

## **32<sup>nd</sup> Ordinary Plenary Meeting of the Board of Regulators**

**Hosted by Romanian National Authority for Management and Regulation in Communications  
(ANCOM)**

# **Conclusions**

**Chair: Sébastien Soriano**

President  
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**5-6 October 2017 (Bucharest, Romania)**

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## **Main Results of the 32<sup>nd</sup> Meeting of the BEREC Board of Regulators**

The BEREC Board of Regulators (BoR) held its 32<sup>nd</sup> ordinary plenary meeting on 5-6 October 2017 in Bucharest, Romania.

During the meeting the BoR discussed and/or approved the following documents:

### **1. Documents approved for publication**

#### 1.1 As 'A' items:

- 19<sup>th</sup> International Roaming BEREC Benchmark Data Report;
- Regulatory Accounting in Practice Report 2017;
- BEREC Summary Report on the study trip to India;
- BEREC input on weighted average of maximum mobile termination rates

#### 1.2 As regular items:

- BEREC report on the outcomes of public consultation with stakeholders on the BEREC Strategy 2018-2020 public consultation document;
- BEREC Strategy 2018-2020;
- BEREC Report on the outcomes of public consultation on the draft Net Neutrality Regulatory Assessment Methodology;
- BEREC Net Neutrality Regulatory Assessment Methodology;
- Net neutrality measurement tool specification;
- BEREC Report on new forms of sharing passive optical networks based on wavelength division multiplexing;
- BEREC Report on the outcomes of the public consultation on the draft BEREC Report on IP interconnection practices in the context of net neutrality;
- BEREC Report on IP interconnection practices in the context of net neutrality;
- BEREC Report on the convergence of fixed and mobile networks;

#### 1.3 For public consultation:

- Draft BEREC Work Programme 2018;
- Draft BEREC Report on the Impact of content markets and devices on fixed and mobile ECS markets;
- Draft RSPG/BEREC Report on facilitating mobile connectivity in 'challenge areas';
- Draft BEREC preliminary report on monitoring of mobile network coverage with a view to a common position;

## **2. Discussion on topics of strategic importance**

During the plenary meeting BoR discussed the draft BEREC Internal report summarising annual reports by the NRAs on the implementation of the net-neutrality provisions of Regulation 2015/2021 and associated BEREC guidelines and in view of the adoption of a completed full report in P4. The BoR members also discussed the ongoing review of the telecommunications regulatory framework and BEREC international cooperation.

## **3. Documents submitted for information and/or consideration**

The BoR took note of the information provided in the following documents:

- Information on the electronic voting procedures since the last plenary meeting;
- Information on electronic voting procedures planned between P3 and P4;
- BEREC Work Programme 2017 status update;
- Draft agenda for 5<sup>th</sup> BEREC Stakeholder Forum.

## **4. Next meeting**

The next ordinary meeting of the BoR will take place on **7-8 December 2017 in Copenhagen (Denmark)** and will be hosted by the [Danish Business Authority](#) (DBA).

## Introduction and participation

The BEREC Board of Regulators (BoR) held its 32<sup>nd</sup> ordinary plenary meeting on 5-6 October 2017 in Bucharest, Romania.

The meeting was attended by the Heads and/or high-level representatives of the NRAs established in each EU Member State which have primary responsibility for overseeing the day-to-day operation of the markets for electronic communications networks and services. Heads and high-level representatives of the NRAs from the EFTA States and the States that are candidates for accession to the EU, the Commission and the EFTA Surveillance Authority also took part in the meeting.

## Items discussed

A short overview of the information presented under each agenda item, a summary record of the proceedings and a record of the conclusions reached by the BoR under each agenda item is each presented below.

### 1. Opening of the meeting and adoption of the agenda

<b>Document(s)</b>	BoR (17) 167 Draft BoR meeting agenda
<b>Introduction by</b>	BEREC Chair (Arcep)
<b>Information presented</b>	<p>The BEREC Chair opened the meeting and presented the agenda for approval by the BoR.</p> <p>The BEREC Chair welcomed the meeting participants who participated in a BoR meeting for the first time:</p> <ul style="list-style-type: none"><li>- Mr João Cadete de Matos (ANACOM);</li><li>- Mr Kaur Kajak (ETRA).</li></ul> <p>The meeting host presented practical information on the logistics of the meeting.</p>
<b>Conclusions</b>	The draft agenda was approved without any changes.

### 2. List of 'A' items

<b>Document(s)</b>	<p><u>Approval for publication:</u></p> <p>BoR (17) 168 Draft 19<sup>th</sup> International Roaming BEREC Benchmark Data Report</p> <p>BoR (17) 169 Draft Regulatory Accounting in Practice Report 2017</p> <p>BoR (17) 170 Draft BEREC Summary Report on the study trip to India</p> <p>BoR (17) 166 Draft BEREC input on weighted average of maximum mobile termination rates</p>
<b>Introduction by</b>	BEREC Chair (Arcep)
<b>Information presented</b>	<p>The BEREC Chair introduced the list of "A" items as set out above.</p> <p>The BoR members were asked to approve the "A" items for publication.</p>

<b>Conclusions</b>	The BoR approved the documents included in the 'A' item list for publication.

### 3. Information from the Chair and information on forthcoming Elections of Chair for 2019 and Vice-Chairs for 2018

<b>Document(s)</b>	No documents
<b>Introduction by</b>	BEREC Chair (Arcep)
<b>Information presented</b>	<p>The BEREC Chair reported to the BoR on the recent important meetings he held:</p> <ul style="list-style-type: none"> <li>- Lunch meeting with the ITRE rapporteur and shadow rapporteurs on the Code in Brussels on 7 June;</li> <li>- On 8 June, speech at the FT Future of Media and Telecoms conference in London regarding telecoms/media convergence;</li> <li>- On 15 - 16 June, participation in the Digital Assembly 2017 in Valletta, Malta;</li> <li>- an event organized by NetCompetition on 20 June in Brussels;</li> <li>- Keynote speech at the 12<sup>th</sup> annual spectrum management conference, organized in Brussels on 21 June;</li> <li>- On 17 July, panel discussion at the Digital- Carnival in Kotor (Montenegro);</li> <li>- On 19 July, meeting with the EWG Co-chairs in Brussels;</li> <li>- On 20 July, meeting with Roberto Viola to exchange views on the ongoing framework review;</li> <li>- Keynote speech at RTR Telecoms Summit organized in Salzburg on 28 August;</li> <li>- ITU Telecom World in Busan (Korea) on 25-27 September in order to talk about digital transformation and 5G;</li> <li>- 27 September, keynote speech at the FT/ETNO summit in Brussels where the incoming BEREC Chair was also present.</li> </ul> <p>He also informed the BoR about the forthcoming events in which he is going to participate:</p> <ul style="list-style-type: none"> <li>- On 9 and 11 October, International regulators forum in Brussels;</li> <li>- 11 October: meeting with Commissioner Gabriel, together with incoming BEREC Chair;</li> <li>- On 18 October, keynote speech at the TMT Sector Conference dedicated to Competition Law and Regulation, organised in Brussels;</li> <li>- On 24 October, ComReg's conference to talk about network rollout and the new European Electronic Communications Code;</li> <li>- In the week of 6 November, Web Summit organised in Lisbon.</li> </ul>

	The BEREC Chair also informed the BoR about the call for candidates for the position of the BEREC Chair 2019 and Vice-Chairs for 2018. He reminded the meeting of the rules that govern the election process and informed the BoR that there will be two additional Vice-Chairs positions for 2018.
<b>Conclusions</b>	The BoR took note of the information.

#### 4. Information from the BEREC Office

<b>Document(s)</b>	BoR (17) 171 Information on the electronic voting procedures since the last plenary meeting BoR (17) 172 Information on electronic voting procedures planned between P3 and P4 BoR (17) 173 2017 BEREC Work Programme status update
<b>Introduction by</b>	BEREC Office representative
<b>Information presented</b>	<p>The BEREC Office submitted to the BoR for information the updated contact lists of the BEREC Heads, CN members and the BEREC Office, the outcome of the recent electronic voting procedures and the implementation status of the 2017 BEREC Work Programme.</p> <p>A BEREC Office representative reported to the BoR about major BEREC projects that are currently underway:</p> <ul style="list-style-type: none"> <li>– The progress on the WP-2017 and the deliverables submitted since the last BoR meeting in Cascais;</li> <li>– The compliance with the BEREC style guide;</li> <li>– The three PCs held in June-July (i.e. mainly statistics on the contributions received and the tools used);</li> <li>– The phase-II cases submitted since CN2;</li> <li>– The IS-Portal, the BERECnet and the on-line tool for PCs;</li> <li>– The external studies (i.e. completion of the study on NN and information on the procurement of the study on 5G);</li> <li>– The operational budget with emphasis on the spending on meetings and on reimbursements of EWG experts, use of AVC conference facility, etc.;</li> <li>– The next sessions of BEREC training.</li> </ul>
<b>Conclusions</b>	The BoR took note of the information.

#### 5. Information from the Commission

<b>Document(s)</b>	No documents
<b>Introduction by</b>	Commission Representative
<b>Information presented</b>	<p>A representative of the European Commission updated the BoR on recent developments which are of interest to BEREC.</p> <p>The EC representative drew attention to the appointment of new Commissioner, in July 2017. He highlighted that she is interested in the BEREC work and expressed his hopes that the cooperation between the Commissioner and BEREC will be excellent.</p>

He reported on the Tallinn Digital Summit, Estonia, 29 September 2017. The aim of the Summit was to serve as a platform for launching high-level discussions on plans for digital innovation, enabling Europe to stay ahead of the technological curve and be a digital global leader in the years to come. The EC representative informed the BoR that the first session of the summit was dedicated to the future of governance and public services, while during the second session EU leaders discussed the future of economy and society. He informed the BoR that the summit conclusions will be transmitted to the European Council. He reported that the EU leaders agreed that the work on the EECC should accelerate and that a Council position should be reached as soon as possible. Therefore, they called for an extraordinary Telecom Council meeting, which will most likely take place on 24 October 2017, to discuss outcomes of the Summit, cybersecurity and issues related to the Code and e-privacy.

The EC representative reported also on the result of the ITRE vote on the Code and BEREC regulation and informed the BoR that the EP is ready to start trialogues. He expressed satisfaction with the report as it is largely in line with the EC proposal. He also reported about the situation in Council, which is more worrying, especially regarding the independence of NRAs and spectrum. He informed the BoR that the EC will continue discussions with the Council at technical and political level. The EC representative expects the trialogues to start in the end of October and continue in mid-November and December.

Regarding the Roaming Regulation, the EC representative reported that the market responded positively to the changes. He informed the BoR about the results of a Flash Eurobarometer survey the EC has carried out. It shows that, in general, customers are satisfied with the RLAH solution. He also pointed to the increasing volumes of traffic as a consequence of increasing uptake of services by consumers.

The EC representative noted that the BEREC input on the weighted average MTR in the EU which is a standard annual exercise is expected soon.

Regarding the WiFi for Europe Initiative, the EC representative informed the BoR that it is going into the implementation phase. He stressed that it will be beneficial for local communities and its citizens to promote Internet access.

As for WACC and TRR the EC representative informed the BoR that the EC is still working on these issues.

The EC representative noted that the trialogues on the AVMSD have already started. The EC welcomed the developments regarding the articles on regulators' independence, in terms of both resources and the composition of ERGA. In view of the EC, this could have positive implications for the ongoing discussions on NRAs' competences in the context of the EECC.

The EC representative noted that the rules on online portability of content will enter into force as of 1 April 2018, which is another signal besides roaming that the internal market is functioning.

Regarding the free flow of data, he reported that the College of Commissioners adopted a draft regulation which deals with the abolition of barriers in the EU to allow free flow of non-personal data.

	<p>He also reported about the adoption of the Cybersecurity package by the EC, which consists of several documents:</p> <ul style="list-style-type: none"> <li>– communication on the EU’s cybersecurity strategy;</li> <li>– guidelines on implementation by EU member states of the Directive on the Security of Network and Information Systems (NIS) by the May 2018;</li> <li>– a draft of cybersecurity and incident reporting requirements (draft Commission implementing regulation) applicable to 'digital service providers' under the NIS Directive (covering online marketplaces, search engines, and cloud computing services);</li> <li>– a legislative proposal (draft Regulation) for a reform of ENISA and for a voluntary framework for EU-wide cybersecurity certification of ICT products and services; and</li> <li>– a non-binding recommendation to EU member states on a coordinated response to large-scale cybersecurity incidents.</li> </ul> <p>The EC representative welcomed the exchange of views between BEREC and the EC on the ongoing telecommunication regulatory framework review. He expressed Commission’s interest in the BEREC progress on the implementation of its programme, especially in relation to the mobile network coverage topics, which in the Commission’s view are important for other developments to take place, such as e-health services or connected cars.</p> <p>The EC representative reported that the EC had sent letters of notice to 7 MS regarding the delays on art 7. The formal procedures have started, but could be stopped if the infringements were removed.</p> <p>The EC representative welcomed the work of BEREC is doing on mobile coverage. He also mentioned the EC was trying to accelerate the preparation of SMP guidelines and was counting on BEREC opinion in this regard.</p>
<b>Conclusions</b>	The BoR took note of the information.

## 6. BEREC Strategy 2018-2020

<b>Document(s)</b>	<p>BoR (17) 174 Draft report on the outcomes of public consultation with stakeholders on the BEREC Strategy 2018-2020 public consultation document</p> <p>BoR (17) 175 Draft BEREC Strategy 2018-2020</p>
<b>Introduction by</b>	Ad-hoc MTS EWG Co-Chair (PTS) and BEREC Office representative
<b>Information presented</b>	<p>Since BEREC commenced its activities in January 2010, it has adopted two medium-term strategies. The first was published on 23 February 2012, for the period 2012-2015. The second, published on 5 December 2014, presented the strategic outlook for the next 3-year period of 2015-2017.</p> <p>It was agreed that the medium-term strategy will be reviewed periodically; therefore, as the current strategy expires on 31 December 2017 BEREC decided to work on its update, so that it could be adopted when the 2018 BEREC Work Programme is adopted for public consultation in P3. An ad</p>

	<p>hoc EWG on the BEREC Medium-term Strategy 2018-2020 was set up for this purpose.</p> <p>In the course of preparing its Medium-term Strategy for 2018-2020, BEREC carried out two public consultations. The first public consultation ran from 8 March till 5 April 2017. It sought inputs and answers to a number of open questions relating to developments affecting the end-user experience, the evolution of networks and the competitive dynamics in the digital ecosystem. During the first public consultation, BEREC received 16 contributions. All the contributions were taken into account while drafting the BEREC Strategy 2018-2020, which was presented to the BoR at the second Plenary meeting of 2017 and approved for the second public consultation.</p> <p>The second public consultation on the draft BEREC Strategy 2018-2020 ran from 7 June to 5 July 2017. In response to this consultation, BEREC received 14 contributions. The EWG Chair presented to the BoR the draft report on the outcomes of the second public consultation.</p> <p>The EWG Chair also presented to the BoR the revised draft of the BEREC Strategy 2018-2020 which reflects contributions from the public consultation.</p>
<b>Conclusions</b>	The BoR approved the documents for publication with a clarification.

## 7. BEREC Work Programme 2018

<b>Document(s)</b>	BoR (17) 176 Draft BEREC Work Programme 2018
<b>Introduction by</b>	BEREC Vice-Chair representative (RTR)
<b>Information presented</b>	<p>The annual BEREC Work Programme is the basis for the work to be carried out by BEREC during the year in question. In order to ensure timely preparation of the BEREC WP for 2018, the Incoming BEREC Chair launched a call for inputs from NRAs, EWGs/EWG Co-Chairs, Stakeholders and the European Commission. All the parties were to provide their inputs in the period from 17 March to 14 April 2017. In total 18 organisations replied suggesting more than 110 work items, which were clustered according to the strategic priorities of the draft BEREC Medium-term Strategy 2018-2020.</p> <p>Based on the inputs received, the Incoming BEREC Chair prepared and circulated for comments a list of all proposed topics and asked NRAs to provide feedback regarding the priority topics they would like to include in the final draft of the BEREC WP 2018. Based on the feedback received, the three highest-rated items per strategic priority of the draft BEREC Medium-term Strategy 2018-2020 were identified. The results of this exercise were discussed at the Plenary meeting in Cascais.</p> <p>After Plenary 2, the Incoming BEREC Chair consulted the EWG Co-chairs on the specific deliverables foreseen in the new BEREC WP 2018.</p> <p>A full draft BEREC Work Programme 2018 was presented to the BoR for discussion with a view to adopting it for public consultation to be held from 11 October to 8 November 2017.</p>
<b>Conclusions</b>	The BoR approved the document for public consultation.

## 8. Net Neutrality

### 8.1. BEREC Net Neutrality Regulatory Assessment Methodology

Document(s)	BoR (17) 177 Draft BEREC Report on the outcomes of public consultation on the draft Net Neutrality Regulatory Assessment Methodology BoR (17) 178 Draft BEREC Net Neutrality Regulatory Assessment Methodology
Introduction by	NN EWG Co-Chairs (Nkom/ACM)
Information presented	<p>The aim of the BEREC report on regulatory assessment methodologies is to support National Regulatory Authorities (NRAs) in the implementation of the net neutrality provisions of the Regulation 2015/2120.</p> <p>The work builds upon previous BEREC guidance on net neutrality, Internet Access Service (IAS) quality monitoring and best practices. The methodology was developed with a view to supporting the implementation of the BEREC Net Neutrality Guidelines. This document arises from the Net Neutrality Regulation and covers not only speed measurements, but also measurements related to blocking, content, distortions, etc. It also provides recommendations and advice to the NRAs on their national systems and how to certify them.</p> <p>The EWG Co-chairs presented to the BoR the report on the results of the public consultation which ran from 7 June to 5 July 2017 as well as an updated version of the draft BEREC Net Neutrality Regulatory Assessment Methodology, which addressed the comments received during the consultation process.</p>
Conclusions	The BoR approved the documents for publication.

### 8.2. BEREC Net neutrality measurement tool specification

Document(s)	BoR (17) 179 Draft Net neutrality measurement tool specification
Introduction by	NN EWG Co-Chairs (Nkom/ACM)
Information presented	<p>Following the BEREC NN QoS feasibility study, the NN EWG has prepared the NN Measurement Tool Specification notably to serve as a basis for a decision of the BoR to purchase development of an opt-in modular common measurement tool.</p> <p>Opt-in and modular means that NRAs that do not have a measurement system in place may use the software as a basis for a national measurement system that enables NRAs and end-users to measure the quality of fixed or mobile internet access services and detect potential illegal traffic management practices such as blocking or throttling of specific applications.</p> <p>At the same time, NRAs that already have a national measurement system can choose to apply selected metrics from the common software, for example application-specific measurements which are not yet covered by many current national systems.</p> <p>In the long term, the BEREC tool could facilitate a collaborative regulatory platform enabling NRAs to share knowledge, experience and expertise, including providing a basis for further piloting and research in the areas of measuring quality of internet access services and investigating net neutrality issues. The setup of the platform reflects a core organisational value of</p>

	<p>BEREC - sharing good practices while acknowledging the rootedness of BEREC in the NRAs.</p> <p>The specifications included in the report can also be used by the NRAs willing to develop their own measurement tool</p>
<b>Conclusions</b>	The BoR decided to implement the project and approved the document for publication.

### 8.3. Implementation of Regulation 2015/2120 and Guidelines on net neutrality

<b>Document(s)</b>	BoR (17) 180 Draft BEREC Internal report summarising annual reports by the NRAs on the implementation of the net-neutrality provisions of Regulation 2015/2021 and associated BEREC guidelines
<b>Introduction by</b>	NN EWG Co-Chairs (Nkom/ACM)
<b>Information presented</b>	<p>The EWG Co-chairs presented to the BoR the draft Internal report summarising annual reports by NRAs on the implementation of the net neutrality provisions of Regulation 2015/2120 and associated BEREC guidelines.</p> <p>This report gives an overview of the activities of the NRAs under the implementation of the net neutrality provisions of Regulation 2015/2120 and associated BEREC guidelines.</p> <p>The objective is to be able to analyse the application of the Net Neutrality rules, based on the experience of the NRAs. In the view of the EWG, this requires a stable experience in application of the Guidelines..</p> <p>The EWG Co-chairs suggested to now prepare an analysis for the final report, but to postpone possible material recommendations to review current texts to next year. BEREC is expected to prepare input for the evaluation of the Regulation by the European Commission, which presents an opportunity to report in one single instance on both the experiences of the NRAs concerning the Regulation itself and the BEREC Guidelines.</p>
<b>Conclusions</b>	The BoR agreed to continue work to complete and finalise the report with a view to submitting it to P4 for publication.

## 9. Market and Economic Analysis

<b>Document(s)</b>	BoR (17) 181 Draft BEREC Report on the impact of content markets and devices on fixed and mobile ECS markets
<b>Introduction by</b>	MEA EWG Co-Chairs (CNMC/Arcep)
<b>Information presented</b>	<p>The EWG Co-chairs presented to the BoR a draft BEREC Report on the Impact of content markets and devices on fixed and mobile ECS markets.</p> <p>The draft report provides a snapshot of the current situation in Europe regarding the distribution of premium content by different actors, application of content-ECS bundling practices, and exclusivity agreements applied to content. It identifies areas of concern regarding the impact of these bundling practices and exclusivity agreements on ECS markets, and summarises approaches taken by NRAs and competition authorities to address potential competition concerns in this area. The report also provides an analysis of the device industry, and in particular how device openness interacts with the objective of promoting the end-users' capacity to have access and to contribute to the various content and applications on the Internet.</p>

<b>Conclusions</b>	The BoR approved the document for public consultation with a minor addition.
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## 10. Next Generation Networks

### 10.1 New forms of sharing passive optical networks based on wavelength division multiplexing

<b>Document(s)</b>	BoR (17) 182 Draft BEREC Report on new forms of sharing passive optical networks based on wavelength division multiplexing
<b>Introduction by</b>	NGN EWG Co-Chair (RTR)
<b>Information presented</b>	<p>This project is the response to new forms of sharing passive optical networks (PON) which have become possible, in particular with the adoption of the new PON standard NG-PON2 (G.989.2) by the ITU in December 2014.</p> <p>The EWG Co-chair presented to the BoR, with a view to adoption for publication, the draft Report on new forms of sharing passive optical networks based on wavelength division multiplexing,.</p> <p>The report provides an overview of the current and expected future deployment of NG-PON2 based on information from 50 European network operators and three major vendors; it analyses whether wavelength unbundling (WU) was imposed in any of the 14 EU countries in which NRAs took a decision on Market 3a since the standardisation of NG-PON2 and discusses aspects which may be useful to take into account when an NRA considers whether or not to impose WU on the SMP operator; and explores whether WU based on NG-PON2 might increase the interest of network operators to co-invest in PON, taking into account information relating to 50 European network operators.</p> <p>The document is descriptive and does not aim to be normative or to recommend best practice.</p>
<b>Conclusions</b>	The BoR approved the document for publication.

### 10.2 IP interconnection practices in the context of Net neutrality

<b>Document(s)</b>	<p>BoR (17) 183 Draft BEREC Report on the outcomes of the public consultation on the draft BEREC Report on IP interconnection practices in the context of net neutrality</p> <p>BoR (17) 184 Draft BEREC Report on IP interconnection practices in the context of net neutrality</p>
<b>Introduction by</b>	NGN EWG Co-Chair (BNetzA)
<b>Information presented</b>	<p>In 2012 BEREC published the Report 'An assessment of IP interconnection in the context of net neutrality', which concluded that the Internet ecosystem generally managed to adapt IP interconnection arrangements to reflect changes in technology, in the (relative) market power of players, in demand patterns and in business models, all without a need for regulatory intervention.</p> <p>The updated version of this report, with its main findings reflecting the developments which have occurred since 2012, was presented to the BoR at the Second Plenary meeting of 2017 and adopted for public consultation.</p>

	The public consultation ran from 7 June to 5 July 2017. The purpose of the public consultation was to increase transparency and to provide BEREC with valuable feedback from stakeholders on the subject. The EWG Co-chair presented the outcomes of the public consultation and the updated version of the Draft BEREC Report on IP interconnection practices in the context of net neutrality.
<b>Conclusions</b>	The BoR approved the documents for publication.

## 11. Roaming and Mobile

### 11.1. Draft BEREC/RSPG Report on facilitating mobile connectivity in ‘challenge areas’

<b>Document(s)</b>	BoR (17) 185 Draft BEREC/RSPG Report on facilitating mobile connectivity in ‘challenge areas’
<b>Introduction by</b>	Roaming/Mobile EWG Co-Chair (Arcep)
<b>Information presented</b>	<p>The EWG Co-chair presented to the BoR the draft Report on facilitating mobile connectivity in ‘challenge areas’ which had been prepared jointly with RSPG.</p> <p>The draft Report provides a comprehensive and comparative assessment of initiatives to facilitate mobile connectivity in ‘challenge areas’, where operators are reluctant to provide services.</p> <p>The Report compiles initiatives to provide mobile connectivity in four types of “challenge” areas where such connectivity is non-existent or insufficient: indoor coverage, transportation means, non-profitable areas and other areas. It particularly focuses on regulatory and legal measures that have been adopted to resolve the issue (for example RAN-sharing, passive/active sharing etc.).</p>
<b>Conclusions</b>	The BoR approved the document for public consultation, to be launched after the RSPG approval.

### 11.2. Draft BEREC Common Position on monitoring of mobile network coverage

<b>Document(s)</b>	BoR (17) 186 Draft preliminary report in view of a Common Position on monitoring of mobile network coverage
<b>Introduction by</b>	Roaming/Mobile EWG Co-Chair (Arcep)
<b>Information presented</b>	<p>National regulatory authorities (NRA) use different means to provide information on national mobile coverage, which constitutes an important obstacle to a consistent approach in terms both of public policy and users’ information. A common understanding on how mobile coverage is measured and published is a first step to alleviate this obstacle.</p> <p>This document presents the results of the work of the BEREC Roaming/Mobile Experts Working Group on monitoring mobile coverage. In preparing the document, the group considered ITU-T and CEPT work, NRA responses to a questionnaire sent by IMIT and the broadband mapping project of the European Commission.</p> <p>The outcome of this BEREC work identifies how mobile coverage measurement and publication are achieved by some European NRAs. It gives a</p>

	<p>description of the high-level characteristics that are essential to the provision of mobile coverage information to consumers, policy makers and industry. More specifically, the document covers the following aspects:</p> <ol style="list-style-type: none"> <li>1. define a common vocabulary for mobile coverage;</li> <li>2. describe the main characteristics of mobile coverage measurement and reporting , and some of the key standards used in this space;</li> <li>3. highlight the main mobile services that are monitored by NRAs;</li> <li>4. describe some of the key features of maps used by NRAs to report on mobile coverage.</li> </ol> <p>The document identifies 5 characteristics of mobile coverage: service (SMS/MMS, voice, specialized services and Internet access services), user location (indoor, outdoor and in transportation), user equipment (handset performance), performance indicators (signal levels, quality of service and quality of experience) and service time availability.</p> <p>The document then describes two ways to provide information on mobile coverage. One way takes the form of macro information through metrics (usually a percentage of population or of territory over a given geographical area). Such information is difficult to compare without the underlying characteristics of the metrics. The other way is information on specific location through maps. The document discusses, providing some examples, characteristics of maps with regards to accuracy (number of layers displayed, granularity) and transparency (technology and/or service displayed, legends, accessibility of the map).</p> <p>The EWG Co-chair informed the BoR that the EWG met after CN to include drafting comments both from the CN comment round and from informal RSPG consultation. All comments had been taken into account in the document presented to the BoR.</p> <p>The BoR agreed that the document can be considered as a first step towards common position; therefore, it was proposed to adopt the document as a preliminary report towards a common position.</p> <p>The public consultation on the document would run from 11 October to 8 November.</p>
<b>Conclusions</b>	The BoR approved the document as a preliminary report for public consultation, with a view to develop a Common Position.

## 12. Regulatory Framework – oral up-date on the review of the telecommunication regulatory framework and EWG work

<b>Document(s)</b>	No document
<b>Introduction by</b>	RF EWG Co Chairs (AGCOM/NMHH)
<b>Information presented</b>	The RF EWG Co-Chairs reported to the BoR on the recent developments concerning the ongoing review of the Telecommunication Regulatory Framework. The EWG Co-chairs presented the ongoing work on technical analysis of the European Electronic Communications Code carried out by the EWG.
<b>Conclusions</b>	The BoR approved the high-level public statement on NRAs' competences and agreed to send it to EU institutions and publish during the public debriefing.

	The BoR agreed to continue work on the remaining targeted papers with a view to adopt them via e-clearance procedure.
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### 13. Remedies

<b>Document(s)</b>	BoR (17) 187 Draft BEREC Report on the convergence of fixed and mobile networks
<b>Introduction by</b>	Remedies EWG Co-Chairs (Ofcom/AGCOM)
<b>Information presented</b>	<p>With the increasing demand for mobile capacity and with the advent of 5G networks, the convergence between fixed and mobile networks is evolving rapidly. This report analyses how operators and NRAs have responded to convergence at the network and infrastructure level, in particular within the fixed and mobile backhaul networks.</p> <p>The document presents the situation in Member States regarding mobile operators' policies to ensure backhaul connectivity in a context where fixed infrastructures such as fiber backhaul have become more and more necessary. It also outlines how NRAs have responded to these trends in order to fulfil the market demand for mobile capacity as well as any regulatory implications arising from the current framework.</p> <p>Based on the findings of the report, within the current regulatory framework, most NRAs seemed not to encounter regulatory obstacles in imposing access obligations for mobile backhaul services via fixed network infrastructures. The report finds that NRAs, via various remedies, have enabled mobile operators to access SMP operators' dark fibre or other infrastructures that can boost their backhaul capacity.</p> <p>The report stresses that, given the advent of 5G networks and increasing demand for capacity by mobile operators, it is important for NRAs to continue monitoring the needs of mobile backhaul transmission and fine-tune their regulatory toolbox accordingly. As of now, if necessary, NRAs can always refer to the Explanatory Note to the Recommendation, in which the Commission leaves the NRAs with the option to identify specific competitive problems which require a separate national market for passive access to backhaul infrastructure.</p>
<b>Conclusions</b>	The BoR approved the document for publication.

### 14. BEREC international cooperation

<b>Document(s)</b>	No document
<b>Introduction by</b>	BEREC Vice-Chair responsible for international cooperation (CNMC)
<b>Information presented</b>	The BEREC Vice-Chair (CNMC) provided information on BEREC international activities reporting mainly on the BEREC/FCC workshop with which took place on 28 June 2017. The main topic of the workshop was dedicated to broadband deployment. In total, 18 NRAs participated in the event.
<b>Conclusions</b>	The BoR took note of the information.

## 15. 5<sup>th</sup> BEREC Stakeholder Forum meeting – oral up-date

<b>Document(s)</b>	BEREC CN (17) 118 Draft Agenda of the 5 <sup>th</sup> BEREC Stakeholder Forum meeting
<b>Introduction by</b>	BEREC Vice-Chair representative (Ofcom)
<b>Information presented</b>	The BEREC Vice-Chair (Ofcom) briefed the BoR about the 5 <sup>th</sup> Stakeholder Forum meeting, which will take place on 18 October 2016, in Brussels (Belgium), at Hotel Le Plaza. He presented the agenda and topics to be discussed in two panels.
<b>Conclusions</b>	The BoR took note of the information.

## 16. AOB

### Information on the next BoR plenary meeting (6-8 December 2017, Copenhagen)

<b>Document(s)</b>	No document
<b>Introduction by</b>	Representative of the meeting host (DBA)
<b>Information presented</b>	A representative of the meeting host, DBA, provided information on the logistics for the next plenary meeting.
<b>Conclusions</b>	The BoR took note of the information.