NEWSLETTER

Highlights and activities for Weeks 36 - 39 (01.09.15 – 30.09.15)

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A. International Meetings attended by MCA representatives

1. BEREC WG Regulatory Framework

The drafters of the BEREC draft report on Oligopoly Analysis and Regulation met in Brussels to discuss the responses received during the public consultation exercise on this item. The public consultation ran from 10 June to 1 August 2015.

Several stakeholders participated in this exercise and submitted their reactions to the report. The drafters took account of these submissions and updated the draft report accordingly. BEREC's detailed reaction to the responses to consultation will most likely be presented in a separate document to the report. All documentation for final publication will eventually be circulated to all MEA EWG members and Plenary for approval.

The agenda of the September meeting included two other items, namely the forthcoming internal Workshop on the implementation of the Recommendation on relevant markets and geographical segmentation and the way forward concerning the Study on Mergers and Acquisitions to be carried out in the near future by BEREC.

2. BEREC WG Roaming

The MCA took part in the full International Roaming Experts Working Group meeting held in Brussels organised by The Body of European Regulators of Electronic Communications (BEREC). The scope of this meeting was to identify the various work streams that are required to be undertaken by members' states to enable the implementation of the New Roaming Regulation.

3. Regulatory Framework EWG Meeting

The Regulatory Framework Expert Working Group met in Brussels on 2nd September to discuss BEREC's input to the European Commission's questionnaire on the review of the Electronic Communications Regulatory Framework.

On 6 May, the Commission adopted the Digital Single Market Strategy which includes a set of targeted actions to be delivered by the end of 2016. It is built on three pillars:
(1) better access for consumers and businesses to digital goods and services across Europe;
(2) creating the right conditions and a level playing field for digital networks and innovative services to flourish;
(3) maximising the growth potential of the digital economy. The review of the regulatory framework for electronic communications is one of the key actions of pillar 2.

4. TEAC 2015: Digitally Empowered Europeans

In its 8th year, Telecentre Europe Annual Conference was held in Serbia. Organized by Telecentre Europe and co-organised by European project Leaders (in our case, the Unite-IT project) the conference gathers Telecentre Europe board members, representatives of digital empowerment organisations and stakeholders from various European countries. The main theme of this year's conference was **'Digitally Empowered Europeans'.**

Five simultaneous workshops led by the UNITE-IT project and platform leaders took place which looked into a number of topics including:

(i)   education and training of digital skills,
(ii)   digital inclusion of vulnerable groups,
(iii)   digital social innovation,
(iv)   the relation between ICT and youth employability and
(v)   the importance of gender balance in the ICT and STEM fields.

Representatives of the MCA were present and attended to the 'digital inclusion of vulnerable groups' and 'education and training of digital skills' workshops, were good practices from various European countries were put forward. These workshops served as an opportunity to network and present current local projects, which might eventually widen partnership agreements with various entities from different countries.

5. BeSmartOnline! – Family Online Safety Institute Conference

On the 16th September, an MCA respresentative attended to the conference entitled 'Global Trends in Online Safety: Creating a National Framework', co-hosted by FOSI and Telecom Italia. The first panel featured government responses to online challenges. Joanna Shields, UK Minister for Internet Safety and Security, outlined the approach of the UK Government around the United Kingdom Council on Child Internet Safety and WeProtect. Marlene Holzner, Cabinet Member of EU Commissioner for Digital Economy & Society, provided the history of online safety in Europe and the European Commission's approach to creating a digital single market and society, as well as promoting the creation of content for children. Antonello Giacomelli, Under Secretary of State, Italian Ministry of Economic Development, talked about the Italian Government's commitment to online safety and their approach of promoting a multi-stakeholder approach to achieve their goals.

Giuseppe Recchi, the Chairman of Telecom Italia covered a wide range of issues, including broadband deployment, ways to promote e-commerce, smartphones, education and the many advantages of being online. The closing of the conference highlighted the importance of working together globally to face the risks online, mitigate the harms and reap the many rewards of living our lives on the Internet.

B. MCA Publications & Website Uploads

1. **Highlights and activities for Weeks 32 to 35**
   Published 22nd September: http://www.mca.org.mt/notices-and-announcements/highlights-and-activities-weeks-32-35

2. **Standard and Itemised Billing**
   Published 17th September: http://www.mca.org.mt/consumer/consultations/standard-and-itemised-billing

3. **Key market indicators for electronic communications and post: Q1 2011 to Q2 2015**
   Published 2nd September: http://www.mca.org.mt/statistics/key-market-indicators-electronic-communications-and-post-q1-2011-q2-2015-0

4. **MCA staff collects food in aid of The FoodBank beneficiaries**
   Published 2nd September: http://www.mca.org.mt/notices-and-announcements/mca-staff-collects-food-aid-foodbank-beneficiaries

5. **The provision of call termination on individual public telephone networks at a fixed location in Malta**
   Published 1st September: http://www.mca.org.mt/service-providers/consultations/provision-call-termination-individual-public-telephone-networks

C. MCA Events

The MCA's participation in the Digital Malta Business and Government Consultation workshop organised by MITA on the 9th and 10th September, which were held at the MITA Data Centre, St Venera.

Video clip featuring the highlights of both workshops: http://on.fb.me/1LO9uTx

Photo : DOI - Clifton Fenech

D. Media participation

MCA representatives' participation in radio programmes.

1. **Radio**

    23.09.15:   'Għalina Lkoll' – Radju RTK

                (Yanika Cassar – Consultation on Itemised Billing)

                http://bit.ly/1X5MSpI

    09.09.15:   'Għalina Lkoll' – Radju RTK

                (Yanika Cassar – Email Forwarding)

                http://bit.ly/1RJAvwu

E. Social Media Campaign

The increase in mobile data usage has inadvertently resulted in a predisposition towards incidents of unconscious mobile data consumption with the consequence of high mobile bills. Whilst such incidents have, to date, been minimal, the few cases reported have been the result of lack of awareness of how mobile data is in effect consumed, the measures that can easily be undertaken by the user to manage this consumption, as well as the types of applications downloaded by users and Facebook's auto play features, which automatically plays videos on users timelines. The Authority is therefore taking a pro-active stance to ensure increased awareness on this front and embarked on an extensive information campaign.

The Authority also started preparations for its print campaign, which kicked off in October. More details to follow in the next Newsletter.

The online message which featured throughout the month of September highlighted the mobile date usage through different communiction channels.

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Your mobile activity, as well as the duration of the activity, will determine the amount of data consumed. Downloading apps will consume mobile data, however using an app may not always consume data.

Sending emails with attachments will consume more data than text based emails.

Video streaming consumes high levels of mobile data – especially if streaming in High Definition.
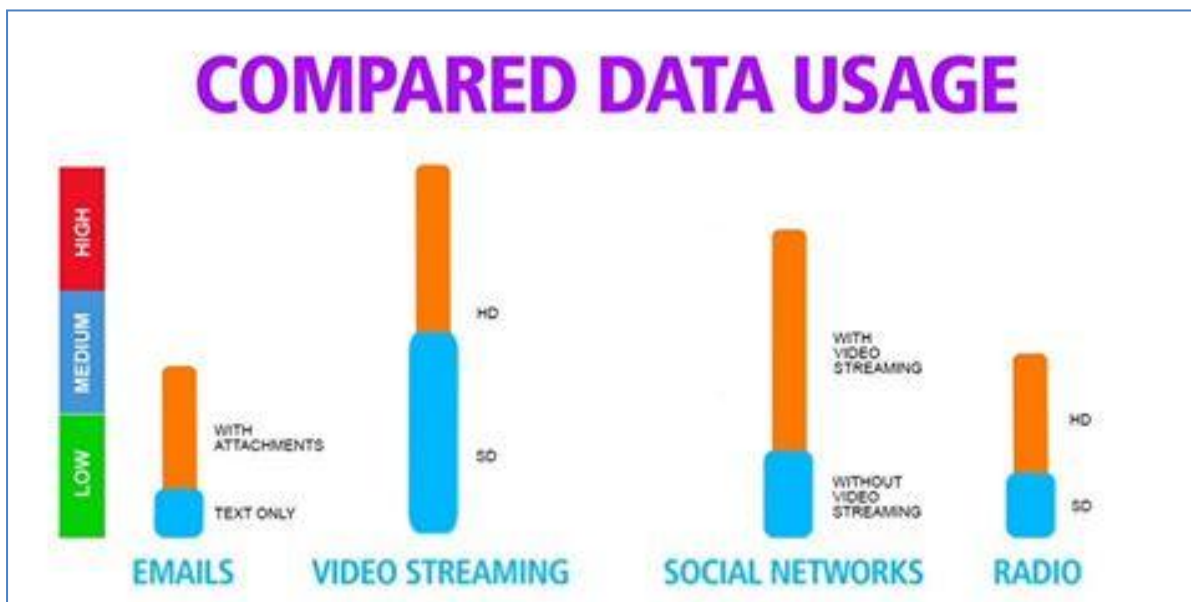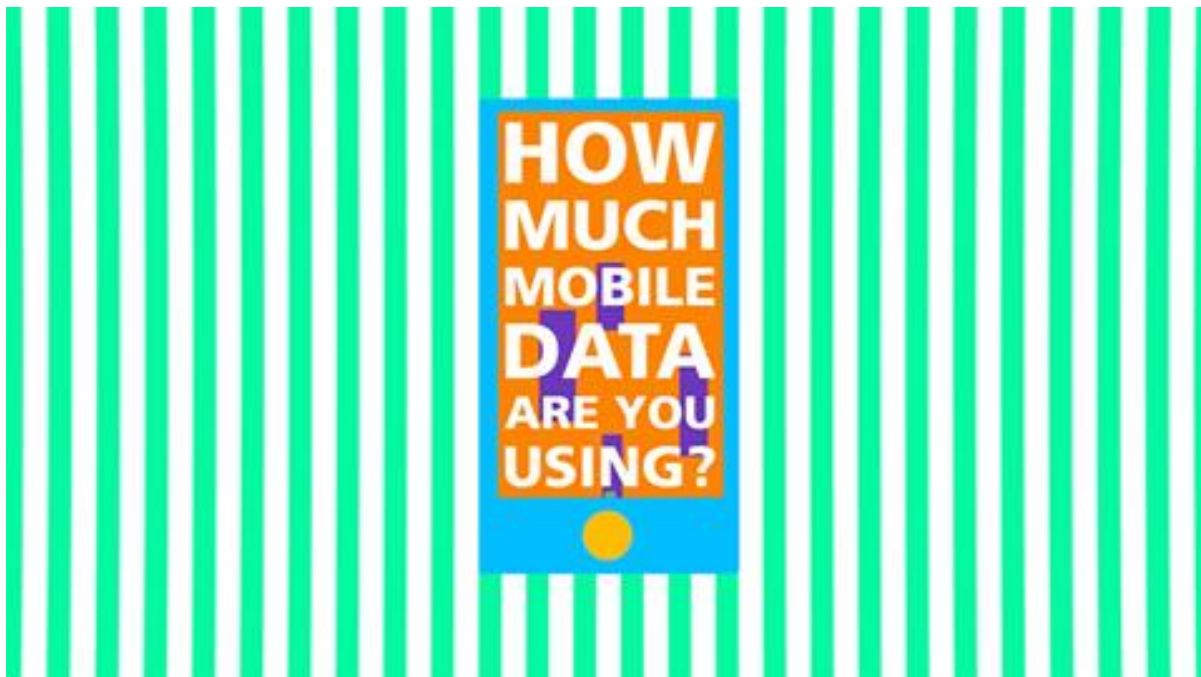
Browsing social media sites, such as Facebook will consume data, however, when browsing without video streaming, you will consume lower levels of data.

Streaming a radio station from your mobile phone will consume comparatively lower levels of data.

Undertaking any of the above mentioned activities whilst connected to a free WiFi hotspot will not consume any data from your mobile data package.'

Note: Mobile data consumption may differ from one mobile phone to another. Get more from your mobile data package. Be Data Smart!

Visit www.mca.org.mt/bedatasmart for more info.

F. Legal Updates

Case Sittings

→ 24 September: Melita vs DG (Konsumatur) et - case before the Consumer and Competition Appeals Tribunal. Melita are contesting fines imposed by MCCAA with regard to adverts concerning the use of the word 'unlimited'. Evidence was given by Melita's foreign consultant. Case was adjourned to the 20 October 2015 for continuation of evidence by MCCAA.

→ 24 September: Vodafone vs MCA – re contestation of MCA MTR decision of 2014 before the Administrative Review Tribunal. Continuation of evidence by parties. Was adjourned to 23 November for cross-examination of witnesses by Vodafone.

→ 24 September: Vodafone vs MCA before the Administrative Review Tribunal – appeal contesting MCA's decision relating to retail market access whether GO are no longer considered to be dominant. Case adjourned for 23 November for Vodafone's evidence.

→ 24 September: Melita vs MCA before the Administrative Review Tribunal – appeal contesting MCA's decision relating to retail market access whether GO are no longer considered to be dominant. Case adjourned for 23 November for Melita's evidence.

→ 24 September: Melita vs MCA before the Administrative Review Tribunal – contesting MCA's directory enquiry services decision. Case stands adjourned for 23 November whereby parties are to inform the Tribunal is there are still points of contestation which therefore need to be determined by the Tribunal.

→ 24 September: Melita vs MCA before the Administrative Review Tribunal – re contestation of a fine imposed on Melita following Melita's alleged failure to submit statistics with regard to the hybrid category re mobile telephony. Continuation of evidence - stands adjourned for the 23 November for the continuation of evidence by the MCA.

→ 24 September: Melita vs MCA before the Administrative Review Tribunal re contestation of a fine imposed on Melita concerning Melita's alleged issue of incorrect bills following termination of subscriber contracts. Adjourned for MCA's written final submissions for the 23 November.

→ 24 September: Melita vs MCA before the Administrative Review Tribunal – fine imposed further to failure to undertake audit of billing processes. Decided by the Tribunal wherbey the Tribunal confirmed the MCA's regulatory decision against Melita.

→ 24 September: Melita vs MCA before the Administrative Review Tribunal – Melita's contestation of MCA ruling following Melita's complaint about GO's bundling of products issued in 2010. Continuation of evidence adjourned for the 23 November.

→ 24 September: MaltaPost vs MCA before the Administrative Review Tribunal – MaltaPost's contestation of MCA's market analysis re parcel post markets. Case adjourned to 25 January 2015 for Tribunal's final decision.

New appeals before the Administrative Review Tribunal

No cases were notified to the MCA during the month of September.

G. International News

1. REGULATION

Cullen International   *Orange Cannot Unduly Charge Extra for Fixed Wholesale Services Used for Conveying Competitors' Mobile Broadband Traffic*

Following a complaint by alternative operator Free, French regulator ARCEP ruled that Orange cannot unduly charge extra fees when the alternative operator uses hosting services at copper and optical nodes or dark fibre backhaul links to collect mobile traffic from base stations connected via fibre lines. Operators should benefit from same conditions as for fixed traffic [read more – subscription may be required].

European Commission *Commission Launches a 360° Review of Telecoms Rules and Seeks Views About Future Needs for Internet Speed and Quality*

The two telecoms consultations - on telecoms and broadband needs - are an important part of the Commission's strategy for a Digital Single Market, including an ambitious overhaul of EU telecoms rules planned for 2016 [read more].

Politico   *Draft Online Platforms Consultation Tackles Transparency, Open Access to Data*

The European Commission's Internet platforms consultation later this month will seek opinions on a broad range of topics — from transparency and security to cloud computing and the sharing economy, according to a draft questionnaire seen by POLITICO [read more – subscription required].

Politico   *UK Signals Support for Media Companies on DSM*

The UK government will oppose any attempt by European policymakers to make British media companies license films and TV programs at a pan-European level, the minister responsible for media policy said [read more – subscription required].

Cullen International   *Mandatory IP Interconnection in Bulgaria From 2017*

The Bulgarian regulator, the Communications Regulation Commission (CRC), will mandate IP interconnection for voice traffic by January 1, 2017. The proposed decision was notified by CRC to the European Commission on June 25, 2015 in relation to its 2012 review of the fixed call origination and

fixed call termination markets. The European Commission had no comment on the notification [read more – subscription required].

Ars Technica   *AT&T, Verizon Must Pay for Investigation of "Service Quality" Problems*

Saying that AT&T and Verizon have failed to consistently provide quality phone service, the California Public Utilities Commission (CPUC) has demanded that the companies pay for a study of their network infrastructure [read more].

Politico   *Ansip Aide: TV and Film Without Borders is Coming*

Soaring demand among consumers to watch films and TV shows from other countries over the Internet is driving a "paradigm change" in European media, a senior European Commission official said [read more].

Advanced Television   *France Bans STB Tax, But Ups Telco Tax*

Fleur Pellerin, the French Minister of Culture and Communication, has confirmed government plans to increase the telco tax from 0.9 per cent to 1.2 per cent of their annual revenues and limit to €1 the rise in the TV licence fee so as to give larger resources to PSB groups France Télévisions and Radio France [read more].

Advanced Television   *BBC Governance and Regulation Review Launched*

An independent review looking at how the BBC is governed and regulated has been announced by Government [read more].

European Commission   *Public consultation on the Priority ICT Standards Plan*

The Commission has launched a public consultation on Standards for the Digital Single Market (DSM). With this consultation, the Commission aims to gather views on priorities for standards. The consultation is open until 16 December [read more].

Computer Weekly *UK Broadband Consistently Top Among Major European Markets*

The UK is outperforming other major European countries on a number of fixed telecoms measures and will continue to do so [read more].

The Verge *The US is Overhauling Dozens of Policies to Promote High-Speed Internet Access*

Twenty federal agencies are overhauling their policies to promote the deployment of broadband internet across the US [read more].

Telecoms.com *Operators Urged to be Positive as EU Formally Approves End of Roaming Charges*

The Council of the EU has formally approved new rules to end mobile roaming charges in the EU in 'mid-2017' according to its official online journal Consilium Europa [read more].

2. **SPECTRUM**

Policy Tracker *Can LTE Replace TETRA Any Time Soon?*
The PPDR community is calling for dedicated and harmonised broadband spectrum, but it is very nervous about pulling the plug on narrowband TETRA networks [read more – subscription required].

Telecoms.com *EE to Deploy 800MHz Spectrum by End of 2015*

EE only grabbed 2×5 MHz of paired 800 MHz spectrum in the auction, as did Three, while Vodafone and O2 UK got twice as much. The latter two have made that spectrum the foundation of their 4G offering while EE has chosen to maintain its focus on the 1800 MHz spectrum it has been using from the start [read more].

Ofcom *More Radio Spectrum for the Internet of Things*

Ofcom is consulting on plans to encourage investment and innovation in the Internet of Things by using 10MHz of existing spectrum for new applications [read more].

Mobile World Live *Polish Operators Oppose LTE Auction Changes as Bids Surge*

Polish operators Plus and Play reportedly hit out at government plans to change rules mid-way through the country's long running spectrum auction, claiming the proposed amendments will be negative to some bidders [read more].

Policy Tracker *Wireless Industry Wants Harmonised 5G Spectrum But Will Administrations Agree?*

International and regional spectrum administration groups could play a significant role in 5G rollout by agreeing on which spectrum bands would be suitable, according to Intel's spectrum strategy director Reza Arefi [read more – subscription required].

Engadget *Fast In-Flight Wi-Fi is Coming to Europe*

While in-flight WiFi is now pretty common in the US, connectivity in Europe is a little harder to come by. But that could soon change if a new joint-venture between UK satellite company Inmarsat and operator Deutsche Telekom gets off the ground [read more].

Policy Tracker *Italy Sells 40MHz in L-Band for €462m*

The Italian Ministry of Economic Development recently said it had sold the 1452–1492 MHz band for a total of €462 million [read more – subscription required].

Total Telecom *UK Regulator Trebles Mobile Licence Fees to Almost £200m*

After years of analysis, Ofcom says new figures reflect real market value of 900 MHz and 1800 MHz spectrum [read more].

Policy Tracker *Why didn't TETRA use 800/900MHz Bands for Public Safety?*

Prime spectrum in the 800 MHz and 900 MHz bands was allocated to private mobile radio (PMR) and public access mobile radio (PAMR) nearly 20 years ago but never used for emergency communications. TETRA says there simply wasn't a business case for it, but one safety consultant is sceptical [read more – subscription required].

Policy Tracker   *Wi-Fi and ITS Sectors Seek 5.9GHz Spectrum Sharing Solutions*

With legislation pending that would require the Federal Communications Commission (FCC) to look into opening the 5.9 GHz band to unlicensed uses, the US Wi-Fi and intelligent transportation (ITS) sectors are scurrying to resolve potential interference problems to avoid regulation [read more – subscription required].

Ofcom   *Licensing Manually Configurable White Space Devices*

'White spaces' are gaps in the radio spectrum in frequency bands, which can be used to offer wireless applications. These can bring benefits to citizens and consumers. While most white space devices are expected to operate on a licence exempt basis in the future, many do not currently meet Ofcom's requirements for licence exemption and require manual configuration by the user [read more].

Total Telecom   *All Four French MNOs Line Up for 700-MHz Auction*

Regulator Arcep to evaluate applications, publish eligible bidder list in a month [read more].

Policy Tracker   *CEPT Agrees on Recommended 5G Bands*

European administrations have agreed on which frequency bands should be studied for possible allocation to future mobile broadband services. These include the E band (71-76/81-86 GHz), for which the South African regulator is now considering a new regulatory regime [read more – subscription required].

Policy Tracker   *Arab States Plan MCP on Co-primary Allocation of UHF Band at WRC-15*

At least three countries in the Arab region will table a multi-country proposal (MCP) at WRC-15 to allocate for mobile and identify for IMT the remaining parts of the UHF band (470–694 MHz) that are used for broadcasting in Europe, the Middle East and Africa (ITU Region 1) [read more – subscription required].

eCommerce Times *Sprint Bets Its Spectrum Will Suffice*

Sprint plans to continue working to densify its network and increase its count of cell sites by leveraging its existing spectrum [read more].

3. MERGERS & ACQUISITIONS

Politico   *EC Kills Deal Between TeliaSonera and Telenor*

The European Commission has quashed plans to merge the Danish telecoms operations of TeliaSonera and Telenor. "The merger discussions have now reached a point where it is no longer possible to gain approval for the proposed transaction," the companies said [read more – subscription required].

Total Telecom   *European M&A Deals Will be Assessed on Their Own Merits – Vestager*

EU competition commissioner says Denmark requires four mobile network operators, despite the fact that it currently has just three [read more].

Total Telecom   *Euro Commission Looking at 3UK/O2 Deal*

Hutchison submits U.K. takeover plan to European regulators amidst shockwaves from Danish deal collapse [read more].

Total Telecom   *Italian Government Will Not Veto Wind, 3 Merger*

Mobile merger still requires regulatory backing, but shape of market could act in its favour [read more].

Total Telecom   *Vodafone, Liberty Global end deal talks*

Companies reach stalemate in asset swap negotiations [read more].

4. INNOVATION

Nokia   *Nokia Networks Unveils its Programmable 5G Multi-Service Architecture #NetworksPerform*

Nokia Networks is revealing a programmable 5G architecture that overcomes the rigidity of legacy networks. The architecture automatically and dynamically adapts radio access and core network resources to meet the needs of different services, traffic variations over time and location, and network topology, including transport [read more].

European Commission   *E3Network: Making the Internet Faster on Your Smartphone*

Today's mobile networks need to be fast. Speed is not only necessary between the radio towers and the users' smartphones, tablets or laptops… the radio towers must also have a fast connection to the internet and the network's backbone (backhaul link), otherwise they become a bottleneck and cannot receive and re-transmit the videos or music the users wish to watch or listen to. Ideally, the thousands of radio towers/rooftop antennas would be connected via fibre optic cables [read more].

c|net   *Verizon to be First to Field-Test Crazy-Fast 5G Wireless*

Verizon is getting ready to kick its wireless network up another notch. The nation's largest wireless carrier will begin field trials on so-called fifth-generation, or 5G, technology within the next 12 months, Roger Gurnani, chief information and technology architect for Verizon, said in an interview [read more].

Politico   *Belgian Government: Uber Drivers are Contractors, Not Employees*

Uber drivers are self-employed contractors and not employees, according to a Belgian government analysis, which bolsters Uber's argument that it is a technology company and not a transportation provider [read more].

Telecoms.com   *Intel, Nokia and Ericsson Collaborate on NB-LTE Wireless for IoT*

A consortium comprised of network companies Nokia and Ericsson, together with chip giant Intel, have announced their collaboration on narrow band LTE (NB-LTE), an LTE variant designed specifically for IoT [read more].

European Commission   *Round Table During the Frankfurt Motor Show (IAA): Automated and Connected Cars*

Günther Oettinger, European Commissioner for Digital Economy and Society, authored a blog post on the subject of automated driving in the wake of the Frankfurt Motor Show [read more].

Politico   *Obama Guru Maps Out Uber's New Europe Strategy*

The California ride-sharing company's new strategy in Europe is more audacious, its tactics more flexible, and no cost is spared. The goal is to build a political firewall around its business model, which is not only disrupting an established industry but also a staunchly guarded employment model [read more].

Total Telecom   *Orange IoT Network to Go Live in Q1 2016*

French incumbent picks LoRaWAN technology to underpin its new infrastructure [read more].

Total Telecom   *EU, China Strike 5G Partnership*

Both sides to promote global standardisation effort, explore possibility of joint research projects [read more].

5. POST

Post & Parcel   *Lithuania Post Reports Doubling in Self-Service Parcel Terminal Usage*
Lithuania Post has reported that it has seen a doubling in the usage of its LP EXPRESS 24 self-service parcel terminals this year [read more].

BBC   Japan *Post to Raise $11.5bn in Stock Market Listing*

Japan Post is seeking to raise as much as 1.39tn yen ($11.5bn, £7.4bn) in a stock market listing that would be one of the world's biggest this year [read more].

Ofcom   *An Exception to Royal Mail's Universal Service Obligation - No Requirement for Deliveries and Collections When 26 December Falls on a Saturday*

Ofcom has agreed to Royal Mail's request for an exception in relation to deliveries and collections when 26 December falls on a Saturday [read more].

Post & Parcel   *Royal Mail to Hire 19,000 for Christmas Peak*

Royal Mail will be recruiting around 19,000 temporary workers to help sort the Christmas post [read more].

Post & Parcel   *Swiss Post Responds to e-Commerce Growth*

Swiss Post has announced that it is responding to the needs of the growing e-commerce sector with "innovations to make shopping online and receiving parcels simpler" – which will include testing a Sunday parcel delivery service in some cities [read more].

6. ECOMMERCE

Ukraine Digital News   *New Law Aims to Regulate e-Commerce and Protect Consumer Rights*

Recently the Ukrainian parliament adopted a long-awaited law to regulate electronic transactions in the countries. The law will essentially guarantee equal legal status and guarantees for electronic and traditional transactions [read more].

7. INTERNET

Advanced Television   *Ovum: 10Mbps Now Minimum Expectation*

In order to support their expectations of their broadband experience, the majority of fixed line consumer broadband users surveyed need a download speed of at least 10Mbps [read more].

Total Telecom   *ITU Misses 2015 Broadband Targets*

The ITU's latest broadband report made for disappointing reading, as the UN telco body revealed it has missed its 2015 broadband targets and admitted those same targets are unlikely to be met by 2020 [read more].

Telecoms.com   *BT Counters Criticism With Fibre and G.fast Pledge*

BT's CEO Gavin Patterson has called for regulators to impose tough new minimum levels of broadband, fibre coverage and service, to help it preserve Britain's lead as the G20's most digitised economy [read more].

Politico   *BT Quits Telecoms Industry Association to Join Rival*

British telecoms giant BT will leave the European industry body set up to represent alternative operators and join the trade association dominated by Europe's former telecoms monopolies instead, industry sources said [read more – subscription required].

Telecoms.com   *Mobile Operators Wasting Billions Through Shambolic Wi-Fi Management – report*

A lack of Wi-Fi management means that mobile network operators (MNOs) are wasting precious capacity resources, says a new study. It quantifies the collective global opportunity cost to MNOs at $18 billion [read more].

c|net   *India's Modi, in Facebook Talk, Pushes Internet as Key Way to Govern*

The next step for social media: government. That's what Narendra Modi, India's prime minister, said at an event at Facebook's headquarters in California, discussing how he's increasingly used social media to connect with both people in India and other governments. The result has helped bridge the divide between politicians and their constituents [read more].