



EUROPEAN COMMISSION

Brussels, 25.11.2016  
C(2016) 7544 final

*Dear President,*

*The Commission would like to thank the Senat for its Opinion on 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}.*

*This proposal forms part of a broader 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 of 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.*

*The Commission welcomes the Senat's broad support for the aims of the proposal and notes its recommendation to (i) lower the existing wholesale roaming charges for voice calls and SMS; and (ii) set up a non-discrimination requirement at wholesale level, particularly for those operators that do not have a Pan-European representation.*

*The Commission has carefully considered the issues raised by the Senat in its Opinion and would like to offer the following observations grouped by topic.*

*First, in relation to the Senat's recommendation to lower the wholesale roaming charges for voice and SMS services, the Commission notes that its proposal would lead to a decrease in wholesale price caps of 20 % for voice services (from 5 cent/min to 4 cent/min) and 50 % for SMS (from 2 cent/SMS to 1 cent/SMS). In arriving at these proposed wholesale roaming caps, the Commission had regard, inter alia, to the costs of providing the services, existing wholesale roaming market prices and domestic wholesale access prices. The Commission considers that its proposal will result in a substantial lowering of wholesale roaming charges.*

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*Second, in relation to the introduction of a non-discrimination requirement at wholesale level, the Commission considers that it would not be appropriate to introduce such a requirement for wholesale roaming prices. The reason is that wholesale access providers should be allowed the flexibility to provide differentiated prices to access seekers based on their specific characteristics (e.g. based on the volumes committed by the access seeker) in order to, among other things, benefit from the economies of scale of such agreements.*

*The points made above are based on the legislative proposal presented by the Commission which is currently being examined by both the European Parliament and the Council in which the Romanian government is represented.*

*The Commission hopes that the clarifications provided in this reply address the issues raised by the Senat and looks forward to continuing our political dialogue in the future.*

*Yours faithfully,*

*Frans Timmermans  
First Vice-President*

*Günther Oettinger  
Member of the Commission*