

Outcomes of BEREC Plenary meeting 24-25 May, 2012

Georg Serentschy, 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 for smooth and timely functioning
 - 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

Traffic Management Investigation snapshot	BoR (12) 30
BEREC Report on competition issues related to NN	BoR (12) 31
BEREC Guidelines for QoS in the cope of NN	BoR (12) 32
BEREC Assessment of IP-Interconnection in context of NN	BoR (12) 33
BEREC Report on competitive effects on NGA co-investments	BoR (12) 41

BEREC Documents approved for publication

Annual Report on BEREC Activities and developments 2011	BoR (12) 48
BEREC Office Annual activity report	BoR (12) 16

Next BEREC Meetings

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

Dr. Georg Serentschy, BEREC Chairman 2012

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