

# **ARCEP proposals for peering questionnaires**

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## About LINX

- Membership organisation in UK
  - One of the world's big Internet Exchanges (IXP)
  - Represents members' interests in public policy
- Large and diverse membership
  - 400 members from 51 countries
  - ~1.3Tb/s peak traffic and ~82.5% global routing table

## ARCEP proposal 23<sup>rd</sup> December 2011

- Introduce a legal requirement to answer a questionnaire on interconnection agreements (peering)
  - Responses required four times per year
  - Covers technical aspects (e.g. flow size) and pricing
- Would cover
  - French networks
  - Networks outside France interconnecting with French networks
  - Providers of online communications (content) Services in France
  - Content services outside France “who have actively taken steps to have their services or content accessed by French users”

## LINX Objections

- Jurisdiction of ARCEP
  - Belief that one national authority should not impose extra-territorial duties on operators with no greater nexus than that they interconnect with an operator that is within the jurisdiction
- Burden may change peering behaviour
  - Most peering agreements conducted on a handshake with no written contract
  - Fear that requiring operators to introduce compliance checks may deter propensity to peer, at the margin

## ARCEP proposal 30<sup>th</sup> March 2012

- Not yet published in English
- Reduced extra-territorial burden
  - Questionnaire “will be sent” to targeted non-French operators
  - Introduced a limitation that questionnaires will not be sent to operators concerning interconnection relationships  
“which is not capable of producing significant effects on the provision of communication services at public online users located in France”
- Questionnaire to be completed twice per year