

7th Meeting of the Board of Regulators Hosted by ANACOM

26 May 2011 - 27 May 2011

Conclusions

1. Opening of the meeting and adoption of the agenda

Draft BoR Agenda

BoR (11) 16

Conclusions

The agenda was adopted with the addition of one point in the AOB section related to international termination rates.

2. Information by the Chair and the Chair's Secretariat

Background

The Chair provided a report of the BEREC Chair's communication activities and significant meetings conducted since the last Plenary. The Chair participated to several conferences and held a number of bilateral meetings with stakeholders.

The Secretariat provided the up-to-date 2011 work programme status file. The Chair updated the Plenary on the recent e-clearance procedures.

The Chair presented some proposals regarding the envisaged BEREC membership to CERRE and Florence School of Regulation.

Conclusions

The Chair concluded that the proposal on FSR scholarship was welcomed. The Commission and the BEREC Office will clarify the possibility and specifics of covering FSR cooperation from BEREC Office budget starting from 2012.

3. Annual report on BEREC's activities

BoR (11) 19

Background

ComReg provided the draft annual report 2010 of BEREC's activities in application of Art 5.5 of the BEREC Regulation.

Conclusions

The BEREC annual report 2010 was adopted for publication by the required majority.

4. Declaration of interests / commitments

BoR (10) 03 Rev1

Background

The Administrative Manager provided an update regarding the status of the declarations of interests as well as the possible amendments to the declarations of commitments.

Conclusions

The amendment to the declaration of commitment was not supported by the required majority. The existing declaration is therefore to be signed.

5. Remedies EWG

a) Draft monitoring report on Broadband Common Positions

BoR (11) 20

Background

OFCOM provided the draft monitoring report on Broadband Common Positions including the proposed publication of (part of) the NRA individual answers.

Conclusions

The monitoring report on Broadband Common Positions was adopted for publication by the required majority.

b) Other work streams of the Remedies EWG (Non discrimination, Cost of non-Europe)

Background

OFCOM provided an oral update regarding these ongoing activities.

Conclusions

The Board of Regulators took note.

6. Roaming EWG

a) 7th International Roaming data report

Background

OFCOM presented the 7th International Roaming data report (July – December 2010).

BoR (11) 21

Conclusions

The 7th International Roaming data report was adopted for publication by the required majority.

b) International Roaming compliance report

BoR (11) 22

Background

Ofcom presented the draft International Roaming compliance report.

Conclusions

The International Roaming compliance report was adopted for publication by the required majority.

7. Framework Implementation EWG

a) Article 7 procedures

Amendments to the BoR Rules of Procedure (article 13)

BoR (11) 23

Background

Following the mandate given to the working group at the Riga Plenary, AGCOM presented the proposed amendments to the BoR Rules of Procedure (article 13) relating to article 7 and 7a procedures. AGCOM updated also the Plenary on some practical issues regarding NRA notifications after the transposition date (26th of May).

Conclusions

The revised Rules of Procedure were adopted by the required majority. The Chair encouraged NRAs to do their utmost at national level to allow disclosure of confidential information in the future. Other practical issues will be discussed between the Commission and the BEREC Office.

b) Incorporation of BEREC regulation in the EEA agreement

Background

AGCOM provided an update regarding the state of play of the incorporation of the BEREC regulation in the EEA framework and the potential changes to the BoR Rules of Procedures.

Conclusions

The Board of Regulators took note.

c) BEREC role during phase I of article 7 notifications

Background

Following the Riga Plenary, the Framework Implementation EWG has started to explore the possible role of BEREC during the phase I of article 7 notifications. AGCOM presented some first ideas for discussion on this topic.

Conclusions

A trial period will be initiated, on the basis of some proposals to be presented at the next Plenary by the BEREC Office in cooperation with the Framework Implementation EWG.

8. Convergence and Economic Analysis EWG

a) Special rate services

Background

ARCEP presented the status of work on special rate services (wholesale origination for value added services).

Conclusions

The Board of Regulators agreed to the report as a starting point for the continuation of this work.

b) Specific aspects of broadband commercialization

Background

CMT presented the draft BEREC report on specific aspects of broadband commercialization. **BoR (11) 25**

Conclusions

The report on specific aspects of broadband commercialization was adopted for publication by the required majority.

9. BEREC-RSPG Cooperation EWG

Draft BEREC-RSPG joint report on infrastructure and spectrum sharing in mobile/wireless networks

BoR (11) 26

Conclusions

The joint report on infrastructure and spectrum sharing in mobile/wireless networks was approved by the required majority. The report will be published subject to the RSPG approval (16 June).

10. End-user EWG

a) Commission's draft recommendation on universal service

Background

ANCOM provided a presentation on the Commission's draft recommendation on universal service.

Conclusions

The Board of Regulators took note.

b) Promotion of Broadband

Background

ANCOM presented the status of the work regarding the Promotion of Broadband.

Discussion

It was commented by one NRA that the report should be more in line with the approved PRD.

Conclusions

The Board of Regulators took note.

11. Questionnaire Net Neutrality / switching

Background

ARCEP provided a presentation on the status of the work of the task force set up following the information request by the Commission on Net Neutrality and switching issues.

Conclusions

The Board of Regulators agreed to the way forward proposed by the task force.

12. Benchmarking EWG

a) Mobile Termination Rates data report

MTR benchmark report

BoR (11) 27

Background

CMT presented the MTR benchmark report (data as of 1st of January 2011).

Conclusions

The MTR report was adopted for publication by the required majority.

b) Fixed termination rates template questionnaire

Background

CMT provided a proposal regarding the collection of fixed termination rates.

Conclusions

The proposal to collect data were approved by the Board of Regulators.

13. Information from the Commission

Background

The Commission provided information on some recent article 7 cases. Regarding the transposition, the Commission noted that only two Member States have notified their transposition measures so far.

Conclusions

The Board of Regulators took note.

14. International dimension

Background

EETT presented the results of the survey on international activities and proposed initiatives. Some information regarding the visit to the FCC by the Board planned in Autumn was also provided.

Conclusions

The Board of Regulators took note.

15. AOB

a) Information on the Xth BEREC- REGULATEL Summit in Barcelona

The Xth BEREC Regulatel Summit will take place in Barcelona on 23 and 24 of November.

b) International termination rates

RTR will provide a presentation on the issues at stake at the next Plenary.

c) Next meeting of the Board of Regulators and Management Committee (CMT)

The next meeting of the Board of Regulators will take place in Barcelona on 29-30 September 2011.