

31st ERG Plenary Meeting Hosted by UKE

Timing and location

3 Dec. 2009 1.30pm to 5.00pm
4 Dec. 2009 9.30am to 1 pm
Warsaw, Poland

Conclusions

1. Opening of the meeting and adoption of the agenda

Draft ERG Plenary Agenda

ERG (09) 47

Conclusions

The agenda was agreed upon.

2. Information by the Chair and the Chair's Secretariat

This item is to give the opportunity for the Chair and the Chair's Secretariat to update the Plenary about any significant developments not already mentioned.

3. NGN PT (BNetzA)

NGA Wholesale products Status Report

Background

BNetzA presented the overall structure of the NGA wholesale products document for information and announced its finalization for Plenary Q1/2010.

Conclusions

The Plenary took note.

4. Draft Work Programme 2010 (ComReg)

Submitted papers

Draft Work programme 2010

ERG (09) 42rev1

Background

ComReg provided feedback from the public consultation and presented the 2010 Work Programme as well as the proposed PT structure.

Conclusions

The WP 2010 (subject to some rewording) along with the ERG response to the consultation and the responses were approved for publication.

5. Net Neutrality (BNetzA/ARCEP/COMREG/NPT)

Background

It was agreed during the last Plenary in Lucerne to further discuss the Net Neutrality topic in Warsaw, NRAs were invited to inform the Plenary about any developments occurring at national level.

Conclusions

The incoming Chair proposed that a separate PT should carry out this work and asked for volunteers to chair the group.

6. ERG-RSPG cooperation (AGCOM)

Background

AGCOM presented the outcome of the last RSPG Plenary and the RSPG work programme for 2010.

Conclusions

The Plenary took note.

7. Convergence PT (CMT)

Submitted papers

ERG Draft Report on the replicability of bundles

ERG (09) 49rev1

Background

CMT presented the ERG Draft Report on the replicability of bundles from the perspective of the availability of wholesale inputs and access to content.

Conclusions

The ERG Report on the replicability of bundles was approved for publication.

8. Benchmarking PT (CMT)

Background

CMT presented an internal report regarding the results of the cooperation with third parties in 2009.

Conclusions

The document on the cooperation with third parties was approved as an internal document only.

9. Remedies PT (Ofcom)

a) Update on business services work stream

Submitted papers

Draft report on business services

ERG (09) 51

Background

Ofcom presented the draft paper on business services markets and made suggestions for the next steps.

Conclusions

The draft report was approved for public consultation.

b) Monitoring Programme 2010

Submitted papers

Draft monitoring timetable 2010

ERG (09) 52

Background

Ofcom presented the monitoring of Common Position's programme for 2010.

Conclusions

The draft monitoring programme was approved.

10. International Roaming (Ofcom)

Background

Ofcom presented a summary of the results of the ad hoc questionnaires on compliance and unregulated roaming tariffs, and gave an update on the work on 'the future of regulation'.

Conclusions

The Plenary took note and work can continue as presented.

11. SMP PT (ARCEP)

Submitted papers

Information note on geographical aspects of market analysis

Background

ARCEP presented an (internal) information note on geographical aspects of market analysis and proposed to re-examine the situation at the end of 2010 to check for the existence of new cases.

Conclusions

The document was approved as an internal document. It was agreed to have a look again at the topic at the end of 2010 (see also Monitoring Programme, ERG (09) 52).

12. Customer empowerment (ANCOM/ANACOM)

Background

ANCOM presented orally the status of the work regarding Part II of the report on the Universal Service Systems in I/ERG member countries for information. The Plenary was reminded in particular that a questionnaire was sent to all NRAs with a deadline for answers on the 18th of December.

Conclusions

The Plenary took note.

13. Information from the Commission

Background

The European Commission provided an oral update on article 7 notifications, in particular the French case on in-building wiring, the Italian case regarding Telecom Italia's undertakings, and the phase II regarding the Austrian notification.

The Commission also provided further explanations on the notification requirements, in particular on the range of regulatory measures that should be notified by an NRA and in which cases the simplified notification procedure should apply.

Conclusions

The Plenary took note.

14. Appointment of the 2011 Chair

The plenary unanimously agreed on the appointment of Mr. Chris Fonteijn as the ERG Chair for 2011.

15. AOB

a) Information from the Chair about the cooperation with the Florence School of Regulation (report of the first workshop of 20 November)

b) Next Plenary meeting (ARCEP)

Information on the meeting date and venue

The plenary expressed its thanks to Matthias Kurth (BNetzA) for his accomplishments and hard work during the year as Chair of the ERG.