Basic information

1992/0437(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure rejected
Open network provision (ONP), voice telephony **Subject** 3.30.03.04 Telecommunication networks	

Key players

Council of the European Union	

Key events

Date	Event	Reference	Summary
27/08/1992	Legislative proposal published	COM(1992)0247	Summary
26/10/1992	Committee referral announced in Parliament, 1st reading		
18/02/1993	Vote in committee, 1st reading		Summary
09/03/1993	Debate in Parliament		Summary
07/05/1993	Modified legislative proposal published	COM(1993)0182	Summary
30/06/1993	Council position published	06957/1/1993	Summary
13/10/1993	Vote in committee, 2nd reading		Summary
26/10/1993	Debate in Parliament		Summary
16/12/1993	Committee referral announced in Parliament, 2nd reading		
20/12/1993	Vote in committee, 2nd reading		Summary
18/01/1994	Debate in Parliament		Summary
28/03/1994	Parliament's amendments rejected by Council		
29/03/1994	Formal meeting of Conciliation Committee		
26/04/1994	Final decision by Conciliation Committee		Summary
15/07/1994	Report tabled for plenary, 3rd reading	A4-0001/1994	
19/07/1994	Decision by Parliament, 3rd reading	T4-0001/1994	Summary
19/07/1994	End of procedure in Parliament		

Technical information

Procedure reference	1992/0437(COD)

Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (before Amsterdam) E 100A
Stage reached in procedure	Procedure rejected
Committee dossier	CODE/3/05429

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A3-0064/1993 OJ C 115 26.04.1993, p. 0007	18/02/1993	
Text adopted by Parliament, 1st reading/single reading		T3-0143/1993 OJ C 115 26.04.1993, p. 0073-0116	10/03/1993	Summary
Committee recommendation tabled for plenary, 2nd reading		A3-0287/1993 OJ C 315 22.11.1993, p. 0005	13/10/1993	
Committee recommendation tabled for plenary, 2nd reading		A3-0006/1994 OJ C 044 14.02.1994, p. 0007	20/12/1993	
Text adopted by Parliament, 2nd reading		T3-0015/1994 OJ C 044 14.02.1994, p. 0081-0093	19/01/1994	Summary
Report tabled for plenary by Parliament delegation to Conciliation Committee, 3rd reading		A4-0001/1994 OJ C 261 19.09.1994, p. 0005	15/07/1994	
Text adopted by Parliament, 3rd reading		T4-0001/1994 OJ C 261 19.09.1994, p. 0010-0013	19/07/1994	Summary

Council of the EU

Document type	Reference	Date	Summary
Council position	06957/1/1993	30/06/1993	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1992)0247 OJ C 263 12.10.1992, p. 0020	27/08/1992	Summary
Modified legislative proposal	COM(1993)0182 OJ C 147 27.05.1993, p. 0012	07/05/1993	Summary
Commission communication on Council's position	SEC(1993)1069	06/07/1993	
Reconsultation	COM(1993)0570	10/11/1993	

Commission opinion on Parliament's position at 2nd reading	COM(1994)0048	01/03/1994	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1342/1992 OJ C 019 25.01.1993, p. 0126	25/11/1992	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Open network provision (ONP), voice telephony

1992/0437(COD) - 25/11/1992 - Economic and Social Committee: opinion, report

Open network provision (ONP), voice telephony

1992/0437(COD) - 30/06/1993 - Council position

In its Common Position, the Council adopted 20 of the 24 amendments proposed by the European Parliament and accepted by the Commission. The main amendments covered the following points: - questions relating to interconnection with a view to Community-wide interoperability: the text specified the obligations on telecommunications organisations to satisfy their requests for interconnection. The regulatory authorities should ensure that telecommunications organisations adhere to the principle of non-discrimination when entering into interconnection agreements with others; - cost accounting principles: the cost accounting principle was aligned with the principle set out in the Directive on the application of open network provision to leased lines. Other cost accounting schemes could be applied only if they allowed for the application of the tariff principles set out in the Directive, if they had been approved by the national regulatory authorities and notified in advance to the Commission; - itemised billing: calls to emergency call numbers, which are free of charge for the caller, should not included in itemised bills; - numbering: the national regulatory authorities should encourage the use of any European numbering plans for the supply of pan-European supplementary services such as green or freephone numbers, kiosk billing, automatic reverse charging facility, etc.; - procedure for Community-wide convergence of targets and common services implemented by Member States: the procedure under which the Commission may set harmonised targets and target dates for the application of the Directive was limited to the implementation by the Member States of provisions on targets relating to service provision and quality, provision of additional advanced services and itemised billing; - procedures for conciliation and settlement of disputes: only the Community conciliation procedure and the national settlement of disputes were concerned. A dispute settlement procedure at Community level was not adopted; - comitology: the Common Position laid down the type IIIa regulatory committee procedure; - review: the Commission should submit to the European Parliament and the Council a first report on the operation of the Directive at the latest four years after its adoption.

Open network provision (ONP), voice telephony

1992/0437(COD) - 10/03/1993 - Text adopted by Parliament, 1st reading/single reading

Parliament approved at first reading the report by Mrs Read (Soc., UK) and all the amendments tabled by the Committee on Economic and Monetary Affairs. These included an amendment that defined small or medium-sized telecommunications organisations as 'public or private bodies to which a Member State grants special or exclusive rights for the operation of a public telecommunications network and, where applicable, public telecommunications services, and whose annual turnover from such operations and services does not exceed 10% of the national market'. Parliament called on telecommunications organisations to respond to requests for connection to the public telephone network without delay and to give the user an estimated target date for the provision of service. Parliament also 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'.

Open network provision (ONP), voice telephony

1992/0437(COD) - 19/07/1994 - Text adopted by Parliament, 3rd reading

Parliament rejected the Council text and called on its President to declare that the draft act had not been adopted.

Open network provision (ONP), voice telephony

1992/0437(COD) - 27/08/1992 - Legislative proposal

This proposal for a directive on the application of open network provision to voice telephony had three objectives: - to establish the rights of users with regard to connection to the fixed public telephone network and the use of that network for voice and non-voice telephony; - to improve access to the public telephone network infrastructure for all users, including service providers; - to enhance Community-wide provision of voice telephony services. The Commission's proposal, which included no less than 9 chapters and 32 articles, sought in particular to: - improve access to the public telephone network infrastructure for all users, including service providers, on a equitable and non-discriminatory basis; - establish the rights of users of voice telephony services in their dealings with the relevant telecommunications organisations in each of the Member States.

Open network provision (ONP), voice telephony

1992/0437(COD) - 07/05/1993 - Modified legislative proposal

In its amended proposal, the Commission took up 16 of the 37 amendments adopted by the European Parliament at first reading, in particular those on the following points: - the need to ensure equitable treatment of users throughout the Community; - the provision of voice telephony services supplementing the minimum range of services described in the Directive should not lead to unreasonable increases in the prices for basic voice telephony services; - requests for access to the public telephone network at points other than the network termination points offered to the majority of telephone users should be reasonable in terms of economic and technical viability; - users should be able to obtain, on request, a connection to the public telephone network and benefit from the connection and use of approved terminal equipment on users' premises; - information on the provision of new services should be published and readily accessible to users; - the termination of provision of existing services or a change modifying their use should take place only after expiry of a period of notice set by the national regulatory authority; - refund mechanisms should be introduced in cases of failure to comply with contractually agreed service quality levels; - telecommunications organisations should reply immediately to connection requests and give users an estimated date for provision of the service; they should also obtain the agreement of the regulatory authority to amend tariff and supply conditions; - telecommunications organisations should obtain the agreement of the national authorities to refuse or restrict special network access; users should be able to obtain a prompt explanation as to why the request had been refused; - users should not have to pay for functions not required for the service requested. Parliament's amendments rejected by the Commission referred to additional consultation and the need to inform Parliament and the Council and dealt with the problems encountered by small and medium-sized telecommunications bodies in the case of interconnection to the network of large telecommunications organisations.

Open network provision (ONP), voice telephony

1992/0437(COD) - 19/01/1994 - Text adopted by Parliament, 2nd reading

The European Parliament applied for the first time the new codecision procedure introduced by the Maastricht Treaty when it adopted in a second reading its recommendation on the application to voice telephony of the principles of open network provision. In line with the proposals of its rapporteur, Mrs Read from the UK Labour Party, Parliament retabled its amendments on equal treatment and information for users, compensation for failure to meet quality requirements and - a problem which had arisen countless times and would continue to arise concerning committee procedures - the substitution of an advisory committee for the regulatory committee provided for by the Council.

Open network provision (ONP), voice telephony

1992/0437(COD) - 01/03/1994 - Commission opinion on Parliament's position at 2nd reading

The Commission accepted some of the amendments tabled by the European Parliament at second reading and incorporated them in its amended proposal so that they could be reconsidered by the Council. - With regard to the rights of users and installations, the Commission supported the amendments concerning: . compulsory compensation when the contracted service quality levels were not met; . the requirement to provide prompt and reasoned explanations to users justifying the reason for denying special network access; . the addition of clarification with regard to the right of telecommunications organisations to request special network access with a view to providing competitive services; - With regard to transparency, the Commission supported two amendments: . one provided for external audits of the financial accounts of telecommunications organisations; . the other related to the availability of information and its submission to the Commission in cases where access was limited or refused. However, the Commission rejected the amendments concerning comitology procedures and the procedures providing for consultation of bodies representing the telecommunications sector and, finally, the amendments dealing with specific aspects of interconnection affecting small and medium-sized telecommunications organisations.