Telecommunications : competitive environment (amend. Directives 90/387/EEC, 92/44/EEC)

1995/0280(COD) - 14/11/1995 - Legislative proposal

OBJECTIVE: the proposal for a European Parliament and Council directive amending Directive 90/387 /EEC and Directive 92/44/EEC concerning the adaptation of the basic principles concerning open network provision (ONP) to a competitive environment and the specific directive on the application of ONP principles to leased lines. SUBSTANCE: the basic principles defined in the ONP framework directive must be adapted to establish a common approach to telecommunications services throughout the European Union and thus guarantee pan-European services, whilst taking account of the next liberalisation of all telecommunications services and infrastructures to be implemented by 1 January 1998 (with transitional periods for certain Member States). The main adaptations to the ONP measures in force relate to the following points: the organisations involved; tariff principles; the national regulatory authorities. In this respect, the proposal: - provides that market operators may opt voluntarily for harmonised conditions in a competitive environment, whilst recognising that it is essential to maintain and develop universal service and establish compulsory requirements in areas where market forces alone may not be sufficient to meet the objectives of European policy; - will make it possible to clearly separate the national regulatory authorities from activities associated with the ownership or control of telecommunications networks, equipment or services; - stipulates that specific ONP measures should apply to bodies providing public telecommunications networks or services so as to reflect the situation of a particular body in the relevant market. The organisations concerned will be determined in accordance with the specified goal, whilst guaranteeing respect for the principle of proportionality; - will ensure that the principle of cost orientation continues to be used as an objective basis for the readjustment of telecommunications tariffs, whilst recognising that the requirement for cost orientation may be less necessary in competitive markets.