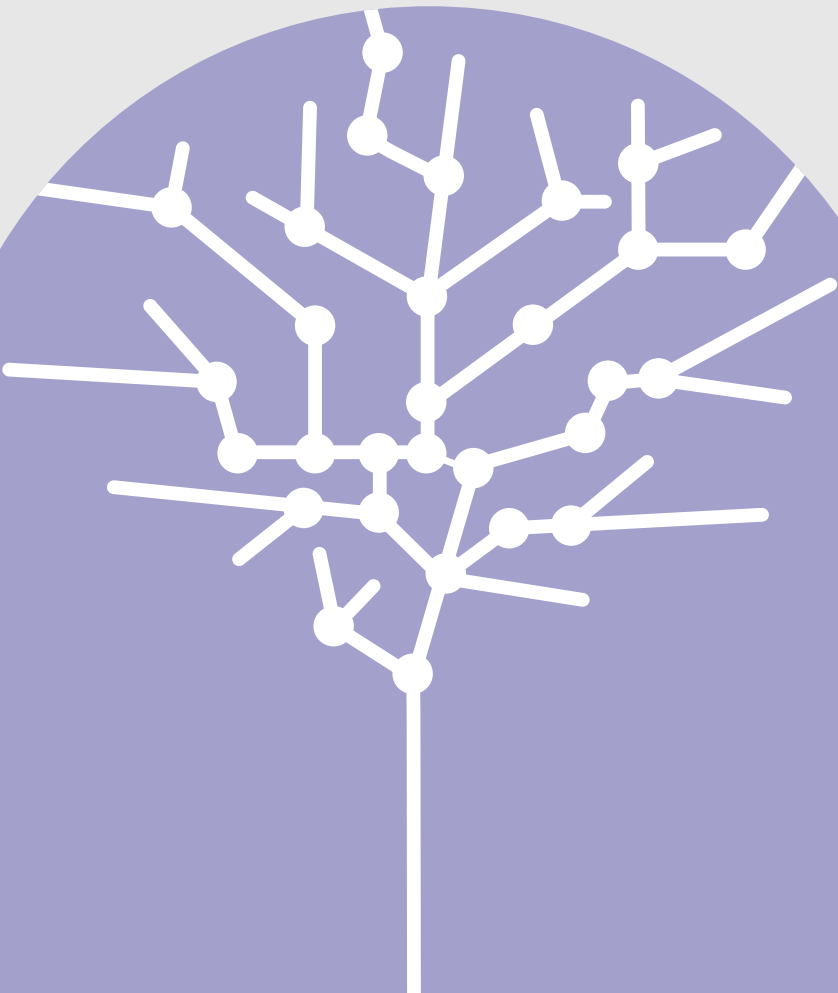


EUROPEAN & INTERNATIONAL PARTNERSHIPS



7. European & International Partnerships

This Chapter presents the main actions of EETT in international relations. This specific sector constitutes a major activity of EETT, since it aims at ensuring EETT's participation in the development and establishment of regulatory progress at the European level mainly, and in parallel, the representation of EETT's work at international fora. Collaboration with other European National Regulatory Authorities (NRAs) of electronic communications, the European Commission, and other international institutions are a daily practice for EETT.

More specifically, this Chapter examines the role and the work of the European Regulators Group (ERG) and the Independent Regulators Group (IRG), as well as the contribution of EETT in the achievement of their goals, but also EETT's participation in other official committees of the European Commission. Moreover, reference is made to the progress of Greece, as reflected in the 10th Report of the European Commission on European Electronic Communications Regulation and Markets 2004. Finally, EETT's actions are described at an international level, via its participation in regional conferences and bilateral partnerships.

7.1. European Union

7.1.1. European Regulators Group

The new Regulatory Framework (NRF) puts special emphasis on the role that NRAs must play in the consistent implementation of NRF provisions by all member states. Moreover, the NRF presents the NRA competencies and establishes the necessary procedures, which will guarantee the harmonised

implementation of the Framework across the European Union (EU).

In July 2002¹ the European Commission issued a Decision, establishing the ERG², the main task being to act as the interface connection between NRAs and the European Commission, thus contributing to the development of the internal market. The ERG aims at encouraging collaboration and coordination between NRAs and the European Commission, in order to promote the development of the internal market for electronic communications of networks and services, and seek consistent implementation by all member states of the provisions laid down in the Directives of the NRF.

The ERG consists of the 25 EU NRAs, and 6 observer NRAs (Iceland, Lichtenstein, Norway, Switzerland and from 1st April 2004 Bulgaria and Romania). It should be noted that high-ranking European Commission representatives also participate in the works of the ERG. In early 2004, the ERG prepared a joint work program with the IRG (see subsection 7.1.2.), for the implementation of which all ERG members, EETT included, worked systematically.

7.1.2. Independent Regulators Group

The IRG was established in 1997, as an informal group of European NRAs focusing on issues regarding electronic communications, aiming at the exchange of views, experiences and practices among its members concerning issues of common regulatory interest. The IRG members are the 31 European NRAs (25 member states, and Bulgaria, Iceland, Lichtenstein, Norway,

¹ OJ L 200 of 30-07-2002, p. 0038.

² OJ L 293 of 16-09-2004, p. 0030.

Romania and Switzerland). In order to achieve greater transparency and separate roles, the ERG and IRG adopted a joint work program for 2004.

The IRG Working Groups are responsible for the execution of the work program and the Plenary of Presidents approves the final deliverables. The IRG Working Groups are as follows:

1. **Fixed Networks:** Deals with issues pertaining to fixed networks, as these arise from the new Regulatory Framework and mainly the Directives on Access and Interconnection, focusing on broadband issues.
2. **Significant Market Power (SMP):** Competent in terms of competition and mainly the definition of relevant markets and the designation of SMP operators in the individual markets.
3. **Mobile Markets:** Processes regulatory issues related to the mobile market.
4. **Regulatory Accounting:** Reviews regulatory accounting and cost analysis issues.
5. **End Users:** Deals with regulatory issues directly affecting consumers, such as, among others, publication and availability of information, setting measures for the transparency of retail tariffs, and clarification of contracts made with operators.
6. **Market Analysis:** Engages in the identification of suitable statistical tools to allow comparison at the European level, and the provision of information about the market to other Working Groups.
7. **Implementation:** Aims at developing the necessary procedures for compliance with harmonized practices in all member states, in the application of the new Regulatory Framework Directives.
8. **IRGIS:** This Working Group has created an intranet portal accessed by all IRG members and enables the exchange of information, also acting as the virtual library of the Group.

The Contact Network coordinates the work of the

Working Groups and constitutes the last "filter" in the preparation of Plenary Meetings.

In 2004, the EETT Administration actively participated in the conclusions of Plenary Meetings and its experts took part in the activities of the Working Groups. The IRG, in the context of achieving the goal of harmonized practices in a single European market of electronic communications, has adopted a number of documents on the aforementioned issues, pertaining to Principles of Implementation and Best Practices (PIBs), Reports, Benchmarks or even consultation documents.

As already mentioned, the ERG and IRG have adopted a joint work program for 2004. One of the most important achievements was the adoption of a common position for the appropriate regulatory obligations that may be imposed by the NRAs to operators, under the new Regulatory Framework. At the relevant public Hearing held in January 2004, special interest was demonstrated by the sector in the ERG decisions on regulatory obligations. The relevant text is now a significant point of reference for all NRAs in the work undertaken for the above subject.

Also, the ERG expressed its opinion on the revision of the European Commission Recommendation of 1998 regarding accounting separation and cost accounting. This way, the ERG submitted to the European Commission the views of all European NRAs in a number of costing and accounting issues in which they have already acquired significant experience.

Moreover, of high significance is expected to be the work commenced by the ERG during 2004 regarding wholesale international roaming in Europe. For this reason, all European NRAs, with the support of the European Commission, sent in December 2004 a

common questionnaire to Mobile Telephony Operators (MTOs) operating in their territories, aiming at collecting the necessary information in an effort to identify the appropriate regulation in this market and to reduce charges imposed on consumers all over Europe.

Voice Over IP (VoIP) was also reviewed by NRAs and the first steps in the processing of relevant issues have already been taken. Moreover, the collaboration of the ERG with the European Commission became closer, in a context of common goals. It is worth noticing that during 2004, the ERG conducted several Public Consultations, enabling interested parties to express their views and actively contribute to the Group's work. The increased number of replies shows the interest of the market and the fact that the ERG has successfully depicted the needs of the electronic communications sector in Europe.

7.1.3. Other Official Committees

EETT also participated in the meetings of European Commission groups regarding issues in its field of responsibility. These include:

- **Communication Committee (COCOM):** Its main role, among others, is to assist the European Commission and, taking the EU policy into account, encourage exchange of information between member states as regards the development of regulatory actions in the field of electronic communications networks and services³.
- **Radio Spectrum Policy Group (RSPG):** It was established by means of a European Commission Decision⁴ for assisting "in the preparation of binding implementation measures in terms of

harmonized conditions of provision and efficient use of the radio spectrum".

- **Radio Spectrum Committee (RSC):** Established by a European Commission Decision aiming at ensuring harmonized requirements for the provision and efficient radio spectrum use, necessary for the establishment and operation of the internal market in community policy fields, such as electronic communications, transport, research and development.
- **Telecommunication Conformity Assessment and Market Surveillance Committee (TCAM):** Established to assist the European Commission to express opinions in relation to supervisory duties in terms of implementation of the Directive 1999/5/EC and, where appropriate, issue guidelines on individual issues.
- **Administrative Cooperation Group (ADCO):** Its main competence lies in the support of actions related to ensuring appropriate implementation of Directive 1999/5/EC and a harmonized approach with problems pertaining to the surveillance of the Radio Equipment and Terminal Telecommunications Equipment market (RTTE).
- **Postal Directive Committee:** Established following Directive 1997/67/EC⁵ to assist the European Commission and express opinions on draft measures related to common rules on the development of the internal market of EU postal services, and the improved quality of provided services.

Moreover, EETT was represented by its experts in works of EUROSTAT groups, the Electronic Communication Committee (ECC) and the Forum of European Supervisory Authorities for Electronic Signatures (FESA).

³ Directive 2002/21/EC, OJ L108 of 24-04-2002, p. 0033.

⁴ Decision 2002/622/EC, OJ L198 of 27-07-2002, p. 0049.

⁵ OJ L15 of 21-01-1998, p. 0014.

7.1.4. 10th Report of the European Commission⁶

The Commission annually issues a Report on European Electronic Communications Regulation and Markets, which depicts the course of the European market, with references to the progress made by each member state.

In December 2004, the 10th Report was published, regarding the 25 member states. This Report involves a summary presentation of the most important developments in the European market of electronic communications, and the most significant regulatory issues, which arose during the year. More specifically, the European Commission recognized the progress achieved in the sector and the dynamic development of mobile and broadband communications⁷ but it also repeated the need for complete and immediate implementation of the new Regulatory Framework in all member states. It is noted that electronic communications in the EU showed signs of increased competition in several markets, which had a positive effect on prices, quality, but also on the innovativeness of offered services. EETT, among other competent institutions, collaborated with the European Commission and procured the necessary information about the telecommunication market in Greece, which, according to the Report, shows a stable development each year.

The main findings about Greece concerned, among others, the following:

a) EETT performance

- The action and effectiveness of EETT in the market regulation and monitoring was acknowledged.
- Concerns were expressed about the high numbers of appeals, mainly submitted by OTE, against EETT decisions.

- The effective implementation of dispute resolution procedures was saluted, but the room for improvement in the speed of the relevant Decisions publication was also noted.
- Reference was made to the low level of imposed fines.

b) Implementation of the New Regulatory Framework (NRF)

- The analysis of individual markets, according to the NRF, had already begun by EETT. In particular, the market analysis on call termination to mobile networks had been completed and the procedure for the definition and analysis of the remaining markets had begun.

c) Fixed telephony

- Alternative operators acquired a market share.
- The incumbent operator has almost maintained monopoly in the Access market.
- The OTE win-back campaigns had a negative effect on the development of competition.

d) Mobile telephony

- Mobile penetration was higher than the EU average.
- High termination fees from fixed to mobile exceeded the EU average by about 20%. It was noted, though, that they were reduced by about 15% from 1st November 2004.
- The final Public Consultation was held about the regulatory measures for the market of mobile call termination.

e) Universal Service (US): Comprehensive Directory

- The MTOs refused to provide information about the issue of a Comprehensive Directory.
- EETT held Hearings and imposed fines in that respect.

⁶ http://europa.eu.int/information_society/topics/ecommm/all_about/implementation_enforcement/annualreports/10threport/text_en.htm.

⁷ <http://europa.eu.int/rapid/pressReleasesAction.do?reference=IP/04/1438&format=HTML&aged=0&language=en&guiLanguage=en>.

f) Local Loop Unbundling (LLU)

- The number of LLU lines was particularly low.
- Problems arose in the collocation and provision of related facilities.

g) Broadband Access

- The penetration of broadband lines in the population was extremely low.
- The penetration of ADSL (ADSL lines to main telephony lines) was extremely low.

7.2. International Partnerships

In 2004, EETT continued its actions at an international level, either by participating in regional conferences or in the framework of bilateral partnerships, and presented its work and individual suggestions in regulatory issues of electronic communications.

European Countries

For the second year, EETT participated in a regional conference organized by the Regulatory Authority of Montenegro on regulatory issues in telecommunications sector and in particular related to US implementation issues. Also, an initial partnership framework was developed with Serbian institutions, where a NRA is expected to be established. Moreover, it took part in a European meeting regarding the promotion of competition in electronic communications, a conference on mobile communications about repercussions on health, environment and the society, but also in a Balkan conference about LLU technologies.

Members of the Spectrum Directorate collaborated with experts of the German NRA (RegTP) on radio spectrum monitoring issues. Also, in the framework of preparation of the Spectrum Directorate for the successful completion of works during the Olympic Games in Greece, a delegation visited the NRA of

Portugal (ANACOM), which had gained significant experience in issues of radio spectrum monitoring during the European Football Championship in 2004.

Asia

In reply to an invitation of the Bahraini NRA (TRA), EETT signed a relevant Memorandum of Understanding (MoU), based on which collaboration commenced on regulatory issues of the telecommunication market. Representatives of the two agencies exchanged information and practices in issues related to their daily regulatory field of action.

America

In 2004, EETT had the opportunity to collaborate with its partners from the United States of America (USA). Members of the Federal Communications Committee (FCC) visited EETT in spring, obtained information about its work and potential partnerships were looked into. Also, in the framework of the official visit of the FCC President at the IRG Plenary in Nicosia, the NRAs Presidents were informed about regulatory developments taking place in the two continents and focused on fields such as broadband, mobile termination fees and the future of spectrum auctions.

International Telecommunication Union

In 2004 EETT continued following up international developments in electronic communications and spectrum, mainly through its participation, in meetings of the International Telecommunication Union (ITU). An EETT delegation from the Spectrum Directorate attended the works of the Regional Radio Communications conference (RRC 2004) which aimed at specifying the transition schedule from analog to digital radio-television services. Also, EETT, with the support of the Ministry of Transportation and Communications (MTC), participated in the shaping of