

Outcomes

BEREC 25th Plenary Meeting

10-11 December 2015

Fátima Barros, BEREC Chair 2015

BEREC public debriefing

16 December 2015

The public debriefing is web-streamed

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Agenda

- Elections of the BEREC Chair 2017 and Vice-Chairs 2016
- Summary of the BEREC Plenary Workshops – 9 December
- Outcomes of the 25th BEREC Plenary meeting – 10-11 December
- Next BEREC main meetings/events

Elections of the BEREC Chair 2017 and Vice-Chairs 2016

- BEREC Chair 2017
 - ❑ **Sebastien Soriano**, President of ARCEP
- BEREC Vice-Chairs 2016
 - ❑ **Angelo Cardani**, President of AGCOM
 - ❑ **Henk Don**, Vice-Chairman of ACM

NRAs Workshop on the opinion of the BEREC on the European Commission's request

- Discussion of BEREC opinion to the EC's request on the review of the framework of electronic communications

Joint BEREC – FCC workshop on Net Neutrality

- Net Neutrality in the US
- Overview of Net Neutrality in Europe
- Debate between the FCC and BEREC Representatives

Documents approved

Subject	Doc. No.	Observations
BEREC Report on transparency and compatibility of international roaming tariffs	BoR (15) 192	For publication
Summary of the Outcomes of the 3 rd BEREC Stakeholder Forum Meeting, 15 October 2015, Brussels	BoR (15) 193	For publication
BEREC Report on oligopoly analysis and regulation BEREC Report on the public consultation on the draft BEREC Report on oligopoly analysis and regulation	BoR (15) 195 BoR (15) 194	For publication

Documents approved

Subject	Doc. No.	Observations
BEREC Report on case studies on IP-based interconnection for voice services in the European Union	BoR (15) 196	For publication
BoR Decision on the BEREC Expert Working Groups	BoR (15) 198	For publication
BEREC Report on Monitoring implementation of the BEREC Common Positions on Wholesale Local Access (WLA), Wholesale Central Access (WCA) and Wholesale High Quality Access at a Fixed Location (WHQAFL) - Phase 2	BoR (15) 199	For publication

Documents approved

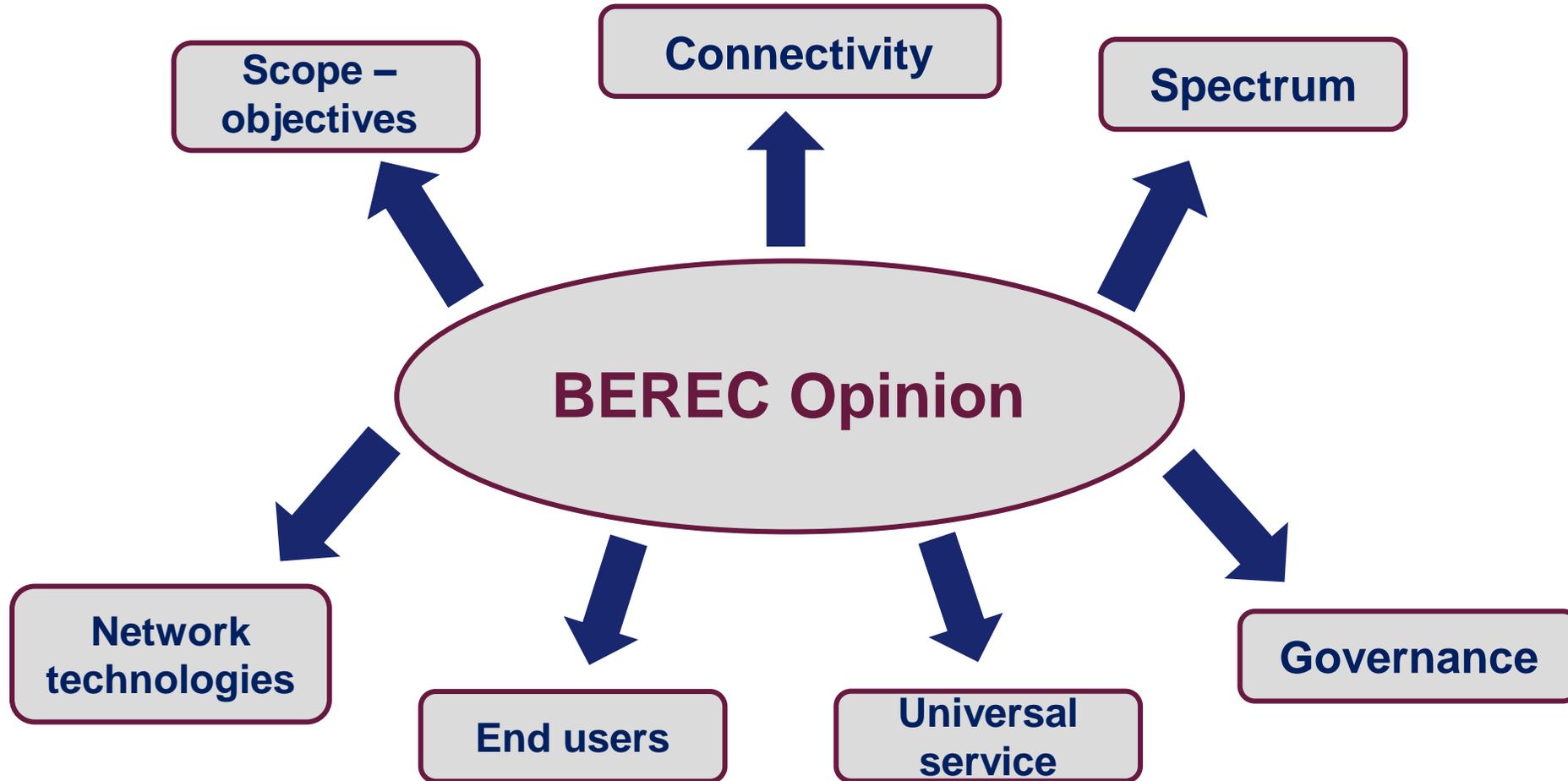
Subject	Doc. No.	Observations
Up-dated BEREC Report on equivalent access and choice for disabled end-users BEREC Report on the outcome of the public consultation on the draft BEREC Report equivalent access and choice for disabled end-users	BoR (15) 201 BoR (15) 200	For publication
BEREC input and opinion on the review of the RF for electronic communications	BoR (15) 206	For submission to the Commission and for publication

BEREC opinion to the European Commission on the review of the Framework for electronic communications

- **MAIN STEPS**

- The European Commission's request asking for BEREC's opinion on the review of the European regulatory Framework for electronic communications was made available **end July 2015**
- Deadline for the answer: **17 December 2015**
- The Regulatory Framework Expert Working Group started the work in July
- The final text of the BEREC answers was approved by the Heads of the NRAs on **the 25th Plenary** (10 December 2015)

- **MAIN AREAS**



- **IN PARTICULAR, BEREC EXPLAINS:**
 - Proportionate regulation: the definition of “electronic communications service” (ECS) would benefit from some clarification, the scope of the Framework should not be extended to cover all new “OTT” services. Rather, each service needs to be considered on a case-by-case basis.
 - Effective competition will remain key to meeting Europe’s high-speed broadband connectivity ambitions, and regulators will need more flexible tools to protect and promote it.
 - Ubiquitous connectivity is the ambition, but physical networks are and will remain national.
 - The appropriate mix of network technologies and models of competition will depend on the particularities of each market.

- **FURTHER FINDINGS:**

- Spectrum is a key input to ensure high-speed connectivity, but connectivity objectives and spectrum needs will vary from one country to the next.
- Top-down harmonisation could therefore risk sterilising spectrum and resulting in inefficient use of this scarce resource.
- Instead, we would support promoting harmonised approaches to spectrum management from the “bottom up”.
- End users protection: general consumer law is important, but sector-specific rules will continue to be critical.
- The Framework’s minimum harmonisation approach should be retained to enable agile responses to emerging consumer challenges.

- **FINALLY:**
 - Member States should retain the ability to define the universal service obligations (USO) for their respective markets, including in relation to broadband and mobile services.
 - Regulatory convergence is happening - the record shows that BEREC has worked well.
 - Our opinion identifies several areas for improvement:
 - ❑ The key to BEREC's success and added value is its rootedness in its member regulators, and this must remain at the heart of the regulatory system.
 - ❑ The BEREC system would benefit from an alignment of the competences of its members with those of BEREC (financial and operational autonomy).
 - ❑ No need for major changes in BEREC's institutional structure.

Documents approved

Subject	Doc. No.	Observations
BEREC Benchmarking Report on termination rates at European level	BoR (15) 211	For publication
BEREC-ERGP Opinion on price transparency and regulatory oversight of cross border parcels delivery, taking into account possible regulatory insights from the electronic communications sector	BoR (15) 214	For publication
BEREC Report on the outcome of the public consultation on the draft Work Programme for 2016	BoR (15) 212	For publication
BEREC Work Programme for 2016	BoR (15) 213	For publication

Work Programme 2016 Procedural Steps



Stakeholders Consultation

- 14 contributions received (BEUC, C2 Coalition; Cable Europe, COOP Voce, ECTA, ETNO, FTTH Council, GSMA, INTUG, MVNO Europe, NGI, Tele2, WIND, ZTE)
- Comments focused on:
 - important role of BEREC in Review process
 - no trade-off between competition and investment
 - less regulation is more appropriate to promote innovation in the telecommunications sector
- Items of most interest: NGA/OTT/Oligopolies/NN/US
- As stakeholders widely supported priorities/"hot topics", no major changes were necessary
- Some refinements (e.g. CP on Layer 2 WAP)

Priorities WP 2016 – strongly supported by stakeholders

Review Input	TSM Follow-up	Multiannual / Others, e.g.
<ul style="list-style-type: none"> ● Monitoring/assessing further process ● NFV/SDN ● Oligopolies ● Spectrum ● OTTs / CAPs ● Universal service 	<ul style="list-style-type: none"> ● NN Guidelines ● Roaming Input: <ul style="list-style-type: none"> ● fair use policy ● sustainability abolition of retail roaming surcharges ● wholesale market review 	<ul style="list-style-type: none"> ● CP Layer 2 WAP ● Benchmarking on MTR / FTR / SMS ● Implementation cost reduction Directive ● Qualitative review Art. 7 / 7a cases ● Periodic Reports (IR, Annual Reports etc.)

Other topics

- Keynote speech by EC Commissioner Oettinger
- State-of-play of the BEREC Guidelines on NN

Next BEREC Meetings / Events

Meeting	Date	Location
BEREC Contact Network	4-5 February 2016	Krakow, Poland
BEREC Board of Regulators and Management Committee of the BEREC Office	25-26 February 2015	Rotterdam, The Netherlands

Q&A