

BEREC -
Body of European Regulators
for Electronic Communications
att. John Doherty
att. Chris Fonteijn
via e-mail to: berec@ec.europa.eu

Brussels, Nov. 4th 2011

Consultation on
“ Draft Work Programme 2011 BEREC Board of Regulators”

Dear Mr. Doherty,
Dear Mr. Fonteijn,

We thank you for the invitation to respond to the above mentioned consultation. Kindly find herewith enclosed the official reply of the FTTH Council Europe.

If there are any queries please do not hesitate to contact us.

Yours sincerely,
FTTH Council Europe



Chris Holden
President of the Board



Hartwig Tauber
Director General

The FTTH Council Europe welcomes the opportunity to comment on the draft BEREC work programme 2011.

The format of the BEREC work programme proposal is somewhat different to last year's programme in that it no longer specifies whether it is intended to have a deliverable or indeed a suite of deliverables. There is equally no indication regarding whether any public consultations are envisioned. This is important for the FTTH Council in order to allow appropriate planning in our own work programmes so that our participation and involvement can be planned in advance.

With regard to the subject of the work programme, the FTTH Council wishes to work with BEREC in areas related to FTTH and other factors affecting network development. The FTTH Council notes that the deliverable on *Implementation Issues related to the Commission Recommendation on NGA* identified in the 2010 work programme has been pushed back into 2011 but is pleased to see an extended and refocused agenda for that report. The FTTH Council hopes that this item will be a priority for 2011 and that it will be delivered as early as possible. The FTTH Council sees these implementation issues tying-in also with the identified 'emerging challenge' of promoting broadband more generally as well as the key remedies action points.

The FTTH Council see BEREC's work in the Article 7 process as critical to ensuring the implementation of regulatory best practice across the EU. Since the timelines involved in this process are very short, pre-identified best practice will be important to guiding decisions. The Council suggests that therefore potential tie-ins with, for instance, the 'Benchmarks' report could form part of this best-practice identification. However, if we consider report on accounting practices by NRAs published recently, the less than complete participation of BEREC's Members and the lack of detail are clearly areas that if improved, would allow BEREC to better identify anomalies or inconsistencies in the remedies being imposed.

Also in relation to the proposed benchmarking exercises the FTTH Council believes BEREC should consider tracking NGA investments (and State Financing) and to compare the form of access deployed and progress being made in different Member States. This could be done using an interactive tool so that NRAs can see developments in other Member States ongoing basis rather than in annual reports.

The Council is pleased with the emphasis being placed on NGA issues both as an implementation issue and on broadband as an emerging issue. The Council believes that accelerating NGA deployments and ensuring competitive outcomes should be the top priority for NRAs.

The FTTH Council would like to make clear that we as an organisation wish to support and work constructively with BEREC and that the Council is available to provide input and assistance on technical or policy parameters should a need arise.