

## **Input to the 2003 Work Programme of the European Regulators Group**

ETP welcomes the opportunity to comment on the Work Programme of the European Regulators Group for 2003 and would like to submit the following observations to the ERG for consideration in its forthcoming discussions:

An overriding consideration in the work of the ERG should be to contribute to the establishment of a regulatory environment that helps to stimulate growth in the communications sector and re-launch investment in communications infrastructure and services. This can best be achieved by giving guidelines for a proportionate, transparent and predictable regulatory framework in the EU.

In particular, ETP encourages the ERG to discuss:

- ✓ Minimum requirements for market analysis procedures at national level (collection of all relevant data, proportionality of requests for data, minimum standards for justifications of NRA decisions, methodology of market analysis)
- ✓ Methodology and principles of market definition in particular in terms of geographic and customer segmentation
- ✓ Proportionality of remedies in the light of Art. 8 Framework Directive (Directive 2002/21/EC) and in particular the need to encourage efficient investment of infrastructure and promote innovation (Art. 8 § 2 lit. d Framework Directive) and consistent application of remedies in EU-Member States
- ✓ Application of Art. 17 § 1 (conditions for regulation on retail markets) of the Universal Service Directive (Directive 2002/19/EC)

- ✓ Transparent and efficient procedures for industry participation in procedures under Art. 7 of the Framework Directive(Directive 2002/21/EC)
  
- ✓ Acceptance of specific national problems which should be treated individually by the NRAs of the respective Member States.