



# **Letter of Understanding**

**regarding**

**Co-operation between**

**ECC and ETNO**

***The Parties,***

- The Electronic Communications Committee (ECC) of CEPT (Conférence Européenne des Administrations des Postes et des Télécommunications), and
- the European Telecommunications Network Operators' Association (ETNO),

having noted the need to establish a close working relationship in order to foster a close co-operation;

***recognising that:***

- ECC is an organisation of governmental bodies, hence with limited possibilities to enter binding agreements with a private association;
- ETNO is an association of telecommunications network operators;

***and considering that:***

- a) a Letter of Understanding between the European Radiocommunications Committee (ERC) and ETNO was signed on 15 December 1998;
- b) within CEPT, the ERC has been merged with the European Committee on Telecommunication Regulatory Affairs into the ECC, and that therefore the ECC has taken over the responsibilities of the ERC;
- c) ECC considers and develops policies on electronic communications activities in an European context and is the recognised organisation in Europe responsible for the efficient use of the radio spectrum, satellite orbits and numbering resources, so as to satisfy the requirements of the users;
- d) ETNO develops common views of telecommunications network operators, on regulatory matters such as spectrum utilisation;
- e) ECC and ETNO have the common objective to promote electronic communications, directly or indirectly, with the aim of contributing to the establishment of a global information infrastructure;
- f) ECC and ETNO have a common interest in ensuring Europe-wide, or even world-wide harmonisation of spectrum resources for electronic communications services in order to meet the needs of the market;
- g) the ETNO Executive Board has authorised the corresponding ETNO Working Group to nominate Observers for the ECC and sub-ordinate entities;

***agree to co-operate as follows:***

1. ECC and ETNO may exchange as appropriate, free of charge, information on programmes of work in areas of mutual interest related to electronic communications and seek, to the extent possible, a common European approach concerning electronic communications applications. The area of mutual interest related to electronic communications covered by this LoU regards the use of spectrum resources;

2. Within the area of mutual interest related to electronic communications, copies of relevant working documents from either Party may be made available to the other Party on request on topics of mutual interest, agreed from time to time by both parties. The dissemination by one Party of the documents received from the other party will be limited to the members of the receiving Party, and solely for the purpose of the activities relating to the Party's work programme;
3. All copyright, and other intellectual and industrial rights embodied in documents exchanged between ECC and ETNO, and any copies thereof, remain with the originating party and extend to all media in which the information may be embodied;
4. Within the area of mutual interest related to electronic communications, participation of a nominated Observer from ETNO is permitted at mutually agreed meetings of the ECC and its subordinate bodies, and a nominated Observer from ECC may be invited to attend an ETNO Working Group meeting for relevant agenda items;
5. These Observers shall, to the extent permitted by the relevant Party's organisational statutory, be entitled to participate fully in discussions on relevant work items, and may submit written contributions, but shall have no voting rights;
6. ETNO may submit proposals to the relevant ECC Body. These shall be adopted subject to the normal ECC process for approval of new work items and outputs;
7. The practical contacts and decisions for the application of this Agreement will be taken between the ECC Chairman and the Chairman of the relevant ETNO Working Group, or their representatives. Chairmen of ECC subordinate bodies and other ETNO bodies may participate in these contacts as appropriate.
8. Any difficulties arising shall be agreed wherever possible at the working group level between the relevant CEPT Body and ETNO Working Group. Matters which cannot be resolved at working group level shall be subject to discussion between the two parties at the level of Chairman of ECC and Chairman of the ETNO Executive Board;
9. This Agreement shall last for three years and shall be tacitly renewed for further one-year periods unless otherwise agreed by the Parties. The Agreement can be terminated by either Party before the expiry date with three months' notice;

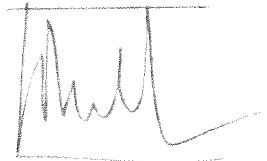
Agreed for the ECC by



CHRIS VAN DIEPENBEEK  
Chairman ECC

Date 20.12.2005

Agreed for ETNO by



ALFREDO ACEBAL NEU  
Chairman ETNO Executive Board

Date 17/02/06