

Public consultation on Draft BEREC Guidance on functional separation under Articles 13a and 13b of the revised Access Directive and national experiences

Run from 11 October to 19 November 2010

Following the review process of the EU Regulatory Framework on eCommunications, the Better Regulation Directive introduced the functional separation as a non-standard remedy. The revision to the Framework also anticipates voluntary separation by an SMP operator. The two provisions are set out in Articles 13a and 13b of the Access Directive. In order to promote consistent implementation across Europe, BEREC, building upon the 2007 ERG Opinion on Functional Separation, has developed a [draft Guidance on functional separation under Articles 13a and 13b of the revised Access Directive](#) and [national experiences](#).

With the objective to increase transparency and to provide BEREC with valuable feedback from all interested parties on the topic, BEREC published its working draft Guidance on functional separation for comments regarding the principles and the assumptions outlined in the draft document. The document was published for comments in the period 11 October - 19 November 2010.

In that period BEREC received 9 individual contributions by: [Aforst](#), [ECTA](#), [ETNO](#), [Fastweb](#), [PIIT](#), [Portugal Telecom](#), [Telecom Italia](#), [Telefonica](#) and [Wind](#).

Following the closing of the consultation period BEREC analysed the contributions and prepared a [BEREC Consultation Report](#) on the BEREC Guidance on functional separation under Articles 13a and 13b of the revised Access Directive and national experiences, which outlines the main comments received and explains how BEREC has taken them into account.

The final [BEREC Guidance on functional separation under Articles 13a and 13b of the revised Access](#), as well as the overview of the [national experience](#), which take into account the contributions received during the public consultation can be consulted from the current web site, as well.

You can download the full history of the public consultation [here](#).

List of all document related to the consultations

Reg. №	Name of Contributor
Document subject to consultation:	
BoR (10) 44	Draft BEREC Guidance on functional separation under Articles 13a and 13b of the revised Access Directive and national experiences
BoR (10) 44b	Draft guidance on functional separation - Annex I, Functional separation in practice: EU experiences
List of all individual contribution received by BEREC:	
BoR PC06 (10) 01	Aforst
BoR PC06 (10) 02	ECTA

Reg. №	Name of Contributor
BoR PC06 (10) 03	ETNO
BoR PC06 (10) 04	Fastweb
BoR PC06 (10) 05	Telefonica
BoR PC06 (10) 06	Telecom Italia
BoR PC06 (10) 07	PIIT
BoR PC06 (10) 08	Portugal Telecom
BoR PC06 (10) 09	Wind
Documents approved by BEREC after the public consultation:	
BoR (10) 44 Rev.1c	BEREC Consultation Report on the BEREC Guidance on functional separation under Articles 13a and 13b of the revised Access Directive and national experiences
BoR (10) 44 Rev.1	BEREC Guidance on functional separation under Articles 13a and 13b of the revised Access Directive and national experiences
BoR (10) 44 Rev.1b	Guidance on functional separation - Annex I, Functional separation in practice: EU experiences
Other related documents:	
BoR PC06 (10) 10	History of the public consultation on the draft BEREC Guidance on functional separation under Articles 13a and 13b of the revised Access Directive and national experiences

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