Questions for BEREC stakeholder dialogue with representatives of end-users/consumers and civil society, 24 November 2015 *(later postponed to 15. Dezember 2015 becaue of Brussels Lockdown)*

Topic1 – Traffic management for Internet access services (IAS)

a) "**Categories of traffic" and similar terms**
Q: What is your understanding or view on the terms *"specific categories of traffic"* and *"specific content, applications or services, or specific categories thereof"* in Article 3(3) subparas 2 and 3?

b) Reasonable traffic management (TM)
Q: In your view, how can day-to-day *"reasonable"*TM measures performed by ISPs in accordance with Article 3(3) subpara2, such as TM for "*specific categories of traffic"*, affect the end user's choice? It would be helpful if you can provide concrete examples.

c) TM going beyond reasonable TM
Q: In your view, how can TM measures "*goingbeyond reasonable"*TM performed by ISPs in accordance with Article 3(3) subpara 3, e.g."*congestion management"*, affect the end user's choice? It would be helpful if you can provide concrete examples.

Topic2 – Specialised services (SpS) vs. IAS

a) SpS and necessity to meet requirements for a specific level of quality
Q: Article 3(5) subpara 1 refers to providing SpS where*"the optimisation is necessary in order to meet requirements ... for aspecific level of quality".* What could be the reason for implementing or offering SpS? In your view, are SpS necessary for offering existing or new services?

b) SpS vs. content and applications provided over IAS
Q: Are you aware of a demand for SpS from end users (including business users)? In your opinion, could content and applications provided on the IAS become akind of SpS? How should this be assessed under the TSM regulation?

Q: If they were allowed, would you see demand for, or benefit to, end users from the provision of sub-Internet offers (i.e. offers where the access to Internet is restricted to a limited set of content and applications)? How should such offers be assessed under the TSM regulation?

c) SpS effect on innovation and openness of the Internet
Q: Do you have a view on the impact of the possibility to provide SpS on future innovation and the openness of the Internet? Do you see any issues arising with the provision of SpS to end users?

Topic 3 – IAS quality and implications

a) Transparency regarding traffic management
Q: What information would be beneficial for end users so that they are better informed, e.g.regarding traffic management measures, commercial and technical conditions and their impact on Internet access services? How should this information be communicated to them in the contract? (Ref.Article 4(1))

b) IAS quality – speed
Q: How should ISPs describe and communicate speed of their IAS offers in the case offixed and mobile networks? How should the different IAS speed parameters (e.g. minimum, maximum, advertised and normally available speeds in the case of fixed networks and estimated maximum and advertised speeds in the case of mobile) be defined in the contract?(Ref. Article 4(1)(d))

c) IAS quality – other parameter
Q: How should ISPs describe other parameters of their IAS offers, such as quality ofservice parameters (typically latency, jitter, packet loss) andquality as perceived by end users? Should these parameters be defined in the contract? If so, how?

Topic 4 – Commercial practices/zero-rating and misc.

a) Commercial practices applied to the IAS offers
Q: What is your understanding of the term *"commercialpractices"* (Ref.Article 3(2))? Do you think there is a demand for "*commercialpractices*"such as zero-rating, from the end users' point of view?

b) ISP practices limiting end users' rights?
Q: Article 3 (2) foresees contractual freedom and ISPs' freedom to conduct commercial practices. Could you provide examples when/under which circumstances commercial practices would limit the rights of end users? (Ref.Article 3(2) and recital 7)

c) Monitoring of traffic for the purpose of traffic management
Q: What is your understanding or view regarding the monitoring of traffic for thepurpose of traffic management (ref. Article 3(3) subpara 2)? What should ISPs be allowed to do in that regard under the TSM regulation?