

Public debriefing

40th BEREC Plenary meeting

Jeremy Godfrey, BEREC Chair 2019

Brussels, 10 October 2019

Body of European Regulators
for Electronic Communications

BEREC

The logo for BEREC (Body of European Regulators for Electronic Communications) features the word "BEREC" in a bold, sans-serif font. The letters "B", "E", "R", and "E" are in a dark blue color, while the "C" is in a dark red color. A thin, dark blue curved line starts under the "R" and sweeps under the "C", ending under the "C".

- **BEREC Guidelines – public consultations**
 - Guidelines on common approaches to the identification of the network termination point in different network topologies
 - Guidelines to assist NRAs on the consistent application of geographical surveys of network deployments
 - Guidelines detailing QoS parameters of IAS and publicly available ICS and the publication of information
 - Guidelines on the Implementation of the Open Internet Regulation
- **Other public consultations**
 - ***BEREC Work Programme 2020***
 - BEREC feasibility study on development of coverage information for 5G deployments

- **Other BEREC publications**

- BEREC supplementary analysis on wholesale roaming costs (published 19 September 2019)
- 23rd BEREC International Roaming Benchmark Data Report
- BEREC Report on the implementation of Regulation (EU) 2015/2120 and BEREC Net Neutrality Guidelines
- Summary report on the Workshop to move towards a vision for Europe's telecoms consumers
- BEREC Report from the Study Trip to China

- **Other BEREC work**

- Memoranda of Understanding with the International Telecommunication Union (ITU) and with the Eastern Partnership of Regulators (EaPeReg)
- 7th BEREC Stakeholders' Forum (16 October 2019 – Hotel Le Plaza, Brussels)
- Discussion on BEREC's input to the Commission Recommendation 2335 on Cybersecurity of 5G Networks
- Discussion on new Commission priorities

Dates for Public Consultations

WG	Project	Launch date of PC	Closing date of PC	Duration
PTS/PFT	Draft Work Programme 2020	7 October	6 November	30 days
WNE	Draft BEREC Feasibility study on development of coverage information for 5G deployments	10 October	28 November	49 days (7 weeks)
OI	Update to the BEREC Guidelines on Open Internet (Guidelines to be finalised after P2 2020)	10 October	28 November	49 days (7 weeks)
FNE	Draft Guidelines on the identification of the network termination point	7 October	21 November	43 days (6 weeks & 3 days)
S&I	Draft Guidelines for geographical surveys of network deployments	10 October	21 November	43 days (6 weeks)
End Users	Guidelines detailing quality of service parameters	10 October	5 December	56 days (8 weeks)

BEREC guidelines on common approaches to the identification of the network termination point (NTP) in different network topologies

- The draft Guidelines are produced in accordance with Article 61(7) EECC
- NRAs shall take utmost account of these Guidelines when defining the location of NTPs and specifically the following **criteria**:
 - Conformity of the definition of the fixed NTP location with the legal provisions
 - Impact on telecommunications terminal equipment (TTE) market
 - Assessment whether there is an objective technological necessity for equipment to be part of the public network
- Location of the mobile NTP is at a location which permits end-users to (continue to) use their own mobile equipment
- Public consultation 7 October to 21 November

BEREC Guidelines to assist NRAs on the consistent application of geographical surveys of network deployments

- The draft Guidelines are produced in accordance with Article 22 of the Code
- The draft Guidelines concentrate on QoS 1 information (**phase 1**) - provide a substantive step forward with the harmonization of:
 - High level of resolution
 - Common definitions
 - GIS implementation
- The guidelines set out:
 - a list of specific indicators to collect for fixed and mobile broadband (current network reach):
 - how information on planned network deployments (forecasts) should be collected
 - on methods to publish information and address the issue of confidentiality
 - how to aggregate data at the grid level in order to achieve a comparability of results
 - strongly recommend the usage of a Geographic Information System in order to carry out the Geographical Surveys in a professional and efficient manner
- Public consultation from the 10th October – 21st November

BEREC Guidelines detailing QoS parameters of IAS and publicly available ICS and the publication of information

- The draft Guidelines are produced in with Article 104 and Annex X of the Code
- The guidelines:
 - identify the relevant QoS parameters
 - provide guidance on quality certification mechanisms, and
 - set out how information should be published
- QoS parameters included in Annex X of the EECC shall be used where appropriate
 - for providers of access to a public ECN
 - for providers of ICS that control network elements
- NRAs which choose to identify other parameters shall take utmost account of those listed in the Guidelines
- NRAs can integrate QoS parameters relevant for users with disabilities, choosing from among those listed in the Guidelines
- Public consultation from the 10th October – 5 December

BEREC feasibility study on development of coverage information for 5G deployments

5G is expected to create an ecosystem for technical and business innovation.
But verticals may need information on available 5G connectivity.

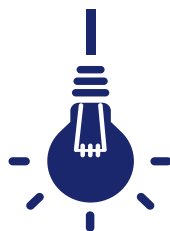


Scope and objective

Is it feasible for NRA to
publish 5G coverage and
QoS information and metrics
for the sake of verticals?

What potential benefits can
be expected?

Which metrics are relevant?



Benefits of NRA providing information for verticals

Assist verticals in optimising their
connectivity solutions (self-build or
outsource)

Input for negotiation process between
vertical and connectivity provider

Potential benefits extend to consumers,
policy makers, industry and wider
public



BEREC's call for further information

Lack of information from verticals

BEREC calls in the public consultation
for further inputs from verticals and other
stakeholders

**Public consultation
from 10 October
to 28 November 2019**

[PC Study 5G@berec.europa.eu](mailto:PC_Study_5G@berec.europa.eu)

- Additional input to the EC published on 19 September to be considered together with the findings and suggestions of the BEREC Opinion (published June 2019)
- Conclusions
 - The regulation has been a success and BEREC does not expect that the competitive conditions will change in the near future in a way that a regulatory intervention is not required any more
 - One of the already proposed measures was to further reduce the wholesale caps, in order to increase the competitive strength for MVNOs.
 - The results show that there is some room for further reduction of the wholesale caps, while still guaranteeing that operators are able to recover their efficiently occurred costs for providing wholesale roaming services, and at the same time still leaving room for negotiating prices below the wholesale caps

Update to the BEREC Guidelines on Open Internet & Implementation Report III

Public debriefing of 40th BEREC Plenary meeting
Michiel van Dijk and Klaus Nieminen

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Update to the BEREC guidelines on Net Neutrality

- Initiation of public consultation on draft update

BEREC Report on the implementation of Regulation (EU) 2015/2120 and BEREC Net Neutrality Guidelines

- Describes activities of NRAs between April 2018- April 2019
- Shows active engagement of NRA
- Next year an overview will added concerning NRA policies in place

Public consultation on Open Internet Guidelines

- New title:
 - **(2020) BEREC Guidelines on Implementation of the Open Internet Regulation**
- Today BEREC publishes:
 - a **consultation document** with information regarding major changes in the text and asks a few targeted questions
 - a **track change version** of the draft Guidelines to maximize transparency
- The consultation is open until **28 November 2019 (17:00 CET)**.
- Stakeholders are invited to submit their contributions by email to OI-Guidelines-Consultation@berec.europa.eu.
- The target is to publish the final Guidelines in **June 2020**

Highlight: 5G and traffic management

- The Regulation and Guidelines are technologically neutral and do not constitute a ban on the implementation of any 5G technology.
- To this extent, BEREC seeks to clarify the current the Guidelines in certain instances, for example:
 - **M2M/IoT** device requirements e.g. for energy preservation and security may qualify as specific level of quality requirements to justify SpS.
 - **Different application-agnostic QoS levels** may be offered based on combination of different QoS parameters.
 - ISPs may provide **additional endpoint-based services** (e.g. parental control or security) similarly to CAPs, and it is clarified how NRA should assess blocking of traffic via such servers under Article 3(2).
 - Clarifications for **specialised services** e.g. on dedicated connectivity, assessing impact to general IAS quality and cases when the optimisation might no longer be necessary.

Highlight: Zero rating and transparency

- New guidance to provide a best practice on **open zero-rating programmes**, which are less likely to restrict end-user choice or undermine innovation on the internet.
- Include **new variants of zero rating** cases and address how long term effects can be assessed by NRAs.
- Include a **step-by-step assessment** of zero rating (Annex)
- **Transparency**: certain Hybrid IAS and Fixed Wireless Access IAS fall under the '*fixed network*' transparency rules.

- Monitoring of specific content
 - There has been discussion among some stakeholders that the methods mentioned in the paragraphs 69 and 70 of the guidelines would not be sufficient for traffic identification and that e.g. domain names should be considered as generic content.
 - Therefore, BEREC has prepared several questions to seek feedback from all stakeholder groups on this particular topic.
- While consulting the draft Guidelines, BEREC also welcomes feedback on paragraphs with no suggested amendments.

BEREC Work Programme 2020

Public debriefing of 40th BEREC Plenary meeting
Dan Sjöblom

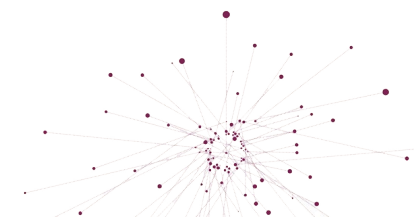
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- **BEREC Chair: Dan Sjöblom (PTS, Sweden)**
- **BEREC Vice-Chair: Jeremy Godfrey (ComReg, Ireland)**
- **BEREC Vice-Chair, incoming Chair 2021: Michel Van Bellinghen (BIPT, Belgium)**
- **BEREC Vice-Chair: Monika Karas (NMHH, Hungary)**
- **BEREC Vice-Chair: Tonko Obuljen (HAKOM, Croatia)**
- **Representative of participants without voting rights - Sasho Dimitrijoski (AEC, The Republic of North Macedonia)**

BEREC's three key priorities for 2020

- **Implementation and continued communication about the Code**
- **Continue to develop BEREC**
 - **Involve stakeholders early in our work processes and continue increasing stakeholder engagement and transparency**
 - **Continue strengthening cooperation with other organisations**
- **The area of Digital Platforms, current phenomenon in the digital society in Europe**

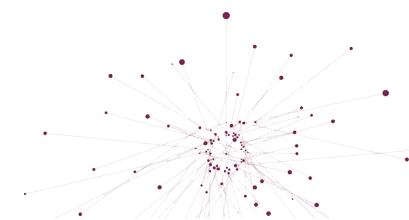


The five strategic priorities

1. Responding to connectivity challenges and to new conditions for access to high-capacity networks
2. Monitoring potential bottlenecks in the distribution of digital services
3. Enabling 5G and promoting innovation in network technologies
4. Fostering the consistent application of the open internet principles
5. Exploring new ways to boost consumer empowerment

Workload still heavily influenced by the code

- **35 carry-overs/obligatory work items**
- **10 proposed discretionary work items**
- **For 2021 or beyond 12 potential work items**
- **Continued focus on 5G including security, update of Open Internet Guidelines, Report on Platforms**



Your input welcome by November 6

- **The WP may need to be supplemented with activities relating to initiatives from the new Commission and Parliament**
- **Call for Input for Medium Term Strategy 2021-2023 included – take the opportunity to engage early**
- **Further possibility to discuss at Stakeholder Forum October 16 – hope to see you there**



New European Commission priorities

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New European Commission priorities

- **Political guidelines focus on 6 themes – one of which is “A Europe fit for the digital age”**
- **Key policy areas for BEREC include:**
 - **Digital Services Act**
 - **Competition Policy**
 - **Enhancing Europe’s technological sovereignty**
 - **Single market for cybersecurity**
 - **Artificial intelligence**
 - **Digital education action plan**
 - **Climate**
 - **Connected and automated mobility**
- **Discussions centred on :**
 - **BEREC’s role as a source of independent expertise that may be of value to the institutions and other stakeholders, as policies and legislative proposals are developed**
 - **How BEREC might contribute as the issues are examined and debated in coming months**

Other BEREC publications & work

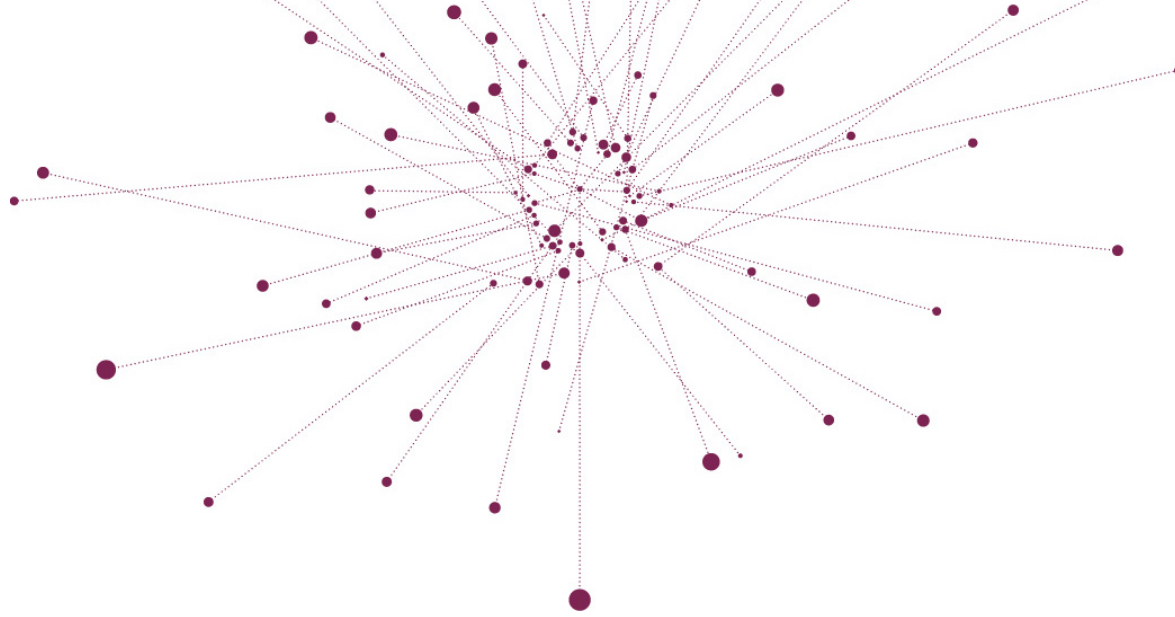
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- **MoU with the International Telecommunication Union (ITU) and with the Eastern Partnership of Regulators (EaPeReg)**
- **Cybersecurity in 5G Networks**
- **7th BEREC Stakeholders' Forum (16 October 2019 – Hotel Le Plaza, Brussels)**

- **Guidelines on the minimum criteria for a reference offer relating to obligations of transparency (REM WG) & report on the Public Consultation**
- **BEREC Guidelines on the general authorisation notifications transmitted to competent authorities**
- **Draft Guidelines for public consultation on how to assess the effectiveness of public warning systems transmitted by different means (WNE WG)**
- **Draft Report of the impact of 5G on regulation and role of regulation in enabling 5G (PFT WG) for public consultation**
- **Draft Report on Member States' best practices to support the defining of adequate broadband IAS (EU WG) for public consultation**
- **BEREC Study on the determinants of investment in very high capacity networks**



Thank you!

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