Consultation on BEREC Work Programme 2015
Response from the
International Telecommunications Users Group (INTUG)

Introduction

INTUG is pleased to respond to public consultation on BEREC's 2015 Work Programme, following the excellent Stakeholder Forum in Brussels, in which INTUG was privileged to participate. We welcome the greatly improved stakeholder participation already achieved. This response was developed at an INTUG meeting in Copenhagen this week and focuses attention on the most important issues, but makes some general points initially. .

BEREC's work to date, especially through its Article 7 procedures, has proved effective in improving the quality and consistency of NRA actions and is to be applauded. This area of BEREC work needs to be thoroughly resourced within the Work Programme for 2015. Vigilance continues to be required to ensure full, prompt and effective NRA transposition.

BEREC should continue its commitment to pursuing its contacts with national and regional regulatory authorities outside Europe, especially ITU and OECD. Consistency of approach globally is important, and BEREC can offer examples of best practice drawn from its successes in the EU, some already being emulated by the Gulf Cooperation Council.

1. WHOLESALE PRODUCTS/NGA ROLL-OUT AND COMPETITION

The ubiquitous availability of high-speed high quality fibre-based broadband services for business customers is a critical enabler of the Internal Market. BEREC should ensure that regulation encourages efficient infrastructure investment in fixed and mobile networks with a focus on service-based competition. Service competition drives infrastructure demand. The economic impact of the regulated copper price on NGA must be carefully monitored. Non-discriminatory wholesale access must be preserved, with true equivalence of input.

Whilst in some countries, geographical sub-national deregulation is helpful, in other countries it represents a serious threat to NGA competition for businesses, as multi-site requirements must be met by competitive suppliers using a mixture of regulated and deregulated inputs, removing the level playing field for wholesale access competition.

2. NETWORK NEUTRALITY

Businesses need high quality services over the global Internet, and guaranteed access to information and applications without network blockages or device exclusivity for networks. This needs transparent non-discriminatory positive traffic management to allow provision of differentiated service levels for application and content without bias, without blocking of specific content and without negative differentiation, especially for cloud services. This also applies to online services delivered by businesses to their clients in B2B and B2C

environments, both for traffic management and in terms of search engine prioritisation. BEREC should seek mechanisms for monitoring and reporting on Quality of Service.

3. ROAMING CHARGES AND TERMINATION RATES

The complete elimination of international roaming charges for voice, text and data must be delivered by end 2015 as already committed, without dilution or delay, since this is a key enabler of the Internal Market. Operators have had sufficient warning to prepare and should not await final definition of detail before commencing work. It is not sufficient to reduce regulated wholesale prices, and/or implement decoupling and Local Break Out.

BEREC should also monitor international call charge mark ups, which have increased. A reduction in the range of Termination Rates will be a key enabler to eliminate arbitrage.

4. RADIO SPECTRUM/MOBILE COMMUNICATIONS

Machine to Machine (M2M) communications and the Internet of Things is imposing an unavoidable pressure to separate SIMs from operator networks, reflected in developments such as the recent Apple SIM and various multi-SIM and soft-SIM offerings. Business use will need the ability to connect to any available network, as already enabled for emergency services, and shared mobile access infrastructure will become an inevitability. BEREC should ensure that, in an EU context, this evolution is enabled and managed consistently.

BEREC should make NRAs responsible for ensuring that reliable and accurate information is available transparently on mobile coverage and service quality, and at a granularity level usable for consumers. This should be on a comparable basis across all Member States.

Spectrum allocation is an attractive source of revenue for Member State Governments, but some mechanisms such as auctions create a tax on a key enabler of overall economic growth, namely mobile data communications. BEREC should ensure that Member States are aware of the indirect impact of high spectrum licence fees, and encourage moderation.

5. FRAMEWORK REVIEW

The current Regulatory Framework was designed for use of communications services by people. The Framework Review should therefore take into account the increasing impact of significant use of communications services by objects and devices. These "things" have different capability, different needs, different resilience and different usage characteristics.

6. BROADBAND PENETRATION AND UNIVERSAL SERVICE

Many incumbents claim almost 100% availability, whilst businesses with locations in rural sites continue to be unable to secure broadband access at the speed and quality required. This impacts SMEs particularly. BEREC should seek to monitor actual penetration, take-up and service quality delivered. For business use, requirements extend beyond headline downstream speed target by a certain date. Commitment is needed to broadband service universally available to all sites, which allows and encourages full participation in society, through access to all current public and private sector online applications and content.

Service performance must be sufficient to provide effective usage of available products.

About INTUG
The International Telecommunications Users Group (INTUG) represents the interests of business users of telecommunications globally. These include some of the world's largest financial institutions, car manufacturers, pharmaceutical companies, fast moving consumer goods enterprises, and retail and distribution companies. They also include small and medium enterprises, who are increasingly dependent on telecommunications services.

The INTUG community includes user groups in many large European countries, including Belgium, Denmark, France, Germany, Spain, Netherlands, Norway, Sweden, Switzerland and the UK. These represent public and private business customers of communications service providers. INTUG is established in Belgium, governed by an elected Board.

INTUG was established in 1974, and has links throughout the world, in countries as diverse as Algeria, Australia, New Zealand, Hong Kong, India, Indonesia, Mexico and South Africa. INTUG has a Memorandum of Understanding with the Commonwealth Telecommunications Organisation (CTO).

INTUG has permanent observer status at the ITU, guest status in APECTel and CITEL, and is an expert group within the OECD/CISP.

INTUG engages actively with the European Commission and Members of the European Parliament, and has made submissions to many EU regulatory consultations and events.

Confidentiality
Nothing in this document is confidential. The contents may be considered as in the public domain, and available for distribution. They are based on regular consultation by INTUG with its member associations, and their members, on draft documents prior to submission.

Contact
Comments should be addressed to: **Nick White,** Executive Vice President
International Telecommunications Users Group (INTUG)