



Romanian Parliament
Senate

Bucharest, September 14, 2016

OPINION

Regarding the *Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 531/2012 as regards rules for wholesale roaming markets*

COM (2016) 399 final

The Romanian Senate examined the Proposal for a Regulation *of the European Parliament and of the Council amending Regulation (EU) No 531/2012 as regards rules for wholesale roaming markets – COM (2016) 399 final* – according to the provisions of the Treaty of Lisbon (Protocol no. 2).

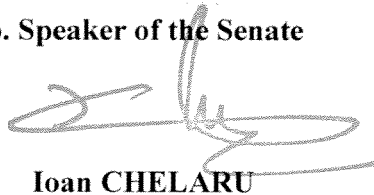
Taking into account the report of 562, 12.09.2016 of our permanent Committee on European Affairs, **the Plenum of the Senate**, during its session of September 13, 2016, decided as follows:

- 1. This Regulation does not violate principles of subsidiarity and proportionality.**
- 2. Within the rules for wholesale roaming markets the following are noted:**
 - a) Romania approves European Commission rules on the wholesale prices: the norm on wholesale market should ensure that visited operators are able to recover the costs incurred in providing wholesale roaming services, including joint and common costs.
 - b) This should preserve incentives to invest in visited networks and avoid any distortion in domestic competition in the visited markets caused by regulatory arbitrage by operators using roaming access remedies to compete in otherwise competitive domestic visited markets.
- 3. Reluctance is expressed as regards the following aspects:**
 - a) Regulating the wholesale roaming market to establish RLAH in the Union will help achieve the policy objective of ensuring that well-functioning markets deliver access to high-performance wireless broadband infrastructure at affordable prices across the Union.
 - b) Proposal for a Regulation is necessary, the failure to ensure consistent regulation of wholesale roaming markets at Union level could make it more difficult to provide RLAH, in view of the increased risk of inconsistencies between the wholesale costs incurred in other Member States and the retail revenues. A common approach at EU level on the contrary could establish the necessary regulatory conditions and ensure that national wholesale markets support the objective of abolishing roaming surcharges in a sustainable way throughout the Union.

4. It is strongly recommended to pursue:

- a) The existing wholesale roaming charges for voice calls and SMS should be substantially lowered.
- b) It should be found the solutions as many high electronic communication operators – especially those who do not have a Pan-European representation – benefit an alternative way of charging for wholesale roaming market in the EU, possibly setting up non-discrimination requirements.

p. Speaker of the Senate

A handwritten signature in black ink, appearing to read 'Ioan CHELARU', is written over a horizontal line. The signature is stylized and cursive.

Ioan CHELARU