



Council of the
European Union

051831/EU XXVII. GP
Eingelangt am 26/02/21

Brussels, 26 February 2021
(OR. en)

Interinstitutional File:
2021/0045(COD)

6532/21
ADD 1

TELECOM 78
COMPET 131
MI 112
CONSOM 44
IA 25
CODEC 265

PROPOSAL

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	25 February 2021
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2021) 85 final ANNEXES 1 to 3
Subject:	ANNEXES to the Proposal for a Regulation of the European Parliament and of the Council on roaming on the mobile telecommunications networks within the Union (recast)

Delegations will find attached document COM(2021) 85 final ANNEXES 1 to 3.

Encl.: COM(2021) 85 final ANNEXES 1 to 3



Brussels, 24.2.2021
COM(2021) 85 final

ANNEXES 1 to 3

ANNEXES

to the

**Proposal for a Regulation of the European Parliament and of the Council
on roaming on the mobile telecommunications networks within the Union (recast)**

{SEC(2021) 90 final} - {SWD(2021) 27 final} - {SWD(2021) 28 final} -
{SWD(2021) 29 final}

~~**ANNEX I**~~

<i>Repealed Regulation with its amendment</i>	
(referred to in Article 21)	
Regulation (EC) No 717/2007 of the European Parliament and of the Council (OJ L 171, 29.6.2007, p. 32).	
Regulation (EC) No 544/2009 of the European Parliament and of the Council (OJ L 167, 29.6.2009, p. 12).	only Article 1

~~ANNEX II~~

Correlation Table	
Regulation (EC) No 717/2007	This Regulation
Article 1	Article 1
—	Article 1(2)
Article 1(2)	Article 1(3)
Article 1(3)	Article 1(4)
Article 1(4) first subparagraph, first sentence	Article 1(5)
Article 1(4) first subparagraph, second sentence	Article 1(6) first subparagraph Article 1(7) first subparagraph
Article 1(4) second subparagraph, first sentence	Article 1(6) second subparagraph, first sentence Article 1(7) second subparagraph, first sentence
Article 1(4) second subparagraph, second sentence	Article 1(6) second subparagraph, second and third sentences Article 1(7) second subparagraph, second and third sentences
Article 2(1)	Article 2(1)
Article 2(2), introductory words	Article 2(2), introductory words
Article 2(2), point (a)	Article 2(2), point (i)
Article 2(2), point (b)	Article 2(2), point (a)
—	Article 2(2), point (b)
—	Article 2(2), point (e)
Article 2(2), point (e)	Article 2(2), point (d)
Article 2(2), point (g)	Article 2(2), point (e)
Article 2(2), point (d)	Article 2(2), point (f)
Article 2(2), point (f)	Article 2(2), point (g)
Article 2(2), point (e)	Article 2(2), point (h)
Article 2(2), point (i)	Article 2(2), point (j)

Article 2(2), point (j)	Article 2(2), point (k)
Article 2(2), point (h)	Article 2(2), point (l)
Article 2(2), point (k)	Article 2(2), point (m)
—	Article 2(2), point (n)
—	Article 2(2), point (o)
—	Article 2(2), point (p)
—	Article 2(2), point (q)
—	Articles 3, 4, 5 and 6
Article 3(1)	Article 7(1)
Article 3(2)	Article 7(2)
Article 3(3), first subparagraph	—
Article 3(3), second subparagraph	Article 7(3)
Article 4(1)	Article 8(1)
Article 4(2)	Article 8(2)
Article 4(3), first subparagraph	—
Article 4(3), second subparagraph	Article 8(3)
Article 4(3), third subparagraph	Article 8(4)
Article 4(4)	Article 8(5)
Article 4a	Article 9
Article 4b	Article 10
Article 4b(7)	—
Article 4e	Article 11
—	Article 12
—	Article 13

Article 6(1) first to fifth subparagraphs	Article 14(1) first to fifth subparagraphs
—	Article 14(1) sixth subparagraph
Article 6(2)	Article 14(2)
Article 6(3) first and second subparagraphs	Article 14(3) first and second subparagraphs
—	Article 14(3) third subparagraph
—	Article 14(4)
Article 6a	Article 15
—	Article 15(4)
—	Article 15(5)
—	Article 15(6)
Article 6a(4)	—
Article 7	Article 16
—	Article 16(3) second subparagraph
Article 8	Article 17
Article 9	Article 18
Article 10	—
Article 11(1) introductory words	Article 19(1) introductory words
—	Article 19(1), points (a) and (b)
Article 11(1) first subparagraph, first to fourth indent	Article 19(1), points (c) to (f)
—	Article 19(1), points (g) and (h)
Article 11(1) second subparagraph	—
—	Article 19(2)
Article 11(2)	Article 19(3)

—	Article 19(4)
Article 12	Article 20
—	Article 21
Article 13	Article 22

ANNEX I

CRITERIA FOR THE DETERMINATION OF MAXIMUM WHOLESALE CHARGES

Principles, criteria and parameters for the determination of maximum wholesale charges referred to in Article 22:

(a) the rates shall allow recovery of wholesale roaming costs incurred by an efficient operator in any Member State when offering the relevant, regulated wholesale service; the evaluation of efficient costs shall be based on current cost values; the cost methodology to calculate efficient costs shall be based on a bottom-up modelling approach using long-run incremental costs plus some allocation of joint and common costs (LRIC+) of providing the wholesale roaming services to third parties;

(b) The increment refers to the relevant part (service) of interest in the specific situation, here roaming services. The LRIC cost standard encompasses solely the elements needed to provide this specific service;

(c) The LRIC+ cost standard allows for including joint and common costs which are relevant for other services;

(d) As network operators need to be able to recover joint and common costs to ensure long-term sustainability, joint and common costs are shared among the services that generate them and accordingly recovered by any price cap set above the estimated costs for those services;

(e) for mobile network operators, the minimum efficient scale shall be set at a market share not below 20 %;

(f) the relevant approach for asset depreciation shall be economic depreciation; and

(g) the technology choice of the modelled networks shall be forward looking, based on an IP core network, taking into account the various technologies likely to be used over the period of validity of the maximum rate.



ANNEX II

REPEALED REGULATION WITH LIST OF THE SUCCESSIVE AMENDMENTS THERETO

Regulation (EU) 531/2012 of the European Parliament and
of the Council
(OJ L 172, 30.6.2012, p. 10)

Regulation (EU) 2015/2120 of the European Parliament and Only Article 7
of the Council
(OJ L 310, 26.11.2015, p. 1)

Regulation (EU) 2017/920 of the European Parliament and of the
Council
(OJ L 147, 9.6.2017, p. 1)

ANNEX III

CORRELATION TABLE

Regulation (EC) No 531/2012	This Regulation
Article 1(1)	Article 1 (1)
Article 1(2)	-
Article 1(3)	Article 1(2)
Article 1(4)	-
Article 1(5)	Article 1(3)
Article 1(6)	Article 1(4)
Article 1(7)	-
Article 2(1)	Article 2(1)
Article 2(2) (a) and (b)	Article 2(2) (a) and (b)
Article 2(2)(c)	-
Article 2(2)(d)	Article 2(2)(c)
Article 2(2)(e)	Article 2(2)(d)
Article 2(2)(f)	Article 2(2)(e)
Article 2(2)(g)	Article 2(2)(f)
Article 2(2)(h)	Article 2(2)(g)
Article 2(2)(j)	Article 2(2)(h)
Article 2(2)(k)	Article 2(2)(i)
Article 2(2)(m)	Article 2(2)(j)
Article 2(2)(o)	Article 2(2)(k)
Article 2(2)(p)	Article 2(2)(l)
Article 2(2)(q)	Article 2(2)(m)
Article 2(2)(r)	Article 2(2)(n)
Article 2(2)(s)	-

Article 3(1) to (8)	Article 3(1) to (8)
Article 3(9)	-
Article 4	-
Article 5	-
Article 6	Article 4
Article 6a	Article 5(1)
-	Article 5(2)
Article 6b	Article 6
Article 6c	Article 7
Article 6d(1), (2) and (3)	Article 8(1), (2) and (3)
Article 6d(4)	-
Article 6d(5)	Article 8(4)
-	Article 8(5)
Article 6e(1), first subparagraph, introductory wording	Article 9(1), first subparagraph, introductory wording
Article 6e(1)(a)	Article 9(1)(a)
Article 6e (1)(b)	-
Article 6e (1)(c)	Article 9 (1)(b)
Article 6e (1), second and third subparagraphs	Article 9 (1), second and third subparagraphs
Article 6e (1), fourth subparagraph	-
Article 6e(2)	-
Article 6e(3)	Article 9(2)
Article 6e(4), first subparagraph, introductory wording	Article 9(3), introductory wording
Article 6e(4), first subparagraph, (a) and (b)	Article 9(3)(a) and (b)
-	Article 9(3)(c)
-	Article 9(4)

Article 6e(4), second subparagraph	Article 9(5)
Article 6f	-
Article 7	Article 10
Article 9	Article 11
Article 11	-
Article 12	Article 12
-	Article 13
Article 14(1), first and second subparagraphs	Article 14(1), first and second subparagraphs
-	Article 14(1), third subparagraph
Article 14(1), third and fourth subparagraphs	Article 14(1), fourth and fifth subparagraphs
Article 14(1), fifth and six subparagraphs	Article 14(1), sixth and seventh subparagraphs
Article 14(2)	Article 14(2)
Article 14(2a)	Article 14(3)
Article 14(3)	Article 14(4)
Article 14(4)	Article 14(5)
Article 15(1) and (2)	Article 15(1) and (2)
Article 15 (2a)	Article 15(3)
Article 15(3)	Article 15(4)
Article 15(4)	Article 15(5)
Article 15(5)	Article 15(6)
Article 15(6)	Article 15(7)
-	Article 16
-	Article 17
Article 16 (1) to (4)	Article 18 (1) to (4)
Article 16 (4a)	Article 16 (5)
Article 16 (5)	Article 16 (6)

Article 16 (6)	Article 16 (7)
Article 17	Article 19
Article 18	Article 20
Article 19(1)	-
Article 19(2)	-
Article 19(3) first subparagraph	Article 21(1) first subparagraph
Article 19(3) second subparagraph (a) and (b)	Article 21(1) second subparagraph (a) and (b)
-	Article 21(1) second subparagraph (c)
Article 19(3)(c)	Article 21(1)(d)
Article 19(3)(d)	Article 21(1)(e)
Article 19(3)(e)	Article 21(1)(f)
Article 19(3)(f)	Article 21(1)(g)
Article 19(3)(g)	Article 21(1)(h)
Article 19(3)(h)	Article 21(1)(i)
-	Article 21(1)(j)
-	Article 21(1)(k)
Article 19(4) first to fourth paragraphs	Article 21(2) first to fourth paragraphs
Article 19(4) fifth subparagraph	-
-	Article 22
-	Article 23
Article 20	Article 24
Article 21	Article 25
Article 22	Article 26
-	Annex I
Annex I	Annex II
Annex II	Annex III