

# End-Users Rights

## European Electronic Communications Code proposal

21<sup>st</sup> March 2017

European Parliament – IMCO Hearing



# Orange calls for clarification of the ECS scope and supports full harmonisation of sector-specific end-users rights

## Definition of Electronic Communications Services (ECS)

### Current draft provisions

- 3 categories
- 1<sup>st</sup> category: Internet Access Services (IAS)
  - 2<sup>nd</sup> category: Interpersonal Communications Services (ICS)
  - 3<sup>rd</sup> category: “Conveyance of Signal” including for Machine-to-Machine

### Changes to be made

- The 3<sup>rd</sup> category should
- only concern pure transmission services
  - and exclude
    - Interpersonal Communication Service, ICS
    - Information Society Service, subject to the e-commerce Directive

### Reasons why

- Any service should only belong to one single regulatory category to avoid
  - inconsistent end-users protection
  - uncertainties for providers
  - and market distortion
- Same right for innovation for all market players



Full harmonisation of end-users rights supports the objective of the Single Market for ECS

# Orange calls for a more focussed sector-specific service regulation, subject to serious cost/benefit assessment

**1** Sector-specific regulation should focus on IAS and ICS

**2** Several provisions to be reviewed, based on a feasibility & cost / benefit analysis

#### Example 1 - Contract information provisions

- Jitter and latency parameters
- Unbundle price elements of packages

#### Example 2 - Switching provisions

- Efficient switching process must be 100% controlled by receiving operator with no interference from transferring operator

**3** Bundles

- Specific provision may be required for triple or quadruple play offers
- **BUT** a generic provision changing cars or credit into a telecom service does not make sense

Orange strongly calls for a re-assessment of end-users provisions based on

- Better reliance on Open Internet Regulation and Consumer Law acquis
- Robust costs / benefits analysis for end-users and providers

# Thank You



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