

The logo for the European Research Group (ERG) is displayed in the top left corner. It features the letters 'ERG' in a bold, orange, sans-serif font. The logo is set against a background of a blue globe with white grid lines, partially obscured by a horizontal orange and blue bar. Below the bar, there are several horizontal white lines that create a sense of motion or a stylized wave effect.

ERG

Draft I/ERG WP 2009

**Matthias Kurth
Chair-2009**

**Public Hearing,
Brussels, November 6th, 2008**

Draft Work Programme 2009

- **Programmatic Approach:**
Adjusting regulation to a changing market environment and preparing for legal and institutional change
- **Priority areas:**
 - Framework Review
 - NGN/NGA evolution
 - Dynamic and more finetuned regulation
- **Continuity from 2008 WP**

Framework Review

- **Analysis of ongoing legislative procedure (proposals etc.) for expert advice from a regulator's perspective**
- **Focus on core regulatory business following the objectives to promote effective competition for the benefit of the European consumers and efficient investment to ensure a competitive roll-out of NGN infrastructure:**
 - **Harmonisation provisions and the institutional design as well as provisions reg. remedies (incl. functional separation)**
 - **Preparing for the implementation / institutional set-up**
 - **Analysis of the new “content” provisions and implications for regulation**

NGN Work Items for 2009 (1)

- **Economic Analysis of NGA Roll-out in practice and regulatory measures to facilitate the development (e.g. longer period commitments etc.) incl. looking at the NGA Recommendation**
- **Implementation of NGA access products:**
 - **Active wholesale products in an NGA world**
 - **Relevance of Multicasting**
 - **Active Ethernet Line Access**
 - **Passive products (e.g. duct access/sharing)**

NGN Work Items for 2009 (2)

- **The Common Statement on IP-IC/NGN core regulatory principles identified B&K as a charging mechanism with attractive properties, but requiring further study**
- **The Work plan on Charging mechanisms in the CS identified the following areas for further study:**
 - **Implications for different business models**
 - **Practical implementation issues**
 - **Migration issues,**
 - **Defining the border for application of the Bill & Keep regime,**
 - **How to treat traffic from outside the Bill & Keep area**
 - **Other long term forms of regulation**
- **Outcome: Common Position on Future IP-IC charging mechanisms / Long term termination regime**

Emerging Challenges

- **Convergence**
 - Continue work on margin squeeze in bundles and in particular for broadband products
 - Continue work on fixed mobile convergence
 - Regulation in a converging world (drivers for change)
- **Cooperation RSPG / ERG**
 - Impact of spectrum regulation on market regulation
- **Consumer Empowerment**
 - Continue work started on tariff transparency
 - Issues on contractual period (e.g. lock-in effect)
 - US scope / funding (Communication published 25th Sept. 08)

Harmonisation

- **Remedies**
 - Continue to monitor adherence to CPs
 - Ways to improve effectiveness of regulation
 - Continue analytical work regarding balance between harmonisation and national circumstances
- **Benchmark**
 - Continue to develop methodologies for comparison and measurement of market situations / outcome of regulation (impact on markets)
 - Improving TR benchmarking (MTR, SMS, etc.)
 - Elaboration of a common and coherent methodology for the comparison of broadband retail prices

Regulation and Harmonisation

- **Roaming**
 - Provide technical advice to the legislative institutions in the discussions on the revision and extension of the Roaming Regulation
 - Continue to collect data on the implementation
 - Depending on the outcome reg. extension: more detailed analysis of necessary implementation measures of SMS regulation and transparency measures etc.
- **Follow-up on Termination Rates Recommendation (impact on national regulation)**

Regulation

- **SMP**
 - Transition from sector-specific regulation to competition law, particularly in markets deleted from the list of the Recommendation
 - Further work on Markets 4/5, in particular margin squeeze issues arising between different broadband wholesale products
 - Practical implementation issues of geographical segmentation (2nd half 2009) based on the CP on Geographical Aspects of Market Analysis
- **Regulatory Accounting**
 - Report on Regulatory Accounting in Practice
 - Pricing principles for NGA wholesale products
 - Impact of NGA on regulatory costing methodologies₈

Draft Work Programme 2009

- **Next steps on WP 2009:**
- **Draft WP 2009 approved for consultation at Q3-Plenary ✓**
- **Public Consultation: 17 October – 7 November**
- **Oral Hearing: 6 Nov. 08**
- **Final adoption at Q4 Plenary on 4/5 Dec. 08**
- **Successful implementation in 2009**

IRG as a Legal Entity

- **IRG established as a non-profit association to professionalise the organisation and ensure its independence**
- **Make it work (transparent processes etc.) and known**
- **Office in Brussels established**
- **After a formal recruitment process:
start with the permanent directly staffed Secretariat
on 1st January 2009**
- **Vacancy Notice posted on IRG-website for a**
 - **Head of Secretariat position**
 - **2 junior positions**