



European Electronic Communications Code – main provisions and changes

A three-day **online** training course



INTERNATIONAL

regulation made simple



EECC - main provisions and changes

The training will provide attendees with:

- a comprehensive overview of the changes introduced in the new European regulatory framework, covering the full range of topics included in the Code;
- the context and original aims of the new regulatory package, and how likely it is that these aims will be furthered by the new provisions;
- a detailed understanding of the new range of access remedies available for regulatory authorities and how these could impact the market, in particular for fibre broadband;
- a review of how the Commission's ambitious proposals to reform spectrum policy were amended during the political debate, and how the final provisions in this area will affect the EU's aim to be a leader in 5G;
- an insight into the changes introduced for end user rights, how OTTs are affected, and how the concept of universal service has been refocused on broadband access; and
- an understanding of the institutional changes for BEREC and NRAs, including the work now needing to be done to implement the package.

Who should attend and why?

The seminar is suitable for:

- regulatory experts and specialists who wish to gain a detailed understanding of the new Code; and
- anyone in the industry who wishes to gain an overview of the new Code, its aims, and the changes that it will introduce.

The seminar will help participants to:

- understand how the Code will affect their own national regulatory environment; and
- learn and exchange views on how the Code will shape the communications industry in Europe.

The training organiser

Cullen International provides regulatory and competition law intelligence in telecoms, media, postal and the digital economy - covering developments across Europe, Americas, the Middle East and North Africa, as well as key trends across the globe.

For over thirty years, we have been providing comprehensive, neutral, unbiased, timely information that is trusted by industry and official institutions alike. We are widely recognised as the leading regulatory intelligence provider in the field.

Our services consist of a unique range of alerts, reports, benchmarks and enquiry services that are complemented by our topical conferences and regulatory training offer.

We are also regularly selected to carry out important research and studies for the European Commission and other organisations and we are frequently sought out to chair or make presentations at industry events.



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Presenters

Lead trainer

Matej Podbevšek, Principal Analyst, follows telecoms regulation in Latvia, Slovenia and the UK, and is the lead author of the monthly European Telecoms Updates. Before joining Cullen International in 2014, Matej was a senior advisor in the telecommunications department of the Slovenian regulator for communication networks and services (AKOS).

Team of trainers

All Cullen International trainers are seasoned regulatory affairs professionals specialised in telecoms regulation. Very few have less than 10 years experience in their field of expertise.

Veronica Bocarova, Principal Analyst, is responsible for developing Cullen International's regulatory training portfolio. She has been actively engaged in capacity building initiatives for policymakers and regulators across a wide range of European countries. She also follows regulation in the Scandinavian countries as well as Central, Eastern and South Eastern Europe.

Stefano De Luca, Senior Analyst, follows telecoms and digital regulation in Italy with a particular focus on connected cars. Before joining Cullen International in 2016, Stefano worked as an associate in an international law firm and at the European Commission's think tank on various topics related to the EU telecoms framework review and the digital Economy.

Dries Indestegee, Head of Europe Telecoms, leads our research on telecoms regulation in Europe, pulling in contributions from our analysts and correspondents across the continent. Prior to his collaboration with Cullen International, Dries worked at Belgacom/Proximus on local loop unbundling and the company's launch of IPTV.

Laurence Nivot, Senior Analyst, follows telecoms regulation in Belgium, France and Lithuania. Laurence is also the lead author of the Consumer Protection Cross-Country Analysis report, covering ten European countries. Laurence joined Cullen International in 2012, previously working as a journalist for the European Commission's news website.

Marianna Mattera, Analyst, is a qualified lawyer and she follows telecoms regulation at EU level, in Hungary and in Greece. Before joining Cullen International in 2016, Marianna worked at the European Commission (DG Justice) on various topics related to national justice reforms in the context of the European Semester and as project coordinator for a Brussels-based NGO.

Kyrylo Prymak, Analyst, follows regulation of the telecoms sector and the wider digital economy in the UK. He also covers the telecoms sector in Bulgaria and Hungary. Before joining Cullen International in 2018, Kyrylo worked in Ukraine for an international law firm on telecoms regulation, intellectual property and data protection law. He has also worked as a legal advisor at one of the biggest Ukrainian telecom operators. Kyrylo holds a master's degree in Information and Communications Technology Law from the University of Oslo.

Martin Schraa, Principal Analyst, follows telecoms regulation at EU level, covering the European Commission, Parliament, Council and BEREC. He also follows postal and telecoms regulation in the Netherlands. Martin joined Cullen International in 2007 after an internship at the European Telecommunications Network Operators' association (ETNO).



Course timings

Three half-day online modules

For future course dates and detailed agenda, please visit our website:
www.cullen-international.com



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TRAINING SESSIONS

AIMS OF THE EECC AND MAIN CHANGES TO THE REGULATORY FRAMEWORK

Setting the background for new European Electronic Communications Code (EECC). We will discuss:

- The scope of the EECC
- A high-level overview of the changes compared with the current EU regulatory framework for electronic communications
- The main connectivity targets the European Commission has set for 2025 regarding 5G deployment and gigabit very high capacity networks (VHCN)
- The need to stimulate network investment
- Next steps: BEREC and Commission guidance, entry into force of specific provisions, review

GENERAL AUTHORISATION: A NEW ROLE FOR BEREC

The EECC introduces several measures to improve cross-border coordination for pan-European operators, albeit not to the extent the Commission envisioned in its initial proposal. Whereas the Commission wanted BEREC to be the single contact point for notifications by operators, the EECC maintains the central role of national authorities, while BEREC manages an EU-level register. This session will look into:

- The scope of the general authorisation regime
- Rights and conditions attached to the general authorisation
- The role of BEREC: register of national notifications and guidelines on notification template
- Review by BEREC and the Commission



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NEW ASYMMETRIC SMP PROVISIONS AND MARKET ANALYSIS: THE INTRICACIES OF MAKING CO-INVESTMENT WORK

The EECC introduces the possibility for new asymmetric access obligations on SMP operators, while providing regulatory relief for specific business models (co-investment schemes, wholesale-only networks) under certain circumstances. Furthermore, the market analysis procedure has been changed to provide more regulatory certainty and consistency among EU member states. This session explains:

- Regulatory treatment of co-investment schemes in VHCN and wholesale-only networks
- Market analysis procedure: extended cycle, 'double lock' veto on remedies for BEREC, three-criteria test included in the EECC, review of the recommendation on relevant markets
- Commitments procedure - making commitments binding: scope (SMP access obligations, co-investment, voluntary functional separation), relation with the market analysis procedure

NEW SYMMETRIC REMEDIES: FROM ACCESS OBLIGATIONS TO MAPPING AND PAN-EUROPEAN PRICE CAPS

The EECC introduces several symmetric remedies, applicable to all providers regardless of finding SMP. Many of these obligations are accompanied by detailed conditions on their application, including possible exceptions. This session will explore:

- Symmetric access to non-replicable assets such as wiring and cables, up to and beyond the first concentration point
- Passive infrastructure sharing and localised roaming
- Single EU-level price caps for wholesale fixed and mobile termination rates
- Single EU-level price caps for international intra-EU calls and SMS



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END-USER RIGHTS: A MOSAIC OF USERS AND OBLIGATIONS

The EECC imposes the maximum harmonisation of end-user rights at EU-level, preventing member states from applying measures which are either more or less restrictive than those laid down in the Code. The applicability of end-user rights will vary according to the newly defined categories of ECS, including OTTs: internet access services (IAS), number-based and number-independent interpersonal communications services (NB/NI-ICS) and conveyance of signals (including M2M). This session will address:

- Maximum harmonisation of end-user rights, including derogations and exceptions
- The new types of ECS and the applicability of end-user rights
- New end-user rights protection measures, e.g. on switching providers

NUMBERING RESOURCES: ADDITIONAL OPTIONS FOR USE

This session looks into the possibilities for a broader use of numbering resources enabled by the EECC. These include numbering ranges for extraterritorial use, for use by non-ECS (electronic communications service) providers and for non-ECS services. Other topics include:

- Over-the-air (OTA) provisioning of numbering resources to facilitate switching especially for M2M communications
- Access to civil infrastructure as a new standard SMP remedy
- Granting usage rights for numbering resources
- Coordination among national authorities regarding extraterritorial use within the EU

SPECTRUM POLICY: STIMULATING INVESTMENT IN 5G?

One of the main goals the Commission set, when proposing the EECC, was to increase the harmonisation of EU spectrum policy, in particular through oversight on the conditions under which member states award spectrum. Such harmonisation should stimulate the investments by operators needed to deploy 5G. In the session, we will have a closer look at the new spectrum management measures, such as:

- Release of spectrum for 5G (3.4-3.6 GHz and 26GHz bands)
- 5G spectrum already released by member states
- Light-touch approach for the deployment of wireless access points (small cells)
- Coordinated timing of spectrum release, minimum licence duration, terms for licence renewal
- Voluntary peer review of national spectrum assignment measures by the Radio Spectrum Policy Group (RSPG)



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UNIVERSAL SERVICE: TOWARDS AFFORDABLE BROADBAND

The EECC reduces the scope of the universal service obligation, focussing on access to adequate, affordable broadband. Member states will be obliged to set a minimum bandwidth. The funding for the USO remains unchanged. This session will analyse:

- Current and new scope of the USO
- Including additional services within the USO scope
- Minimum bandwidth for broadband: definition by member states, functional requirements by the EECC, BEREC report on best practices
- Affordability measures by member states
- Funding of the USO
- Review of the USO scope by the Commission

GOVERNANCE: CHANGES FOR BEREC AND NRAS

The EECC and BEREC Regulation 2018 elevate BEREC's profile as an advisor to the EU institutions. Furthermore, NRAs will now share a minimum number of common tasks harmonised at EU level, including on some aspects of spectrum policy. Even though BEREC's set-up remains fundamentally unchanged, including its two-tier structure, the new Regulation makes a few alterations, including a longer term for the head of BEREC.

BEREC will now manage an EU-level register of notifications to NRAs under the general authorisation regime and will provide guidelines on the notification template. Other topics to be addressed include:

- Legal status of BEREC and the BEREC Office
- Provisions to increase NRA independence on the dismissal of the head of NRA
- Organisational changes, e.g. term of BEREC chair
- Sharing responsibilities with other competent authorities



For more information

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How to register?

Please register by filling in the respective registration form on our website:

www.cullen-international.com

Fees

Fee (VAT excluded*) per delegate

Early-bird fee (up to one month before the event)	€ 1,350
Standard fee	€ 1,500

10% discount for multiple registrations from the same organisation.

Upon receiving your registration, we will send you an invoice to be paid within one month and in all cases before the event. Payment can be made by bank transfer or by credit card. In the absence of payment by the due date, Cullen International reserves the right to reallocate places.

* No VAT chargeable on bookings by participants from the European Union who are subject to VAT in their country or by non EU participants. Belgian VAT (21%) is chargeable on bookings by European participants who are not subject to VAT.

Trainings and conferences general terms and conditions

A. Limited number of delegates

To ensure a high quality training/conference experience, the number of participants in the training/conference programme will be limited. Cullen International reserves the right to refuse registrations once the maximum number of participants is reached.

B. Cancellations / substitutions

Cancellations must be made in writing. Full refunds will be paid only if cancellations are received by Cullen International 14 days before the start of the training/conference course.

For trainings, in case of cancellations within 14 days before the start of the training course, a refund will also take place but an amount of 300€ will be charged for administrative costs.

If the delegate registers to a subsequent training course that takes places within one year from the date of the training for which the registration was cancelled, the amount of 300€ will be deducted from the cost of that subsequent training course.

Delegate substitutions can be made at any time. They must be communicated to Cullen International before the start of the course.

C. Non-attendance

In the event of non-attendance, full training/conference fees will remain payable and no refunds will be paid.

D. Changes to programme, venue or date

Cullen International reserves the right to make changes to the programme, the venue and the presenters. Cullen International also reserves the right to cancel or reschedule the training/ conference if there are insufficient participants. Delegates will be notified in good time and will be entitled to a refund of the fee if the training/conference is cancelled or is changed to a date which is not convenient for the delegate.

E. Invoicing and Payment conditions

Registrations will only be effective after payment receipt and payment must be done before the event takes place. Cullen International reserves the right to refuse attendance of a participant whose invoice has not been paid prior to the event.

Cullen International also reserves the right to refuse registrations to members of organisations who had registered participants to previous events and not paid their invoices. The delegate shall provide, while

registering to attend an event, all requested information necessary for the issue of the invoices. All invoices are payable in total, for the amount invoiced including the taxes stated on each invoice (VAT). No withholding for tax or administrative reasons will be accepted.

F. Data protection

Your personal data will be used for the purpose of organising the training or conference. Cullen International will also subsequently use such data to inform you of its future training programmes and other activities or services, unless you opt out by sending us an email. Your personal data will not be communicated to any third parties.

G. Confidentiality and Copyright

All Cullen International training/conference material is subject to normal copyright conditions. Any copy is subject to prior written authorisation from Cullen International.

The training/conference material is for the delegate's own use and may not be disclosed to any third party. It shall be treated with a high level of confidentiality, in the same way as the delegate protects its own confidential information.

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