



EUROPEAN COMMISSION

*Brussels, 18.5.2017
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Dear Chair,

The Commission would like to thank the Assembleia da República for its Opinion on the Report from the Commission to the European Parliament and the Council on the Review of the wholesale roaming market {COM(2016) 398} and on the Proposal for a Regulation of the European Parliament and the Council amending Regulation (EU) No 531/2012 as regards rules for wholesale roaming markets {COM(2016) 399}.

The points made in this Opinion relate to the wholesale roaming review report and legislative proposal presented by the Commission on 15 June 2016, which was part of a broader legislative package of ambitious measures designed to end retail roaming surcharges for citizens and businesses while on periodic travel in the European Union by 15 June 2017. In this regard, Regulation 2015/2120 of the European Parliament and the Council mandated the Commission to review European wholesale roaming markets with a view to proposing regulatory measures that would enable the abolition of retail roaming surcharges and allow the introduction of Roam-Like-At-Home (RLAH) in the European Union, and also an Implementing Act on fair use policy and a sustainability mechanism.

Based on the wholesale roaming proposal of the Commission, on 31 January 2017 the European Parliament and the Presidency of the Council reached an agreement on the draft new regulation for wholesale roaming markets in the EU. A positive orientation on that agreement was subsequently provided on 8 February 2017 by the Committee of Permanent Representatives (COREPER). On 6 April 2017 the European Parliament formally adopted the agreement on the draft new wholesale roaming regulation and the Council has formally approved the agreement on 25 April 2017.

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The final Implementing Act¹ on fair use policy and the sustainability mechanism was formally adopted by the Commission on 15 December 2016, and published in the Official Journal of the European Union on 17 December 2016. Before its adoption by the Commission, the Implementing Act was intensively discussed with stakeholders Member States' representatives in the Communications Committee (COCOM), as well as representatives of the European Parliament.

The Commission welcomes the Assembleia da República's analysis of the Report on wholesale roaming markets {COM(2016) 398} and the analysis of the Proposal {COM(2016) 399}, and notes the Assembleia da República's view of the Proposal's effective compliance with the principles of subsidiarity and proportionality, together with its clear alignment with the Digital Single Market Strategy, which is one of this Commission's priorities.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Andrus Ansip
Vice-President*

¹ <https://ec.europa.eu/digital-single-market/en/news/roaming-implementing-regulation>