WRITTEN QUESTION P-1014/02
by Gary Titley (PSE) to the Commission
(5 April 2002)

Subject: Competition policy in the energy market

The Commission had a very successful experience using its anti-monopoly powers in the case of telecoms liberalisation. Does the Commission intend to build on this positive experience and use its power in the field of energy liberalisation? If the EU is to ensure that the Lisbon economic reform targets are met, it will be vital that European energy markets are fully liberalised and that likewise, the Commission is prepared to flex its anti-monopoly muscles in the event that the aspirations outlined at the Barcelona summit are not fulfilled within the foreseen timeframe.

Answer given by Mrs de Palacio on behalf of the Commission
(6 May 2002)

The Commission believes that the adoption by the Council and the Parliament and a proper implementation by Member States of the Commission's legislative proposals of March 2001 remain the best and most appropriate solution to complete the opening of the Community energy markets. The vote of the Parliament some days before the European Council of Barcelona (15 and 16 March 2002) as well as the Conclusions of the latter have given an important impetus towards the achievement of this objective.

At the same time, the Commission will continue to make use of the Community competition rules to actively promote and maintain a competitive market structure. Indeed, barriers removed by regulatory measures should not be replaced by contractual arrangements or practices, nor by mergers or state-aid preventing the creation of common electricity and gas markets.

WRITTEN QUESTION P-1015/02
by W.G. van Velzen (PPE-DE) to the Commission
(5 April 2002)

Subject: Article in the Financial Times of 27 March 2002 on planned Commission crackdown on mobile phone operators' call termination charges

Is the Commission aware of the article of 27 March 2002 in the Financial Times stating that the Commission may be planning to crack down on mobile phone operators' call termination charges, and is the Commission indeed planning to do this?

Is it true, as claimed in the article, that this action will apply not only to call termination but also to international roaming?

When will the Commission inform the European Parliament of the action planned in this field?

Answer given by Mr Liikanen on behalf of the Commission
(2 May 2002)

The Commission has noted the article in the Financial Times of 27 March 2002 concerning call termination charges on mobile networks.

As required under Directive 2002/21/EC of the Parliament and of the Council on a common regulatory framework for electronic communication networks and services (the 'Framework Directive' (1)), the Commission is preparing a Recommendation on relevant product and service markets within the electronic communications sector susceptible to ex ante regulation.
In accordance with Annex I of the Framework Directive, this Recommendation will include the markets for ‘call termination on public mobile telephone networks’ and ‘wholesale national market for international roaming on public mobile networks’.

As soon as possible after the adoption of the Recommendation, national regulatory authorities in the Member States must carry out an analysis of the markets identified in the Recommendation, to decide whether there is effective competition. Where competition is not effective, national regulatory authorities impose or maintain obligations (such as transparency, non-discrimination, cost orientation) on undertakings deemed to have significant market power, as specified in the Directives.

The draft Recommendation will be subject to a public consultation, to start once the Directives have been formally published in the Official Journal. The Parliament will be kept informed. It is expected that the Recommendation will be adopted by the Commission in June 2002.

In a separate action, the Commission has sent to the Dutch telecommunications operator (Netherlands Telephone Company KPN NV) a statement of objections alleging that KPN, through its subsidiaries KPN Mobile (mobile traffic) and KPN Telecom (fixed traffic), has violated the competition rules of the EC Treaty (1).

The Commission has also launched a sector inquiry into Mobile roaming charges. It can be expected that the action on mobile termination charges will have an impact on mobile roaming charges, as the former are a substantial part of the cost of international roaming.


WRITTEN QUESTION P-1017/02
by Francesco Speroni (NI) to the Commission
(5 April 2002)

Subject: Restrictions on the use of cheques made out in euro

As was pointed out in Question H-0087/02 (1), some businesses such as the ACCOR chain in France explicitly refuse to accept cheques made out in euro drawn on banks in other countries, even if they are part of ‘Euroland’.

This is the case regardless of the amount, whether or not the customer is known or the type of cheque, the only criterion being the location of the bank on which the cheque is drawn, which means that a customer whose cheque is refused if it is drawn on a non-French bank can have a cheque of the same kind and for the same amount accepted, provided that it is drawn on a bank located in France. It is therefore not a question of preferring cash or other forms of payment, whether the customer is known or not or a minimum or maximum amount, but solely a question of territorial discrimination.

Is this practice compatible with the rules on the free movement of capital and the rest of the Union’s legislation?


Answer given by Mr Bolkestein on behalf of the Commission
(11 June 2002)

The only payments by cheque accepted by a commercial undertaking in France are cheques drawn on banks located in France, and cheques drawn on foreign banks are refused. The Honourable Member asks whether such a practice is compatible with the EC Treaty, given that all these cheques are in euros.