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NN-Consultation@berec.europa.eu

Body of European Regulators for Electronic Communications (BEREC)

Public consultation on draft BEREC Guidelines on implementation of net neutrality rules – document BoR (16) 94

First of all, a lot of thanks to Body of European Regulators for Electronic Communications (BEREC) for organising this important consultation.

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This opinion does not contain:

- any business secrets
- any trade secrets
- any confidential information.

This opinion is public.

Body of European Regulators for Electronic Communications (BEREC) can add the PDF file of this opinion to a relevant web page.

Annex 1 holds information about previous consultations on the European Union level.

Annex 2 holds information about disclaimers and copyright.

Best Regards,

Jukka S. Rannila
citizen of Finland

signed electronically

37

38 Previous consultation: Enabling the Internet of Things

39

40 EN: Opinion 74: Enabling the Internet of Things

41 http://www.jukkarannila.fi/lausunnot.html#nro_74

42

43 Here we can note previous opinion (74) which was addressed to BEREC on 12 October 2015.

44

**45 This consultation – draft BEREC Guidelines on implementation of net neutrality rules –
46 document BoR (16) 94**

47

48 Draft BEREC Guidelines on implementation of net neutrality rules (document BoR (16) 94) is very
49 extensive presentation of net neutrality. This opinion reiterates *only some issues* and draft
50 guidelines (document BoR (16) 94) are not accessed thoroughly.

51

52 Standardisation efforts which may be relevant for BEREC

53

54 There are several standard developing organisations on the information technology field and one
55 comprehensive ¹ list is provided by ConsortiumInfo.org.

56

**57 Proposal: There could be some serious assessments based on the list of standard
58 developing organisations (the list is provided by ConsortiumInfo.org).**

59

60 Based on some assessments there could be some industry standards to be evaluated.

61

62 Horizontal standardisation and vertical standardisation

63

64 Personally I advocate using different horizontal standards. For example email standards (horizontal)
65 are implemented with very different technologies (vertical).

66

67 Proposal: BEREC could asses both vertical and HORIZONTAL standards.

68

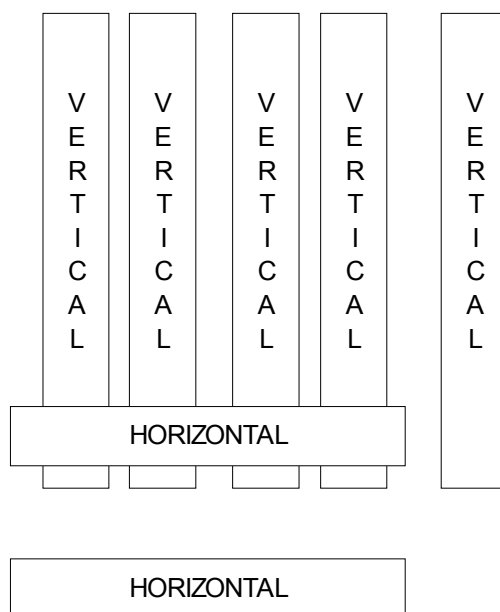
69 Proposal: BEREC could favour development of HORIZONTAL standards.

70

71 Here we can note that developing horizontal standards is very demanding compared to developing
72 vertical standards. Therefore BEREC has to carefully assess situation of horizontal standards before
73 developing new horizontal standards. On the other hand BEREC could/can endorse and enforce
74 usage of different horizontal standards.

75

1 <http://www.consortiuminfo.org/links/linksall.php>, Standard Setting Organizations and Standards List



76
77

78 One warning can be said about standards setting organisations. All standards setting organisations
79 are not successes based on several factors and there can may irrelevant standards setting
80 organisations. Market situation on different vehicle markets varies a lot based on different factors.

81

82 Here we can note some problems:

83

- 84 • some systems are based on **de-facto** standards
- 85 • some systems are based on **de-jure** standards
- 86 • there can be confrontations between **de-facto** and **de-jure** standards
- 87 • there can be a monopoly situation in some domain
- 88 • some standards may inhibit possible actions of some stakeholders
- 89 • there can be a standard war on some domains
- 90 • standards have different life-cycles
- 91 • systems have different life-cycles
- 92 • there can be mismatches between different life-cycles
- 93 • there can be failed standards
- 94 • there can be deprecated standards.

95

96 It is quite normal situation in the information technology field that there are competing standards
97 for some application field. Therefore there are all the time ongoing “standards wars” or “format
98 wars”. The information technology standards tend to be interrelated and one “standards war” or
99 “format war” can lead to another similar situation.

100

101 I have advocated open standards even though in some cases open standards are not de facto
102 standards. In practice public sector has very important role, when some standards are competing in
103 the market place. Because public sector has a considerable power when buying/developing

104 information systems and therefore public sector can sometimes direct markets to certain standards.
105 Therefore there should be serious vigilance when assessing different standards and “standards” in
106 some application fields.

107

108 There are differences between horizontal and vertical standards. A simple example is naturally
109 email solutions. There are several vertical standards when creating technically email solutions. Then
110 there are horizontal standards which enable sending messages between technically different email
111 solutions.

112

113 Horizontal standards enables technological solutions which can work together. Horizontal standards
114 hides different complexities in information systems.

115

116 **Opinion: The number of redundant standardisation efforts should be minimal.**

117

118 **Proposal: There could be separation of horizontal standards and vertical standards.**

119

120 **Proposal: There could be different standardisation efforts to horizontal standards and
121 vertical standards.**

122

123 Personally I have advocated using different horizontal standards. For example email standards
124 (horizontal) are implemented with very different technologies (vertical).

125

126 **Proposal: Some government agencies (e.g. European Union) could apply for
127 memberships of different standard setting organisations which develop especially
128 horizontal standards.**

129

130 **Proposal: Government agencies (e.g. European Union) should not be passive by-
131 standers when different horizontal standards are developed.**

132

133 **Proposal: Government agencies (e.g. European Union) could financially support
134 development of horizontal standards.**

135

136 Here we can note that developing horizontal standards is very demanding compared to developing
137 vertical standards.

138

139 **What this means to BEREC?**

140

141 In reality implementing (new?) neutrality means a lot of work with different systems and to
142 different stakeholder groups. Also implementing (new?) neutrality means usage of several (open?)
143 standards.

144

145 Like proposed earlier there could be support for horizontal standards. Also funding of organisation
146 which develop horizontal standards was discussed.

147

148 **Need for very technical consultation(s)?**

149

150 This consultation is naturally very important since it details several issues of net neutrality.

151

152 **Proposal: Next consultation(s) could be about different (horizontal) standards and**
153 **different technical details when actually implementing net neutrality.**

154

155 **An example for cooperation: Web feeds (RSS and Atom)**

156



157

158

159 I have advocated usage of web feeds on several previous opinion documents. Actually there are two
160 standards for web feeds: RSS^{2 3} and Atom^{4 5 6}.

161

162 **Proposal: Web feeds could be advocated when developing different informations**
163 **systems.**

164

165 **Proposal: Web feeds (RSS and/or Atom) should be used extensively for providing (real-**
166 **time) information for different stakeholder(s) (communities).**

167

168 **Proposal: There can be different web feeds (RSS and/or Atom) for different**
169 **stakeholder(s) – having just one web feed (RSS and/or Atom) may not be a feasible**
170 **solution.**

171

172 **Proposal: Several web feeds (RSS and/or Atom) can be based on different viewpoints.**

173

174 It can be easier to create web feeds in different information systems since web feeds enable
175 connections without direct system-to-system connections.

176

177 It can be noted, that different back-office systems (with a wide variety of different technologies) can
178 implement RSS standards, and these RSS feeds can be used in the front-office systems. With this
179 kind solutions front-office systems dont need direct system-to-system communications with back-
180 office systems.

181

182 **Good luck!**

183

184 This opinion is quite limited and probably other opinions will result some constructive ideas.

185

2 <http://www.rssboard.org/rss-specification>, RSS 2.0 Specification

3 <https://en.wikipedia.org/wiki/RSS>, Wikipedia / RSS

4 [https://en.wikipedia.org/wiki/Atom_\(standard\)](https://en.wikipedia.org/wiki/Atom_(standard)), Wikipedia / Atom (standard)

5 <https://tools.ietf.org/html/rfc4287>, The Atom Syndication Format

6 <https://tools.ietf.org/html/rfc5023>, The Atom Publishing Protocol

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ANNEX 1

My opinions to the previous and relevant consultations – there consultations were mostly organised by the Commission of the European Union. General page to all consultations – both in English and in Finnish: <http://www.jukkarannila.fi/lausunnot.html>

EN: Opinion 1: Review of the rules on access to documents
http://www.jukkarannila.fi/lausunnot.html#nro_1

EN: Opinion 2: Schools for the 21st Century
http://www.jukkarannila.fi/lausunnot.html#nro_2

EN: Opinion 3: The future of pharmaceuticals for Human use in Europe- making Europe a Hub for Safe and Innovative medicines
http://www.jukkarannila.fi/lausunnot.html#nro_3

EN: Opinion 5: Consumer Scoreboard, Questionnaire for stakeholders
http://www.jukkarannila.fi/lausunnot.html#nro_5

EN: Opinion 6: Consultation on a Code of Conduct for Interest Representatives
http://www.jukkarannila.fi/lausunnot.html#nro_6

EN: Opinion 8: European Interoperability Framework, version 2, draft
http://www.jukkarannila.fi/lausunnot.html#nro_8

EN: Opinion 9: CAMSS: Common Assessment Method for Standards and Specifications, CAMSS proposal for comments
http://www.jukkarannila.fi/lausunnot.html#nro_9

EN: Opinion 15: Collective Redress
http://www.jukkarannila.fi/lausunnot.html#nro_15

EN: Opinion 17: Opinion to Antitrust Case No. COMP/C-3/39.530
http://www.jukkarannila.fi/lausunnot.html#nro_17

EN: Opinion 18: Opinion Related to the Public Undertaking by Microsoft
http://www.jukkarannila.fi/lausunnot.html#nro_18

EN: Opinion 19: Official Acknowledgement by the Commission
http://www.jukkarannila.fi/lausunnot.html#nro_19

- 231 EN: Opinion 20: SECOND Opinion Related to the Public Undertaking by Microsoft
232 http://www.jukkarannila.fi/lausunnot.html#nro_20
233
- 234 EN: Opinion 21: Opinion about the European Interoperability Strategy proposal
235 http://www.jukkarannila.fi/lausunnot.html#nro_21
236
- 237 EN: Opinion 23: Public consultation on the review of the European Standardisation System
238 http://www.jukkarannila.fi/lausunnot.html#nro_23
239
- 240 EN: Opinion 27: Public Consultation on the Modernisation of EU Public Procurement Policy
241 http://www.jukkarannila.fi/lausunnot.html#nro_27
242
- 243 EN: Opinion 28: Consultation on the Europe 2020 Project Bond Initiative
244 http://www.jukkarannila.fi/lausunnot.html#nro_28
245
- 246 EN: Opinion 30: Internet Filtering
247 http://www.jukkarannila.fi/lausunnot.html#nro_30
248 NOTE: Organised by the European Committee for Standardization (CEN) ⁷
249
- 250 EN: Opinion 32: COMP/C-3/39.692/IBM – Maintenance services
251 http://www.jukkarannila.fi/lausunnot.html#nro_32
252
- 253 EN: Opinion 34: REMIT Registration Format
254 http://www.jukkarannila.fi/lausunnot.html#nro_34
255 NOTE: Organised by The Agency for the Cooperation of Energy Regulators (ACER) ⁸
256
- 257 EN: Opinion 35: Exploiting the employment potential of the personal and household services
258 http://www.jukkarannila.fi/lausunnot.html#nro_35
259
- 260 EN: Opinion 37: CASE COMP/39.654 - Reuters instrument codes
261 http://www.jukkarannila.fi/lausunnot.html#nro_37
262
- 263 EN: Opinion 39: Registry options to facilitate linking of emissions trading systems
264 http://www.jukkarannila.fi/lausunnot.html#nro_39
265
- 266 EN: Opinion 40: Media Freedom and Pluralism / audiovisual regulatory bodies
267 http://www.jukkarannila.fi/lausunnot.html#nro_40
268
- 269 EN: Opinion 41: AT.39398: observations on the proposed commitments
270 http://www.jukkarannila.fi/lausunnot.html#nro_41
271
- 272 EN: Opinion 42: Opening up Education
273 http://www.jukkarannila.fi/lausunnot.html#nro_42

7 <http://www.cen.eu/> (Accessed 2 July 2012)

8 <http://www.acer.europa.eu/> (Accessed 2 July 2012)

- 274
275 EN: Opinion 43: Publication of extracts of the European register of market participants
276 http://www.jukkarannila.fi/lausunnot.html#nro_43
277 NOTE: Organised by The Agency for the Cooperation of Energy Regulators (ACER)
278
279 EN: Opinion 44: Evaluation policy guidelines
280 http://www.jukkarannila.fi/lausunnot.html#nro_44
281
282 EN: Opinion 45: About ICT standardisation
283 http://www.jukkarannila.fi/lausunnot.html#nro_45
284
285 EN: Opinion 46: Review of the EU copyright rules
286 http://www.jukkarannila.fi/lausunnot.html#nro_46
287
288 EN: Opinion 51: European Area of Skills and Qualifications
289 http://www.jukkarannila.fi/lausunnot.html#nro_51
290
291 EN: Opinion 52: Trusted Cloud Europe Survey
292 http://www.jukkarannila.fi/lausunnot.html#nro_52
293
294 EN: Opinion 53: Trade Reporting User Manual (TRUM) (Draft)
295 http://www.jukkarannila.fi/lausunnot.html#nro_53
296 NOTE: Organised by The Agency for the Cooperation of Energy Regulators (ACER)
297
298 EN: Opinion 55: European Energy Regulation
299 http://www.jukkarannila.fi/lausunnot.html#nro_55
300 NOTE: Organised by The Agency for the Cooperation of Energy Regulators (ACER)
301
302 EN: Opinion 59: Green paper on mobile Health
303 http://www.jukkarannila.fi/lausunnot.html#nro_59
304
305 EN: Opinion 60: Cross-border inheritance tax problems within the EU
306 http://www.jukkarannila.fi/lausunnot.html#nro_60
307
308 EN: Opinion 61: European Register of Products Containing Nanomaterials
309 http://www.jukkarannila.fi/lausunnot.html#nro_61
310
311 EN: Opinion 64: Corporate Social Responsibility - European Commission
312 http://www.jukkarannila.fi/lausunnot.html#nro_64
313
314 EN: Opinion 66: Net Innovation for the Work Programme 2016-2017
315 http://www.jukkarannila.fi/lausunnot.html#nro_66
316
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- 319 EN: Opinion 68: European Network Code Stakeholder Committees
320 http://www.jukkarannila.fi/lausunnot.html#nro_68
321 NOTE: Organised by The Agency for the Cooperation of Energy Regulators (ACER)
322
- 323 EN: Opinion 71: Common Schema for the Disclosure of Inside Information
324 http://www.jukkarannila.fi/lausunnot.html#nro_71
325 NOTE: Organised by The Agency for the Cooperation of Energy Regulators (ACER)
326
- 327 EN: Opinion 74: Enabling the Internet of Things
328 http://www.jukkarannila.fi/lausunnot.html#nro_74
329 NOTE: Organised by Body of European Regulators for Electronic Communications (BEREC)
330
- 331 EN: Opinion 80: Mandatory Transparency Register
332 http://www.jukkarannila.fi/lausunnot.html#nro_80
333
- 334 EN: Opinion 84: Revision of the European Interoperability Framework
335 http://www.jukkarannila.fi/lausunnot.html#nro_84
336
- 337 EN: Opinion 86: 2016 Annual Colloquium on fundamental rights
338 http://www.jukkarannila.fi/lausunnot.html#nro_86
339
- 340 EN: Opinion 88: Evaluation and Review of the ePrivacy Directive
341 http://www.jukkarannila.fi/lausunnot.html#nro_88
342
- 343 My opinions to the previous and relevant consultations – there consultations were mostly organised
344 by the Commission of the European Union. General page to all consultations – both in English and
345 in Finnish: <http://www.jukkarannila.fi/lausunnot.html>
346
- 347
- 348 [Continues on the next page]
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ANNEX 2

353 DISCLAIMERS

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355 Legal disclaimer:

356 All opinions in this opinion paper are personal opinions and they do not represent opinions of any legal entity I am
357 member either by law or voluntarily. This opinion paper is only intended to trigger thinking and it is not legal advice.

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366

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371

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392 The English explanation is on the following web page:

393 <http://creativecommons.org/licenses/by-nc-nd/4.0/legalcode>

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9 Based on the Finnish three-party system there is a phenomenon called extreme-centre in Finland. The 2011 parliamentary elections in Finland challenged the three-party system, since three "old" parties were not traditionally as the three largest parties. On 2015 this "new" party is part of the current Finnish Government. We all must be interested about this new development in Finland.