

Dear sirs,

I represent the Brussels Region Informatics Center. We examined the broadband guidelines in the framework of your consultation published on your web site http://ec.europa.eu/competition/consultations/2009_broadband_guidelines/index.html . Please find hereunder our comments.

We state that the proposed guidelines will restrict the extensions we are planning for our networks. For instance :

- Urbizone (Brussels wireless city network) : we wanted to provide free wireless Internet access for citizens in specific urban zones : social housings, public squares, near and inside town halls, green zones (parks), meeting places, touristic places, etc
- IRISnet (Brussels Broadband Metropolitan Area Network) : we wanted to grant access to our network to private companies installed in Business Parks;

Related to item (34) : the definition of white, grey and black areas should be reconsidered; the proposal discriminates the areas according to the number of operators : respectively 0, 1 and more than 1; we consider that local market competition level should be taken into account: many surveys demonstrated that broadband and wireless access is much more expensive in Belgium than in neighbouring countries; consequently, Belgium should be considered as a white area.

More generally, the guidelines should also address the following specific competition distortion issues :

- o Belgian frequency bands attribution procedure (e.g. for WiMAX) automatically excludes Brussels Capital Region due to its small territory; indeed, the auction procedure sorts offers according to the proposed coverage, giving a higher rank to full national coverage offers;
- o Competition rules applicable to phone operators should also apply to TV-cable operators; some Belgian cable operators enjoy a de facto monopoly in Belgium and currently provide triple play while it is forbidden to phone operators to do so;

Kind regards,

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