ERG 26th Plenary Meeting
Dublin, Ireland
09/10 October 2008
Conclusions

1. Opening of the meeting and adoption of the agenda

Conclusions

The agenda was adopted, as amended by the addition of the following item: a report by the European Commission on institutional debate.

Approved documents

ERG Plenary Agenda   **ERG (08) 40**

2. Information by the Chair's Secretariat

Background

The Chair's Secretariat (i) provided information as to the Work Programme 2008 deliverables – since the last meeting no major changes have occurred with respect to the status of deliverables not affecting the outcome of this plenary, (ii) provided information as to changes in the RA PT and (iii) reported that the RSPG working group PRD, which has been approved by the RSPG group, and can now be approved as final by the ERG (after provisional approval in Vilnius).

Conclusions

The Plenary took note and approved the new RA PT chair and the ERG/RSPG WG's PRD (internal document).

3. Next Generation Networks (BNetzA)

a) IP-IC / Next Generation Networks Regulatory Principles

Background

BNetzA presented the draft ERG Common Position on IP-Interconnection and NGN, following consultation in respect of the NGN consultation document, and provided information as to the next steps. The consultation comments mainly concerned the separation of transport and services and charging issues.

Conclusions
The document (originally submitted as a CP) was approved, but as a Common Statement. Both documents were approved for publication.

Approved documents:
Common Statement   ERG (08) 26
Supplementary Document   ERG (08) 26b

b) I/ERG response to the Commission's public consultation on NGA

Background
BNetzA presented a draft of the I/ERG response to the draft recommendation on the NGA.

Conclusions
The document was approved and will be sent to the Commission before publication.

Approved documents
I/ERG Response   ERG (08) 38rev2

4. Remedies and benchmarking

a) Mobile Termination Rates and Short Messaging Service Termination Rates benchmarking (CMT)

Background
CMT provided the draft ERG Mobile Termination Rates Snapshot as of July 2008, the draft ERG Mobile Termination Rates Benchmark as of July 2008 (for internal use only) and the draft ERG Short Messaging Service Termination Rates Benchmark as of January 2008 (for internal use only).

Conclusions
The Plenary approved the two internal documents and approved the MTR Snapshot for publication.

Approved documents:
Report on MTR Snapshot   ERG (08) 41

b) Remedies coordination / Benchmarking (Ofcom / CMT)

Background
CMT presented a draft report on broadband prices benchmark methodologies for internal use only. The PT asked the plenary to advise if the document should be published.

BNetzA provided an oral report as to a potential reaction of the ERG to the ECTA Scorecard on regulatory effectiveness 2008. The subteam had a meeting with ECTA and Jones Day.

Ofcom provided a presentation on the VoIP action plan monitoring exercise, a draft report on the Symmetry of MTR/FTR Action Plan Monitoring and a draft report on the Broadband Common Position Conformity. At this time, we are awaiting certain answers before we publish the documentation.

Conclusions
The report on Broadband Prices Benchmark Methodologies was approved for publication.

The MTR/FTR Action Plan and the Broadband Common Position Conformity Report were both approved for publication. Members to provide missing data.

The Chair will approach ECTA and attempt to discuss how the ERG's concerns can be addressed.

Approved documents:

Report on broadband prices benchmark methodologies	ERG (08) 44
Report on Symmetry of MTR/FTR Action Plan	ERG (08) 45
Report Broadband Common Position Conformity	ERG (08) 46

5. Significant Market Power (SMP)

a) Geographical aspects of market analysis (ARCEP/RTR)

Background
RTR presented the draft of the ERG Common Position on geographic aspects of market analysis after consultation and the draft consultation report. Feedback from 22 parties was received during the consultation process. The feedbacks resulted in two changes being made to the document. There was no need for significant changes to the report.

Conclusion
The PT to discuss and re-phrase the sentence that has been called into question, after which the document is considered approved for publication.

Approved documents:

Common Position	ERG (08) 20
Consultation Report	ERG (08) 20b

b) SMP assessment methodologies (ARCEP)

Background
ARCEP presented a proposal on the next steps following the submission of the "wish list" document ERG (08) 22 "ERG Internal Report on SMP Assessment Methodologies" and the subsequent discussion on publication at the Vilnius plenary. The PT proposes that the Vilnius document remain an ERG internal document.

Conclusion
The plenary took note. The document remains internal.

6. International Roaming (Ofcom)

Background
Ofcom presented the PT's consideration of costing methodologies. The PT considers making the next steps electronically. This work follows the I/ERG's July submission to the Commission's consultation in respect of the Roaming Regulation.

Conclusion
The proposed next steps are approved.

7. Regulatory Accounting (AGCOM)

Background
AGCOM presented the Draft Report on regulatory accounting in practice, as per 2007.

Conclusion
The Plenary approved the document for publication.

Approved documents:
Report on RA   ERG (08) 47

8. Convergence (CMT)

Background
CMT presented interim results as to the Convergence questionnaires on Margin Squeeze and Fix-Mobile-Convergence.

Conclusion
The Plenary took note.

9. I/ERG-RSPG Cooperation (PTS)

Background

PTS provided an oral update as to the progress of the working group. Participation in the working group is encouraged.

Conclusions

The Plenary took note.

10. Information from the Commission

Background

The EC provided information as to recent Article 7 notifications.
The Commission provided information as to the current state of review, including timing issues and the development of the "entity."

Conclusions

The Plenary took note and thanked the Commission for the information.

11. Work programme 2009 and meetings in 2009 (BNetzA)

Background

BNetzA presented the draft IRG / ERG Work Programme 2009, a proposal for the year 2009 PT structure and the meetings scheduled for 2009 – BNetzA expressed thanks to all NRAs which volunteered to host the events.

Conclusion

The WP is approved for public consultation and the Plenary agreed to the suggested PT structure.

Approved documents:

Draft WP 2009   ERG (08) 48rev1

12. AOB

a) **EUROMED Meeting (OCECPR)**
   The next meeting is in Cyprus, and NRAs are encouraged to attend this meeting.

b) **REGULATEL (Agcom)**
   Next year the ERG-REGULATEL meeting will be hosted by Agcom. Information in respect thereof will be circulated as soon as such is available.

c) **Next ERG Plenary meeting (NCAH)**
   The next ERG Plenary will be held on 4/5 December in Budapest.