

Public debriefing
37th BEREC
Plenary Meeting

Regulierungsdialog

17 Dezember 2018

Body of European Regulators
for Electronic Communications

BEREC

The logo for BEREC (Body of European Regulators for Electronic Communications) features the word "BEREC" in a bold, sans-serif font. The letters "B", "E", "R", and "E" are blue, while the "C" is maroon. A blue curved line underlines the "C" and extends to the left, ending under the "R".

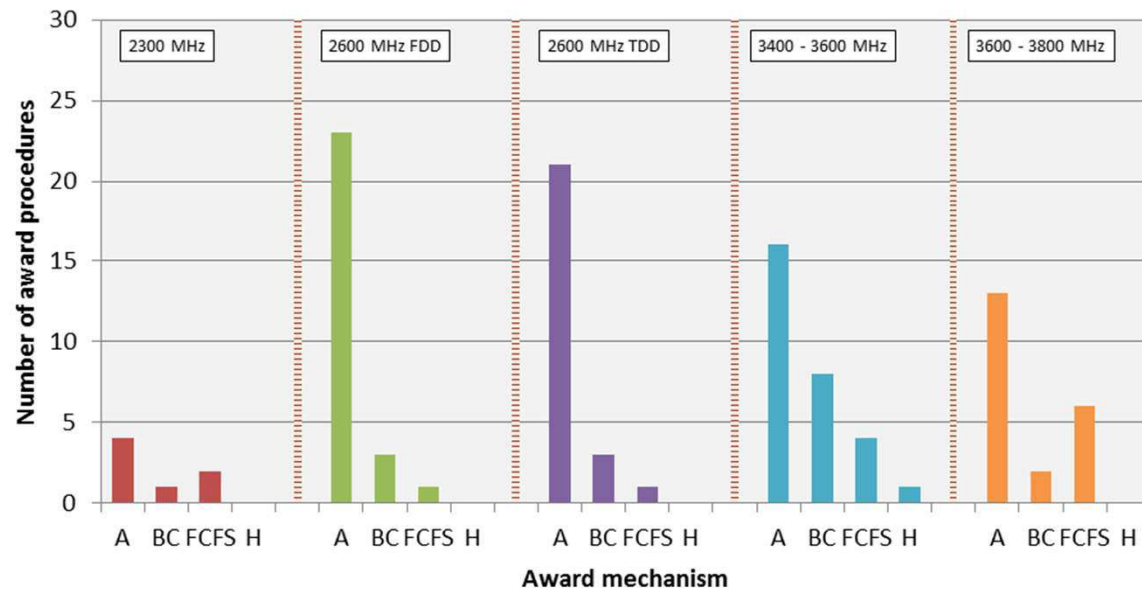
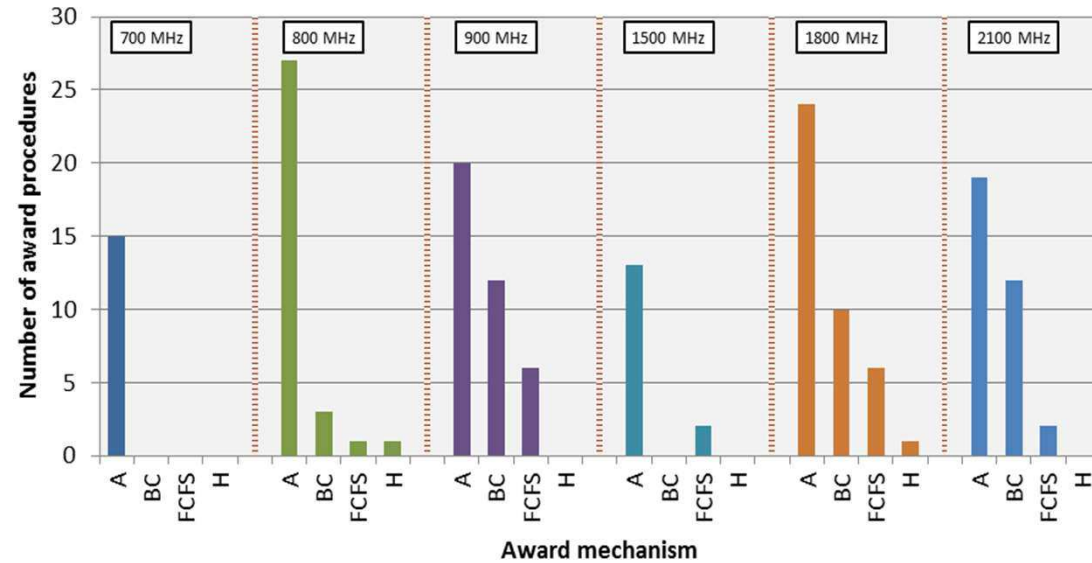
5G



- **BEREC Report on practices on spectrum authorization, award procedures and coverage obligations with a view to considering their suitability to 5G**
- Common position on mobile network infrastructure sharing
- Common position on information to consumers on mobile coverage

Authorisation regimes

- Auctions
- Beauty contents
- First come first serve
- Hybrid form



What are the design objectives of award procedures

Competition

Efficiency

Coverage

Innovation

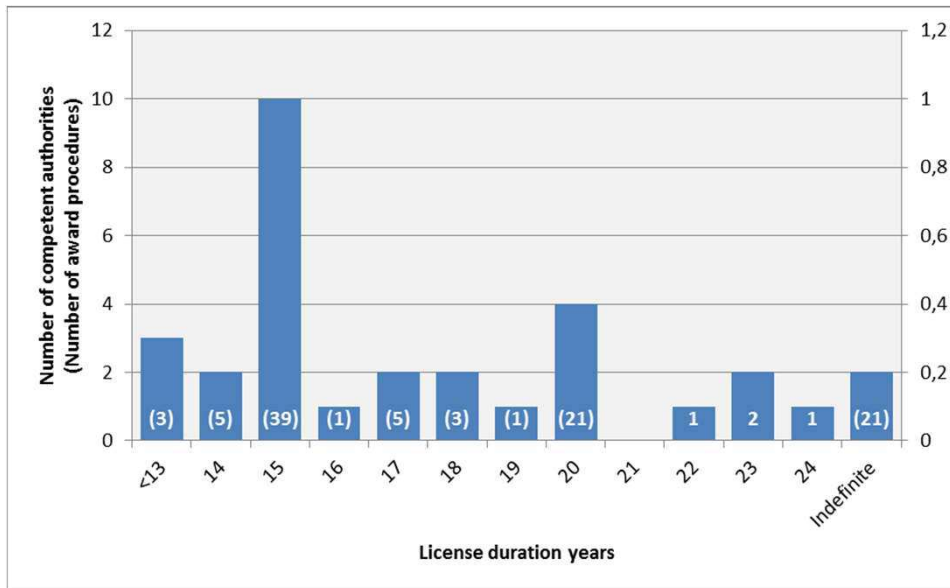
Other
objectives

Competition factors considered in award procedures

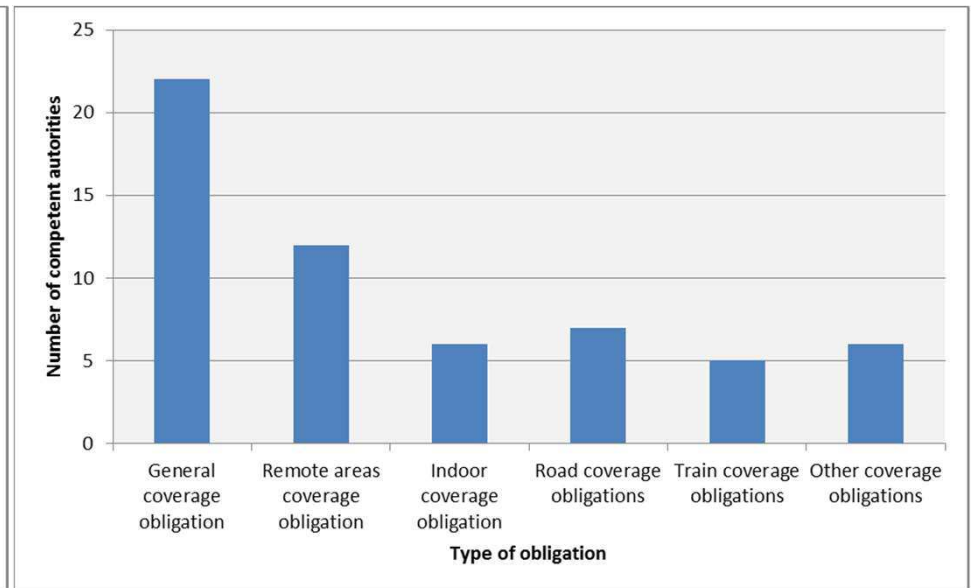
- **Competition concerns were mentioned by most respondents to be considered when designing award procedures**
- **Concerns relate to extremely asymmetric spectrum holdings, foreclosure strategies, tacit collusion,...**
- **Measures to safeguard competition**
 - Spectrum Caps
 - Reserved spectrum for certain bidders or group of bidders (e.g. new entrants), happens only in a few cases
 - Wholesale access obligations: half of respondents do not consider any wholesale access obligations
 - band-bundling to facilitate market entry (access to an appropriate set of bands)

Factors to consider in designing the award

Licence durations



Coverage Obligations



Spectrum Authorisation for 5G

- Mix of bands used:
 - 700 MHz (coverage)
 - 3.4-3.8 GHz (capacity and FWA)
 - 26 GHz (high capacity and very low latency)
- Different bands will require different authorisation regimes
- Innovative ways of authorising spectrum may be necessary

Too early for concrete conclusions!

Coverage obligations and targets for 5G

- Focus on road and railway seem to increase
- Remote area obligations
- Specific locations obligations
- Area coverage
- Enhanced mobile broadband
- Specific quality of service requirements

- **BEREC Report on practices on spectrum authorization, award procedures and coverage obligations with a view to considering their suitability to 5G**
- **Common position on mobile network infrastructure sharing**
- **Common position on information to consumers on mobile coverage**

CP1: typology of infrastructure sharing types

For the purposes of promoting common understanding between NRAs on sharing, BEREC is of the common position that NRAs should use the following definitions

passive sharing

- co-location, site sharing, mast sharing

active sharing

- RAN sharing, MORAN, MOCN, frequency (or spectrum) sharing, national/local roaming

other sharing types

- core network sharing
- backhaul sharing

CP2: main objectives to be pursued when considering network sharing agreement

When NRAs are to assess sharing agreements (i.e. spectrum awards, third party request, dispute settlement), BEREC is of the common position that NRAs should aim at achieving/maintaining at least the following regulatory objectives

Effective competition

- Infrastructure-based competition
- Service-based competition

Better connectivity

- Service improvements
- Allow the development of IoT, M2M, network slicing,...
- Reduction of cost of deployment for passive infrastructure

Efficient use of spectrum

CP3: parameters to consider when assessing network sharing agreements

BEREC is of the common position that, inter alia, the following parameters are to be considered when assessing network sharing agreements in order to achieve/maintain the objectives

**Competitive
market forces
evolution**

**Feasible level
of
competition**

**Type of
sharing**

**Shared
information**

**Reversibility
and
contractual
implement-
ation**

- BEREC Report on practices on spectrum authorization, award procedures and coverage obligations with a view to considering their suitability to 5G
- Common position on mobile network infrastructure sharing
- **Common position on information to consumers on mobile coverage**
 - Thanks for the contributions to the consultations!

Opinion for the evaluation of the application of Regulation (EU) 2015/2120 and the BEREC Net Neutrality Guidelines



Objectives and general conclusions of the evaluation

- **Scope**
 - the Regulation (EU) 2015/2120 and the BEREC Net Neutrality Guidelines
- **Approach**
 - collect input from stakeholders at an early stage on the application of the Guidelines (March/April 2018)
 - collect input from NRAs on experiences with the application of the Guidelines
- **General conclusions**
 - the NN rules work well and fulfil the aim of protecting end-users' rights and internet innovation
 - no review of the Regulation desired by BEREC
 - nevertheless, Guidelines could be clarified in certain instances in order to strive for consistency in the application of the Regulation
 - the Regulation seems to leave considerable room for implementation of 5G technologies

- **New technologies (e.g. 5G)**
 - the Regulation seems to leave considerable room for implementation of 5G technologies (e.g. network slicing, 5G QoS class identifier (5QI) and Mobile Edge Computing)
 - to date, BEREC has no knowledge of any concrete example given by stakeholders where the implementation of 5G technology would be impeded by the Regulation
- **BEREC will consider *further clarifications* on**
 - commercial practices: e.g. a step-by-step methodology for zero-rating, or by addressing new variants of zero-rating
 - traffic management: e.g. on differentiating QoS for IAS, data compression, blocking of content, legitimate security issues, the duration of traffic management measures
 - specialized services: e.g. on the definition of SpS, the relationship between SpS and IAS, the impact of SpS on the general quality of IAS
 - transparency: e.g. on the scope of transparency requirements, mobile IAS speed, hybrid IAS, the process of certification

- **Internet value chain**
 - BEREC notes that the open access to, and provision of, services and applications that the Regulation seeks to maintain could potentially be affected in practice by developments further up or along the internet value chain to which the Regulation does not apply.
 - BEREC therefore concludes that **this subject should be kept under scrutiny at European level** for further consideration in ongoing and future regulatory developments.
- **Next steps starting 2019**
 - BEREC has concluded that no substantial changes are needed, but *further clarifications* could be provided the Guidelines
 - BEREC will next year start the activity “Update to the Guidelines”
 - BEREC will involve stakeholders via a written consultation of the updated draft Guidelines in October 2019

Terminating Contracts and Switching Provider for public consultation



Terminating Contracts & Switching Provider - Goals

- **Strategic Priority 5** - Exploring new ways to boost consumer empowerment
- This work is essential to safeguard competition through increasing consumer choice
- The goal of the Report is to better inform both consumers and NRAs on how they might maintain and enhance consumer **awareness of their ability to exercise choice**
- The analysis is carried out for different types of ECS services including fixed and mobile voice services, fixed and mobile broadband services, OTT services, broadcast,...

Terminating Contracts & Switching Provider - Findings

Processes to facilitate switching and provide safeguards to consumers

- Information provision, validation and authorisation
- consumers required to contact the RP to initiate the process
- Less rules in place for the other services
- Generally, bundles follow the rules defined by the NB ECS in their competence
- The length of the overall porting / switching process
- Fixed and Mobile NB-ICS less than 1 working day

Legislative and Regulatory Framework

- Switching and the validation process
- Contract matters and termination
- Charges & fees
- Customer retention practices;
- Technical issues
- Compensation initiatives

Obstacles to switching provider

- Fixed NB-ICS: contractual obstacles
- Mobile NB-ICS: actions taken by the TP to hinder/burden the switching decision by the consumer
- Fixed IAS: offer/technology availability
- Mobile IAS Contractual obstacles
- Pay TV contractual obstacles
- Defined bundles Contractual obstacles, actions by the TP, lack of consumer information
- Undefined bundles the availability of offers and technologies

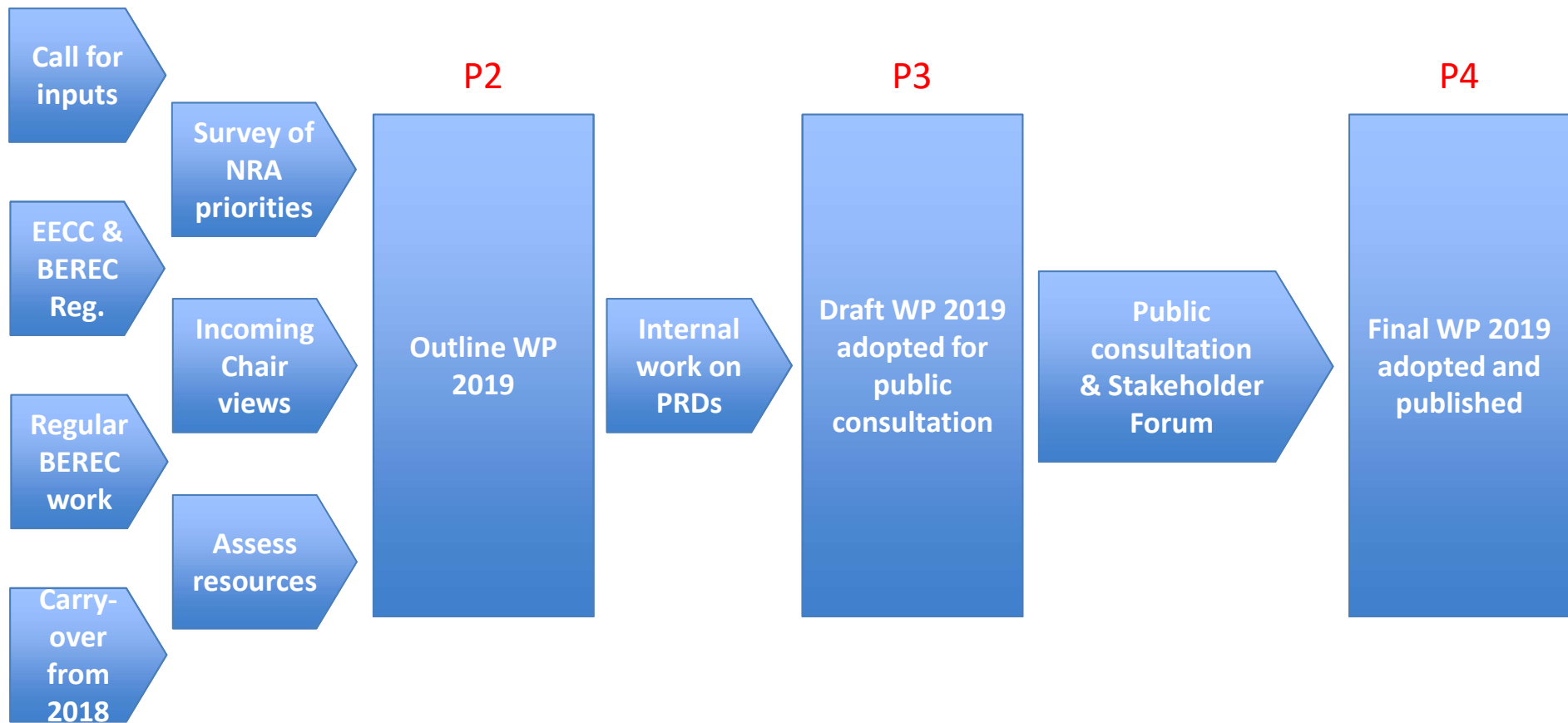
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Work Programme 2019



- Outline process for developing WP 2019
- Summary of WP 2019 public consultation
- Key updates to WP 2019 post-public consultation
- BEREC vision
- Next steps

Outline process for developing WP 2019



- 18 responses – generally supportive
- Stakeholders very keen to engage further with BEREC across:
 - Public consultations
 - Early calls for input
 - Technical workshops
- Additional workstreams proposed by stakeholders – BEREC will consider such proposals when work on WP 2020 is initiated
- BoR (18) 241: BEREC report on the outcome of the public consultation also published

Key updates to WP 2019 post-public consultation

- Early input from stakeholders on BEREC Guidelines
- Feasibility study on provision of consistent information on pan-European 5G coverage and capability
 - Extra deliverable which will also input to Report on the impact of 5G on regulation and the role of regulation in enabling the 5G ecosystem
- Broader scope of Guidelines on intra-EU communications
 - Project includes stakeholder workshop in January 2019 to discuss with operators and other interested parties the provisions on intra-EU communications

Harmonising Implementation

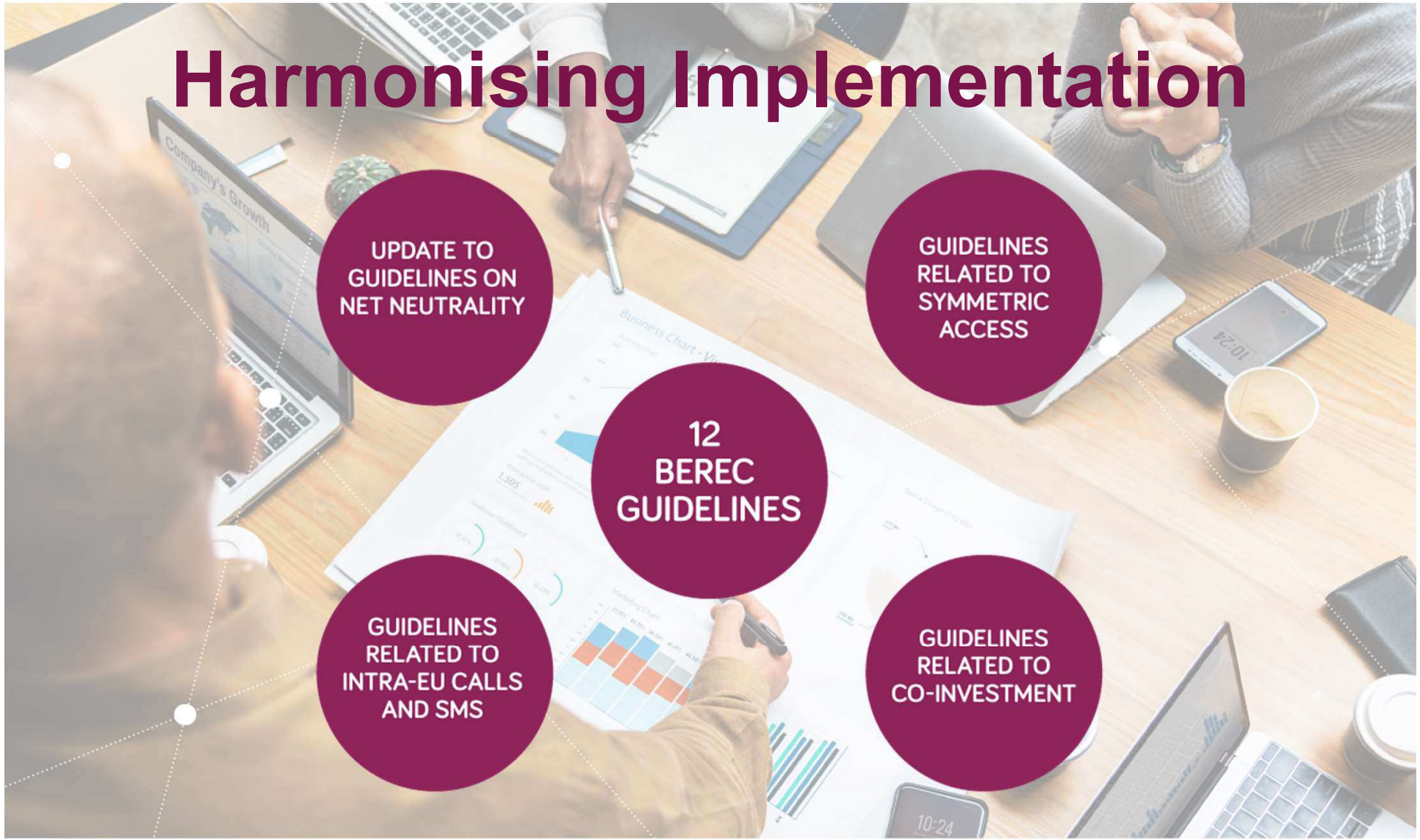
UPDATE TO
GUIDELINES ON
NET NEUTRALITY

GUIDELINES
RELATED TO
SYMMETRIC
ACCESS

12
BEREC
GUIDELINES

GUIDELINES
RELATED TO
INTRA-EU CALLS
AND SMS

GUIDELINES
RELATED TO
CO-INVESTMENT



Looking Forward

**DYNAMICS OF
INVESTMENT IN
CONNECTIVITY
IN VHCN STUDY**

**IMPACT OF 5G
ON REGULATION
REPORT**

**TOWARDS A
VISION FOR
EUROPE'S TELECOM
CONSUMERS
WORKSHOP**

**DATA
ECONOMY
REPORT**

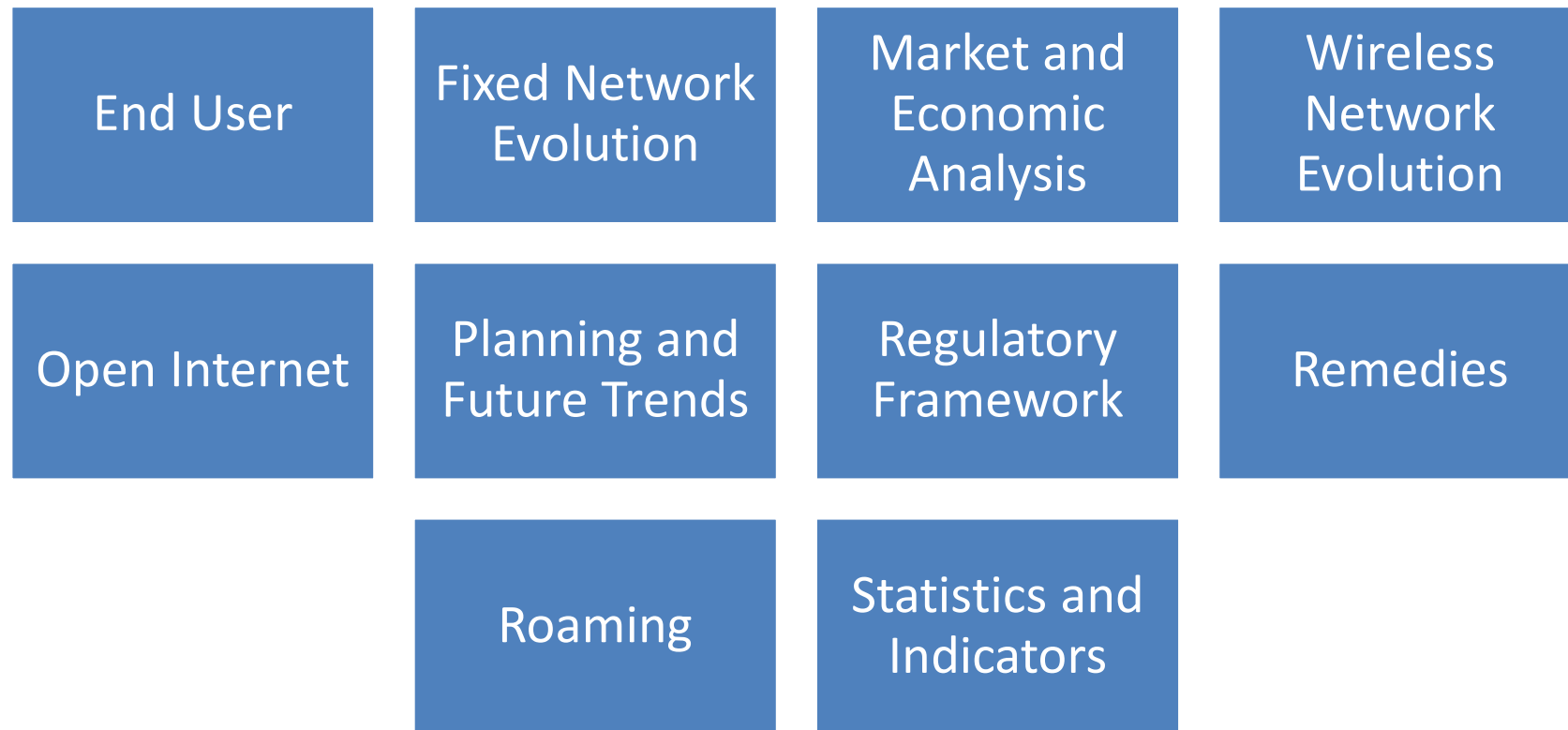
Collaborating with Stakeholders

- **Supporting stakeholders in the EU including the Commission, RSPG, other EU institutions and bodies**
- **Dialogue with international colleagues, especially in the Western Balkans**

- Publish WP 2019
- Draft outline of WP 2020 to be adopted by 31 January 2019 (as per new BEREC Regulation) – includes:
 - Workstreams in WP 2019 to be finally delivered in 2020
 - Multiannual workstreams
 - BEREC Strategy beyond 2020
- Call for inputs to WP 2020 – indicatively April 2019

Other outcomes





BEREC Chair and Vice Chairs 2019



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RTR
• BEREC Chair 2018



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Masselos, EETT**

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Marcin Cichy,
UKE

• BEREC Vice-Chair 2019



Overview Public Consultations

BEREC
Common
Position on
Infrastructure
sharing

BEREC Report
on access to
physical
infrastructure
in market
analyses

BEREC Report
on
termination
of contracts
and switching
of provider

BEREC Report
on a set of
indicators to
measure the
Internet of
Things (IoT)

Open until 18 January 2019, 17:00
CET

Open until 23 January 2019, 17:00
CET

Participate on: consultations.berec.europa.eu

Summary of all documents published

- BEREC Report on geographical market definition
- BEREC Report on technical and economic replicability assessment in the context of symmetric access
- BEREC Report on contractual simplification
- BEREC Report on the outcome of the public consultation on the draft BEREC Report on contractual simplification
- BEREC Common Position on information for consumers on mobile coverage
- BEREC Report on the outcome of the public consultation on the draft BEREC Common Position on monitoring mobile coverage
- BEREC Report on Regulatory Accounting in practice 2018
- BEREC Report on Termination Rates at the European level
- BEREC Report on transparency and comparability of international roaming tariffs
- BEREC Opinion for the evaluation of the application of Regulation (EU) 2015/2120 and the BEREC Net Neutrality Guidelines
- BEREC Report on the outcome of the public consultation on the evaluation of the application of Regulation (EU) 2015/2120 and the BEREC Net Neutrality Guidelines
- BEREC Report on practices on spectrum authorization and award procedures and on coverage obligations with a view to considering their suitability to 5G
- BEREC Work Programme 2019
- BEREC Report on the outcome of the public consultation on the draft BEREC Work Programme 2019
- Summary of the 6th BEREC Stakeholder Forum meeting
- Decision of the Board of Regulators on the Co-Chairs of the BEREC Expert Working Groups 2019-2020

BEREC 2018

A year of accomplishment





**Proactively
tackling the 5G
challenges**



**Harmonisation:
promoting the
single market**



**Enhanced
engagement
with
stakeholders**

What's next?



- **Workshop on Intra-EU Communications: 29 January 2019**
 - Information on BEREC Website
 - Including a link for registration and an e-mail address to provide input in advance of the Workshop
- **Next Plenary: 7-8 March 2019 in Budapest**
- **Next Public Debriefing: 13 March 2019**
- **Save the date: Joint BEREC-IIC-Event, 25 and 26 June 2019 in Riga**

”Competing Continents: The pursuit of excellence in electronic communications”

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- **Contact for Press and Media**

- [press\(at\)berec.europa.eu](mailto:press@berec.europa.eu)

- **Social networks**

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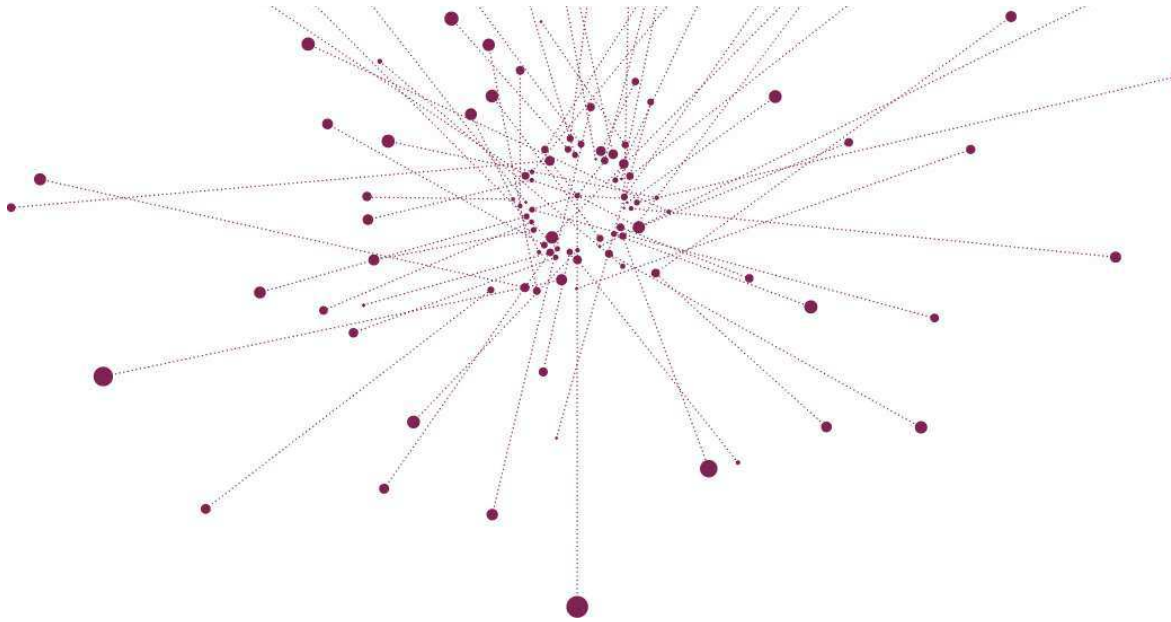
- Official [YouTube](#) account



- **Information Sharing Portal**

- <https://isportal.berec.europa.eu/>





Thank you!

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