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EMERG 2013 Work Programme

EMERG (13) 06

EMERG PLENARY
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PEDRO FERREIRA

HEAD OF EUROPEAN UNION AREA – FOREIGN AFFAIRS DEPARTMENT

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2. Enhancing cooperation
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1. MAIN OBJECTIVES

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Main objectives



2013 is the 5th year of EMERG's activity and we now face important challenges for the future. The 2013 Work Programme has been designed with these challenges in mind and also with the perspective that the NATP3 support will end in February 2014.

EMERG has now a new EMERG structure and Members have assumed a more engaged posture - we have the example from the activities of the Permanent Secretariat and by a new role undertaken by NRA experts, acting as workshop rapporteurs.

In 2013, EMERG intends to improve this way of working and, at the same time, focus its activities on a new thematic structure, based on three main areas:

- Enhancing approximation,
- Increasing regulatory cooperation
- Strengthening EMERG sustainability

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Main objectives

Improved working methodology:

- (Virtual) Expert Groups as the foundation of EMERG work
- 6 Workshops as annual meetings of the Expert Groups:
 - One workshop in cooperation with BEREC
 - One workshop with stakeholders (poss.)
- Deliverables of the Expert Groups (reports) to be drafted by the rapporteur with contributions from experts (questionnaires, drafting).
- Deliverables to be presented at CN and Plenary for endorsement and publication, to be used in practice by NRAs.

Other deliverables:

- Benchmark report of EMERG members
- Annual report
- Working Programme

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Main objectives



Events

- Plenary meeting (Feb.13);
- Contact Network meeting, to be held in the last quarter 2013.
- Other CN/Plenary tbd

- The number of events:
 - is determined by the budgetary restrictions of the NATP3 project,
 - is also considered optimal, in terms of the events that EMERG members can absorb over a year.

2. ENHANCING APPROXIMATION

One of EMERG's objectives is to promote approximation to the European Regulatory Framework and best practices among its Members (Article 1, EMERG Charter).

This may be achieved by organizing thematic workshops where members address a specific subject, presenting their perspectives and, where possible, prepare amendments to regulatory frameworks.

Deliverables will aim at:

- Identifying best practices
- Present recommendations (commitments to approximation):
- Identifying reasons for diverging practices between the region's different institutions.

The subjects that fall into this category are:

- Enforcement powers and the impact of judicial review systems,
- Universal Service funding, and
- Methodologies of cost orientation.

1. Enforcement powers and the impact of judicial review systems

The enforcement instruments available in the regulatory systems of EMERG countries vary widely. On the other hand, the EU regulatory framework requires that Member States have effective enforcement systems in place to ensure compliance with the regulatory obligations resulting from the framework. Reviewing the enforcement powers of non-EU EMERG members makes up part of the EMERG's approximation work.

A workshop will be organised to compare the details of the enforcement powers available to EMERG members and the extent to which they can be effectively employed in the context of the country's administrative and judicial system; and to present proposals for improvements to be implemented by each country, where the national regulatory framework falls short of regional best practice.

NRA Rapporteur	Tbd
Workshop hosting NRA	Tbd
Workshop location/date	Tbd
Participating NRAs	NRA experts from the legal departments (max. 1 per country).
Deliverable	Report on enforcement powers and country-specific recommendations for improvements, where the national regulatory framework falls short of regional best practice.

2. Cost orientation methodologies

Cost orientation is being used by a growing number of countries from the EMERG region. But one needs to explore whether the used methodologies to achieve cost orientation are similar in practice, and if not, what are the existing reasons for any differences.

The debate may also include the most recent recommendations and guidelines of the European Commission and BEREC in this regard, ensuring a positive climate for new investment.

A workshop will be organized with the aim of producing a detailed report to take stock and compare cost orientation methodologies. It further aims to provide clarity on the reasons for any divergence between members at this level and, finally, to formulate recommendations on alternatives based on international best practice which individual countries might consider switching to.

NRA Rapporteur	Tbd
Workshop hosting NRA	Tbd
Workshop location/date	Tbd
Participating NRAs	NRA experts on cost-based price regulation (max. 1 per country).
Deliverable	Report on cost orientation methodologies and recommendations based on international best practice.

3. Universal Service Obligation (USO) financing and levies applied to the communications markets

Evidence shows that a number of non-EU countries in EMERG apply levies on the industry for purposes of USO financing, Research and Development and other objectives. In 2012, a ‘first stage’ workshop was organized on this subject, aiming to provoke the internal debate.

This workshop aims to provide updated mapping of the various practices in the region, producing a report that identifies recommended improvements for each country and a road map for reaching conclusions on harmonization, exploring the extent to which commitment to further approximation might be achieved (which probably may require the agreement of the Government).

NRA Rapporteur	Tbd
Workshop hosting NRA	Tbd
Workshop location/date	Tbd
Participating NRAs	NRAs experts in Universal Service management and financing, accompanied, if appropriate, by representatives of other authorities responsible for decisions on relevant levies (max. 2 per country).
Deliverable	Report on updated data on the financing of Universal Service Obligations and on levies applied in the communications markets and recommendations on improvements for each member and a road map for reaching conclusions on harmonization on this subject.

3. REGULATORY COOPERATION

Regulatory cooperation aims to make EMERG act as a forum for regular discussion and exchange of information on issues relating to electronic communications. This may be achieved in the most part through:

- the circulation of questionnaires at CN level; and
- by organizing thematic workshops.

These workshops don't intend to reach a specific agreements to adapt regulatory approaches. They will detail the main topics where knowledge has been exchanged and set out recommended approaches. They may also provide an early opportunity to explore and coordinate new developments in electronic communications markets and their impact on the (implementation of) regulations.

Through EMERG, countries can take the opportunity to 'look into the future' by exploring these new features and sharing thoughts. The subjects that fall into this category are:

- Number portability,
- Mobile Virtual Network Operators, and
- Investment models in NGN and their impact on access regulation.

1. Number portability

Number portability is a major instrument that is essential to ensure effective competition between electronic communications service providers. However, while the introduction of number portability is therefore key to effective competition, the number portability system must also be effective and efficient in itself. Number portability has now been introduced in many of the EMERG member countries (at least in mobile communications markets) but not in all of them. Nevertheless, upon closer examination, the systems used vary enormously and their resulting effectiveness and efficiency is likely to vary as well.

An opportunity for NRA experts to sit together, sharing information about the set-up of number portability mechanisms and their performance. The workshop will produce a report that will provide a narrative of the discussed themes and will also present proposals for follow up activities, if any.

NRA Rapporteur	Tbd
Workshop hosting NRA	Tbd
Workshop location/date	Tbd
Participating NRAs	Experts in number portability (max. 1 per country).
Deliverable	Report on number portability and proposals for follow up activities

2. Mobile Virtual Network Operators

The EMERG benchmark report shows a sharp contrast between EU and non-EU EMERG members when it comes to the occurrence of MVNOs. Even within the EU, there have been different approaches to the introduction of MVNOs. While in some countries, commercial negotiation was sufficient, in other countries, decision-based regulation was required as regards the relevant market for wholesale access to mobile networks.

A workshop will be organized aiming at identifying the reasons for this divergence and sharing information on the involvement of regulators in decisions on why and how MVNO access is implemented. EMERG members will explore what the outcome of the introduction of MVNOs has been in terms of marketplace competition, and also assess the benefits for consumers and the impact on MNO business cases. The workshop will produce a report that will provide a narrative of the discussed themes and will also present proposals for follow up activities, if any.

NRA Rapporteur	Tbd
Workshop hosting NRA	Tbd
Workshop location/date	Tbd
Participating NRAs	NRAs experts in mobile telecoms competition policy (max. 1 per country)
Deliverable	- Report on Mobile Virtual Network Operators and proposals for follow up activities

3. Investment models in NGN and their impact on access regulation

The regulatory frameworks require regulators to implement a range of remedies to correct situations where the presence of dominant operators and the lack of fair competition in the market place may hinder the entry and/or operations of other market agents. However, currently, the communications industry is experiencing a revolutionary surge in investment in NGN technology, crucial to enable modern broadband services and much higher speeds than are available over legacy networks.

The workshop aims to explore the state of play with regard to these innovative developments and structures, take stock of the regulatory dilemmas that have arisen and share how NRAs in various countries have dealt with them. This includes taking note of the most recent recommendations and guidelines of the EC and BEREC with regard to investment in next generation/ fibre networks, ensuring a climate that is conducive to new investment.

NRA Rapporteur	Tbd
Workshop hosting NRA	Tbd
Workshop location/date	Tbd
Participating NRAs	NRAs experts in access regulation (max. 1 per country)
Deliverable	Report on NGN investment models and their impact on the regulation of access and proposals for follow up activities.

4. STRENGTHENING EMERG

In 2013, EMERG will need to remain fully committed to reinforcing its internal structure.

EMERG must focus on its structural consolidation and external visibility, through:

- (i) an improved communication strategy,
- (ii) an active cooperation policy with other entities (BEREC, GSR'13, etc.),
- (iii) selective institutional contacts with the European Commission, and
- (iv) by playing a dynamic role in the context of NATP assistance.

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EMERG Website

EMERG will give priority to its basic communication tool – the EMERG website (www.emergonline.org). The Permanent Secretariat will ensure, in collaboration with all members that the website is kept updated and objective. On this basis, the website will help foster EMERG's visibility, not only by making a visit to the website an integral part of the daily routine of EMERG members, but also by drawing the attention of other entities.

Online newsletter

Published on, at least, a six-monthly basis, bringing together the results of all EMERG's activities twice a year. NRAs will cooperate with the Permanent Secretariat to provide content for these two communication tools.

Approval of a logo

After it is adopted by the Plenary, it will be applied to internal documents, reports, the website, newsletter, etc..

Cooperation with BEREC

A plan for cooperation throughout 2013 is expected to include:

- EMERG participation at 1st 2013 BEREC Plenary;
- Inviting the BEREC Chair to attend the EMERG 2013 Plenary;
- Joint workshop with BEREC;
- Exploring other possibilities (such as funding from BEREC's Office, the use of BEREC's contact list by EMERG to send questionnaires, the publication of institutional website links on both websites and access to EMERG documents and reports by BEREC members).

2013 Global Symposium for Regulators

Chair participation at the 2013 Global Symposium for Regulators, to be held in Warsaw, from 3 to 5 July 2013, and particularly in the Regulatory Association meeting, where it will have a chance to establish contacts with other Regulator Groups, such as REGULATEL, ARCTEL-CPLP, EaP, AREGNET, ReseauMed, etc.

By February 2014, the NATP3 program is due to expire. Thus, EMERG will need to explore options for future organization and funding. This debate will be a priority issue for 2013 and in the years to come.

- Close contacts with the European Commission in order to identify the EC perspective towards EMERG within the broader scope of the EU's future financial perspectives and the Southern Neighbourhood Policy;
- Participation at the Senior official meeting, organized by the EC;
- Close cooperation with the NATP3;
- Open dialogue with "Prospective Donor Organizations" in order to secure EMERG's future sustainability;
- Neighbourly assistance brokerage function is based on requests made by NRAs of beneficiary EMERG countries.

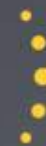
EMERG 2013 WP | Strengthening EMERG – Outlook for 2014



Event Subject
Net neutrality update
Spectrum planning
Structural and functional separation
International Roaming follow-up
Contact Network (Benchmarking and Planning Conference)

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