Open network provision (ONP), voice telephony

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The Committee on Economic and Monetary Affairs adopted unanimously at first reading the draft report by Mrs Read (Soc., UK). 'Voice telephony' was the biggest telecommunications service; it made reference to the use of the switched telephone network (STN). Mobile telephones were excluded from the scope of the directive. The Committee on Economic and Monetary Affairs adopted two amendments (13 and 14) which strengthened the guarantees given to users, including service providers, in the part of the proposal for a directive relating to network access: 'where, in response to a particular request, the telecommunications organisation considers it unreasonable to provide the special network access requested, it must seek the agreement of the national regulatory authority to restrict or deny that access. Where the affected users so request, they must be granted a hearing to argue their case before the national regulatory authority, and must, in all cases, be given a prompt and justified explanation as to why their request has been refused'. The Committee on Economic and Monetary Affairs also called on national regulatory authorities to ensure that telecommunications organisations adhered to the principle of non-discrimination when they made use of the public telephone network for providing services which could be provided by other service providers, including interfaces, 'to ensure that the telecommunications organisation cannot exercise control over such interfaces in a manner that is calculated to favour a telecommunications services business carried on by it'. Whereas the Commission proposal provided that 'itemised billing shall be available to users on request', the Committee on Economic and Monetary Affairs wished for 'itemised billing [to] be made available to users with the exception of calls to helplines or unless the user expressly requests not to have such a facility' (amendment 19). The Committee wished for measures to be adopted at Community level where equal treatment for users was not guaranteed in a Member State (amendment 24). The Committee also adopted an amendment tabled by Mr Jackson (PPE) which added 'small or medium-sized telecommunications organisations' to the list of definitions in Article 2, defined as bodies to which the State granted special or exclusive rights, and whose annual turnover did not exceed 10% of the market.