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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft Regulation of the European Parliament and of the Council establishing the Body of European Regulators for Electronic Communications (BEREC) and the Agency for Support for BEREC (BEREC Office), amending Regulation (EU) 2015/2120 and repealing Regulation (EC) No 1211/2009 **(first reading)** - Adoption of the legislative act - Statement

Statement by Finland

Finland welcomes the agreement reached between the Council and the Parliament on the Directive establishing the European Electronic Communications Code and the Berec Regulation. Finland fully supports promotion of the Digital Single Market, which is an essential element of the competitiveness of the EU. For Finland, the key aim in the discussions has been to relax and update the currently stringent regulation on telecommunications services. Finland is strongly in favour of the key objectives of the Regulatory Fitness and Performance (REFIT) programme and the better regulation agenda, namely the aim to ensure that EU legislation delivers results for citizens and businesses effectively, efficiently and at minimum cost. We regret to note that the price regulation on Intra-EU Calls is in conflict with these general objectives, as well as the with the modernization and investment objectives of the regulatory framework. First, the price regulation does not reflect a future-proof regulatory approach, particularly as the regulation is applied on services whose usage among consumers is generally in decline. Second, this kind of EU-wide price regulation is unjustified in the market where consumers are provided with a variety of alternatives. The provision of traditional intra-EU calls and SMS is competitive in many Member States. In addition, number-independent interpersonal communications are increasingly popular among consumers, also in the cross-border communications. The price regulation would impose significant technical, commercial and administrative changes to the service-providers without clearly demonstrated wide scale consumer benefit. For these reasons, Finland expresses its disappointment over the agreement to include price regulation of intra-EU calls in the final compromise.