



## **EU CONSULTATION ON NET NEUTRALITY EADP COMMENTS**

*Founded in 1966, the EADP (European Association of Directory and Database Publishers) is a European Association of both large telephone directory publishers as well as business-to-business directory publishers producing directories tailored to individual professions. It has 187 members in 36 countries worldwide, including companies based in the 27 EU Member States as well as elsewhere in the world. Directory publishers generate an estimated turnover of 8.2 billion euro in Europe, employ roughly 37 000 people and are in day-to-day commercial contact with more than four million advertisers. Our member companies provide both paper and on-line directories.*

Net Neutrality is a very wide concept which covers a lot of issues. For directory providers, there is certainly an issue of net neutrality with the prioritisation of value-added services that internet operators can offer to their users. Many directory and database publishers now operate as independent companies, proposing their directory solutions independently of the telecommunication operators. However, it is crucial for them to be sure that their products can be accessed from the network and are not blocked because of traffic management policies set up by dominant telecom and internet players.

EADP members see three major issues related to their business and net neutrality and would urge the Commission to take them into account while setting up a new regulatory approach to net neutrality:

1. Traffic management policies should not impose a hierarchisation of services which would penalise new entrants and directory players
2. Fair access for directory information should be granted by all internet players, including mobile, voice over IP, search engines and social networks, in full respect of the EU data protection and telecommunication rules
3. The rules of the new EU regulatory framework which insist on network neutrality and fair competition should be imposed to all electronic communication companies, irrespective of their size and of the business model under which they operate.

### **1. No arbitrary hierarchisation of service for traffic management**

Traffic management is more and more needed as the Internet grows and as much data is exchanged daily over the internet. With the forthcoming development of high-speed networks it will become more and more predominant. However, it is important to ensure that the internet access enablers do not offer only their own services when setting up traffic management policies and ensure a level playing field and fair access to competitors' services.

EADP members offer a wide range of products and services to their customers and advertisers, adding a lot of value to the traditional yellow pages and trade directory information. The constant mobile and internet developments enable them to provide location-related directories, mobile applications and even augmented reality processes. It is therefore all the more crucial for them to be sure that their products and services can be accessed by the users under fair, non-discriminatory and equal conditions.

### **2. Fair access for directory information**

EADP would also like to raise the issue of the coverage of contact data linked to mobile, internet and social networks, voice over IP and other IP-based services. The obligation for voice services providers to give access to telephone numbers allocated to subscribers has also been stressed by the ECJ. This issue becomes of increasing importance now. The usage of mobile and IP-based telephony is developing quickly and widely among European consumers. If mobile and VoIP



numbers are not provided to directory publishers, directories won't be comprehensive. If consumers can't find the information they are looking for in directories, the use of these products will quickly decline. Such a situation will seriously endanger the sector and will jeopardize the development of the information society.

In order to avoid this, Member States shall effectively enforce the directive provisions on the obligation for telecommunications operators to provide basic subscriber data. This includes fixed, mobile and any voice telephony services. This way, any new technology emerging in the future would be included in such provisions.

In order to reflect the growing interest of users in online communication services like instant messaging, EADP would like to point out the necessity of directories containing IP addresses including instant messaging and e-mail services. This is a chance of creating new business opportunities as well as meeting consumer needs. Availability of those data could be reached by including them in the wholesale obligation.

### **3. Application of the EU Telecom Framework to all electronic communication companies**

In relation with the above-mentioned issue of fair access to the data identifiers necessary in the Information Society, EADP members are of the opinion that network neutrality and a fair level playing field could be reached if the EU electronic communication rules were applied to all Information Society providers and not only to former telecom-related companies. To this extent, the new online players such as search engines and social networks are using the full benefits of the connectivity of the information society without having to comply with the strictest rules on interconnection, information provision and electronic communication data protection. Directory and database publishers are in daily business and competition with pure internet players and would like to ensure that a fair level playing field is in place, which means that the same competition rules apply to every player. The harmonious application of the new EU Electronic Communications framework would allow better competition and an homogenous situation ad regards duties and obligations between all internet players.

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