without calls details;
- Operators have to offer the possibility to make calls with an unidentified number;
- Operator have to offer the possibility to reject calls received with an unidentified number;
- E.U. states can reject the confidentiality right of users for identification of unknown numbers in order to detect harassment calls;
- Subscribers have to be protected towards violation of their confidentiality right by unsolicited communications with direct commercial goals.

Kaiser-Meyer-Olkin measurement determines the proportion in which retained variables form a coherent assembly and measure the concept. According to the analysis, its value is 0.569, what implies the fact that results can be accepted (table no. 5).

Table no. 5: KMO measurement and Bartlett test

KMO and Bartlett's Test		
Kaiser-Meyer-Olkin measurement		.569
Bartlett test	Approx. Chi-Square	29.667
	df	3.000
	Sig.	.000

Software used: SPSS version 16.0 for Windows XP

In the current case, variation can be explained in a percentage of 55.628% (table no. 6).

Table no. 6: Total variation significance of components

Total variation significance						
Components	Initial values			Extracted sums		
	Total	% of variation	Cumulative %	Total	% of variation	Cumulative %
1	1.669	55.628	55.628	1.669	55.628	55.628
2	.825	27.496	83.124			
3	.506	16.876	100.000			

Software used: SPSS version 16.0 for Windows XP

From table no 7, we can observe the main elements regarding personal data processing and confidentiality protection within public communications sector that respondents considered important:

- Operators have to offer the possibility to make calls with an unidentified number;
- Operators have to offer the possibility to reject calls received with unidentified number;
- Subscribers have to be protected towards violation of their confidentiality right by unsolicited communications with direct commercial goals.

Table no. 7: Retained elements

Components matrix	
	Components
	1
Operator has to offer the possibility to make calls with an unidentified number	.739
Operator has to offer the possibility to reject calls received with unidentified number	.840
Subscribers have to be protected towards violation of their confidentiality right by unsolicited communications with direct commercial goals	.646

Software used: SPSS version 16.0 for Windows XP

Hypothesis no 5 is totally verified. Mobile telephony services consumers agree with the following rights concerning personal data processing and confidentiality protection: possibility to make calls with unidentified number, possibility to reject incoming calls with unidentified number and protection towards unwanted commercial communications. In a study made in 2010, Baciú R. and Deac R. analyze the European politics regarding consumers' protection for all types of products, among them, telecommunications services.

Authors reveal “the availability of Romanian authorities to transpose into the national legislation, the European Union regulation in the field of consumers’ protection” (Baciu and Deac, 2010, p. 572). That’s why, Romanian users/ subscribers benefit from the same rights as the other citizens of the European Union member states.

Hypothesis no 6. There is a correlation between the possibility to make calls with unidentified number and the possibility to reject incoming calls with unidentified number and also, between the possibility to reject incoming calls with unidentified number and that of the protection towards unwanted commercial communications.

The correlation function was used, for validating/invalidating hypothesis no 6. According to the analysis, there is a weak correlation (0.449, $p < 0.01$) between the possibility to make calls with unidentified number and the possibility to reject incoming calls with unidentified number. In other words, respondents who agree with the possibility to make calls with unidentified number also agree with the possibility to reject incoming calls with unidentified number. However, there is a weak correlation (0.355, $p < 0.01$) between the possibility to reject incoming calls with unidentified number and that of the protection towards unwanted commercial communications.

Hypothesis no 6 is totally verified. There is a correlation between the possibility to make calls with unidentified number and the possibility to reject incoming calls with unidentified number and also, between the possibility to reject incoming calls with unidentified number and that of the protection towards unwanted commercial communications.

Hypothesis no 7. Most frequently, the following rights of users/subscribers were violated: the right to receive invoice without calls details, the right to identify incoming harassment calls with unidentified number.

From the desire to gain profit, operators sometimes forget to respect consumers’ rights regarding personal data processing and confidentiality protection. Thus, eventhough respondents consider, in a percentage of 78.8%, that their rights were not violated, the remaining percentage of 21.2% from the sample suffered from the violation of a right regarding personal data processing or/and confidentiality protection (table no. 8).

Table no. 8: Violated rights

Which of your rights were violated?				
		Frequency	Valid percentage	Cumulated percentage
Valid	Invoice with no calls identification	6	7.1	7.1
	Unidentified number calls	1	1.2	8.2
	Rejection of confidentiality right for identifying harassment calls	1	1.2	9.4
	Unsolicited commercial communications	10	11.8	21.2
	None of these	67	78.8	100.0
	Total	85	100.0	

Software used: SPSS version 16.0 for Windows XP

Thus, these concerned: unsolicited communications (11.8%), invoice with no calls identification (7.1%), call with unidentified number (1.2%) and rejection of the confidentiality right for identification of harassment calls (1.2%).

Hypothesis no. 7 is not validated. Most frequently, none of the rights of users/subscribers concerning personal data processing and confidentiality protection were violated. Informing users/ subscribers about their rights regarding personal data processing and confidentiality protection through more aggressive media campaigns can have a major impact on the reduction of these cases.

Conclusions

For a first approach, an error higher than 9% was accepted due to the lack of classical resources of time and financial means that usually impose the survey as the only solution, while a further research will have an accepted error at a scientific level of maximum 5%.

We don't have to omit also the specific of Romanian consumers, in a country in transition towards developed economies. The survey probably contains some honesty errors of respondents, a natural fact in a situation of a country whose consumers recently ended an European Union integration, but not the transition towards a developed economy, according to the affirmation: "the impact of fairness is stronger in countries with an individualistic (versus collectivistic) culture, which can be interesting for transitional countries" (Čudanov, *et al.*, 2012).

The main source of information about the rights of mobile telephony consumers is media (television, radio, press, outdoor), followed by operators, friends and family. The fact that operators are not the main source of information for users/subscribers puts a question mark on their credibility. Thus, media becomes the main information channel that the majority of consumers have access to.

Most frequently, mobile telephony services operators inform their users/ subscribers about electronic invoice as service included in subscription. In a period of crisis, electronic format invoice became a way of reducing costs. Operators are not so interested in promoting the possibility to find out used credit or consult the vocal message box free of charge, but, when it comes to costs economy, sending the invoice in electronic format becomes an option.

Regarding supplementary services that are automatically activated by mobile telephony operators, these are based on innovations (smartphones, iphones), with a frequent life cycle. That's why, mobile telecommunications services operators invest in promoting these types of supplementary services that can be automatically activated.

Most frequently, mobile telephony services operators inform their users/ subscribers about Roaming access as a supplementary service that can be requested. Supplementary services that can be demanded imply a supplementary charge from the operator. In a world in a continuous move, Roaming access becomes a necessary option for users/ subscribers.

Most frequently, none of the rights of users/subscribers concerning personal data processing and confidentiality protection were violated. Informing users/ subscribers about

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