ERG 24th Plenary Meeting

28 February 2008 , 2.30 pm to 4.45 pm
29 February 2008 , 10.15 am to 1.00 pm
Gothenburg, Sweden

Conclusions

---

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

   Conclusions
   The agenda was adopted.

2. **Information by the Chair**

   The ERG Chair briefly informed about his presentation at the Hearing held by the European Parliament's ITRE committee on 27 February. The Head of the Chairs' Secretariat gave an update on the carry-over items from the Work Programme 2007: the finalisation of the "Report on best practices on regulatory regimes in wholesale unbundled access and bitstream access" is postponed to the second quarter of 2008.

3. **PT structure 2008, PRDs and operational excellence (NCAH)**

   Background
   NCAH gave a presentation on operational excellence and submitted the PT structure for 2008 and provided the Plenary with the Project Requirement Documents (PRD) for the implementation of the Work Programme 2008.

   Conclusions
   The Plenary approved the documents (for ERG internal use only).

4. **Remedies Coordination (OFCOM/CMT)**

   Background
   OFCOM provided the Plenary with a draft of the "Report of monitoring of compliance of Application of ERG Common Positions" and a questionnaire for a new monitoring activity on the VoIP CP introducing the next steps in a presentation. The Annex of the Report was not yet ready but would be sent for final review and agreement for later publication by electronic procedure via CN. The VoIP questionnaire had received some feedback which is being incorporated.

   Conclusions
   The Plenary approved the documents (subject to the proposed procedures) and the steps forward and asked to be as speedy as possible.

5. Fixed / Mobile Termination Rates (AGCOM/ARCEP)

Background
AGCOM and ARCEP submitted a draft of the ERG Common Position on symmetry of mobile call termination rates (MTR) and symmetry of fixed call termination rates (FTR) and a draft report on the outcome of the public consultation on the ERG draft Common Position. AGCOM and ARCEP gave a presentation on the outcomes of the consultation for the MTR and the FTR part respectively and the resulting changes to the draft Common Position.

Conclusions
The Plenary approved the documents for publication, subject to changes in the title and some adjustments taking on board comments from the public consultation and NRAs.

6. Harmonisation of the costing / price control remedy for MTR (ARCEP)

Background
ARCEP gave a presentation on the work of the PT and the next steps. It also gave a short outlook of the content of the Common Position due at the next plenary meeting. In addition, ARCEP provided its view on a forward looking approach.

Conclusions
The Plenary discussed the topic, established that long term and short term goals should be equally addressed and gave mandate to create a temporary Task Force to work on MTR and FTR access costs and other joint items and take part in the consultation with the Commission.

7. Wholesale Leased Lines (OFCOM)

Background
OFCOM gave a presentation on the outcome of the consultation and the resulting changes in the draft Common Position on Best Practice in Remedies Imposed as a Consequence of a Position of Significant Market Power in the Relevant Markets for Wholesale Leased Lines. Comments may be sent until 14 March, after that the documents will be approved for publication by electronic procedure.

Conclusions
The Plenary approved the way forward.

8. Convergence (CMT)

Background
CMT gave a presentation on the report and asked for guidance on further work.

Conclusions
The Plenary asked the PT to continue the work on the report and present the report at the next plenary meeting.

9. Customer empowerment

Background
Rome Plenary decided to discuss the possible future work on customer transparency issues. ANRCTI presented a proposal for an ERG project to improve transparency of retail tariffs for end-users, also pointing out the consumer information deficit in the Romanian market. RTR and PTS gave presentations each on national case studies concerning tariff transparency which where complemented by a short report on the Norwegian situation by NPT.

Conclusions
The Plenary decided that ERG should deal with customer empowerment on a step by step basis. The End User PT received a mandate to go ahead with a collection of best practices and fact finding. Several NRAs volunteered to take part in the PT's work.

10. Information from the Commission

Background
The Commission reported on further steps regarding the review, on Cocom issues, on Article 7 notifications and on recent Court of Justice judgements (a guide on case law is available on the DG INFSO website).

Further, the ERG was informed on a workshop on 5 March regarding the Article 7 procedure, written comments can be sent after the workshop, drafting suggestions will be provided at the workshop.

Conclusions
The Plenary took note. The report on Article 7 notifications is for ERG internal use only.

11. Appointment of the Chair 2009

Conclusions
Mr. Matthias Kurth, Head of BNetzA, was appointed by applause as ERG Chair 2009.

12. AOB

a) ERG Annual report 2007 (AGCOM)

The Plenary approved the draft ERG Annual Report 2007 for publication.

b) ERG-REGULATEL-CMT Seminar

CMT gave an up-date on the 5th ERG-Regulatel-CMT Seminar, which is devoted to "Challenges in Mobile Communications". Invitations have been sent to all Heads and CN members. The Seminar takes place in Cartagena de Indias (Colombia), 21-23 April 2008.

c) Next Plenary meeting

The next meeting will be held in Vilnius, 29–30 May. The workshop on 28 May is an option further to consider.

d) Roaming

OFCOM gave a presentation on the next steps of the International Roaming PT and NPT gave an oral report on the development of end user tariffs since the coming into force of the Roaming Regulation, which shifted prices from per-second-billing to per-minute-billing, which make 75% of short calls up to 55% more expensive. UKE gave a short report on an analysis conducted in Poland on roaming. UKE also informed about problems of a new Polish entrant (P4 Sp. z o.o.) to conclude roaming agreements, including SMS interworking with larger and more established mobile operators in some member states of the EU.