Electronic communications: access to networks and interconnection, new regulatory framework

2000/0186(COD) - 04/07/2001 - Modified legislative proposal

The Commission presented an amended proposal giving an explanation of the main amendments. The proposal incorporates those that improve technical provisions and further clarify the respective rights and obligations of undertakings regarding access and interconnection. The amended proposal incorporates all these proposals that improve legal certainty for market players when negotiating access and interconnection. It also includes those that provide further criteria for the national regulatory authority to justify regulatory intervention and imposition of obligations or withdrawal on them when the market becomes competitive. The main amendments that could not be accepted include: - those that may over-regulate the market. These include the amendments imposing generic access obligations and those calling on the ad hoc imposition of obligations for call termination and roaming charges to be cost oriented. - those that are intended to extend the regulatory regime on conditional access systems and associated facilities such as electronic programming guides (EPGs), application programming interfaces (APIs) and other facilities necessary for interactive digital TV services. These amendments demand the introduction of major regulatory requirements that will impact current developments in the digital TV market. The Commission considers that the best way to deal with technological and market developments in this rapidly changing field is by the comitology procedure with adequate consultation with market players and the Communications committee, and keeping informed the relevant Parliamentary committees.