

Application of open network provision (ONP) to voice telephony

1995/0020(COD) - 01/02/1995 - Legislative proposal

The Commission presented a proposal for a directive on this subject in September 1992, but the European Parliament and the Council were unable to agree on a joint text, mainly because of comitology problems (powers of the committee to assist the Commission with the implementation of the directive). The European Parliament therefore rejected the Council's common position in July 1994. The comitology problem has since been resolved in the form of a "modus vivendi" between the institutions, to apply pending the revision of the Treaty in 1996 and, in its new proposal, just as in its initial proposal, the Commission proposes an advisory committee. Apart from the articles relating to comitology, the Commission has remained as close as possible to the text adopted by the European Parliament and the Council during the conciliation procedure. The objective of the proposal is to: - define the rights of telephone service users; - guarantee open and non-discriminatory access to the telephone network for all users, including service providers offering competitive services; - increase the supply of vocal telephony services in the Community. The directive mainly covers the following aspects: - non-discriminatory service for all users, i.e. availability of technical access, charges, quality of service, customer information; - right of the user to have a new telephone line installed within a time limit fixed officially; - right of the user to itemised billing and facility for user to take recourse to independent procedures to resolve billing disputes; - need to guarantee that telephone services remain affordable, to be monitored by the national regulatory authorities; - transparent, properly published charges, transparent cost accounting system; - reduction in charges for certain users, special charges for certain social groups, for certain types of call or for certain periods of the day; - provision of telephone directories and directory enquiry services; - installation and availability of public call boxes; - promotion of the creation of a single type of telephone card which can be used in all the Member States; - aid for certain categories of people with special needs, such as the disabled; - introduction of pan-European telephone numbering systems with a view to facilitating the use of freephone services; - guarantee that users will have the same rights and the same legal protection as for other goods and services.