

Outcomes of BEREC Plenary meeting

24 & 25 February 2011

Chris Fonteijn, Chair 2011

Brussels, 7 March 2011

Board of Regulators Meeting

Guidance on Functional Separation

- BEREC developed a document to address the new provisions of the regulatory framework.
- Aim of the document: provide guidance for NRAs who consider the implementation of FS under Art 13a (FS as a non-standard remedy) and 13b (voluntary separation) AD.
- Consultation: nine contributions received (AFORST, ECTA, ETNO, Fastweb, PIIT, PT, TI, Telefonica and Wind), resulting in modification of the final document.

Cross-border issues under article 28 USD

- Art 28 of the Universal Service Directive – second paragraph: Fraud or misuse.
- Consultation: three (!) contributions received (ETNO, The Number, VON Europe), resulting in modification of the final document.
- Will be followed up in 2011.

Relevant market definition of business services

- Aim of the report: guidance to NRAs when analysing provision of business services.
- Consultation: seven contributions received (BT, Colt, ECTA, ETNO, INTUG, Orange, Telecom Italia), resulting in modification of the final document.
- *"No evidence for further regulatory intervention" vs. "Need for BEREC stronger action in this segment"*.
- Conclusions remain: NRAs need to pay attention to this segment, although results of the analysis depends on national circumstances.

Ensuring equivalence in access and choice for disabled end-users

- Aim of the report: providing extended information/input to NRAs on considerations in implementing Art 23a USD
- Consultation: eleven contributions received, resulting in modification of the final document.
- Substantive issues arising from consultation: Choice, Universal Service Fund, Terminal Equipment.

International Roaming

- Report on Alternative Voice and SMS Roaming Tariffs and Data Roaming Tariffs:
- Repeat of the March 2010 Report, covering 1 July – 30 September, compared to the 2009 Survey:
 - Similar number of operators – well over twice the number of tariffs
 - More voice-only and data tariffs reported
 - Smaller billing units for data
- Response to the Commission Consultation.

NGA Country Cases Study

- Update of country case studies from ERG Report “NGA – Economic Analysis and Regulatory Principles” (2009)
- Document is a rather extensive snapshot of the Status Quo in all 27 EU member states.
- Compared to the last report progress has been achieved, albeit differing among Member States.

Open Access Report

- Contents:
 - Different forms of Mandated Access
 - Role of NRAs in the State Aid process
 - Relationship between SMP Regulation and State Aid
- Follow-up:
 - Report as starting point for BEREC's input to the Commission's Revision process for the 'State Aid Guidelines'

Management Committee Meeting

- Recruitment decisions
- Multi-Annual Staff Policy Plan 2012 – 2014 and SLAs validated.
- BEREC Office draft budget 2012.

BEREC documents approved for publication

Decision of the Board of Regulators on BEREC expert working groups	BoR (11) 04
BEREC Report on “Open access”	BoR (11) 05
BEREC Report on NGA – Collection of factual information and new issues of NGA roll-out	BoR (11) 06
BEREC-RSPG joint Report on transitional issues in the mobile sector in Europe	BoR (11) 07
BEREC Report on alternative roaming tariffs and retail data roaming tariffs	BoR (11) 08
BEREC response to the EC public consultation on roaming regulation	BoR (11) 09
BEREC Report on the market definition for business services (+ consultation report)	BoR (10) 46 Rev1
BEREC Guidance on functional separation (+ consultation report)	BoR (10) 44 Rev1
BEREC Report on ensuring equivalence in access and choice for disabled end-users (+ consultation report)	BoR (10) 47 Rev1
BEREC report on cross-border issues under article 28 (2) USD (+ consultation report)	BoR (10) 62 Rev1