

# **6<sup>th</sup> Meeting of the Board of Regulators Hosted by SPRK**

**24 Feb 2011 - 25 Feb 2011**

**Riga**

## **Conclusions**

### **1. Opening of the meeting and adoption of the agenda**

Draft BoR Agenda

**BoR (11) 01 Rev1**

#### **Conclusions**

The agenda was adopted.

### **2. Information by the Chair**

#### **Background**

This item is to give the opportunity for the Chair to update the Plenary about any significant meetings since the last meeting.

The Chair met with the Hungarian Presidency and visited ARCEP and UKE. He also participated in the MCA annual conference (28 January) and a Seminar organised by the Alliance of Liberals and Democrats in the European Parliament on broadband (2 February). Mr Kanellos represented BEREC at the FTTH Council Conference in Milan (9-10 February 2011).

#### **Conclusions**

The Plenary took note.

### **3. Annual report on BEREC's activities**

#### **Background**

ComReg presented an outline of the draft 2010 report of BEREC's activities in application of Art 5.5 of the BEREC Regulation. The draft report will be submitted for approval at the Porto Plenary.

#### **Conclusions**

The Plenary took note.

#### **4. BEREC expert working groups**

**BoR (11) 04**

##### **Background**

The Chair presented a draft decision to be adopted by the BoR in accordance with Article 11 of the Rules of Procedure. This is an update of the decision BoR (10) 23 adopted in May 2010 which was related to 2010.

##### **Conclusions**

The draft decision was approved subject to a modification of the last sentence (decision of the Chair in case of a replacement only on an interim basis).

#### **5. NGN EWG**

##### **a) Draft BEREC Report on Open access**

**BoR (11) 05**

##### **Background**

BNetzA presented the draft report on Open Access.

##### **Conclusions**

The report was approved for publication.

##### **b) NGA country-cases study**

**BoR (11) 06**

##### **Background**

BNetzA provided the draft report on NGA country-cases study.

##### **Conclusions**

The report was approved for publication.

#### **6. Framework Implementation EWG**

##### **a) Articles 7/7a procedures**

##### **Background**

The procedures related to article 7 have been discussed by the Board of Regulators at Bruges. AGCOM presented an update including the procedures for article 7a.

##### **Conclusions**

The procedures on article 7/7a were adopted.

##### **b) Functional separation**

**BoR (10) 44 Rev1**

##### **Background**

AGCOM presented the draft BEREC Guidance for the implementation of functional separation as well as the summary of the public consultation.

##### **Conclusions**

The guidance on functional separation and the consultation summary were approved for publication.

### **c) Cross-border issues**

**BoR (10) 62 Rev1**

#### **Background**

AGCOM presented the draft BEREC report on cross-border issues under article 28 USD as well as the main results of the public consultation.

#### **Conclusions**

The report on cross-border issues under article 28 USD and the consultation summary were approved for publication.

## **7. BEREC-RSPG Cooperation EWG**

Draft report on transitional issues in the mobile sector

**BoR (11) 07**

#### **Background**

AGCOM presented the draft BEREC/RSPG joint report on transitional issues in the mobile sector.

#### **Conclusions**

The report on transitional issues in the mobile sector was approved for publication.

## **8. Convergence and Economic Analysis EWG**

Draft report on relevant market definition for business services

**BoR (10) 46 Rev1**

#### **Background**

CMT presented the draft BEREC report on relevant market definition for business services as well as the summary of the consultation.

#### **Conclusions**

The report on the relevant market definition for business services and the consultation summary were approved for publication.

## **9. End-user EWG**

Draft BEREC report on measures towards disabled end-users accessibility to electronic communication services

**BoR (10) 47 Rev1**

#### **Background**

COMREG presented the draft report on measures towards disabled end-users accessibility to electronic communications services together with the summary of the public consultation.

#### **Conclusions**

The report and the consultation summary were approved for publication.

## **10. Roaming EWG**

### **Alternative tariffs report**

**BoR (11) 08**

#### **Background**

The draft BEREC Report on alternative voice and SMS roaming tariffs and data tariffs were submitted for approval.

#### **Conclusions**

The report was approved for publication.

## **11. Remedies EWG**

#### **Background**

OFCOM provided an update regarding the Broadband monitoring exercise, highlighting the main areas to be covered in the final analysis.

#### **Conclusions**

The Plenary took note.

## **12. Inclusion of the BEREC Regulation in the EEA states framework**

#### **Background**

PTA provided a presentation regarding the process of incorporation of the BEREC regulation in the EEA-EFTA states framework. It was agreed to discuss further this topic at the next Plenary.

#### **Conclusions**

The Plenary took note.

## **13. Information from the Commission**

#### **Background**

The European Commission provided information on several items, including article 7 cases and ongoing projects.

#### **Conclusions**

The Plenary took note.

## **14. Declaration of interests**

#### **Background**

The European Commission proposed some amendments to the annual declaration of interests to be signed by MC members and alternates in application of article 21 of the BEREC Regulation. The same declaration will be used to be signed by BoR members and alternates.

## **Conclusions**

The updated declarations, subject to changes according to the MC discussion, were approved.

### **15.AOB**

#### **a) E-clearance procedures**

The Chair announced an e-clearance procedure to be launched (around Easter) on two benchmark reports (roaming data collection and MTR snapshot) currently under preparation.

#### **b) International cooperation**

ANCOM announced an international conference (12 May) on spectrum strategy.

EETT announced that its 6<sup>th</sup> international conference will be held in Athens on 2-3 June.

The Commission reported on the transatlantic cooperation between Europe and US.

#### **c) Next meeting of the Board of Regulators and Management Committee (ANACOM)**

The next meeting will take place in Porto (26-27 May 2011).