

# Outcomes of 11<sup>th</sup> BEREC Plenary meeting

**24-25 May 2012, Dubrovnik**

**Georg Serentschy  
BEREC Chair 2012**

## Set of Net Neutrality documents approved

- Net Neutrality as one of main focus themes in BEREC Workprogramme 2012
- BEREC activities set as a contribution to European debate
  - Traffic Management Investigation finalised, and
  - 3 BEREC NN Reports approved for public consultation:
    - Report on competition issues related to NN
    - BEREC Guidelines for QoS
    - Assessment on IP-Interconnection in context of NN
    - open to public consultation till 31 July 2012
  - Publication with an “umbrella document” as a short explanation to documents interrelations

## Results on Traffic Management Investigation to be published

- Target: Investigation over whole EU carried out (fixed and mobile markets),
  - to investigate restrictions to the open internet
  - in cooperation with European Commission
  - covering more than 400 operators and 430 Mio. subscribers
  - user volume restrictions such as fair-use limits, speed limits, data caps, complete blocking with or without extra data volume
  - traffic management practices behind arguments of network security, safety and integrity

# Findings on Traffic Management Investigation

- Majority of ISP's offer access with no application specific restrictions
  - blocking and throttling of peer-to-peer traffic or VoIP could create concerns for end-users
  - occurs more often in mobile than in fixed networks
  - differences country by country, depending on number of operators providing unrestricted access
  - final output submitted to Commission and for publication

## Report on competition issues related to NN

- Target: to provide a conceptual framework to analyse the effects of differentiation practices on competition and innovation, in case of:
  - blocking or
  - prioritisation of traffic
  - analyses various practices to the extent:
    - how far the impact harms the interests of end-users,
    - how far a negative impact is given to e-comm markets and
    - on content applications as well as service markets

## BEREC Guidelines for QoS

- Target: to advise NRA's on:
  - how and when to exercise powers
  - to set minimum QoS-requirements to operators
  - in order to prevent degradation of traffic
  - further to assess traffic management practices
  - how to reflect this impact to particular impact to market concerned

## Assessment of IP-Interconnect - context to NN

- Target: explores the unregulated market between ISP and other Intermediaries and the development in Internet value chain
- to what extent might deviations from Net Neutrality lead to
  - Reflections on interconnection level and
  - Regulatory issues related thereto

## Art 7 Phase II cases positively carried out

- 8 cases already concluded
  - expert Groups and BEREC BoR managed them smoothly and timely
  - all opinions issued created a respected standpoint
  - some cases led to common statement of parties involved
  - some cases led to withdrawal of notification and reopening of case
- Work performed creates a reliable basis for future cases
  - new case currently pending concerning Poland (market 5)

## International Roaming (Roaming 3)

- Adoption of third International Roaming Regulation (28 March, 2012)- follow up
- BEREC to prepare Guidelines for:
  - decoupling solution
  - wholesale access
  - BEREC to provide continued assistance to European Parliament and Council in this matter
- Time schedule agreed with European Commission

## Report on NGA Co-investments approved

- Target: to set elements and criteria as indicators for SMP-detection in a co-investments scenario for market analysis on markets 4 and 5.
- Regional impact on SMP might arise:
  - Not only number of operators but also network structure with multiple fibre lines on local co-investments to check
  - whether full equivalent and cost-orientated access is provided
  - a forward looking analysis of the impact on the retail market to be taken before NRA decides to change wholesale regulation
  - approved and open to public consultation now

## **BEREC's annual reports 2011 approved**

- Report on BEREC 2011 activities and developments in the electronic communications sector, prepared by BEREC BoR
- Annual Report on the activities of BEREC Office 2011, prepared by BEREC Office
- Synergy effects with EC Digital Scoreboard for the future

## Management Committee

- 2011 BEREC Office Budgetary issues
- BEREC Mission statement in preparation
- BEREC's presence in Brussels approved as Bureau de passage to enhance contact possibilities with stakeholders, Press and European Institutions
- BEREC Webpage re-launch in planning

## **BEREC documents approved for public consultation**

<b>Draft BEREC Report on competition issues related to NN</b>	<b>BoR (12) 31</b>
<b>Draft BEREC Guidelines for QoS in the cope of NN</b>	<b>BoR (12) 32</b>
<b>Draft BEREC Assessment of IP-Interconnection in context of NN</b>	<b>BoR (12) 33</b>

## **Main documents approved for publication**

<b>Traffic Management Investigation snapshot</b>	<b>BoR (12) 30</b>
<b>BEREC Report on competitive effects on NGA co-investments</b>	<b>BoR (12) 41</b>
<b>Annual Report on BEREC activities and developments of eCom in 2011</b>	<b>BoR (12) 48</b>
<b>BEREC Report on the impact of FMS in market definition</b>	<b>BoR (12) 52</b>
<b>BEREC Report on the current accessibility of numbering resources pursuant to art. 28.1 USD</b>	<b>BoR (12) 53</b>
<b>BEREC Report on special rate services</b>	<b>BoR (12) 55</b>
<b>Termination rates benchmark snapshot (integrated report), as of January 2012</b>	<b>BoR (12) 56</b>
<b>BEREC Office Annual activity report</b>	<b>MC (12) 16</b>

# Next BEREC Meetings

BEREC Board of Regulators and  
BEREC Office Management Committee Meetings  
September 27-28, 2012

Dr. Georg Serentschy, BEREC Chairman 2012