



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 3 June 2009 (05.06)
(OR. fr)**

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**Interinstitutional File:
2008/0187 (COD)**

REV 1

**CODEC 773
TELECOM 121
COMPET 300
MI 228
CONSOM 125**

"I/A" ITEM NOTE

from : General Secretariat of the Council
to : Permanent Representatives Committee/Council

No. Cion prop. : 13531/08 TELECOM 140 COMPET 357 MI 331 CONSOM 129 CODEC 1226

Subject : Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 717/2007 on roaming on public mobile telephone networks within the Community and Directive 2002/21/EC on a common regulatory framework for electronic communications networks and services [**first reading**]
– Adoption of the legislative act (**LA + S**)

1. On 26 September 2008 the Commission submitted to the Council the above proposal¹ based on Article 95 of the EC Treaty.
2. The European Economic and Social Committee delivered its opinion² on 15 January 2009.
3. In accordance with the joint declaration on practical arrangements for the codecision procedure³, informal talks were held between the Council, the European Parliament and the Commission, with a view to reaching agreement at first reading.

¹ 13531/08.

² Not yet published.

³ OJ C 145, 30.6.2007, p. 5.

4. The European Parliament delivered its Opinion at first reading on 22 April 2009, adopting one amendment to the Commission proposal. The outcome of the vote in the European Parliament¹ reflects the compromise agreement reached between the institutions and should therefore be acceptable to the Council.

5. The Permanent Representatives Committee is consequently invited to confirm its agreement and suggest that the Council:
 - adopt the Regulation, as set out in PE-CONS 3645/09, as an "A" item at a forthcoming meeting, with the Latvian and Spanish delegations abstaining;

 - have the statements set out in the addendum to this note entered in the minutes of that meeting.

When it has been signed by the President of the European Parliament, the President of the Council and the Secretaries-General of the two institutions, the legislative act will be published in the Official Journal of the European Union.

¹ 8880/09.