[DE] Policy Document on Access to Broadband Cable Network

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On 12 June 2001, the directors of the Landesrundfunkanstalten (Regional Public Service Broadcasting Companies) adopted a policy document on access to the broadband cable network.

The document calls in particular for equal, non-discriminatory access for public service channels to the cable network. The question of access is expected to cause problems in the future because, following the sale of the regional cable companies, the new majority shareholders are not only network operators, but also own shares in programme providers. The danger of vertical market structures that arises when networks and content providers are no longer kept separate is supposed to be eliminated by the fact that the public service digital bundle enjoys "must-carry" status, while a certain number of channels must also be carried on the analogue cable network. Cable network operators are meant to restrict their activities to those directly connected with transmission. They must broadcast public service channels at the same time, in full, unaltered and unencrypted, and may not unbundle and re-package digital bundles without permission. Public channels must also be receivable via any digital platform used by a cable network operatorincluding the set-top box - without restriction and in their entirety. This is designed to prevent dependencies developing from the use of closed technologies and proprietary standards. The public service channels must be clearly indicated and positioned so that they are easy to find on the upper functional levels of navigators (EPGs). The broadcasters are seeking contractual agreements with the network operators as well as urging the legislator to determine fixed transmission capacities for public service broadcasters in the cable networks. These should foster mutual consensus on the carrying of their channels under reasonable conditions, so that the public service broadcasters can fulfil their duty to provide a universal service in the public interest.

Positionspapier der Landesrundfunkanstalten vom 12. Juni 2001

Policy document of the Regional Public Service Broadcasting Companies, 12 June 2001

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