

## Statement on the Development of the ERG

### ***Preamble***

The European Regulators' Group (ERG) is an advisory group of independent national regulatory authorities for electronic communications and services (NRAs) set up by the European Commission in 2002. Its purpose is to assist in the development of the internal market for electronic communications and to promote the consistent application of the EU Regulatory Framework by NRAs.

The ERG has assessed the effectiveness of its work, taking into account its experience so far, the developments in the electronic communications sector and the regulatory challenges which lie ahead. The ERG has concluded that some changes are necessary to improve the operation and output of the ERG and to make it more effective in meeting future challenges and enhance its effectiveness in promoting the consistent implementation of the EU Regulatory Framework across members.

### ***ERG Mission***

The ERG's mission, as set out in the Commission Decisions establishing it, is to promote the consolidation of the internal market for electronic communications networks and services by:

- serving as a body for reflection, debate and the provision of advice to the European Commission in this field.
- cooperating to identify the appropriate regulatory instruments to promote greater harmonisation in the application of the EU Regulatory Framework.
- improving collaboration, mutual assistance and information exchange between members and between members and the European Commission.
- working transparently and in consultation with industry stakeholders and with European institutions.

### ***ERG Strategy and Policy***

ERG recognises that stakeholders attach particular importance to significant progress on harmonisation. In order to fulfil this mission the ERG and its members make the following commitments, effective immediately:

1. ERG members undertake to review and keep up to date the priority areas for harmonisation. This will be done on the basis of consultation with stakeholders and evidence-based assessments of the costs and benefits of harmonisation in each such area, to identify where harmonisation is necessary or will contribute to the establishment of an internal market for electronic communications. This includes harmonisation of remedies applied to SMP players in similar circumstances following market reviews under the EU Regulatory Framework. Priority will be given to broadband access markets and termination markets.

2. In respect of key markets, ERG members undertake to develop case studies of regulatory 'best practice', designed to demonstrate how the ERG Common Position on Remedies – ERG (06) 33 - can be applied in practice to those markets.
3. While ERG Common Positions shall not be binding, Members shall be recommended to take the utmost account of them. ERG members commit to provide reasoned regulatory decisions, by reference to the relevant ERG Common Position(s).
4. ERG members undertake to agree a way of monitoring and comparing their respective regulatory approaches across key markets, with the objective of continually improving their regulatory approaches and implementation of the EU Regulatory Framework.
5. ERG has identified NRAs with relevant experience and knowledge in relation to particular regulatory issues or areas, which will make themselves available to other ERG members for practical advice on the implementation of the EU Regulatory Framework.
6. The ERG will implement its future work programme in a targeted fashion using dedicated project teams for individual work items.
  - Work on these commitments is already underway, and going forward will imply careful refocusing of the work programme. The National Regulatory Authorities recognise that this raises important questions about the level and organisation of resources available to carry forward the work. They are working to ensure that these issues, in particular the arrangements for an efficient and effective secretariat, are addressed in order to enable fulfilment of these commitments. They expect to make decisions on these matters at the next Plenary in December.

**ERG**  
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