Twenty years of regulation from the point of view of the regulator

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* The content of this presentation responds to the opinion of the author, and does not necessarily represent the opinion of CNMC and/or BEREC
• Telecommunications has been identified as “the most critical area for influencing the nervous system of modern society”.

• The story of regulation is a story of success.

• Key role of NRAs in opening up the markets, from state-regulated monopolies to the system of open competition that prevails nowadays in the EU.

• How to assess the last twenty years of telecommunications regulation?

• A possible way is to look at the fundamental principles that must guide sectoral regulation:

  ✓ Promotion of competition and investment
  ✓ Completion of the internal market
  ✓ Citizens’ rights
Operators have taken up the opportunity to expand beyond national borders, and have been able to erode the market share of the incumbent operators in their own countries.

The increase in the level of competition has resulted in:

- the progressive deregulation of many European markets (withdrawal of retail regulation)
- a more targeted regulation (unavoidable bottlenecks)

Success of the EU model based on competition (investment & competition not contradicting objectives)

Deployment of NGA as a regulatory priority.

But some challenges do remain:

- Emergence of oligopolistic market structures, in particular in the current transition to NGA.
- Growing importance of OTT players, convergence.
Promotion of the internal market

• Emergence of truly pan-European operators.

• BEREC is essential to ensure a consistent application of the European regulatory framework.

• But some challenges do remain:
  
  ➢ Connectivity needs of the business community.
• Very important achievements over the last twenty years:
  - contract and price transparency;
  - number portability;
  - universal service obligations;
  - open internet access;
  - roaming;
  - single European emergency number…

• But some challenges do remain:
  - Growing importance of net neutrality rules.
Conclusions

- Dramatic transformation of the sector over the past twenty years.

- Key role of operators, but also of NRAs (ex ante market regulation, dispute resolution...)

- A lot however still needs to be done:

  - Fundamental importance of the review of the telecommunications legislative framework (European Electronic Communications Code).