

# Press release

Bonn, 07 June 2018  
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## **Bundesnetzagentur requires mobile network operator to provide an agreement on access to regulated wholesale roaming services under a dispute resolution procedure**

The Bundesnetzagentur has placed an obligation on a German mobile telecommunications company to submit a draft agreement to a French company on access to regulated wholesale roaming services.

*"The decision provides an important boost to competition and innovation on the wholesale markets, particularly in respect of the Internet of Things or communication between machines," said Jochen Homann, Bundesnetzagentur President when explaining the decision.*

### **Agreement on access to wholesale roaming was refused**

Since the abolition of roaming charges in June 2017, mobile phone use throughout Europe generally costs the customer as much as it would cost them within Germany. European mobile providers and network operators have concluded special agreements on access to regulated wholesale roaming services for the settlement of data use.

A German mobile network operator had refused a French company's request for a draft wholesale roaming agreement. The French company is active in several Member States as a mobile virtual network operator and offers mobile services worldwide for machine-to-machine (M2M) and Internet of Things (IoT) communication.

The grounds for the refusal were that the French company issued SIM cards to identify its customers that, in part, also included special numbers (901 IMSI) assigned by the International Telecommunication Union (ITU). These globally assigned numbers were considered to fall outside the scope of application of the Roaming Regulation.

### **Dispute resolution procedure of the Bundesnetzagentur**

Under the dispute resolution procedure and following prior consultation with the Body of European Regulators for Electronic Communications (BEREC), the Bundesnetzagentur now requires the German mobile telecommunications company to submit a draft agreement on access to regulated wholesale roaming services to the French company within one

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month. This agreement must give the French company the possibility of using the mobile code (MCC) "901 IMSI".

There was no need to adjudicate on the specific conditions, such as for evidence of compliance in the use of the services, and therefore no need to adjudicate on the content of the draft agreement to be provided. In this regard, negotiations between the parties to the dispute are still taking place.

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The Bundesnetzagentur is an authority under the responsibility of the Federal Ministry for Economic Affairs and Energy. Its core tasks include supervising the energy, telecommunications, postal and railway markets.

As part of its mandate, the Bundesnetzagentur ensures that as many undertakings as possible can use the infrastructure in these sectors so that consumers benefit from competition and favourable prices.

The authority employs over 2,900 people at its headquarters in Bonn and Mainz and its 46 regional offices.