

Reference: Global Symposium for Regulators

The Office of Electronic Communications (UKE) that performs regulatory activities within the scope of telecommunications markets was created under the European Community law and operates in accordance with the package for electronic communications. Therefore all regulatory measures related to NGN are applied under the EU regulatory framework for electronic communications. In our opinion National Regulatory Authorities should concentrate on creating appropriate conditions for effective competitions in the wholesale market.

Some desirable regulatory practices concerning NGN (Next Generation Network) in particular areas are indicated below:

Access

An end user residing in a certain area should have a chance to choose easily a telecommunications undertaking that provides access to NGN.

The Government should create legal framework encouraging undertakings to make new investments. National Regulatory Authorities should be concerned to ensure efficient and fair sharing of the existing infrastructure.

Competition

In case of NGN, competition problems will be probably similar to the current ones. First of all, National Regulatory Authorities should shape conditions for effective competition in the wholesale market between telecommunications undertakings. Such an activity should naturally create effective competition in the retail market.

Consumer awareness/consumer protection

The offers provided by telecommunications undertakings should be transparent and supervised by the telecommunications regulatory authorities and the competition authorities. The Regulatory Authorities should have the possibility to monitor in advance the changes in those offers and object to those offers as well as the tariffs when there is a threat of consumer harm.

Interconnection

The telecommunications undertakings with significant market power should apply the principle of transparency so that other entities wishing to interconnect should be provided with clearly defined and publicly available criteria followed by SMP undertakings.

Investment

Investment is a key element in the process of migration towards NGN. The member state government should minimize the barriers related to developing terrestrial wire infrastructure. It is necessary because the radiocommunication infrastructure will not be able to meet demand for greater transmission capacity and may be regarded only as complementary.

Restriction of the ownership right to the operator's infrastructure, for instance co-sharing imposed by an administrative decision, should be remunerated in an appropriate manner.

The undertaking must be confident that his investment will be profitable even in case of a regulatory intervention (as in the case of local loop unbundling).

Licensing

The license for telecommunication activities should be grant to everyone.
The free radio spectrum frequencies should be subject to trading.

Pricing

National Regulatory Authorities should refrain from imposing any prices, except for transitional remedial activities in order to create effective competition in the market.
Effective competition in the wholesale market should lead to price changes in the retail market that are favorable for the consumer.

Quality of service

The undertakings' offers for the end users as well as for other telecommunications undertakings should be transparent in respect of conditions and quality of service.
No undertaking in the wholesale market may be discriminated in terms of the quality of service.

Universal access/service

The scope of universal service should be redefined in order to include Internet access at a minimum speed matching the current needs of an average consumer.