

BEREC Draft Work Programme 2012

Comments from PhoneAbility

General

We have examined the draft BEREC Work Programme for 2012 (BoR(11)40 Rev.1) and we are grateful for the opportunity to comment upon it. We will confine our input to Section 3.3, Universal Service Provisions, and Section 4.7, Cross-border and demand side related issues. On the other parts of the document we have no comments to put forward.

Section 3.3 Universal Service Provisions

We note that BEREC is waiting on a Communication expected from the European Commission, with possibly a further review, before taking any action on this topic. We would like to see BEREC being more pro-active in this matter as we believe that there is scope for developing the concept of universal service within the existing legal Framework. We take this view because the 2009 revisions to the Framework, when seen in the context of 'prevailing technologies used by the majority of subscribers', would appear to allow of a far wider scope for universal service than is presently accepted by the majority of Member States.

We suggest that BEREC could take views from NRAs on their appreciation of the current boundaries of universal service – for example, on the extent to which broadband is now within scope – to complement any Commission examination of the need for action to legislate for further extensions.

Mention is made of designation mechanisms, costing and finance. These are, in our view, all crucial elements that are in need of examination, but again there is much that could be done to document current practices and urge greater harmonisation within the currently permitted Framework. Any work done in this direction would helpfully complement longer term suggestions that might be put forward by the Commission.

Section 4.7 Cross-border and demand side related issues

Here again, we note that accessibility to Electronic Communication Services for disabled citizens is a topic where BEREC's input is likely to be requested by the Commission, based upon the report of its Expert Working Group. Presumably because of this, the topic does not constitute a formal work item in this plan. Therefore, there are no deliverables or deadlines put forward and the matter is assumed to be waiting upon the Commission's request. We believe that BEREC could very usefully undertake some preparatory work, without pre-empting any actions that might be proposed by the Commission. Our reasons for taking this view are as follows.

It is our view that initiatives on accessibility for disabled persons are as likely to arise from national actions within Member States as they are to be triggered by proposals from the Commission. We are aware of various activities towards this end that are being operated or planned within EU countries, with relay services for hearing-impaired people being a prominent example. We believe that BEREC is familiar with some, if not all, of these and we consider that such demand-led initiatives should be taken into account in parallel with whatever proposals the Commission might put forward.

We also observe that, for these accessibility initiatives, patterns of service and funding mechanisms vary widely. Therefore an informative review of what is being done would be helpful to many organisations within Member States, including their NRAs. We see much scope for technical harmonisation, even if the approaches to funding have to be driven through national subsidiarity. Cross-border interoperability may be a premature objective because of the problems of dealing with language barriers, but it ought to be a possibility for those citizens who have the necessary fluency. We would like to see BEREC pursuing the two goals of (a) facilitating new access services at national level by developing awareness through 'good practice' models, and (b) exploring ways of improving cross-border linkages between those current services, with due attention given to termination rates when calls are passed to and from a nationally subsidised service.

It is our considered opinion that BEREC can do much to foster improvements in accessibility for disabled end-users in the short to medium term, without causing difficulties for the Commission in its longer term strategy – because that strategy has to be tailored to the aspirations of all the EU Member States. We therefore wish to see some measures included in the Work Programme that would enhance this process.

Final version 4.11.2011

Contact: Tony Shipley, Vice-Chairman, PhoneAbility.

E-mail adcshipley@aol.com