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RADIO SPECTRUM POLICY GROUP

First Report of the RSPG Working Group on the Review of the “Telecoms” Regulatory Framework

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The co rapporteurs introduced the work item¹ at the RSPG stakeholder’s workshop which took place the 30 March. They responded to number of questions on the RSPG’s views already expressed on DSM – “Telecoms” Regulatory Framework and on the next planned steps from RSPG side.

Preparation of the Review

During the last months the following elements contributed to the debate on the review of the “Telecoms” Framework:

- The European Commission published the results of the public consultation the evaluation and review regulatory framework electronic communications. It includes a summary and a full synopsis².
- Workshop held on 2 May on “Substantive issues for review”³: Various consultants presented the main trends/preliminary conclusions of a study for the European Commission (DG CONNECT) on issues to be considered in the review of the EU telecoms regulatory framework, focusing, among others issues on radio spectrum as scarce resources. Few questions have been raised at the end of the workshop. The consultant invited participants to comment not later than 13 May 2016 to scarce-resources@wik-consult.com.

The RSPG WG met on 19 May (morning)

The RSPG WG on the review of the ’Telecoms’ Regulatory Framework met once since the last RSPG plenary: the 19 May, morning only, at the invitation of OFCOM UK. 12 Member States representatives, a member of EEA and the European Commission attended this meeting which took to place in conjunction with the RSPG WG ‘spectrum matters on Digital Single Market’ which met the afternoon of the same day. This approach ensured a most efficient process and reduced the travel expenses from the experts.

At this WG meeting, the European Commission representative provided its feedback on the results of the public consultation on spectrum management issues. In response to a question, the European Commission representative briefly outlined the options under consideration for the future proposal to revise the regulatory framework in regard to spectrum management. The representative also mentioned that the result of the on-going Review related studies will be taken into consideration when drafting the impact assessment to be attached with the final proposal. The European Commission confirmed the time plan in order aiming at adoption the proposal by end of September.

¹ See RSPG WP 2016-17

² <https://ec.europa.eu/digital-single-market/en/news/summary-report-public-consultation-evaluation-and-review-regulatory-framework-electronic>

³ <http://www.wik.org/index.php?id=775>

Results of the public consultation the evaluation-and-review-regulatory-framework-electronic communications

The co rapporteurs drafted and circulated prior to the WG meeting a draft RSPG report on RSPG's views on result of the public consultation on the evaluation and review regulatory framework electronic communications. It has been developed on the basis of previous RSPG deliverables taken into account the results of the public consultation on "*spectrum management*" and "*institutional set-up*" issues. Comments received before the WG meeting have been included in the revised input submitted to the meeting.

The meeting considered the results of the public consultation on the evaluation and review regulatory framework electronic communications; reviewed and improved the final draft from the co rapporteurs. The WG agreed on a draft report to be submitted to RSPG for adoption and publication.

External Study on "Substantive issues for review"

Moreover the WG considered the on-going work done by consultants to support the European Commission (SMART 2015/0003) and the questions raised at the workshop. The WG noted that, during the workshop, the consultants have been invited to take into account all RSPG deliverables. As a result of the WG debate, it has been agreed to not to respond to them. The European Commission indicated that it is up to RSPG to decide whether to provide further input to the study consultants or not, noting that RSPG has already delivered some inputs in this regard (Opinion on the review of the telecoms framework and on the review of the RSPP, Report on efficient awards) as well as some Member States have done too.

An ad hoc mailing "RSPG WG FWK review" list has been established. The next meeting will take place **the 28 September** [Brussels]. Another meeting is planned in October [date to be confirmed].

Proposed course of action

The RSPG Plenary Meeting #40 is invited

- to note this report from the RSPG Working Group
- to consider and approve for publication the RSPG report on "RSPG's views on result of the public consultation on the evaluation and review regulatory framework electronic communications".

Before publication, RSPG is invited to update as appropriate this draft report taken into account the agreed way forward at RSPG plenary level on RSPG "peer review" proposal and on the extension of the RSPG "*Good Offices*" work to 700 MHz clearance.

Emilia Ulelay, Didier Chauveau
Co-rapporteurs