



BEREC Work Programme 2016 INTUG Response



INTUG RESPONSE TO BEREC DRAFT WORK PROGRAMME 2016

INTUG is pleased to provide a response to the consultation on BEREC's Work Programme for 2016, and welcomed the opportunity to participate in the recent Stakeholder Forum.

The response is structured under the eight most important topics identified to INTUG, by consultation with business users of digital services. These topics are identified as:

- Business/International Services
- International Roaming Charges
- Quality of Service/Network Neutrality
- Mobile Services/Spectrum
- Internet of Things (M2M)
- Software Licence Management
- Cloud Services/SDN/NFV
- Universal Access/Broadband

Introductory Comments

INTUG recognises that a Review of the Regulatory Framework is imminent and this will have profound implications for customers as well as for National Regulators. It is vital that BEREC is proactively involved in the Review and continues to seek input from users.

Whilst the number and scope of Relevant Markets within the existing Framework are reducing, NRAs should continue to be vigilant and only cease review of markets in their own country when they are certain that sustainable competition has been established.

1 Business/International Services

The new Relevant Market provides an excellent vehicle for BEREC to address the urgent need for better availability and competition in provision of digital services to businesses. The unique characteristics of this market, including its international characteristics, and its need for support for management of multiple sites, multiple devices and applications and interoperability between commercial partners, requires close attention. The current absence of effective international offerings, especially in mobile, let alone any competition is of great concern to business users.

2 International Roaming Charges

The decision to eliminate International Roaming Charges throughout the EU by 2017 is welcomed although the timescale is later than was originally envisaged. BEREC should ensure that in the national transposition the intent is not diluted by excessive limitations from the Fair Usage controls, or from unacceptably high and/or inconsistent wholesale roaming caps, which will obstruct or negate achievement of the objective.

3 Quality of Service/Network Neutrality

Many business critical applications can only work effectively within guaranteed quality of service parameters. This applies in a range of industry sectors, including health, finance, process control, energy management and others. The service needs to vary in terms of volume, speed (upstream and downstream), latency and reliability, and can only be met by effective content-dependent traffic management. Network Neutrality regulation must cater for this whilst ensuring transparent differentiation without discrimination.

4 Mobile Services/Spectrum

Business users continue to be frustrated by a mobile market built on a patchwork of national islands with no effective international mobile services, and severe penalties for attempting to implement cross border on line applications. BEREC should focus on improving the level of spectrum harmonization, which is essential for optimizing international services, and should seek to prevent licensing from being used as a mechanism for governments to tax the industry and its customers.

5 Internet of Things/M2M

Connected devices in many industries, for example in transport, health, energy and process control, are transforming the Internet ecosystem and creating huge increases in numbers of devices and in potential traffic growth. Machine to Machine (M2M) applications especially using mobile devices demand more flexible approaches to connectivity, for example with the management of SIM cards and identifiers, and with charges for cross-border connectivity. BEREC should give priority to this area.

6 Software Licence Management

Business users have become increasingly concerned about the difficulty and the cost exposure associated with managing their software licence assets. This area has become a major source of revenue for software suppliers, some of whom derive 25% of their income from customer audits, which are hard to challenge. INTUG has produced a proposed Code of Conduct, which can be made available to BEREC. This has become more significant as an issue because of the use of cloud-based applications and access by third parties using mobile devices, where licence allocation is hard to administer.

7 Cloud Services/SDN/NFV

Business users are making increasing use of Cloud-based services, but initially only for non-critical applications due to concerns about reliability, quality of service, privacy and security. If the benefits of cloud services are to be more generally achieved in the EU, BEREC must ensure adequate attention is paid to these aspects of Cloud Services, to associated Software Defined Networks (SDN) and Network Function Virtualisation (NFV). It is also vital that there is seamless interoperability between service providers and that there is scope for switching supplier to maintain effective competition.

8 Universal Access/Broadband

The ubiquitous roll of superfast fibre-based broadband to all citizens and businesses must be the end goal in order to deliver a truly effective Digital Single Market. Whilst, numerical targets of headline downstream speed may be helpful in generating market momentum, the ongoing aim must be fit-for-purpose connectivity for all. This is especially important for public sector services if the efficiencies and effectiveness of new applications, services and information are to be achieved. Legacy systems can only be removed when all can access and use new services effectively. BEREC should ensure that all NRAs monitor progress towards full connectivity for all, with quality for all relevant service characteristics.

Concluding Comments

INTUG welcomes BEREC's continuing commitment to pursuing its contacts with national and regional regulatory authorities outside Europe. INTUG engages in similar dialogues with APECTel, Regulatel, CITEL and others, as well as the ITU and OECD. Consistency of approach globally is important, and BEREC can offer examples of best practice drawn from their experience and successes in the EU, and with the EEA countries.

The comments of Commissioner Oettinger at the recent Stakeholder Forum, in which he emphasised the need to ensure that regulation of the Communications Sector should aim to optimise the impact on the overall EU economy, rather than just the sector itself, is strongly endorsed. BEREC should ensure that its impact analyses reflect this goal.

About INTUG

INTUG is a global association of business users of communications services, established in 1974 and registered in Belgium. With members and contacts in all 5 continents, it uses this reach to actively promote professional customers interests at the international level and to ensure that the voice of the business user is clearly heard. Its long-term focus is to eliminate all barriers to cross border on-line trade which companies and public institutions face when developing their ICT strategies. See <http://www.intug.org>

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