

# NRA's Implementation of Open Internet Rules

## Traffic Management

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**THINK DIGITAL – REFORM – PROSPER**



# Traffic Management: State of Play

## Implementation Experience

- Article 3(3) is effective as per Bird & Bird Final Report (2019).
- Number of enforcement actions has been limited and stakeholders consider the wording of Article 3(3) sufficiently clear.
- BEREC Net Neutrality Guidelines should be modified in certain instances, though observing closely not to depart from the principle-based approach of the Regulation.

# Traffic Management: Observations in the Context of BEREC Guidelines

The ultimate goal is to protect end users and ensure continued innovation.

- Reasonable traffic management is necessary and enables efficient use of network resources. Traffic management is a crucial enabler of the open Internet and innovation.

The rights and freedoms should be treated in a consistent way by NRAs.

- End user choice allows users to select services and speeds that operators must comply with.



# Traffic Management: Observations in the Context of BEREC Guidelines

Traffic management should be considered from technical, commercial, demand and network configuration perspectives.

- The BEREC Guidelines are too restrictive on certain points in their interpretation regarding operators' ability to manage network traffic.

Reasonable traffic management should not be considered as secondary to network investment.

- ISPs decision on investment should remain its sole responsibility.

# Traffic Management: Observations in the Context of BEREC Guidelines

Innovation-friendly rules will allow ISPs to answer even more effectively to specific needs and to bring further benefits to end users.

- Traffic management will evolve over time. Technical solutions contributing to better quality and to a more efficient, dynamic and flexible use of network resources should be encouraged.



Thank you!

