

Communication Regulatory Authority of Republic of Lithuania

Zero Rate in Roaming RR vs TSM

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TSM regulation: Net neutrality rules:

- safeguard equal and non-discriminatory treatment of traffic in the provision of internet access services and related end-users' rights. It aims to protect end-users and simultaneously to guarantee the continued functioning of the internet ecosystem as an engine of innovation.



Zero rate in net neutrality (domestic issue)

- Zero rate is where an ISP applies a price of zero to the data traffic associated with a particular application or category of applications (and the data does not count towards any data cap in place on the IAS).
- There are different types of zero-rating practices which could have different effects on end-users and the open internet, and hence on the end-user rights protected under the Regulation.

Zero rate in net neutrality (domestic issue)

- Zero rate is valid and legal if:
 - zero-rating offer, where all applications are blocked (or slowed down) once the data cap is reached, also must be blocked (or slowed down);
 - applied to an entire category of applications.

Zero rate in net neutrality (domestic issue)

- Zero rate is consisting of:
 - Block of specific allowance free of charge;
 - Block of specific allowance for separate charge;
 - Both times the zero-rated is not counted against the certain data volume allowance

How to treat zero-rate in roaming?

- If there is an offer of special zero-rate services in member state, and customer is allowed to use roaming, the possibility to use zero-rate services in roaming must be granted.
- Otherwise it is a violation of Roaming Regulation

How to treat zero-rate in roaming?

What requirements must be met?

- FUP
- Volume counting

How to treat zero-rate in roaming? FUP

- Payments for zero rate services must be counted when evaluating roaming FUP. So, when calculating FUP for regulated roaming services, all payments for data services (zero rated services and non-zero rated services) should be taken and the sum should be divided by wholesale data cap and multiplied by two.

How to treat zero-rate in roaming? Example

Domestic

- Domestic IAS
- Zero rate unlimited

Roaming

- **FUP 2GB of data in roaming**

If 1 GB of zero rate while roaming used, the data left is

- 1 GB?

If 1 GB of zero rate while roaming used, the data left is

- 2 GB?

How to treat zero-rate in roaming? FUP

Volumes for zero rate data service may be deducted from FUP.

- X Eur for basic data
- Y Eur for zero-rate, if any.
 - In Lithuania there are several offers:
 - » Offers for special data flow with unlimited volume for no charge;
 - » Offers for special data flow with unlimited volume for some charge.

How to treat zero-rate in roaming? Volume

EC and BEREC position: Zero-rated services may be counted together with normal data services against the FUP data limit while roaming.

- Compatible with FUP
- Is it like at home?

How to treat zero-rate in roaming? Example

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Roaming

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How to treat zero-rate in roaming? FUP

Anacom report:

- In case of offers which include zero-rated applications, traffic with "unlimited" use in the Portuguese territory falls under the concept of open data bundle, in which case a specific fair use policy for roaming applications in the EEA may be applied.

How to treat zero-rate in roaming?

Roaming EWG :

- RLAH must be fully applied to zero rated offers
- The charging mechanism while roaming must be the same as at home/for domestic use;
- When using zero-rated services while roaming, the operator is not allowed to deduct zero-rated data volume from the domestic data volume of the basic tariff. The operator is entitled to deduct the roaming service from a FUP.



Walker Percy:

- Small disconnected facts, if you take note of them, have a way of becoming connected.



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