

**Question for written answer E-010351/2012
to the Commission**

Rule 117

Morten Løkkegaard (ALDE)

Subject: Compulsory affiliation to cable distribution networks

The Commission has, on several occasions, with reference to Directive 2002/77/EC, dealt with the issue of the existence of mandatory membership of and payment to local cable distribution networks in Denmark.

In its answer of 31 January 2011 (E-010292/2010), the Commission encouraged speedy adoption of the necessary legislation in Denmark to remove compulsory membership of local cable TV associations in Denmark so that market entry or the deployment of broadband networks (fibre and other new technologies) would not be hindered.

Recently, in its answer of 30 August 2012 (E-007037/2012), the Commission stated that it would be in a position to give an assessment once the Danish authorities had communicated to the Commission services the text of a forthcoming amendment, and that the Commission would take further action if that was deemed necessary.

On 4 October 2012, the Danish Minister for the Environment presented a specific proposal¹ to abolish mandatory membership of cable distribution networks. It is proposed that provisions in existing local planning guidelines etc. regarding compulsory affiliation to cable distribution networks will no longer be valid after a transitional period of two years from the entry into force of the proposed legislation. The proposal is scheduled to be put before the Danish Parliament in February 2013 and is expected to enter into force on 1 January 2014. This means that compulsory affiliation to cable distribution networks will only be lifted in 2016. The Environment Minister's proposal is mainly based on recommendations from an inter-ministerial working group, and this working group noted that the outstanding capital for most of the cable distribution networks covered was modest.

1. Does the Commission consider that the proposal submitted on abolishing mandatory membership of cable distribution networks is compatible with the Commission's request of January 2011 for the speedy removal of compulsory membership of local cable TV associations in Denmark?
2. Will it give an assessment of whether the proposal is found to be compatible with EU law?
3. If it considers that the proposal submitted to abolish mandatory membership of cable distribution networks is not compatible with EU law, will the Commission initiate proceedings against the Danish government to ensure that the planned legislation is brought fully into line with EU law?

¹ http://www.mim.dk/NR/rdonlyres/F4A25BA3-992D-422D-A3EF-EE56EE94F5C5/0/Planloven_notat.pdf