Regulatory framework for electronic communications. Implementation report

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The Committee on Industry, Research and Energy adopted the own-initiative report by Catherine TRAUTMANN (S&D, FR) on Implementation report on the regulatory framework for electronic communications.

Regretting the delay by Member States in transposing the 2009 changes to the regulatory framework for electronic communications, Members drew attention to the fragmentation of the internal market in communications.

They support a **competitive European market in high-speed broadband services** and stated that the review of the regulatory framework should following these objectives:

- ensure that consumers have access to comprehensive and comprehensible information on internet connection speeds to enable them to compare the services offered by different operators;
- ensure that fully substitutable services are subject to the same rules;
- further promote effective and sustainable competition, which is the main driver of efficient investment over time;
- increase competition on the European high-speed broadband market;
- provide a stable and sustainable framework for investment;
- ensure harmonised, consistent and effective application;
- facilitate the development of pan-European providers and the provision of crossborder business services;
- ensure that the framework is fit for the digital age and delivers an internet ecosystem that support the entire economy;
- increase user confidence in the internal market in communications, including through measures to implement the future regulatory framework for the protection of personal data and measures to increase the security of electronic communications on the internal market.

The report insisted in particular for the following aspects to be considered in a review of the entire regulatory framework:

- the **overdue review of the universal service obligation**, including the obligation to offer broadband internet access at a fair price in response to the urgent need to reduce the digital divide;
- the **competence of NRAs** for all issues, including spectrum, that are addressed by the framework;
- cooperation between the NRAs and national competition authorities;
- the **symmetric obligations relating to network access** (Article 12 FD);
- the impact of services that are fully substitutable to those provided by traditional providers;
- identification of transnational markets, as a first step at least with respect to business services;
- **BEREC and its functioning** as well as the extension of the scope of its competences;
- freedom of access to content for all and **net neutrality building**;
- the regulation of equipment, including bundling of equipment and operating systems;
- recent global developments in cybersecurity and cyberespionage.

Members are convinced that **increased spectrum coordination** combined with the application of common principles for spectrum use rights across the Union would constitute a key remedy for tackling the problem of lack of predictability regarding spectrum availability, thus encouraging investment and

economies of scale. The report emphasised that a pan-European auctioning of **4G and 5G wireless services**, with a limited number of licensees collectively serving the whole territory of the EU, would enable pan-European wireless services, eroding the bases upon which roaming is built.

Member States are invited to give the **consumer** aspects of electronic communications a much higher priority. In this regard, Members stressed the importance of:

- enhanced consumer information requirements regarding service restrictions, device subsidies and traffic management;
- ensure consistent enforcement of the ban on misleading advertising;
- switching, ease of number portability in a dynamic market, contract transparency and provision of information to consumers regarding contract changes;
- implementing reinforced requirements for equivalent access for disabled users.

As regards the 112 common emergency telephone number, Members called for improvements regarding caller location response time. They welcomed the Commission's work on the practical implementation of the 116 numbers, especially the missing child hotline (116000) and also called for better promotion of these numbers by the Commission.