

European Commission  
f.a.o. Mr. R. Madelin  
Avenue de Beaulieu 25  
Brussels 1160  
Belgium

The Hague, 1 July 2011

Dear Mr. Madelin,

With your letter dated 3 May 2011 and according to article 19(1) of the amended Framework Directive, you have formally requested BEREC to provide the Commission with advice regarding the draft Recommendation on Universal Services.

At the Porto Plenary on 26 May 2011 the Board of Regulators discussed the request. As you know, it was agreed that BEREC would not interfere with the political debate that was taking place between the Commission and the Member States. BEREC would therefore limit its response to your request with a technical analysis, in accordance with BEREC's areas of expertise. However, for a meaningful response the draft Recommendation should be stable following the political debate.

Given the ongoing discussion on the draft Recommendation and its contents, the Board of Regulators considers that the basis for a formal Opinion from BEREC is too unclear at this moment. Placing a BEREC Opinion in the public domain now would thus be premature. Acknowledging the importance of the subject and the strong impact of a Recommendation on the implementation of Universal Service in Member States, the Board of Regulators therefore has decided that BEREC will wait for a stable draft Recommendation.

However, BEREC's experts have already started the technical analysis of the draft Recommendation in its present state. In this respect, I appreciate it that your services have confirmed to me that the remaining background information will be provided to BEREC as soon as possible and that we will continue a technical debate. This will allow BEREC to respond thoroughly, quickly and in a professional manner.

I assure you that BEREC is fully committed to fulfil its duties under the Framework and will submit an Opinion in due course.

Yours sincerely,



Chris Fontein  
BEREC Chair