

TEMPLATE FOR REPLY TO

Public Consultation on the Review of EU Regulatory Framework for Electronic Communications Networks and Services

Launched by the European Commission

28 June 2006 – 27 October 2006

*Once completed, this document should be sent electronically to the
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COVER SHEET

Public consultation on the review of

EU regulatory framework for electronic communications network and services

Name of Company/Organisation (or in the case of an individual responding: Title, First name, Family name)	The OLON is the "Organisatie van Lokale Omroepen in Nederland", or in English: "Dutch Federation of Local Public Broadcasting Organisations (radio, television, cable text, teletext and internet)". At this moment – Sept. 2006- OLON membership stands at 297. The number of licensed local, non-commercial broadcasters in the Netherlands is 297.
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**Category of represented organisation(s) –
indicate the category which best describes your organisation or
– in case of an association, the main activity of your members**

<input type="checkbox"/> Fixed incumbent operator	<input type="checkbox"/> Internet Service and Access Provider	<input type="checkbox"/> Users of e-communications
<input type="checkbox"/> New entrant fixed operator	<input type="checkbox"/> Value-added service provider	<input type="checkbox"/> National Regulatory Authority
<input type="checkbox"/> Cable operator	<input checked="" type="checkbox"/> Broadcaster	<input type="checkbox"/> Government/Ministry
<input type="checkbox"/> Mobile operator	<input type="checkbox"/> Reseller	<input type="checkbox"/> Regional/Local Government
<input type="checkbox"/> Satellite operator	<input type="checkbox"/> Content provider	<input type="checkbox"/> Scientific/Research Institute
<input type="checkbox"/> Radio relay network operator	<input type="checkbox"/> Equipment manufacturer	<input type="checkbox"/> Consultancy, law firm
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A. General comments

In this section, respondents are invited to express below their general comments on the Review of the EU Regulatory Framework for electronic communications networks and services.

OLON as a platform for 300 non-commercial public local broadcasting organizations feels much concerned by the effects of further deregulation of the regulatory framework for electronic communication network and services. A large number of non-profit mostly local community media in the Netherlands (and also in Europe) are working in rural areas and for often deprived communities fulfilling their work for building up and running communication structures to involve citizens in democratic process and political debate in local, regional, national and European level. Community media very often started as radio or TV initiatives but due to convergent development of the whole media sector nearly all Community Media are running their web media. It is a proven fact that web media connected to 'traditional' media are amongst the most successful new media services, so community media feel the need to be present on all communication infrastructure, traditional and digital.

Due to a general expansion from traditional analogue terrestrial channels towards digital, our sector is confronted with new technological and financial barriers, e.g.

- Inaccessible digital cable networks: cable-operators refuse to invest in technology to allow local public broadcasters to broadcast digitally on their networks and within basic digital packages. In the Netherlands more than 25% percent of the households already have digital cable, satellite or DVB-t. Because the lack of a proper 'must carry' for public broadcasting, local broadcasting already suffers from losing audience.

- The same is happening with broadcasting over internet, IP-TV. Local broadcasting is, because of technical issues, excluded from basic broadcasting packages.

- There is also a need for ensuring access for our sector to Application Program Interfaces (APIs) and Electronic Programme Guides (EPGs).

- Network neutrality is becoming an issue: regulation has to ensure that the public can view or listen to the smallest blog just as easily as the largest corporate website by preventing internet companies from rigging the playing field for only the highest paying sites. It is necessary to preserve the free and open Internet. All users should be able to access the content or run applications and devices of their choice. The network's main job is to move data, not to choose which data to privilege with higher quality service. Network neutrality can prevent companies, that control the wires, from discriminating against content based on its source or ownership. Network neutrality drives economic innovation, democratic participation and free speech online. It's why the Internet has become an unrivalled environment for open communications, civic involvement and free speech.

Within the new framework these problems should be recognized and lead to regulation in where national governments can imply 'must carry' for our sector. It is necessary to explicitly create possibilities for our sector to be able to participate in new media developments by demanding that new electronic communication networks do not discriminate small community services. As proven in the last few years, providers of these networks need this extra regulation. Without this regulation the market will fail to provide proper access possibilities for our sector.

B. Position on proposed changes

The Commission Staff Working Document accompanying the Communication from the Commission on the Review of the EU Regulatory Framework for electronic communications networks and services summarises the changes being proposed.

In this section, respondents are invited to give comments on these specific proposals

Respondents are requested to express very clearly their position on proposed changes. Please *limit your response to no more than one page per item.*

3.5 Introduce a procedure for Member States to agree common set requirements related to networks or services

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3.9 Strengthen the obligation on Member States to review and justify ‘must carry’ rules

See under A. General comments