



**ERG**

# The Role of ERG and the Work Programme 2005

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ERG Secretary

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- ERG: Role, Organization and Achievements
- Generation of the WP 2005
- Major items
  - VoIP
  - Review of the ERG Common Position on Remedies
  - Wholesale International Roaming
  - EC Recommendation on Relevant Markets
  - Report on experiences with the implementation of the New Regulatory Framework
- Public Consultation



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- **European Regulators Group (ERG)**
  - Created as advisory group by a Decision of the EC of 29 July 2002, amended Nov. 2004, to
    - “advise and assist the EC in consolidating the internal market”
    - “..to contribute to the consistent application in all Member States of the regulatory framework..”
    - Consist of the Heads of the independent NRAs of the Member States; accession countries and EFTA countries may have observer status
    - Acts through decisions of Plenary Meetings (4 – 5 per year)



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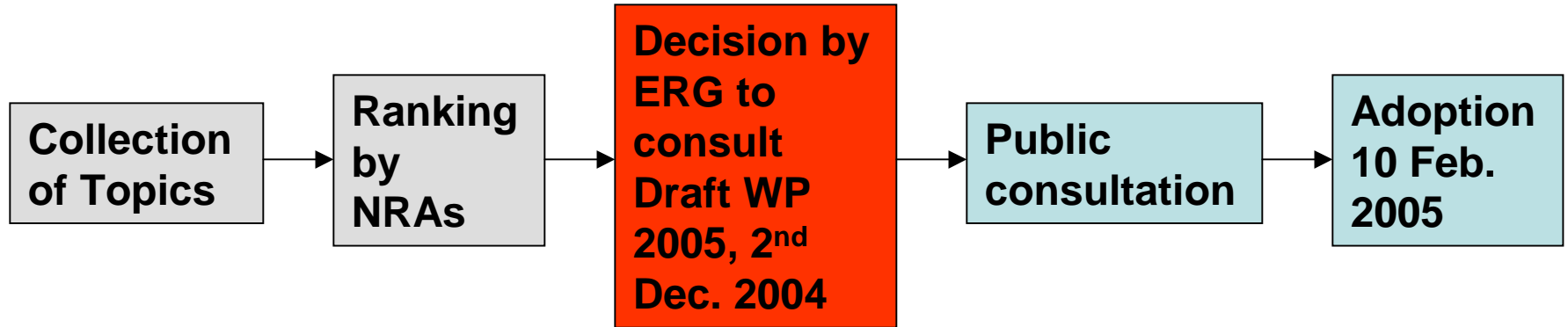
- **Modes of operation** include
  - High degree of transparency
  - Extensive consultation with the industry
- **Close Cooperation of NRAs**
  - Several permanent working groups
  - Phare projects for new member states NRAs
  - Practical support on bilateral basis
  - Ongoing training and mutual education in working groups
- **Main achievements** so far:
  - Common Position on the approach to appropriate Remedies in the NRF (ERG 30/04)
  - Common Position on Bitstream Access (ERG (03) 33 rev1)
  - Opinion on the revision of the Commission Recommendation on Accounting Separation and Regulatory Accounting, ERG (04) 15 rev1
  - Joint action on the field of Wholesale International Roaming



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- **Experiences with WP 2004 show:**
  - WP should focus on only few topics
  - Very limited resources available by NRAs due to the huge task of market analysis, SMP designation and application of remedies
  - Concentration on major issues necessary



- **Bottom-up procedure:**
  - Working Groups and NRAs contributed to a list of possible topics
  - Priorities and resources committed for each possible work item were collected
  - Topics were ranked according to priorities
  - Short-list proposed to the ERG Plenary
  - Decision by the ERG Plenary of 2 and 3 December to consult Draft WP 2005



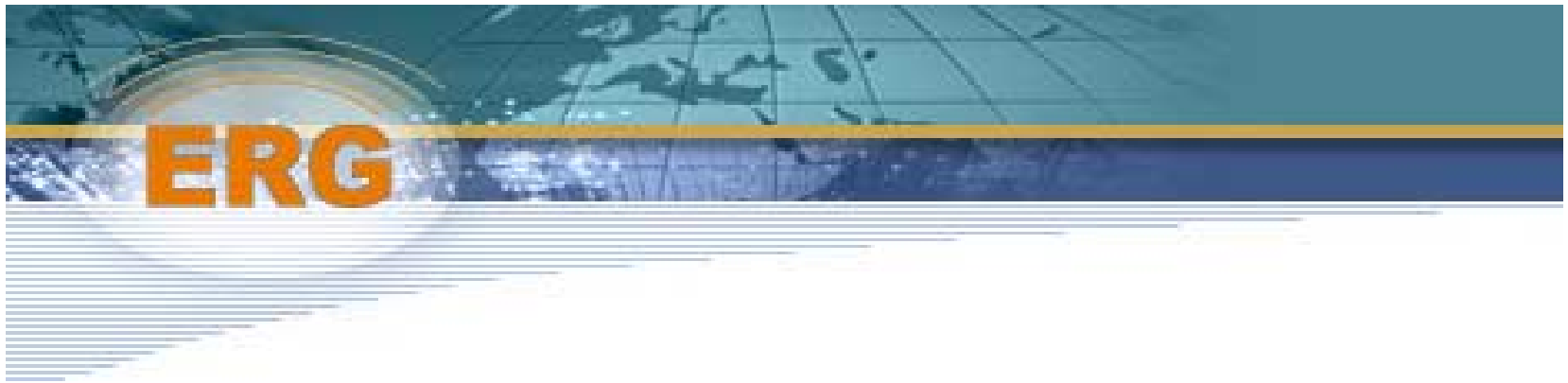
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- **VoIP**

- A working document was produced in December 2004,
- The final version of an ERG Common Position on the regulatory aspects of VoIP is scheduled for May 2005.
- The ERG Common Position will
  - Consider the ultimate goal to decrease entry barriers for new operators and service providers by more lenient approach for newcomers
  - Assess the evolution of VoIP and the related policy consequences like emergency calls and numbering issues in the light of this approach
  - Develop longer term issues related to a common regulatory approach.
- Further work will focus in particular on
  - VoIP's effects on fixed-line competition,
  - VoIP-Interconnection (IP-IP as well as IP-PSTN)

- **ERG Common Position on Remedies**
  - The Common Position will be updated and developed including practical experience obtained from the market reviews
  - Specifically, more detailed positions will be developed concerning:
    - regulation of different operators in the same relevant market and in termination markets;
    - criteria for the assessment of replicability;
    - “ladder of investment” methodology;
    - non-price related discrimination by SMP operators;
    - regulation of SMP operators related to emerging markets



- **ERG Common Positions on wholesale international roaming**
  - The joint efforts of ERG aim at a reduction of potentially excessive international roaming charges. It is intended to agree on a
    - Common Position on the market definition of wholesale international roaming
    - Common Position on the need for regulation of wholesale international roaming.
  - Joint further action in the field of international roaming will be explored.



- **ERG Opinion on the revision of the Recommendation on Relevant Product and Services Markets**
  - The European Commission will review this Recommendation in late 2005. ERG will work closely with the Commission in this matter. ERG will examine
    - the accuracy and appropriateness of markets in the Recommendation
    - possible additional markets.
  - ERG will produce an “ERG Opinion on the need for revision of the Recommendation on Relevant Product and Services Markets”, including an annex comparable to the Recommendation’s *Explanatory memorandum*.

- **IRG report on experiences with market definition and market analysis and applied remedies**
  - This report will be a comparative generic study of results and experiences with the market analysis process including a comparative analysis of notifications according to Article 7 of the Framework Directive.
  - The report will examine the links between outcomes of market analyses and remedies applied.
  - The material collected and the conclusions will be used as input to the Opinions on a revision of the Recommendation on relevant markets and transnational markets respectively and to the updated Common Position on Remedies, as appropriate.



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- **Work Programme 2005 public consultation:**
  - Written procedure: XX.12.2004 – XX.01.2005
  - Public Hearing: 13.01.2005
  - Contributions to be analysed and integrated
  - Final decision: ERG Plenary Feb. 10+11 2005



**ERG**

Thank you for your attention !

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