Session 3 – End-user rights and Commercial practices

Use terminal equipment of the end-user's choice

Alliance of Telecommunications Terminal Equipment Manufacturers
European Legislation

Regulation (EU) 2015/2120

Article 3 (1): “End-users shall have the right to access and distribute information and content, use and provide applications and services, and use terminal equipment of their choice, irrespective of the end-user’s or provider’s location or the location, origin or destination of the information, content, application or service, via their internet access service. […]”
BEREC Net Neutrality Guidelines (BoR (16) 127)
“Use terminal equipment of their choice”

25. [...] The **right to choose terminal equipment** therefore covers equipment which connects to the interface of the public telecommunications network.

26. [...] **NRAs** should assess whether an ISP provides equipment for its subscribers and restricts the end-users’ ability to replace that equipment with their own equipment, i.e. whether it provides “**obligatory equipment**”.

27. Moreover, NRAs should consider whether there is an **objective technological necessity** for the obligatory equipment to be considered as part of the ISP network [...].
Visualising the Network Termination Point (NTP)

Model A

Public Network

Local loop e.g. DSL-, Coaxial-, or fiber line

Terminal equipment e.g. Router, Telephone or Modem

Model B

Public Network

Local loop e.g. DSL-, Coaxial-, or fiber line

Terminal equipment e.g. Notebook, Printer
Why is obligatory equipment contradictive?

- **Restricts** the end-users’ free choice of the terminal devices at their Internet connection

- **Makes it difficult** for the end-user to switch network operators

- **Undermines fair and vibrant competition** for the best terminal device

- **Reduces** the manufacturers’ incentive for innovation, slowing down innovation cycles for products
BEREC Working Group: Fixed Network Evolution

- BEREC Guidelines on common approaches to the identification of the network termination point (NTP) in different network topologies

- For VTKE **only** model A is the NTP:

![Diagram showing Model A with Public Network, Local/Private Network, Public Network, Local loop, Terminal equipment, and NTP.]
Free Choice of TTE is Possible
Thank you for your attention!

Contact

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