

Decision No BoR/2017/05
of the Board of Regulators on the approval of publication on the Public Register of the BEREC Document of BoR (15) 77 - Indicators on Bundles

The Board of Regulators,

HAVING REGARD TO Regulation No 1211/2009 of the European Parliament and of the Council of 25 November 2009 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Office (BEREC Regulation) and in particular Article 5 and 22 thereof;

HAVING REGARD TO Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents;

HAVING REGARD TO Decision BoR (10) 26 by the Board of Regulators of the Body of European Regulators for Electronic Communications concerning the transparency and access to documents at the BEREC, and in particular Article 8(2) thereof;

HAVING REGARD TO Decision BoR (14) 67 by the Board of Regulators of the Body of European Regulators for Electronic Communications on the rules of procedure of the Board of Regulators and in particular Article 17 thereof;

HAVING REGARD TO Decision BoR (11) 37 by the Board of Regulators of the Body of European Regulators for Electronic Communications on the Establishment of a Public Register of the BEREC Documents;

Whereas,

- 1) An application for access to document was received concerning BoR (15) 77 - Indicators on Bundles;
- 2) After consultation with the Expert Working Group's Co-chairs, no issues were identified preventing BEREC to disclose the document to public;
- 3) In accordance with Article 8(2) of the Decision BoR (10) 26, documents disclosed to an applicant in the context of an application for access to documents shall be made directly accessible to the public by electronic means;
- 4) Without prejudice to the right of access to BEREC documents under EU legislation, Article 17 of Decision BoR (14) 67 of the Rules of Procedure of the Board of Regulators requires the prior approval of the Board of Regulators *'for publication or making available to the public or any stakeholder of any BEREC Documents'*;
- 5) BoR (15) 77 - Indicators on Bundles was initially approved for internal use;

- 6) It is thus necessary to obtain the approval of the Board of Regulators in order to make publicly available document BoR (15) 77 - Indicators on Bundles;
- 7) Document BoR (15) 77 - Indicators on Bundles shall then be made publicly available on the Public Register of BEREC documents;

Has adopted the following Decision:

Article 1

In accordance with Article 17 of Decision BoR (14) 67 on the rules of procedure of the Board of Regulators, the Board of Regulators approves that document BoR (15) 77 - Indicators on Bundles be made publicly available on the Public Register of BEREC documents.

Article 2

This decision shall enter into force on the day of its adoption by the Board of Regulators.

Done on 24 July 2017.

For the Board of Regulators

(s)

**Sébastien Soriano
BEREC Chair 2017**