



Response to BEREC Consultation

BoR (22) 88

BEREC Guidelines on Regulation (EU) 2022/612
and
Commission Implementing Regulation (EU) 2016/2286
(Retail Roaming Guidelines)

9 August 2022

I. Introduction

1. MVNO Europe welcomes the opportunity to provide its comments on BoR (22) 88, the draft BEREC Guidelines on Regulation (EU) 2022/612 and Commission Implementing Regulation (EU) 2016/2286 (Retail Roaming Guidelines).
2. Given that these draft guidelines constitute an explanation of adopted legislation, are explicitly not of an interpretative nature, and update the BEREC Guidelines of 2017 (BoR (17) 56), MVNO Europe's comments are limited.

II. Comments on the draft BEREC Retail Roaming Guidelines

3. Mobile operators have prepared the implementation of Regulation (EU) 2022/612 for months, based on the precise text of the Regulation, often in close contact with NRAs, and have proceeded dutifully with the necessary technical, IT process, and contractual implementation of retail-level (and other) requirements as of its date of entry into force on 1 July 2022.
4. MVNO Europe noted during the BEREC Debriefing on Plenary 51 that BEREC intends to publish the Retail Roaming Guidelines after its Plenary 4/2022, in December 2022.
5. Given that this is 6 months after the deadline for implementation of several retail-level measures by operators, MVNO Europe asks BEREC to exercise particular caution, to avoid unintentional disruption of existing implementation modalities.
6. In particular, MVNO Europe asks BEREC not to formulate any new or modified Guidelines going beyond those that are put forward in the consultation document, because that might force operators to change or re-do the technical, IT process and contractual implementation work that has already been completed, or that is in the process of completion, and incur additional costs.
7. MVNO Europe acknowledges that the obligations of roaming providers to provide information about numbering ranges for value added services and information about alternative means of access to emergency services, with regard to the information contained in future BEREC databases, apply from 1 June 2023. At present, MVNO Europe has no particular comment to make on the aspects of the draft Guidelines addressing these points.
8. More generally, MVNO Europe asks BEREC to systematically take into account the fact that both light and full MVNOs are prevalent in EU Member States, and that some of these are focused on specific market segments, and/or are smaller undertakings that have limited human, technical and financial resources.

III. About MVNO Europe

9. MVNO Europe represents various types of Mobile Virtual Network Operators (MVNOs), with different business models, addressing consumers, business users (including start-ups/scale-ups)/medium/large businesses, the public sector, ICT service/systems integrators, and IoT markets, etc. <http://www.mvnoeurope.eu/members>
10. MVNOs currently represent +/- 10% of SIM cards in the European Union.
11. The term “virtual” refers to the fact that MVNOs do not control radio frequencies and related mobile physical infrastructure (antennas, base stations etc.). However, MVNOs do control the necessary hardware/software/resources to provide wireless/mobile services and may own other telecom infrastructures depending on the extent of their business model.
12. Our members provide mobile-only offers, fixed-mobile convergent offers and offers incorporating audio-visual media content, financial services, machine-to-machine communications, embedded data SIMs for tablets, laptops and other devices, connected mobility for vehicles, IoT in a broad sense, etc. Some of our members are also active on wholesale markets as MVNE (E=Enabler) / MVNA (A=Aggregator) supporting other companies and brands that provide wireless/mobile services. MVNO Europe does not represent branded resellers.
13. MVNOs contribute strongly to innovation and competition and provide clear Business to Consumer (B2C) and Business to Business (B2B) end-user benefits. MVNOs also contribute to financing mobile network infrastructure through payment of wholesale charges which assure revenues to Mobile Network Operators, whilst avoiding costly duplication of network assets.

IV. MVNO Europe Contact Details

Should you require any clarifications or further information on the elements and positions set out by MVNO Europe in this document, please contact:

Ms. Veronica Zaboia, Secretariat of MVNO Europe

Tel: +32 488 44 24 61 – veronica@mvnoeurope.eu | www.mvnoeurope.eu

Rue de la Loi 38, 1000 Brussels – 5th floor