

EETT
60 Kifissias Avenue
151 25 Maroussi
Athens, Greece
Sent by email to licensing@eett.gr

**Re: “Public Consultation of EETT on the amendment of the EETT Decision
(No 390/3/31-6-06) «Regulation on General Authorizations»”**

Dear Sirs:

The Business Carrier Coalition (“BCC”) is an industry coalition which represents the interests of a number of international telecommunications providers comprised of AT&T, BT Global Services, Cable & Wireless Worldwide, Orange Business and Verizon Business. The BCC provides a vehicle for issues of common interest to its members be raised and presented to relevant regulatory stakeholders across Europe, the Middle-East and Africa.

The common thread among members of the BCC is that they are operators which provide large business users with advanced electronic communications services between their various offices, factories and distributors in Greece, and their operations across Europe and the rest of the world.

They all provide services in a significant number of other EU member states with other locally authorised subsidiaries.

In delivering these services, BCC members rely strongly on local services providers. In particular these services are based on links or networks rented from other licensed providers. BCC members do not provide standalone national services. In all instances, these services are managed from Network Operating Centres located outside of Greece.

None of the BCC members provide services to consumers.

In providing these services, BCC members have difficulties to comply with specific national obligations that have been designed specifically to deal with consumer protection for carriers located in the country and operating locally.

On top on such obligations, BCC members have sometimes concerns to report their activity in numbers. BCC members believe that taking data from local providers to reports those data would lead to double reporting.

These particularities and difficulties are acknowledged at the EU level so much that the revised EU Regulatory Framework includes an obligation on BEREC:

“to deliver opinions aiming to ensure the development of common rules and requirements for providers of cross-border business services.”¹

Furthermore, the revised Framework also includes the following amendment to the Authorisation Directive by way of an addition to Article 3(2):

“Undertakings providing cross-border electronic communications services to undertakings located in several Member States shall not be required to submit more than one notification per Member State concerned.”

We believe that these provisions establish a basis for further reform and the introduction of a specific administrative regime for cross-border business services. In our view, the decision to introduce these additions to the EU Framework was in part reflective of the challenges presented by the current situation, whereby operators providing identical services on a pan-European cross-border basis are required to notify individual NRAs using inconsistent national categories to declare identical services, in multiple languages. This complicates the provision of pan-European services and hinders the development of the EU Single Market.

We are therefore pleased that the draft BEREC 2013 Work Programme envisages continuation of a work stream to:

“focus on the exchange of views at expert level on potential operational arrangements, with a view to easing the activity of pan-European providers of electronic communications networks and services, thus reducing some barriers to the completion of Single Market.”²

We believe that the EETT's current consultation on the revision of the Greek general authorisation regime provides an opportunity for the authority to take a leading role in addressing this issue and to act as an exemplar to other

¹ Article 3(m) of Regulation (EC) No 1211/2009 of the European Parliament and of the Council of 25 November 2009 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Office (“the BEREC Regulation”)

² Draft BEREC Work Programme 2013 at 6.3

NRAs on the way forward. Specifically, we call on EETT to consider creating a new notification category for cross-border business service providers. By allowing cross-border business service providers to distinguish their activities from those of providers specifically addressing or targeting the Greek market, EETT would improve its understanding of market players and their focus in Greece, and be better able to target its information requests and compliance supervision activity. This reform should distinguish between locally provided services which are in essence public and provision of cross border business services which are not public in nature.

The BCC members therefore call for the creation of a new service category that will be opened to services providers that provide international services to Business customers and are present in many other EU member states. This category should replace for the applicant all the existing categories they are registered in. The category could comprise subsections to precise what type of international services these carriers are delivering to business customers.

For the reasons presented above, the providers should be subject to lighter reporting obligations and should not be subject to any obligations that are normally associated with public nature of services.

In particular, new obligations proposed in this consultation in chapter 18 at new paragraph 2.1.8 Transparency and information disclosure, chapter 19 at modified paragraph 2.1.10 Quality of Service, chapter 20 at paragraph 2.1.11 provision of information, chapter 23 at new paragraph 2.1.14 Contracts and chapter 24 at the same paragraph should not apply to BCC members or providers under the proposed service category of cross border business services, as this is non relevant to their business.

Respectfully submitted this 30th of November 2012 by the BCC – Business Carrier Coalition

For more information, please contact:

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