[DE] Federal Network Agency Issues Regulatory Orders for Broadcasting Transmission Services

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At the end of April 2007, the *Bundesnetzagentur* (Federal Network Agency - BNetzA), the authority responsible for regulating Germany's communications networks, issued five regulatory orders for broadcasting transmission services. They lay down the regulatory obligations to be imposed on four cable network operators - Kabel Deutschland Vertrieb und Service GmbH & Co. KG, Kabel Baden-Württemberg GmbH & Co. KG, ish NRW GmbH and iesy Hessen GmbH & Co. KG (the latter two now operate under the Unity Media brand) - and T-Systems Business Services GmbH, as an operator of analogue terrestrial transmitters, with regard to the transmission of broadcast signals. The orders concerning the cable operators relate to conditions for both the input and signal delivery markets. This implies that they mention, on the one hand, the conditions under which broadcasters may feed their broadcast signals into the cable networks of the four operators and, on the other hand, the conditions under which these signals are to be transmitted on to the smaller cable operators (the so-called "Network Level 4"). The regulations cover transparency requirements, bans on discrimination, obligations to provide access for the delivery of signals and ex-post remuneration arrangements. With regard to T-Systems, the order provides for retroactive remuneration for the delivery of analogue VHF signals. The regulation had become necessary after it had been established that the operators possessed considerable power in their respective markets for the transmission of broadcast signals (see IRIS 2006-9: 7). Kabel Deutschland, Kabel Baden-Württemberg, ish and iesy operate the nation-wide cable network built by the *Deutsche Bundespost* and, subsequently, the Deutsche Telekom AG. This network is divided up without any overlap between the four operators. T-Systems operates the network of VHF transmitters built by the Deutsche Bundespost. The company has a virtual monopoly on the transmission of VHF signals in Germany.

Beschluss der Bundesnetzagentur (BK 3b-06-013 und -015/R)

http://www.bundesnetzagentur.de/media/archive/9605.pdf

Decision of the Federal Network Agency (BK 3b-06-013 und -015/R)

Beschluss der Bundesnetzagentur (BK 3b-06-014/R)

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http://www.bundesnetzagentur.de/media/archive/9606.pdf

Decision of the Federal Network Agency (BK 3b-06-014/R)

Beschluss der Bundesnetzagentur (BK 3b-06-017/R)

http://www.bundesnetzagentur.de/media/archive/9608.pdf

Decision of the Federal Network Agency (BK 3b-06-017/R)

Beschluss der Bundesnetzagentur (BK 3b-06-016/R)

http://www.bundesnetzagentur.de/media/archive/9607.pdf

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