

Extraordinary Plenary Meeting of the BEREC Board of Regulators (BoR)

Hosted virtually

Conclusions

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Main Results of the Extraordinary Meeting of the BEREC Board of Regulators

The BEREC Board of Regulators held an Extraordinary Plenary Meeting on 15 July 2020.

During the Meeting, the BoR discussed and/or approved the following documents:

1. Documents approved as regular items for publication:

- BoR (20) 136 BEREC BoR Agenda

2. Documents submitted for information purposes:

- BoR (20) 138 Draft BEREC Response to the Public Consultation on the Digital Services Act package and the New Competition Tool

3. Other main topics discussed

The BoR discussed the results of a survey on BEREC virtual meetings. The representatives of the BEREC Office and European Commission updated the BoR on recent developments concerning ongoing projects.

Introduction and participation

The BEREC Board of Regulators held an Extraordinary Plenary Meeting on 15 July 2020.

The Meeting was attended by the Heads and/or high-level representatives of the National Regulatory Authorities (NRAs) from each EU Member State that have primary responsibility for overseeing the day-to-day operation of the markets for electronic communications networks and services. The European Commission also took part in the Meeting. Heads and high-level representatives of the NRAs with which BEREC has concluded working arrangements were also present.

The list of attendees of the Extraordinary Plenary Meeting is included in Annex II to the Minutes.

List of documents

The list of final documents approved by the meeting for publication, in compliance with the BEREC Regulation and the BoR transparency rules, is presented in Annex to the Conclusions.

Items discussed

A short overview of the information presented under each agenda item, a summary record of the proceedings, and a record of the conclusions reached by the BoR is presented below.

1. Opening of the meeting and adoption of the agenda

Document(s)	BoR (20) 136 Draft BEREC BoR Agenda
Introduction by	BEREC CN Chair (PTS)
Background information	The BEREC Chair welcomed the meeting participants and provided practical information on the logistics of the meeting. The BEREC Chair opened the meeting and presented the draft Agenda for approval by the BoR. The BoR was invited to suggest any additional issues to be raised or presented under “Any Other Business” (AOB).
Action requested	The BoR adopted the agenda with suggested amendments.

2. Discussion on DSA public consultation

Document(s)	BoR (20) 138 Draft BEREC Response to the Public Consultation on the Digital Services Act package and the New Competition Tool
Introduction by	MEA WG Co-chairs (CNMC/ARCEP)
Background information	At the 42 nd Plenary Meetings in Belgrade, following a high-level discussion on the regulation of Digital Platforms (DPs), the BoR decided to establish a drafting team under the MEA WG to prepare BEREC’s input to the public consultation on the Digital Services Act. The public consultation was expected to be launched by the EC in mid-March, however, it was delayed and opened on 2 June 2020. The public consultation consists of 2 elements: <ul style="list-style-type: none">– the Digital Services Act package (led by DG CNECT)– New Competition Tool (led by DG COMP)

	<p>During the two extraordinary Contact Network virtual meetings, which took place on 26 June and 9 July the MEA WG Co-Chairs presented a proposed BEREC position with a view to preparing a meaningful discussion at the extraordinary Board of Regulators (BoR) meeting on 15 July 2020.</p> <p>The WG Co-Chairs presented to the BoR the main points of the draft BEREC Response to the Public Consultation on the Digital Services Act package and the New Competition Tool (NCT).</p> <p>The WG Co-Chairs presented to the BoR key issues for the discussion focusing on:</p> <ul style="list-style-type: none"> – Proposed regulatory framework; – Institutional model; – Interplay between NCT and telecommunications regulatory framework; – Ex-ante intervention for DPs. <p>The WG Co-Chairs presented the schedule of further work. They also reported that further details of the BEREC proposal would be developed in the BEREC Report on digital platforms, on which the MEA WG is currently working.</p>
Action requested	The BoR took note of the information and agreed that the WG will take into account the outcomes of the discussions in the preparations of the final BEREC input.

3. AOB

Information on the outcomes of the survey on BEREC virtual meetings

Document(s)	No document
Introduction by	BEREC Chair (PTS)
Background information	<p>The BEREC Chair presented to the BoR the outcomes of the survey on BEREC virtual meetings. He noted that there is strong support to continue to use the videoconferencing systems for Plenary and CN meetings. Based on the results of the survey he suggested organising CN1 and Plenary 1 of 2021 as virtual meetings. He reported that this is at the discretion of the BEREC Chair 2021 who is in contact with the host NRAs.</p> <p>The BEREC Chair also informed the BoR that a workshop will be organised before the 44th Plenary meeting dedicated to the format of BEREC meetings and the use of videoconferencing systems in BEREC work.</p>
Action requested	The BoR took note of the information and decided to further discuss this topic at the workshop before P3.

Information from BEREC Office on the ongoing projects

Document(s)	No document
Introduction by	BEREC Office Representative
Background information	The BEREC Office representative informed the BoR about two webinars which will take place in July dedicated to the new BERECnet (i.e. BERECnet+) and the Authorisation Database.

	<p>He reported that the duration of the webinars would be 2-3 hours (i.e. 2 hours presentation by the contractor and 1 hour for questions).</p> <p>This webinar on BERECnet+ is planned for 30 July 2020 while the webinar on the Authorisation Database is planned for the next day (31 July 2020).</p> <p>He informed the BoR that the purpose of these webinars is to give the members of the NRAs a chance to learn more about the features of the platforms and to present the final deliverables.</p>
Action requested	The BoR took note of the information.

Information from the European Commission

Document(s)	No document
Introduction by	The representative of the European Commission
Background information	<p>The EC representative briefed the BoR about the progress of work on the draft regulation for Eurorates and the new Recommendation on relevant markets.</p> <p>He reported that both documents are in the inter-service consultations. He informed the BoR that it is expected that they would be shared with BEREC for its opinion by the end of July or at the latest early August 2020. He emphasised that both drafts have already been discussed with WGs and that experts have been informed about what is expected. He noted that BEREC would be asked to deliver its opinions at Plenary 3 2020 or shortly after.</p>
Action requested	The BoR took note of the information.