Electronic communications: authorisation of networks and services

2000/0188(COD) - 18/09/2001 - Commission communication on Council's position

Overall the Commission has decided to support and accept the Council's Common Position Areas of reservation nevertheless remain and refer mainly to: - Article 12 on administrative charges. The Common Position has changed the scope of this article considerably by widening the amount of administrative costs that may be recovered through administrative charges. In line with Parliamentary wishes, the Council has decided to delete the turn-over related distribution key as well as the minimal threshold excluding SME's from administrative charges. In light of these changes, the Commission foresees considerable variation in levels of charges between the Member States. Further, there is less certainty that systems for charges will be simple, pro-competitive and in line with the basic principles of a general authorisation system. Lastly, the absence of a minimal threshold may lead to administrative charges acting as a disincentive for entry in the market. - Article 13 on usage fees. The Council has decided not to accept Commission and Parliamentary proposals to submit all measures regarding usage fees to the transparency procedure of the framework Directive and to allow alternative payment facilitated in the case of very high one-off fees. The Commission expresses some reservation over this. - Article 17 on an additional transition period. In spite of these reservations, the Commission notes that the Council has taken on board most of the amendments proposed by the Commission, including many of the Parliamentary amendments, following its first reading and as a result, has decided to accept and support the Council.