

16th Plenary Meeting of the European Regulators Group

Paris 8 February 2005

CONCLUSIONS

- Item 1. Opening of the meeting and adoption of the agenda**
The agenda was adopted.
- Item 2. Information from the Chairman and the Secretary on meetings and other activities**
This meeting noted the recent meetings and activities conducted by Kip Meek as ERG Chair and Davide Gallino as ERG Secretariat.
- Item 3. ERG Documents**
- a. ERG Manual**
The ERG Manual was agreed in principle at the November 05 Plenary but was amended to take account of some subsequent comments. Further comments were received at the Plenary and the revised version of the Manual will be published on the ERG website.
- b. Guide to ERG conduct**
b. The Guide to ERG Conduct, an internal ERG document which codifies and clarifies existing internal processes, was agreed.
- Item 4 Wholesale/Retail international roaming**
- a. Interim report on retail tariff transparency measures**
The ERG noted a report on progress by individual NRAs in implementing greater transparency of retail prices. Ten NRAs have so far put in place international roaming sections on their website in order to increase consumer awareness.
- b. Report on status of market analysis in Market 17**
ERG noted the report on the progress of individual NRAs on their reviews of the wholesale international roaming market. It was noted that while only one country completed the market analysis (Finland), others are due to start national consultation on their proposed notifications and a total of 19 NRAs has undertaken analysis of market 17 .
- c. Possible next steps (ARCEP)**
The Plenary reviewed ERG's approach on international roaming. The discussion covered a number of subjects, ranging from transparency to competition issues, market analysis and remedies. ERG agreed to continue work on transparency measures, including the setting up of websites, and to continue work on the reviews of wholesale international roaming markets. The ERG also met with Commissioner Reding and agreed to cooperate

closely with the Commission on the preparation of the forthcoming Regulation on international roaming which the Commission announced on the same day

Item 5. Project team on Update of ERG Common position on Remedies: next steps

The ERG published a revised draft Common Position for public consultation on 30 November 2005. ERG was informed of the responses made and agreed the programme of work involved to assess them fully and redraft the text, as required. The revised draft Update should be provided to the next Plenary.

Item 6. Work Programme 2006, Working Group Deadlines and Project Requirements documents (for information)

The Plenary noted the planned organisation and timetable for the Working Groups for 2006.

Item 7. ERG engagement strategy

The ERG reviewed its engagement strategy and agreed the need to be more open. A number of recent circumstances indicated a need for ERG to improve its external profile. Accordingly, Ofcom, as Chair, agreed to prepare a draft ERG Engagement plan for consideration which the January 2006 CN approved subject to some minor changes which have been made. The document, adopted by the Plenary is intended for internal use only and to give guidance to the Chair and IRG and ERG Secretariats.

Item 8. Information from the European Commission

The Commission reported on recent Article 7 FD notifications and on the Review 2006 of the Regulatory Framework

Item 9. Appointment of ERG Chair 2007

Roberto Viola, Secretary General of AGCOM (Italy) and ERG delegate, was nominated ERG Chair for 2007. It was agreed in principle that Daniel Pataki, Chairman of the Hungarian Regulator (NCAH), be nominated as chair for 2008.

Item 10. Annual Report 2005

The 2005 Annual Report was agreed.

Item 11. Lessons to be learnt from recent Article 7 FD cases

Four recent cases were discussed between NRAs and the Commission services. The cases were :

- a. OPTA Cable TV;
- b. BNetzA Wholesale Broadband Access;
- c. RTR Wholesale broadband Access;
- d. FICORA Wholesale International Roaming.

Item 12 AOB

The ERG noted:

Work on ERG internal co-operation

Draft Press Release

Arrangements for Debriefing session (Bruxelles, 23 February 06)

Next Plenary: 18-19 May 2006, Vienna