

## Response to Public Consultation on draft BEREC Guidelines on implementation of net neutrality rules

Stakeholder: Ice Norge AS as MNO in Norway (hereafter ICE.NET)  
Oslo, 15<sup>th</sup> July 2016

### 1. Voice over WiFi (VoWiFi) and zero-rating

Where an MNO is offering a Mobile Broadband Service (MBB) through proprietary UE, such as an MNO-branded mobile broadband router that offers WiFi to end user, ICE.NET suggests that the MNO should be able to offer the data consumed for VoWiFi through the MBB service under the same conditions as paragraphs 37 and 38 of the Guidelines.

### 2. Zero-rating exception for self-service / self-care applications under cap-conditions

Paragraph 38 of the Guidelines states that “(...) all applications are blocked (or slowed down) once the data cap is reached except for the zero-rated application(s) would infringe Article 3(3) first (and third) subparagraph (...)”. This will in practice mean that even self-care / self-service applications needed for re-activating a subscription that is blocked or topping-off a subscription which has reached its data cap are also blocked. It is not clear from the Guidelines if this case is an exception covered “specialised services”.

ICE.NET believes this is not the intention of the Guidelines and suggests either

a) to add the following sentence to paragraph 38:

38. (...) Applications specifically needed for re-activating blocked subscriptions where data cap is reached, are exempted from infringement of Article 3(3).

or

b) to define self-care / self-service applications as a “specialised service” (as defined under paragraph 2) which is exempted from paragraph 38 of the Guidelines.

On behalf of the Management of  
Ice Norge AS,



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