

Outcomes of BEREC Plenary meeting

8th & 9th December, 2011

Chris Fonteijn, Chair 2011
Georg Serentschy, Chair 2012

Brussels, 15th December 2011

Work programme 2012 - approved

- Public consultation and hearing results have already been integrated
 - Art 7 FD advisory role of BEREC
 - International Roaming
 - Universal Service Provisions
 - Consumer empowerment
 - Network Neutrality
 - NGA-Access
 - International activities (i.e. FCC, International Groups)
 - Cooperataion with RSPG and ENISA

BEREC mid term strategy

- Approach:
 - adopting common regulatory approaches
 - issuing robust and respected opinions on Art.7 cases
 - advising EU-institutions on draft legislation and regulation
- Main themes:
 - Infrastructural developments: Next generation networks, access policy
 - Consumer empowerment: boosting choice and protection (privacy, security)
 - Service related developments: i.e.. continued work on International roaming, special rate services, cross border services – all of these contribute to enhance competition, development of internal market

Net neutrality and transparency

- Report from the public consultations (77 contributions)
- Guidelines on transparency: a tool to enhance end users' possibility to make informed choices among service offers
- relevant requirements for transparency practices:
 - accessibility, understandability, meaningfulness, comparability and accuracy
- recommended:
 - general information about the service, general limitations of the service and specific limitations of the service
 - bandwidth of offer and need for clear information about actual speed

Net Neutrality and QoS

- Report on framework for quality of service in relation to net neutrality, elaborating quality related concepts and quality evaluation methods
- aim of imposing minimum quality requirements is to prevent degradation of service
- Need for continued work identified: 2012 work stream on “Guidelines on Quality of Service in the scope of Net Neutrality”

Report on Fixed-mobile substitution

- considers the impact of fixed-mobile substitution (FMS) both in voice and broadband services, in market definition and the main concepts relevant for this assessment
- to provide guidance on the information to be used by NRAs to analyze a possible integration of fixed and mobile services in the same market; and
- to present a generic analysis on the potential impact of FMS on traditional fixed markets failures

Promotion of Broadband

- to analyze the role of regulatory mechanisms/tools at EU, national, regional and local level for promoting broadband
- Interdependency between different promoting mechanisms
- advise public policy makers on their role in BB-promotion
- the report underscores a mix of reducing the cost of access and increasing perceived value of broadband services

Special rate services

- Guidance for NRAs on the regulation of Special Rate Services (SRS)
- SRS are defined as usage based services
- Characteristics of SRS in the EU, problematic features and negative effects for consumers
- Report to be published for consultation

Competitive effects of NGA-co investments

- Report suggests elements, criteria to examine for effective competition and SMP-designation in co-investment scenario, markets 4 and 5
- NGA reco: market analysis not only number of operators but also structure of network and co-investment arrangements to be considered
- Co-investments lead to effective competition if sufficient independence of the partners is warranted
- Analysis on impact to retail market to be performed before change of wholesale regulation
- Report to be published for consultation

BEREC overview on remedies

- to ensure the development of consistent regulatory practice
- capture remedies proposed by the NRAs in their notifications
- BEREC overview will be provided to the BoR end of 2011
- BEREC Office analyzed European Commission Comments Letters
- BEREC Office keeps formal track of new notifications during Phase II of the article 7 FD procedure

BEREC docs approved for public consultation

BEREC Draft Report on impact of FMS in market definition	BoR (11) 54
BEREC Draft Midterm strategy outlook	BoR (11) 58
BEREC Draft Special Rate Services Report	BoR (11) 68
BEREC Draft report on competitive effects NGA co-invest.	BoR (11) 69
BEREC Draft Broadband Promotion Report	BoR (11) 70

Management Committee Meeting

- BEREC Office in own office since September 2011
- BEREC Office in Riga officially opened on October 14th, in presence of Commissioner Neelie Kroes
- Further recruitment decisions; Multi-annual Staff Policy Plan 2013-2015 adopted for preliminary consultation
- Support by BEREC Office important for the BoR

Elections for BEREC Chair 2013

- BEREC Board for 2012 consisting of representatives from:
 - Greece (as elected incoming Chair 2013)
 - Romania (Catalin Marinescu)
 - Sweden (Göran Marby)
 - United Kingdom (Ed Richards)
- BEREC Chair elected for 2013
 - Dr. Leonidas Kanellos (Chairman EETT, Greece)