

Program and proposed agenda for the 13-14 March 2012 EMERG Plenary Meeting  
The Concorde El Salam Hotel, Cairo

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**Proposed meeting program and agenda:**

Day 1: March 13<sup>th</sup>, 2012

09.30 h.            *Start of the meeting*  
(agenda item schedule times are indicative)

**1. Opening and introductions (09.30 – 09.45 h.)**

**2. Annual report 2011 (09.45 – 10.15 h.)**

The draft Annual Report was distributed for comments earlier. An updated version in which the received comments were absorbed, is tabled for approval. After approval the report will be published on the website of EMERG.

**3. Appointment of 2012 Chair and Vice-Chair (10.15 – 10.30 h.)**

In the 2011 Plenary meeting it was decided that the NTRA of Egypt is the Vice-Chair in 2011 and takes over as Chair in 2012.

As Vice-Chair for 2012 (and Chair for 2013) the Portuguese regulatory authority ANACOM is nominated.

**4. The future of EMERG and its funding (10.15 – 11.00 h.)**

As a follow up of the 2011 Plenary meeting, the 2011 Chair of EMERG AGCOM has deployed activities to discuss the future of EU funding of EMERG based on a draft Strategy Paper. In the meeting, an update will be given by AGCOM on the results of the talks with the European Commission so far.

A *Strategy paper* was developed and distributed for comments earlier. An updated version of this Strategy Paper is now tabled for endorsement. A brief presentation will be given by AGCOM. \*)

11.00 – 11.30 h.            *Coffee/tea break*

**5. Draft 'Charter' for EMERG (11.30 – 12.30 h.)**

In addition, the attached '*light Charter*' was drafted to further shape the institutional arrangements within EMERG. This Charter is also tabled for approval. A brief presentation will be given by AGCOM. \*)

In the draft Work Plan, follow up activities are foreseen to further clarify the issue of future funding. These can be agreed with the European Commission representatives attending the meeting.

12.30 – 14.30 h.            *Lunch break*

## **6. Discussion papers on approximation (14.30 – 17.00 h.)**

In the 2011 work plan, workshops were included to discuss the diverging practices between EMERG member countries with regard to

- Licensing and access to markets
- Retail price regulation of operators and service providers that do not have significant market power.

In these meeting, discussion papers were tabled. After the meetings, updated versions of the discussion papers on the above subjects were distributed with the purpose of facilitating internal discussion within the countries that (according to the stocktaking in the relevant workshops) apply regulatory principles significantly diverging from international best practice.

These updated papers are now tabled for discussion in the Plenary. It is proposed to discuss the analysis given in the papers and explore to what extent EMERG can play a role in further approximation of regulatory frameworks.

### **a. Licensing and open access to markets (14.30 – 15.30 h.)**

In the discussion paper, an overview is given of economic theory that indicates why it is in the interest of countries to allow for open access to their markets. It also describes how limitations of licensing can conflict with international commitments between countries. The document takes stock of any diverging practices in the region, where in a number of countries market entrants still need individual licenses and sometimes, the number of licensees is limited on the basis of an assumption of what the market can absorb. A brief presentation will be made by the NATP3 team.

It is proposed to discuss this paper in a tour de table. There are proposals for a follow up activity in the draft Work plan for 2012. As in some countries the licensing policy is not within the remit of the regulatory authority, it is proposed that the EMERG members of those countries commit to bring any competent other authorities into the process of these follow up activities.

15.30 – 16.00 h.      *Coffee/tea break*

### **b. Retail price regulation of non-SMP operators (16.00 – 17.00 h.)**

In the discussion paper, an overview is given of international best practice allowing new market entrants (without Significant Market Power) to freely set their prices in an attempt to gain market share. In the European Union, retail price regulation not only is a last resort remedy (if wholesale regulation does not provide sufficient competitive pressure) but member states are not allowed to regulate retail prices of non-SMP players. The documents takes stock of diverging practices in the region where in a number of countries, retail prices of non-SMP players are subject to ex ante approval or at least have to be submitted for monitoring by the regulator. A brief presentation will be given by the NATP3 team.

It is proposed to discuss this paper in a tour de table. There are proposals for a follow up activity in the draft Work plan for 2012. As in some countries the retail price regulation policy is not within the remit of the regulatory authority, it is proposed that the EMERG members of those countries commit to bring any competent other authorities into the process of these follow up activities.

16.30 h. Adjournment of the meeting

*In the evening the NTRA kindly hosts a dinner for the participants of the Plenary. During the meeting information will be provided about the departure time from the hotel.*

Day 2: March 14<sup>th</sup>, 2012

09.00 h.            *Resuming of the meeting*

## **8. Benchmarking report 2011 and 2012 Work Plan of EMERG**

### **a.        *Benchmarking report 2011 (09.00 – 09.45 h.)***

In the last months of 2011, the annual *Benchmarking report* was composed as a result of interactive input from the participating members of EMERG. The report is tabled and will be presented by the NATP3 team in the meeting. A brief presentation will be made by the NATP3 team.

### **b.        *Work Plan 2012 (09.45 – 10.30 h.)***

With the input of the Benchmarking report and the EMERG members, the preparatory meeting of the EMERG contact network (in Amman in January 2012) took stock of relevant subjects for the 2012 Work Plan of EMERG. Based on this stocktaking and taking into account the NATP3 budget constraints, the NATP3 team distributed a draft Work Plan for 2012 for comments. An updated draft Work Plan in which received comments were inserted, is tabled for approval. It will be presented by the NATP3 team. \*)

### **c.        *Stocktaking of intended participation (10.30 – 10.45 h.)***

As in previous years, just as a safeguard that the events listed in the Work plan do not only have the approval of the Plenary but can also count on a sufficient level of participation, all delegations are requested to fill out a form stating in which events they plan to have their staff attend.

This input will then be accumulated during the coffee break to check if the results cause us to review the work plan.

10.45 – 11.15 h.            *Coffee/tea break*

### **d.        *Results of stocktaking of intended participation (11.15 – 11.45 h.)***

Feedback of the above stocktaking.

## **9. Any other business**

## **10. Closing of the meeting (approximately 12.00 h.)**

*The closing of the meeting will be followed by lunch (12.30 – 13.30 h.).*

*After this, those participants that wish to join, can participate in an excursion offered by the NTRA to the pyramids. The departure time will be announced during the meeting.*

\*) Please be aware of comments made by ARCEP and CMT, these are available on the website and can be downloaded with the meeting documents