



## Öffentliche Konsultation

Der Medienrat beteiligt sich an der öffentlichen Konsultation der Medienregulierer der beiden großen Gemeinschaften, dem VRM (Vlaamse Regulator voor de Media) und dem CSA (Conseil supérieur de l'audiovisuel).

Der Fragenkatalog steht nur in englischer Sprache zur Verfügung.

### Questions relating to broadband

#### 1. Implementation of the current regulation

What are your impressions concerning the implementation and effectiveness of the current regulation on the broadband market?

#### 2. Policy approach to triple play

Is there a relevant triple-play market (provision of internet access, television and fixed telephone services as a bundle) in Belgium?

If it does, should it be regulated?

#### 3. Importance of cable platform in the broadband market

Should the cable platform be taken into consideration when defining and analysing markets 4 and/or 5 from a broadband point of view? Please motivate your answer.

Is the unbundling of the cable networks technically possible and economically viable? Please motivate your answer. How significant are the switching costs between the DSL network and the coaxial cable, for an alternative operator?

#### 4. Next generation access and next generation networks

How do you view the development of the market for broadband services during the next years?

What do you expect from future regulation?

What will be the technical differences between the implementation of a broadcast service on xDSL (ADSL 2+) and on a "NGN/NGA"?

#### 5. Different geographical markets in Belgium?

What is/are, in your opinion, the relevant geographical market(s) (in Belgium)?

To what extent does the market analysis need to take geographical differences into account?

In your opinion, what are the elements that justify the differences?

Do you think that the regulation must investigate this aspect? Please develop.

#### 6. Indirect Price Constraint

Do you think that the indirect pricing constraint on the xDSL providers, offering wholesale broadband access, exercised by the cable operators, could be strong enough to limit the incumbent's market power?

Is this effect significant enough to reduce the market power of the DSL operator to a non-SMP level?

#### 7. Differentiation of remedies

If the relevant market corresponds to the national territory, do you think that the remedies have to be differentiated, taking into account the different regions and levels of infrastructure competition?

Can you substantiate your opinion?

### Questions relating to broadcasting

#### 8. Place of the broadcasting services

Does the BIPT's decision on markets 4 and 5 allow alternative operators to require the use of broadcast services through the WBA and LLU?

Economically and technically, what are the principal differences between markets 4 and 5 for the wholesale broadcasting services regulation?

#### 9. Sub-market 4 and 5 or new ex-market 18?

Could broadcast transmission services be a relevant sub-market of markets 4 and 5 or should a specific relevant market 18 be defined?



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10. Three criteria test

Which objections/ barriers could prevent an operator from supplying broadcasting services over broadband-coax cable and DSL? (Technical, economical feasibility, legal, practical...?)

According to you, does the market tend towards effective competition without ex-ante regulatory intervention? Is the competition law sufficient by itself to address the market failure?

11. Product market

If a market 18 is defined as a relevant market, are the DSL, coax cable, DVB-C, DVB-S, DVB-T and DVB-H technologies substitutable and do they belong to the same market?

12. Fixed versus mobile or platform convergence?

Will customers' consumption patterns evolve significantly (fixed towards mobile) and influence the strategy of operators?

What is your opinion on the convergence of services offered by operators (package fixed and mobile broadband services)?

Do you think that a DVB-H offer could be a real and attractive alternative to IPTV or cable digital television?

13. Development and competition of the broadcast transmission services: strong or not?

Have you already received some demands from alternative operators to launch a broadcast transmission service on your network?

Do you foresee any demands from alternative operators to launch a broadcast transmission service on your network in the near future?

14. Different geographical markets in Belgium

What should be the relevant geographic scope for market 18?

15. Significant market power

Could an operator behave in Belgium to an appreciable extent independently of competitors, customers and consumers, in spite of the countervailing buying power?

What would be the effect of a countervailing buying power? Could an operator in Belgium obtain a significant market power position and behave independently of competitors, customers and consumers?

16. Remedies

Do you think that the situation in Belgium with regard to market 18 is similar to the situation in any particular European country that has regulated this market (e.g. the Netherlands). Is it advisable to impose some remedies and which ones?

Subsidiary questions to consumer associations

17. Implementation of the current regulation

What are your views on the implementation and effectiveness of the current regulation on the broadcasting and the broadband markets?

18. Situation of the retail market: prices, penetration, customer service, speeds...

What do you think about the quality of the different broadcasting transmission services available in Belgium: offer, prices, customer service, speed...?

Do you think that at the retail level, IPTV, DVB-T, satellite and cable television are competing services?