

Telecommunications: interconnection, universal service and interoperability of networks and services, open network provision ONP

1995/0207(COD) - 30/06/1997 - Final act

OBJECTIVE: to permit new entrants to the market to interconnect their equipment to that of existing market operators. This measure is needed for the effective liberalisation of the telecommunications sector on 1 January 1998. **COMMUNITY MEASURE:** European Parliament and Council Directive 97/33/EC relating to interconnection in the telecommunications sector with a view to ensuring a universal service and interoperability by application of the principles for the provision of an open network. **CONTENT:** the directive lays down common rules for the interconnection of fixed and mobile networks and for the interoperability of services, which are intended to ensure the provision of a universal service in a competitive environment. The main provisions of the directive are as follows: - Member States must remove all restrictions to the negotiation of interconnection agreements between operators; - obligation for operators having significant market power, that is those having a greater than 25% share of the market, to accept reasonable requests for interconnection to their network; - laying down of conditions governing the financing systems which Member States may introduce in order to share the cost of providing the universal service. It is important to note that the Integrated Services Digital Network (ISDN) is not, at this stage, the subject of obligation for a universal service, but that it may be incorporated at some subsequent date: - the national regulatory authorities may lay down in advance the conditions governing the negotiation of interconnection agreements. Such a negotiation must be equitable for new entrants to the market; - interconnection agreements may be added to conditions which are intended to protect essential requirements, such as the security of operations which are handled on the network, the interoperability of services and the protection of data; - interconnection charges are laid down in a transparent manner, based on actual costs; - Member States must guarantee an adequate provision of numbers and ranges of numbers for public telecommunications services. In addition, they must ensure as soon as possible (and at the very latest by 1 January 2003 in major population centres) that portability of subscriber numbers, a service by which the subscriber keeps the same telephone number even when changing supplier, is provided; - a procedure for settling crossborder disputes concerning interconnection involving national regulatory authorities is provided for; - the question of creating a European Telecommunications Authority is to be examined during the review of the directive, and by the 21 December 1999 at the latest. **ENTRY INTO FORCE:** 15/08/1997 **DEADLINE FOR TRANSPOSITION:** 31/12/1997