

Oni Telecom welcomes the opportunity to present its views on the “ERG Consultation Document on Regulatory Principles of NGA”.

The following are Oni Telecom’s replies to the specific questions raised in the “Consultation – cover notes / questions”:

- ***Do you agree/disagree with the general approach?***

Oni Telecom is actively supporting the evolution of present day networks towards new technologies and services. This is being pursued in Oni Telecom's own network, where new technologies are introduced as soon as they make business and operational sense in order to provide competitive services to Oni Telecom's clients.

As such, Oni Telecom considers that incumbent operators should also be allowed to develop their networks without undue bureaucratic restrictions. However, NRAs should ensure that a level playing field is maintained by proper ex-ante regulation of the conditions for access of the competitive operators to the NGA networks of the incumbent operators. This should be carried out taking into account the specific conditions and state of development of each national market.

In summary, Oni Telecom agrees with the general approach and believes that ex-ante regulation should be enforced.

- ***Do the scenarios describe the relevant roll-out alternatives for NGA***

Oni Telecom considers that the scenarios presented in the document describe the relevant alternatives. As said before, the incumbent should be allowed to develop its networks naturally. However, competitive operators should always be given access to these networks in conditions that maintain a level playing field.

- ***Do you agree/disagree with regard to the conclusions on economics and business case studies***

Oni Telecom globally agrees with these conclusions. Oni Telecom would like to stress that the migration to NGA will have a strong impact on competitive operators who already made a considerable investment in ULL access. The push of the incumbent network’s unbundling edge to street cabinets or in-building infrastructures will make it increasingly difficult to competitive operators to continue to compete on an infrastructure level. In order to keep a healthy competitive environment, new WBA services must be imposed on the incumbent.

- ***What is your opinion on the regulatory implications and on the evolution of the ladder of investment? Additionally please provide more specific comments regarding the issue of multicasting capabilities and their regulatory treatment.***

Oni Telecom believes that an ex-ante regulatory approach should be taken to ensure competitive conditions are kept when the incumbents move to NGA. Namely:

- Competitive operators should be given access to the new infrastructures in the same conditions available to the incumbent’s retail arm. This should include access to street/building cabinets, as well as ducts, cables, fibres or wavelengths used to connect the street active equipments to the local exchanges
- Competitive operators should be given reasonable details about the incumbent’s deployment plans

- If the local exchange MDF is to be phased out, the competitive operators co-located in the local exchange should be given reasonable technical alternatives and time frames to adapt, making sure that service to their clients is not compromised
- WBA services should be enhanced in order to allow competitive operators to replicate new services with adequate control of quality of service

Oni Telecom believes that it will be increasingly difficult to compete at an infrastructure level and this will force some competitive operators to reposition themselves on the ladder of investment. Therefore, the enforcement of new WBA services in the conditions mentioned in the last point above will be of fundamental importance.

Regarding multicasting capabilities, Oni Telecom believes these should be treated by NRAs with due attention since they are fundamental for new kinds of mass market services like video and TV distribution. Though presently these services are not the core business of Oni Telecom, they are increasingly important for the residential markets.

- ***Do you agree/disagree with the conclusions***

Oni Telecom agrees in general with the conclusions and would like to stress the points made before regarding the need for an ex-ante regulatory approach from the NRAs.