

# EDF feedback on European Commission's Public consultation on the review and prolongation of the current Roaming Regulation

[Click here to open the public consultation webpage.](#)

Fields marked with \* are mandatory.

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## Introduction

Since 2017, citizens in the European Union are able to use mobile services without additional charges, when travelling within the EU/EEA. The introduction of [Roam-Like-At-Home](#) has been an overall success, and it is widely recognised and appreciated by European citizens (see the [interim report on the implementation of the Roaming Regulation](#)). The demand for mobile services while travelling in the EU/EEA has rapidly and sharply risen since the introduction of Roam-Like-At-Home.

Roam-Like-At-Home was introduced in the Regulation (EU) [531/2012](#) (the 'Roaming Regulation'). However, this regulation is due to expire on 30 June 2022. Unless prolonged, there is a substantial risk that providing Roam-Like-At-Home will not be sustained. The [review report](#) shows that the competitive landscape of the roaming market remains largely unchanged and is not sufficient to ensure continuation of Roam-Like-At-Home, in the absence of either retail or wholesale regulation.

The Commission published an [inception impact assessment](#), informing citizens and stakeholders about its plans to ensure the sustainability of Roam-Like-At-Home, prolonging and reviewing the Roaming Regulation.

The Commission invites you to participate in this public consultation and aims to collect your views on roaming. Your answers to this questionnaire will inform the impact assessment that will be carried out in the third quarter of 2020. The impact assessment will assess the policy options for revising the Roaming Regulation and their likely impacts on the roaming market in the EU/EEA.

This questionnaire consists of 9 sections: section 1 is targeted to all respondents but part of the section is intended specifically for roaming users, section 2 is targeted to roaming users, and the following 7 sections are dedicated to the different policy options to be covered by the impact assessment. Individual users can choose to reply to additional questions as well. Please note that you are not requested to include any special categories of personal data within the meaning of Article 10 of Regulation 2018/1725, e.g. revealing racial or ethnic origin, political opinions, data concerning health etc.

You can pause at any time and continue later. Once you have completed the questionnaire, you will be able to download a copy of your completed responses.

It is possible to submit additional contributions at the end of the questionnaire.

You are invited to read the [background documents](#) before filling in the online questionnaire below.

In view of the adequate functioning of the safeguard rules at retail level (fair use policy and sustainability derogation) as demonstrated by the review report, the Commission does not intend at this stage to amend the rules laid down in the Implementing Regulation (EU) 2016/2286.

## About you

### Section 1. General questions on the Roaming Regulation

The introduction of Roam-Like-At-Home has been an overall success that led to sharp increase in the use of roaming services. One year after its introduction, a Eurobarometer survey showed that 81% of travellers were aware that roaming charges had ended in the EU/EEA and 69% of all Europeans thought that they, or someone they know, benefit or will benefit from it.

This section of the public consultation includes some general questions on the overall functioning of the current Roaming Regulation in relation to a number of the key evaluation criteria established in the Commission's [Better Regulation Guidelines](#) (i.e. effectiveness, efficiency, relevance and EU added value).

Section 1.1 is aimed primarily at individual users. Section 1.2 contains a set of more policy oriented questions, which are more suitable for NRAs and other competent authorities as well as government authorities, businesses (including M(V)NO/Es), associations and experts. However, individual users are welcome to reply if they wish.

If you are an individual user, do you wish to reply to questions about:

- Policy options for quality of service – EDF: Yes
- Policy options for value-added services – EDF: Yes
- Simplification measures of the roaming regulation – EDF: Yes

#### Section 1.1 Benefits for end-users of retail roaming services

This section is aimed primarily at end-users to gather information on the perceived benefits of the use of retail roaming services.

1.1 The Roaming Regulation (which introduced Roam-Like-At-Home) prohibits roaming charges to ensure that roaming customers can continue to use mobile communication services as they do at home when travelling in the EU/EAA. Do you agree that you can enjoy the following benefits that the Roaming Regulation aims to bring?

Options: Strongly agree; Agree; Neutral; Disagree; Strongly disagree; I don't know/No opinion

- a. Not worrying about having to pay excessive costs for mobile services when travelling in the EU /EEA - **Neutral**
- b. Continue using mobile services like at home while travelling in the EU/EEA - **Agree**
- c. Staying connected while travelling in the EU/EEA and not having to restrict the usage of mobile services - **Agree**

1.2 If you are an advanced or professional user, do you agree that you can enjoy the following benefits that the Roaming Regulation aims to bring?

Options: Strongly agree; Agree; Neutral; Disagree; Strongly disagree; I don't know/No opinion

- a. Increased use of connectivity based services/applications as they have become more attractive since Roam-Like-At- Home enables customers to use them also while travelling in the EU Single Market – **Strongly agree**
- b. Increased productivity, for business and professional use, due to easier connectivity while travelling in EU/EEA - **Strongly agree**
- c. Not worrying about having to pay excessive costs to access remote devices - **Strongly agree**

1.3 If you feel that you have not really benefited from the end of roaming charges in the EU/EEA please indicate the possible reason(s) that have prevented you from doing so:

(Select all that apply)

- I do not travel in the EU/EEA
- I do not know what it means in practice that roaming charges have ended in the EU/EEA
- Roaming is not included in my subscription
- My data volume was restricted while roaming in a way that it does not satisfy my roaming needs
- I do not use a mobile device while travelling in the EU/EEA for the fear of high charges
- **I was worried about unexpected charges for using value-added services, e.g. calls to free numbers**
- **The quality of data roaming services in the EU/EEA is not the same as in my home country**
- I live in another EU/EEA Member State seasonally (for more than four consecutive months per year) and cannot use Roam-Like-At-Home for the whole duration of my stay
- Other

1.3.1 Please explain

1500 character(s) maximum

## Section 1.2 Overall functioning of the Roaming Regulation at retail level

The questions in this section are primarily targeted at NRAs and other competent authorities as well as government authorities, businesses (including M(V)NO/Es) and their associations, consumer/citizen associations and experts.

1.4 To what extent has the Roam-Like-At-Home intervention effectively achieved its objectives of:

Options: Significantly; Moderately; Neutral; Little; Not at all; I don't know/No opinion

- a. The promotion of the interests of the citizens and businesses in EU/EEA? - **Significantly**
- b. The development of the Digital Single Market - **Moderately**

1.5 As regards the relevance of the Roaming Regulation, to what extent is the Roam-Like-At-Home intervention still necessary for EU citizens and businesses?

- **Significantly**
- Moderately
- Neutral
- Little
- Not at all
- I don't know/No opinion

1.6 Do you agree that the EU intervention has a positive effect on ensuring that roaming users do not pay excessive roaming prices in the EU/EEA compared to what could be achieved by Member States by themselves?

- **Strongly agree**
- Agree
- Neutral
- Disagree
- Strongly disagree
- I don't know/No opinion

1.7 The Roaming Regulation prohibits roaming charges in the EU/EEA to ensure that roaming customers can continue to use mobile services like at home when travelling in the EU/EEA. Do you agree or disagree with the following statements on the consequences of ending the existing EU intervention on roaming charges?

Options: Strongly agree; Agree; Neutral; Disagree; Strongly disagree; I don't know/No opinion

- a. Without roaming rules customers will lose the benefits of using mobile services like at home when travelling in the EU/EEA (would be concerned about having to pay excessive costs and would restrict the use of roaming while travelling) - **Strongly agree**
- b. In the absence of regulated wholesale rates, some mobile operators would not be able to sustain Roam-Like-At-Home offers - **I don't know/No opinion**
- c. Nothing would change without regulation - **Strongly disagree**

1.8 As regards the efficiency of the Roaming Regulation, if you compare the administrative and regulatory costs borne by your organization with the benefits for consumers, how do you rate the cost-benefit ratio at scale 1-5 (1 = costs exceed significantly benefits; 5 = benefits exceed significantly costs)?

- costs exceed significantly benefits
- costs exceed benefits
- neutral
- benefits exceed costs
- benefits exceed significantly costs
- **I don't know/No opinion**

1.8.1 Please explain your response  
1500 character(s) maximum

**From the point of view of end-users, in terms of certainty, affordability, and facilitating freedom of movement of citizens, benefits of the Roaming Regulation have been significant.**

**From the point of view of a European umbrella organisation which brings together over 100 organisations of persons with disabilities, this regulation significantly helps us to carry out our work more efficiently.**

## **Section 2. Emergency communication and public warning systems**

The EU legislation on emergency communications ensures that all EU citizens have free access to emergency services through the single European emergency number "112". End-users with disabilities should benefit from equivalent access through SMS, emergency applications, total conversation, etc. Roaming customers should enjoy the same level of service, when it comes to emergency communications as national customers. The questions in this section aim at gathering information about access to emergency services through emergency communications while roaming in the EU/EEA.

1. 2.1 Based on your experience or the experience of people that you know, do you agree that communication with emergency services works well while roaming in the EU/EEA?

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree
- I don't know/No opinion

2. 2.2 When travelling in another EU/EEA Member State, are you aware of any alternative means of accessing emergency services (other than call) available in the visited country for end-users with disabilities, who are not able to place a voice call to "112"?

- Strongly aware
- Aware
- Neutral
- Slightly aware
- Not aware at all
- I don't know/No opinion

3. 2.3 Based on your experience or the experience of people that you know, do you agree that communication with emergency services works well for people with disabilities while roaming in the EU/EEA?

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree
- I don't know/No opinion

4. 2.4 When travelling in another EU/EEA Member State, are you usually aware of their available public warning systems?

- Strongly aware
- Aware
- Neutral
- Slightly aware
- Not aware at all
- I don't know/No opinion

## Section 4. Quality of service of regulated roaming services

The questions aim at gathering views on the policy options to address the possible difference in quality of service offered while roaming compared to when at home.

In the roaming market review, the Commission noted that quality of service is an integral part of the roaming service. While the Roaming Regulation does not include any explicit obligation on quality of service, it requires that the customer has access to the same service across the EU/EEA for the same price, as long as the service can be delivered on a visited network. In its opinion on the roaming market, BEREC also considers that domestic mobile operators should not deliberately lower the quality of service compared to the service offered in the home country, so that the customer can genuinely 'Roam-Like-At- Home'. 4G can normally be provided while roaming, as this technology now covers most of EU's territory.

1. 4.1 The Roaming Regulation Article 3(3) requires that wholesale roaming access shall cover access to all network elements and associated facilities, relevant services, software and information systems necessary for the provision of regulated roaming services to customers. Do you consider that the wholesale roaming access obligation in the current Roaming Regulation is sufficient to ensure that M(V) NOs are given access to newest network generations (e.g. 4G, 5G) for wholesale roaming?

- Yes, for 4G and 5G
- Yes, for 4G only
- No
- I don't know/No opinion

4.1.1 Please explain your answer  
1500 character(s) maximum

**Questions 4.2 to 4.4 are for businesses, so are left out**

2. 4.5 Do you agree that the Roaming Regulation ensures that roaming customers are offered the same services, under the same conditions (including quality of service), as domestically while roaming in the EU/EEA?

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree
- I don't know/No opinion

4.5.1 Please explain your answer  
1500 character(s) maximum

**Customers with disabilities already encounter barriers and do not receive same type and quality of services when travelling in the EU/EEA because there is no**

harmonised approach to accessibility of electronic communications services in the EU. For example, in emergency communications, persons with disabilities are almost unlikely to receive the same accessible channel to emergency services when travelling from their home country to another EU/EEA country. They might even encounter costs for this, as not all dedicated numbers are free of charge. So, it is important that the Roaming Regulation at least ensures a harmonized approach for costs across the EU/EEA, so that persons with disabilities do not face additional cost-related barriers when travelling. No roaming charges should apply for emergency communication. The Regulation should also ensure that quality of service does not decrease for end-users with disabilities just because of roaming itself (e.g. if an operator can provide 4G connection, it should also provide it to roaming end-users and not 3G connection instead, as it happens often). Quality of service is especially important in the effect it has when using total conversation, RTT services, relay services, and emergency communication.

3. 4.6 How relevant are the following measures to ensure that roaming customers would enjoy a similar level of quality of service for data services while roaming in the EU/EEA as in their home country?

Options: Very relevant; Relevant; Neutral; Not relevant; Not relevant at all; I don't know/No opinion

- a. Include a transparency obligation, e.g. requiring mobile operators to provide clear information about the quality of service in the visited country – **Very relevant**
- b. Include an obligation on the home mobile operator at retail and wholesale level, prohibiting deliberately lowering the quality of service while roaming, compared to the quality of service offered in the home country. - **Very relevant**
- c. Include an obligation on the visited mobile operator at retail and wholesale level, prohibiting deliberately lowering the quality of service while roaming (e.g. limiting access to 3G instead of 4G), compared to the quality of service offered in the home country. - **Very relevant**
- d. Include an obligation on MNOs to give non-discriminatory access, upon a reasonable wholesale roaming access request, to all network generations (2G, 3G, 4G, 5G etc.) - **I don't know/No opinion**

4.6.1. Are there other measures that should be considered? Please explain  
1500 character(s) maximum

4. 4.7 Do you agree that the current Roaming Regulation is sufficient to ensure that roaming consumers are given access to newest network generations (e.g. 4G, 5G) while roaming when 4G or 5G is/will be available?

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree



- I don't know/No opinion

## Section 7. Value-added services

Calls to certain numbers can generate additional costs when roaming in the EU/EEA compared to making the same calls at home. These numbers are typically used for calls to 'valued-added services'. Communications related to value-added services referred to in the questions below should be understood as communications to:

(a) **Premium-rate numbers**, for which a domestic customer is charged more than for a regular call and which are used to provide, for example directory enquiries, weather forecasts, technical support and entertainment, as well as other services;

(b) **Freephone numbers**, which are free of charge to domestic customers, for example a bank hotline, travel agency hotline, insurance helpline);

(c) **Shared cost numbers**, for which a domestic customer pays only the charge for a local phone call, for example e-shops

1. 7.1 Do you consider that the Roaming Regulation should introduce measures to avoid unexpected additional charges due to the use of value-added services while roaming in the EU/EEA?

- Yes
- No
- I don't know/No opinion

2. 7.2 How relevant are the following measures to avoid problems linked to value-added services and high termination rates subject to revenue share of roaming services in the EU/EEA?

Options: Very relevant; Relevant; Neutral; Not relevant; Not relevant at all; I don't know /No opinion

- a. Introduce a European database with value-added services /premium number ranges to be made publicly available with relevant termination rates - **Very relevant**
- b. Introduce an obligation on mobile operators to include in the "Welcome SMS" an alert informing that these types of communications may not be under Roam-Like-At-Home principles - **Very relevant**
- c. Introduce an obligation that access to value-added services must be explicitly requested by the roaming customer (opt-in) - **Not relevant**

3. 7.3 Are there other measures that should be considered?

Please specify 1500 character(s) maximum

**There should be no additional roaming costs when contacting transport assistance services for persons with disabilities, such as for air or rail travel. Any additional cost will put persons with disabilities in an unequal position towards other customers when**

travelling. This would entail violation of European Passenger Rights Regulations (right to equal access to transport) and freedom of movement of persons with disabilities in the EU. In some countries, such cost barriers might also be considered discriminatory based on national anti-discrimination laws and drag providers and customers into legal battles. We propose that the Regulations ensures that the end-user should be able to contact the dedicated service in the hosting country without additional roaming charges (e.g. if there is a free of charge transport assistance booking number, it should also be free of charge when roaming).

4. 7.4 In your view, what would the positive/negative impacts of the measures proposed above be?  
1500 character(s) maximum

In relation to point 7.2 a. (database of value-added services) and b. (welcome SMS) accessibility must be ensured so that end-users with disabilities can equally benefit from these measures. EN301 549 European Standard on Accessibility Requirements for ICT services and products ([https://www.etsi.org/deliver/etsi\\_en/301500\\_301599/301549/03.01.01\\_60/en\\_301549v030101p.pdf](https://www.etsi.org/deliver/etsi_en/301500_301599/301549/03.01.01_60/en_301549v030101p.pdf)) Web Content Accessibility Guidelines (WCAG) 2.1 (<https://www.w3.org/TR/WCAG21/>) should be followed to ensure this. In relation to point 7.2 c. it must be considered that opt-in option means an additional step, therefore could create barriers for persons with disabilities in relation to accessing passenger transport assistance services or other crucial support services they might need when travelling. It would be very difficult to anticipate and find all services they might need before travelling and opt-in for them. At the same time, it has to be ensured that end-users do not end up with huge unexpected bills they may or may not use. Therefore, the Roaming Regulation should ensure an adequate balance between consumer protection and flexibility.

## Section 8. Emergency Communications

The EU legislation on emergency communications ensures that all EU citizens have free access to emergency services through the single European emergency number "112". End-users with disabilities should benefit from equivalent access through SMS, emergency applications, total conversation, etc. Roaming customers should enjoy the same level of service, when it comes to emergency communications as national customers. The questions in this section aim at gathering information about access to emergency services through emergency communications while roaming in the EU/EEA.

1. 8.1 Do you consider the following measures are relevant as an effective means to ensure seamless access to emergency communications for roaming customers in the EU/EEA?

Options: Very relevant; Relevant; Neutral; Not relevant; Not relevant at all; I don't know /No opinion

- a. Introduce an obligation on mobile operators in the Roaming Regulation, at wholesale level to ensure that customers have seamless access, and "free of charge", to emergency services through emergency communications by using 112 - **Very relevant**
- b. Introduce an obligation on mobile operators in the Roaming Regulation, at wholesale level, to ensure that the establishment and transmission of caller location in the visited EU Member State is free of charge for the end-user - **Very relevant**
- c. Introduce an obligation on the home operator to inform disabled end-users on the availability of alternative means of access available in the visited EU Member State opt in) - **Very relevant**

2. 8.2 Are there other measures that should be considered?

Please specify 1500 character(s) maximum

**As noted for emergency services, not all national-regional dedicated numbers are free of charge. This in itself is unacceptable, so the Roaming Regulation should make sure that additional costs are not generated when roaming in the EU/EEA compared to making the same calls at home for emergency services (or other dedicated numbers, such as information contact for covid-19). We propose that the Regulations ensures that the end-user should be able to contact the dedicated service in the hosting country without additional roaming charges (e.g. if there is a free of charge transport assistance booking number, it should also be free of charge when roaming).**

## **Section 9. Potential simplification/burden reduction**

All initiatives to revise existing legislation are required to explore the potential for simplification and improving the efficiency of that legislation (e.g. by reducing regulatory costs).

1. 9.1 Do you have any proposal to simplify and improve the efficiency of the Roaming Regulation? If yes, please indicate the category and explain how your proposal would simplify and improve efficiency of the legislation and what the impacts would be. Please note that the Commission Implementation Regulation (detailed provisions regarding fair use policy and sustainability derogation) is not subject to this review. Your proposals should fall within the scope of the Roaming Regulation. Please note that you are not requested to include any special categories of personal data within the meaning of Article 10 of Regulation 2018/1725. 1500 character(s) maximum for each answer.
  - a. Retail regulation and transparency for customers
  - b. Wholesale regulation
  - c. Supervision/enforcement, dispute resolution, data collection
  - d. **Other**

Roaming Regulation should aim for maximum transparency and certainty for customers. It should ensure that customers with disabilities are provided with accessible, easy to find and understand information about their rights and obligations, in relation to quality of services and anticipated roaming costs when travelling within the EU/EEA. The Regulation should also strengthen the obligation of the European Commission, Member States and regulatory authorities to raise awareness among customers about roaming charges and conditions in the EU. All awareness-raising initiatives should be accessible for persons with disabilities. In addition, they should be provided specific information about their rights, roaming costs/conditions for accessible services when travelling (e.g. accessing emergency services, relay services or passenger transport assistance services). National regulatory authorities should have enough powers and mandates to ensure enforceable decisions in case of disputes, and adequate financial resources, expertise and disability/accessibility awareness to effectively protect the rights of end-users with disabilities. They should also ensure accessible and easy to find contact point, and importantly accessible, easy to find, use and understand complaint mechanisms and procedures, including accessible forms (e.g. accessible online form, possibility to submit a complaint in sign language, easy to read format information, etc.).

## Thank you

Thank you for your contribution to this questionnaire. In case you want to share further ideas on these topics, you can upload a document below. Please note that you are not requested to include any special categories of personal data within the meaning of Article 10 of Regulation 2018/1725.

The maximum file size is 1 MB

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

Final comments.

Please note that you are not requested to include any special categories of personal data within the meaning of Article 10 of Regulation 2018/1725.

*1500 character(s) maximum*

The Roaming Regulation should ensure

- end-users with disabilities do not face higher roaming costs in comparison to end-users without disabilities
- that no roaming charges are generated when accessing crucial services, such as the single European emergency number 112, national emergency numbers; other important dedicated numbers such as relay services, or transport assistance services for persons with disabilities, and hotlines for covid-19 or other crucial contact points

- end-users with disabilities are pro-actively made aware of their rights and obligations within the scope of this Regulation
- end-users with disabilities are provided with accessible information platforms, contact points in case of questions or issues (especially at national enforcement authorities) – for example information desk with sign language communication possibility
- end-users with disabilities are provided with accessible, easy to find, understand and use complaint and redress mechanisms, forms and procedures
- national enforcement authorities have enough powers to make enforceable decisions, enough resources and adequate awareness on disabilities/accessibility to ensure rights of end-users with disabilities are well protected