

Conclusions of the tenth plenary of the European Regulators Group

Date: September 23 – 24, 2004
Location: Nicosia

Meeting with Michael Powell, Chairman of the Federal Communications Commission, USA.

The ERG met with the Chairman of the FCC, Michael Powell. VoIP and regulatory remedies were discussed.

Information from the Secretary

A proposal from the Secretary (ERG (04) 27) for deepened cooperation with the IRG secretariat was accepted by the plenary.

Information from the Commission

The Commission provided information on the following.

- Cocom (16th of June)
- 10th implementation report
- Follow-up on the facilitation of mobile payments/ eMoney Directive consultation
- Update on the revised ERG decision: an amendment of the ERG Decision has been published in the Official Journal¹ and on the ERG website.²
- Art. 7-notifications

Follow-up of the ERG Work Programme and deliverables

The Secretary presented an update, based on the document ERG (04) 29, on the work with ERG deliverables. The Group decided to reconsider the continuation of late work items in conjunction with discussing the draft 2005 Work programme in December.

Regulatory aspects of Voice over IP

A status report on the work on VoIP (ERG (04) 30) was presented. The subgroup was given mandate to cooperate with the Commission on a Common Position on VoIP. The Group acknowledged the topic's importance, urgency and gave it high priority.

Wholesale international roaming (WIR)

A progress report (ERG (04) 31) on the WIR items of the Work Programme was presented. A draft market definition will be ready for the December plenary meeting. The Commission gave an overview of its statement of objections regarding the alleged abuse of dominant positions in the United Kingdom. There was agreement on the urgency of the work and that sufficient resources must be allocated.

¹ OJ L293 of 16 September 2004, p. 30.

² <http://erg.eu.int>.

Wholesale broadband issues

The discussion on the definition of wholesale broadband markets and the decision on a consultation of a cable-TV access chapter in the Common Position on bitstream access were postponed to the next plenary meeting.

Imposing Access Obligations – OPTA paper

OPTA outlined its proposed approach to imposing access obligations (ERG (04) 33).

“Rethinking the European ICT Agenda” – paper by the Dutch EU presidency

The Chairman introduced the paper referring to the political nature of the document.

Opinion on proposed changes to the Commission Recommendation on Cost Accounting and Accounting Separation

The ERG decided to publish its Opinion on the revision of the Commission Recommendation on Cost Accounting and Accounting Separation (ERG (04) 15rev1), with its annex, after minor revisions suggested by Commission Services and their consultant. A document describing the results of the public consultation and how they have been considered (ERG (04) 34) will also be published. The Commission will base its Recommendation on the text of the ERG Opinion. Its final Recommendation text will refer to the annex of the ERG Opinion as the relevant document setting out the practical implementation of the rules in the Recommendation, and will include a summary of the annex.

15) Work Programme 2005 – status report and proposal for way forward

The Secretary outlined preparations for the 2005 WP and proposed how to proceed.

Plenary meetings and other ERG meetings in 2005

The 2005 Chairman proposed next year’s timetable of ERG plenary meetings.

A.O.B.

The plenary decided to publish the following documents.

ERG (04) 28 – Commission update on notifications according to article 7 FD

ERG (04) 15rev1 - Opinion on the revision of the Commission Recommendation on Cost Accounting and Accounting Separation³

ERG (04) 34 – cost accounting and accounting separation consultation results

ERG (04) 35 – 2005 WP timing

ERG (04) 36 – plenary meetings and other ERG meetings in 2005

The next plenary meeting will take place in Brussels on the 2nd and 3rd of December 2004.

³ Second half of October 2004.