



Questionnaire on traffic management

Attn: providers of electronic communication services

BEREC and the European Commission are currently cooperating in looking into traffic management practices by providers of electronic communications services. This inquiry came about following a request from the Commission addressed to BEREC, requesting information regarding several aspects closely related to the debate on net neutrality. In particular, the Commission was interested in having more specific information on market situations regarding blocking or hindering of applications, and throttling or degrading of traffic.

In the conclusions of its Communication on the open internet and Net Neutrality of 19 April¹, the Commission indicated that the evidence found by BEREC would serve as a basis for assessing the potential need for additional guidance on net neutrality.

BEREC has been actively monitoring recent market developments after its response² to the Commission's consultation on net neutrality held during 2010. As regards the fact-finding exercise, it has been concluded that the direct input from stakeholders is necessary to achieve the desired results. In particular, such an inquiry will provide insights into the variety of conditions associated with network management, and how they affect users' experience, as well as into the application of the relevant provisions of the EU regulatory framework for electronic communications following the 2009 reforms.

BEREC and the Commission have requested National Regulatory Authorities to address this letter and the accompanying questionnaire to various network operators and electronic communications providers. Your co-operation in providing this information is being requested pursuant to Article 5 of the Framework Directive.

Your responses will form the basis for a synthesis on traffic management practices from BEREC to the Commission, for the latter to conduct an assessment. Therefore, on the basis of the above, you are requested to complete the attached questionnaire (detailed instructions are included for this purpose). Answers should be submitted **by 20 January 2012** to the National Regulatory Authority that has sent you the questionnaire.

Chris Fonteijn
BEREC
Chairman

Robert Madelin
European Commission
Director-General for Information Society and Media

8 December 2011

¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52011DC0222:EN:NOT>
² http://berec.europa.eu/doc/berec/bor_10_42.pdf