

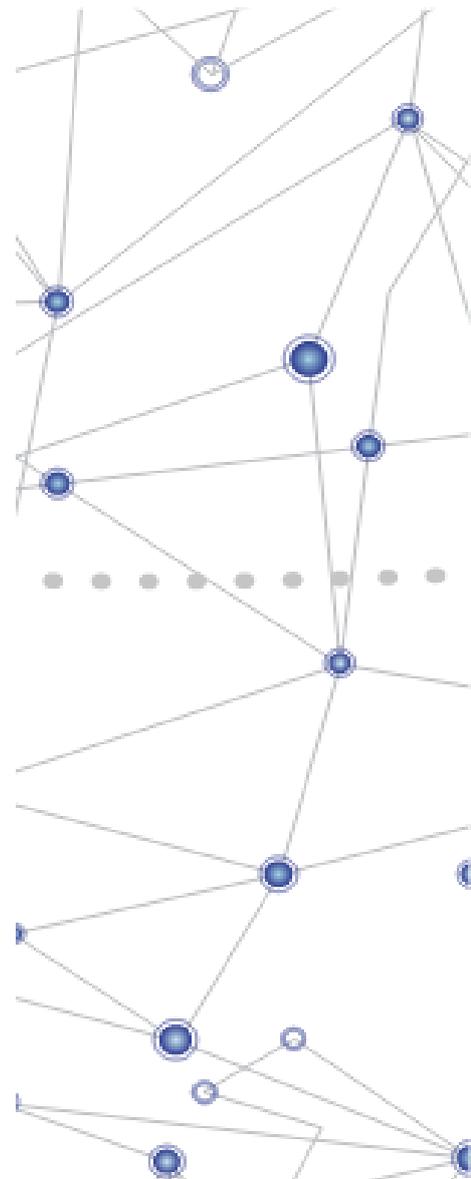


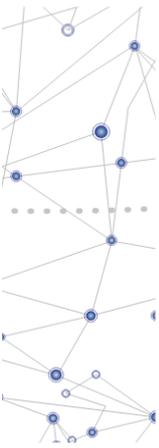
BEREC Newsletter

10 / 2016

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Short overview on the outcomes of the 28th plenary meeting of the BEREC Board of Regulators

BEREC held its third plenary meeting of 2016 in Vilnius, Lithuania on 6-7 October, during which it approved its [draft 2017 Work Programme](#) for public consultation. The draft will be discussed at the [BEREC Stakeholder Forum](#) on 17 October in Brussels, and comments are invited by 2 November. Of particular note for next year will be BEREC's input into the review of the electronic communications framework, draft proposals for which were published by the Commission on 14 September, and on which BEREC had a first exchange of views with the Commission during the plenary meeting. The work programme will also cover the monitoring of the application of the net neutrality guidelines (adopted in August 2016 pursuant to the TSM Regulation), a report on mobile connectivity, and a scoping exercise for the review of the Common Positions on wholesale broadband access markets.

BEREC also adopted a [report on challenges and drivers of NGA rollout and infrastructure competition](#), based on Member State case studies. The report identifies exogenous investment drivers (including roll-out costs and demand-side factors) and considers how regulators have used their regulatory toolbox to foster NGA-roll-out in the different national markets. The report will be a useful input into the debates around the review of the electronic communications framework.

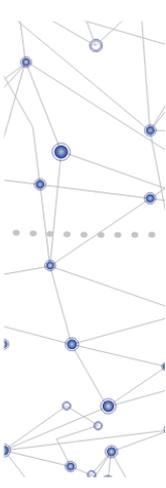
Following a public consultation which closed on 1 July 2016, BEREC adopted its [Common Position \(CP\) on Layer 2 wholesale access products](#), together with a final [report on the outcomes of the consultation](#). This CP defines technical characteristics, prices and conditions for the imposition of the wholesale products on markets 3a and 3b.

The third item adopted at the plenary concerns [the transition to IP on subscriber access lines](#), also based on case studies. The report provides an overview of the status of migration across a number of Member States, the impacts of migration on end users and wholesale services, and whether the migration was network- or customer-driven.

BEREC also adopted its latest [annual report on regulatory accounting in practice](#), which provides a useful overview of the continued convergence of NRA accounting practices since data began to be collected in 2006.

Of particular interest (in light of the international roaming provisions of the TSM Regulation taking effect on 25 November 2015), BEREC published its latest [benchmark report on international roaming](#), providing an overview of average wholesale and retail prices for voice, SMS and data roaming for the period between 1 October 2015 and 31 March 2016.

A full list of documents adopted at the Plenary is available [here](#).



BEREC Report Case Studies on Migration from POTS/ISDN to IP on the Subscriber Access Line in Europe

In recent years several network operators in Europe started to migrate their networks including the access network to NGN/all-IP networks. For the migration of the access network, network operators have the following two options:

- (1) The traditional technology (POTS, ISDN) used on the subscriber access line (SAL) is migrated to IP (migration to VoIP-based SAL);
- (2) The traditional technology (POTS, ISDN) continues to be used on the SAL and converted to IP (VoIP) at the central office (in the case of FTTC/B at the street cabinet or building of the end-user).

The focus of this report is on option 1 since this type of migration may have more impact on the subscribers and may need more regulatory intervention compared to option 2.

In order to get a deeper insight into the migration to VoIP-based SAL and to foster the exchange of experiences between NRAs, this report has the following two objectives:

- Firstly, it aims to give an overview of the status of the migration to VoIP-based SAL in Europe on a general level based on information from 31 European countries.
- Secondly, it aims to give an overview of the migration to VoIP-based SAL in the network of the incumbent which have already taken place (at least to some extent) based on the experiences of ten countries (Croatia, Germany, Italy, Luxembourg, Montenegro, Netherlands, Slovakia, Slovenia, Spain and Switzerland).

The analysis of the report is descriptive and does not aim to be normative or to recommend best practice.

The report reveals the status of migration to NGN/all-IP networks and VoIP-based SAL in Europe as follows. In seven countries the incumbent has already finished the migration to an NGN/all-IP network, in 16 countries this migration is still ongoing and in eight countries this migration has not yet begun. In 16 countries the incumbent network operator migrates copper-based SAL from traditional technology (POTS, ISDN) to IP (VoIP) and the migration strategy is network driven, i.e. forced by the incumbent in 12 countries and customer driven, i.e. initiated by the customers in six countries.

From the report it can be concluded that from an overall perspective the impact of the migration to VoIP-based SAL was limited in most of the ten countries considered and so was the need for regulatory intervention. Consumer issues such as e.g. service interruptions in the migration phase seem to be more likely to occur in cases where the migration was network driven. Wholesale services which are no longer available after migration, such as wholesale line rental and carrier selection/carrier pre-selection, have been replaced by other (already available) wholesale products, such as bitstream access.

The [BEREC report Case Studies on Migration from POTS/ISDN to IP on the Subscriber Access Line in Europe](#) is available online on the BEREC website.

BEREC Accessibility workshop

On 5 October BEREC held a Workshop on the Accessibility of Communications Services, taking into account the needs of disabled end-users. The Workshop was focused in particular on broadcasting, other audio-visual services and the provision of online content.

The event preceded BEREC's quarterly plenary meeting of national regulators at which common regulatory subjects across Europe are discussed. On this occasion, the event was hosted by the national communications regulator of Lithuania, RRT, in Vilnius.

BEREC was joined for the event by several organisations representing European citizens and disabled people, as well as representatives of broadcasters, online service providers and equipment manufacturers, who shared their views and experience.

The Workshop was opened by the BEREC Chair 2016, Wilhelm Eschweiler, who emphasised that the issue of accessibility is recognised and is to be given significant importance in the revised Telecommunications Framework in order to promote equal access to services, culture and information for disabled people. In the context of rapidly moving technological developments it is essential that people with disabilities are able to fully participate in and benefit from such innovation and new services, since digital inclusion is a necessary condition for a digital society.

One of the aims of the Workshop was to learn more about the evolving needs and expectations of disabled end-users and the barriers that need to be overcome in order to promote accessibility. The organisations representing end-users, including the Vilnius Multiple Sclerosis Association, the Blind and Partially-Sighted Union of Lithuania and the European Disability Forum provided their insights on these issues. For instance, they explained the wide range of ways in which people may have difficulties using communications services. Based on this, it is important to recognise that solutions should be flexible, rather than attempting to impose a 'one size fits all' approach. They also pointed out that, whilst technological development can bring new opportunities, there is also a risk it can raise new barriers. To avoid this, the needs of disabled end-users should be considered when designing new products and services.

Representatives from the broadcasting sector also offered their perspectives. They discussed the ways in which they had promoted accessibility within the services they offer, such as through the provision of subtitling, audio description, sign language and accessible electronic programme guides. They noted the steady progress in this regard under the Audio-visual Media Services Directive (AVMS Directive), which is currently under review by the European legislator, based on the proposal of the European Commission.

There was also discussion of the potential removal of the accessibility provisions under the AVMS Directive, whilst instead including the audio-visual sector in the wider European Accessibility Act (EAA). Some were concerned that this could lead to the loss of a sector-specific approach, being detrimental to both broadcasters and end-users.

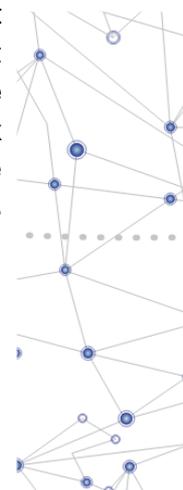
They also noted how provision of accessible services by many broadcasters had gone even further than the levels prescribed in regulation, due to the promotion of brand values and competition. However, there was also discussion about the importance of maintaining proportionate regulation. Among the other discussions at the Workshop was the potential of

new technology and technological convergence. For instance, several of the participants had experience of Hybrid Broadcast Broadband TV (HBBTV), including the promotion of accessibility through HBB4all. HBBTV, an open platform, allows broadcast TV to be combined with online content through a single user interface.

BEREC also heard from representatives of equipment manufacturers and online service providers. For instance, there were presentations about the capabilities of televisions, including their customisable accessibility features. BEREC was also informed about object recognition technology that is being used to provide blind and partially-sighted people with a description of a photo, which may help to promote greater inclusion and interaction.

A common theme throughout the Workshop was the importance of standardisation in promoting an integrated approach to accessibility. In this regard, the World Wide Web Consortium (W3C) discussed their Web Accessibility Initiative (WAI), which develops strategies, guidelines, and resources to help make the Web accessible to people with disabilities. In particular, it highlighted four important principles for web accessibility: that content is Perceivable, Understandable, Operable and Robust.

Last but not least, a number of national regulators offered their views, explaining the ways in which accessibility has been promoted across Europe. They discussed the goals of equivalent access and choice for disabled end-users of electronic communications services, whilst ensuring that obligations placed on service providers are proportionate and evaluating the socioeconomic impact of accessibility measures. They also noted the potentially complex interaction of regulation and innovation and how regulation should incentivise, not impede innovation. This is particularly important in the context of technological development that has the potential to facilitate greater accessibility for disabled end-users.



BEREC Future events

4th BEREC Stakeholder forum

On 17 October 2016 at 13:00 (CET) in Brussels, BEREC will hold its 4th Stakeholder forum. It will focus this year on the BEREC Work Programme for 2017 as well as on the ongoing review of the regulatory framework for electronic communications. The forum will be organised in two sessions: one on the connectivity challenges and the other – on a fast-changing digital environment. Wilhelm Eschweiler, 2016 BEREC Chair, and Sébastien Soriano, BEREC Chair for 2017, will give opening remarks. Commissioner Oettinger will close the forum. The event will be open to the public and will be web-streamed live on the BEREC website. Everyone is invited to react or ask questions directly to the speakers via Twitter #BERECforum. The [Agenda of the Stakeholder forum](#) is available on the BEREC website.

BEREC Contact Network meeting

On 17-18 November in Jurmala, Latvia the 4th Contact Network meeting for 2016 will take place, kindly hosted by the Latvian Public Utilities Service Commission (SPRK). The main objective of the meeting is to prepare the 29th ordinary plenary meetings of the BEREC Board of Regulators and the BEREC Office Management Committee to take place on 8 and 9 December 2016 in Berlin, Germany. Therefore, the Contact Network will consider all items included in the agendas of the afore-mentioned meetings. The event is open for participation

only to Contact Network Members. The BEREC Office will publish the meeting agenda and meeting conclusions on the website for transparency purposes.

29th BEREC plenary meetings

The 29th BEREC Board of Regulators and BEREC Office Management Committee plenary meetings will take place on 8 and 9 December 2016 in Berlin, Germany, kindly hosted by the German Federal Network Agency (BNetzA). The meetings are open for participation only to Board of Regulators and BEREC Office Management Committee Members and Observers.

BEREC Public debriefing

On 14 December 2016 in Brussels, BEREC will hold a public debriefing on the results from its 29th BEREC plenary meetings. This will be the fourth and the last public debriefing chaired by the BEREC Chair 2016 Wilhelm Eschweiler (BNetzA, Germany), who will present the main outcomes of the plenary meetings. The debriefing will be open to the public through web-streaming and the audience has the opportunity to ask questions to speakers via Twitter #BERECpublic or by sending them to press@berec.europa.eu. The recording of the event will be available on the [BEREC YouTube channel](#).

