

International Roaming Regulation

T-Mobile Comments to draft ERG Guidelines

Reference to ERG Guidelines	T-Mobile Comments & Statements
<p>Para 10, 11, 12 and 13</p> <p><i>When should the basic information be provided?</i></p>	<p>Article 6a(2) requires a notification to be sent every time the roaming customer enters a Member State <u>and</u> initiates for the first time a regulated data roaming service. It was not intended by the Institutions that the customer receives two messages – but this will happen if these two events (entry to Member State and data session initiation) do not occur at the same time.</p> <p>In fact, the proposals that had been tabled for the trialogue all aimed at sending only one message to the customer:</p> <p>The Parliament’s proposal was worded as follows: “<i>Such basic personalised tariff information shall be delivered (...) every time the roaming customer enters another Member State <u>or</u> initiates a regulated data roaming service in a particular Member State other than that of his home network for the first time after having entered that Member State.</i>”</p> <p>The Commission and Council proposal only envisaged a message to be sent at the time of initiating a regulated data roaming experience: “<i>Such personalised tariff information shall be delivered to the roaming customer's mobile telephone or other device, when the roaming customer initiates a regulated data roaming service in a particular Member State other than that of his home network for the first time after having entered that Member State.</i>”</p> <p>We therefore propose that the use of the word “and” does not have to be understood as a cumulative requirement. This also reduces the risk that those messages are treated as “spam” by the roaming customers.</p> <p>Furthermore, it is understood that a mandatory requirement for basic personalised tariff information to be sent when “<i>the roaming customer (...) initiates for the first time a regulated data roaming service</i>” will not always be helpful to increase transparency. In certain cases, it adds huge additional complexity to the implementation of the “Basic tariff information” feature and might even fail due to technical constraints of certain mobile data applications.</p> <p>Sending one message to the customer every time the roaming customer enters a Member State ought to be sufficient unless an operator decides that a message at the time of initiating the data session better serves the customers need for transparency.</p>
<p>Para 22[a]* and 24</p> <p>Prepaid customers and the bill shock measures</p> <p>* Para 22 occurs two</p>	<p>T-Mobile disagrees with the ERG Guidelines that bill shock measures are intended to be applied to roaming prepaid customers. Reasons:</p> <p>It’s in the nature of prepaid customers’ subscriptions that prepaid customers manage their own individual maximum financial limits of their subscriptions by their own. If an individual maximum financial limit is reached the prepaid customer has to explicitly top up his/her account in order to allow for additional communications. This mechanism applies to all services and independent of the location of the customer – i.e. it applies in the home market as well as in the roaming scenario. Regarding data roaming services the prepaid mechanism automatically guarantees that the accumulated expenditure for regulated data</p>

times!	<p>roaming services over a specified period of use does not exceed a specified financial limit.</p> <p>Consequently, in case a home provider would apply a specific maximum financial limit according to Article 6a(3) to a prepaid customer, such a financial limit would interfere with the prepaid customer's individual maximum financial limit actively controlling his/her expenditures in the home market as well as in the roaming scenario.</p> <p>Furthermore, if a home provider would be requested to apply a specific max. financial limit acc. to Article 6a(3) also to prepaid customers, such an implementation would be required to be based on a "monthly billing period". Such a "monthly billing period" however does not exist for prepaid customers – a situation which is explicitly confirmed by EGR in section 24.</p>
Para 23	Regarding the sentence in this paragraph " <i>These customers are automatically protected from bill shock and there is no need to make <u>special arrangements</u> for them.</i> " it would be useful if the ERG Guidelines could explicitly confirm that this means that it is not necessary to apply a financial/volume cap or provide 80% warnings to customers on this type of data tariff.
Para 34	Preservation of data that was in the course of being downloaded when the limit was reached. While it is obviously in the interests of roaming customers – and therefore also in the interests of providers – to prevent partially downloaded data from being lost, this is not something that providers can necessarily control.
Para 35 Facility which provides information on accumulated consumption	It's T-Mobile understanding that such a facility is clearly specified in Article 6a(3) by reference to financial or volume limits, notifications and the cut-off mechanism. There is no specification which will allow the (roaming) customer e.g. "to ask for the current status" of his/her data transmission. When reading ERG Guideline 35 such an interpretation is likely to occur. Paragraph 35 should therefore be removed since it is not explicitly provided for in the regulation.
Para 62 Roaming calls made to/from ships or planes	<p><i>"Roaming calls made to/from ships or planes</i> <i>The Regulation does not apply to calls made to/from ships or planes using satellite networks."</i></p> <p>should actually be substituted by</p> <p><i>"Communications made to and received from ships or planes</i> <i>The Regulation does not apply to any roaming communications made to and received from ships/planes..."</i> i.e. to include SMS and Data as well.</p>