

## **BEREC presents one year of enforcing Net Neutrality across Europe and moves forward on monitoring business markets**

The public debriefing of 13 December 2017 in Brussels was the occasion for the BEREC Chair 2017 to come back on the work done by BEREC in 2017 that was marked by important work on Net neutrality, mobile and roaming issues and the framework review, and present the work programme for next year.

During the public debriefing, the BEREC Chair 2017 and Incoming Chair 2018, together with co-chairs of the expert working groups, have also presented the documents adopted at the last plenary meetings by BEREC and detailed below.

### **Safeguarding an Open Internet in Europe: BEREC reports on one year of Implementation of the Net Neutrality rules across Europe**

Consistent with its objective to safeguard an open internet throughout Europe that has marked BEREC work in 2017, as shown by various exchanges on tools and practices and by the decision to develop an opt-in Net neutrality measurement tool in Q3 2017, BEREC has issued a [report presenting and analysing one year of implementing Net neutrality rules throughout Europe](#).

After the first year of application of the Net Neutrality regulation (from 30 April 2016 to 30 April 2017), based on national reports, internal exchanges and publicly known Net Neutrality cases or investigations, the report acknowledges that NRAs are still at an early stage of the implementation of Net neutrality rules. Yet, there is a consistent treatment by NRAs of practices relating to the core principles of net neutrality, such as the ban on blocking of applications and discriminatory treatment of specific traffic. Specific commercial practices such as zero rating show that it is key to analyze the specifics details of the practice concerned and its circumstances. The report also outlines that coordination and exchanges of information on ongoing cases between NRAs via BEREC has been contributing to this coherent application.

The report concludes that the Net Neutrality Guidelines adopted in August 2016 are well suited to assist NRAs in performing their tasks. Based on the experiences acquired by NRAs, a full evaluation report on the regulation and guidelines will be issued in December 2018 to assist the Commission in the review of the Net Neutrality Regulation as foreseen by this text.

### **Enhancing connectivity in Europe: BEREC defines key indicators to monitor Business markets and moves forward with RSPG on mobile connectivity in challenge areas**

The current availability of statistical information on the non-residential market, at the European level, is relatively limited and therefore does not allow for a robust assessment of the evolution

of this market. In order to have a more precise overview of the business market at the European level and therefore contribute to an enhanced connectivity of business users in Europe, [BEREC proposes a set of indicators](#) that NRAs would collect and which will be included in the European Commission's Digital Scoreboard. It will reflect the business market in the coming years and will be useful for measuring the initiative set out in the Commission's Gigabit Society.

In line with its aim to enhance connectivity and innovation in Europe, BEREC has also further worked on its common report with RSPG on facilitating mobile connectivity in 'challenge areas', taking into account comments raised during the public consultation held between 11 October and 8 November. This report provides a comparative assessment of initiatives to facilitate mobile connectivity in 'challenge areas' (indoor coverage, transports, non-profitable areas, protected areas...). A final version shall be published in the next weeks. BEREC is also continuing its work on defining a Common position on monitoring mobile coverage, following the preliminary report towards a Common position sent for public consultation at the last Plenary. The replies gathered during the public consultation that was held between 11 October and 8 November will help BEREC finalise a Common position to be published in June 2018.

### **Facilitating the roll out of Broadband networks: BEREC adopts two reports on the implementation of BB Cost Directive and on State aid funded infrastructures**

In order to get a deeper insight into the implementation of the Broadband Cost Reduction Directive and to foster the exchange of experiences between NRAs, BEREC has prepared an overview of its implementation across Europe. The [report](#) concludes that operators in most cases reach agreement with the infrastructure provider without the need to involve the dispute settlement body.

At the plenary, BEREC also approved a report that examines how access conditions based on the EU State aid Guidelines have been implemented in different Member States, focusing on the role of the NRAs. The [report](#) shows that many NRAs are involved in setting conditions for open access or giving advice on open access during different stages in the process of State Aid projects, starting from tenders up to dispute resolution. It shows that access products and pricing methods are often the same or very similar to the reference offers or regulated products of the SMP operator. Dispute resolution procedures for access conditions and prices are available, usually with the NRA, but have hardly been used.

### **Reinventing BEREC from within: BEREC adopts the final version of its Work Programme 2018**

BEREC is set to continue in 2018 its work on a range of strategically important topics, as described in its [annual Work Programme](#) adopted at the last plenary meetings, after the public consultation that ran from 11 October to 8 November. The Programme covers all of the five areas of [BEREC strategic priorities](#) defined in its strategy for 2018-2020, with an important focus on "5G". In this regard BEREC will address several challenges like a work on network sharing, coverage and security.

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## **BEREC Chair 2019 elected and Vice-chairs for 2018 appointed**

The election of the BEREC Chair for 2019 took place at the last plenary meetings. Jeremy Godfrey, Commissioner of Irish regulator ComReg, was elected BEREC Chair 2019. Georges Michaelides (OCECPR, Cyprus) and Dan Sjöblom (PTS, Sweden) have also been elected to serve as Vice-Chairs for 2018 together with Sébastien Soriano and Jeremy Godfrey as respectively outgoing and incoming BEREC Chairs.

A full list of public documents adopted at the plenary meetings is available on the [BEREC website](#). The next BEREC plenary meetings will be held in Bratislava, Slovak Republic on 8-9 March 2018.

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