

Notice for the launch of the public consultation on Draft BEREC guidelines to assist NRAs on the consistent application of geographical surveys of network deployments

These draft guidelines are provided by BEREC in response to the task set in Article 22 (7) of the Directive (EU) 2018/1972 of the European Parliament and of the Council of 11th December 2018 establishing the European Electronic Communications Code (hereinafter EECC) to assist national regulatory authorities (NRAs) and/or other competent authorities (OCAs) on the consistent application of geographical surveys of network deployments (hereinafter GS of ND).

According to Article 22 of the EECC, NRAs and/or other competent authorities shall conduct a geographical survey of the reach of electronic communications networks capable of delivering broadband ("broadband networks") by 21 December 2023 and shall update it at least every 3 years.

BEREC delivers these guidelines in two phases.

In February 2020, following its obligation under Article 22, BEREC issued the core Guidelines¹ establishing a series of information that MS have to deliver in order to characterize the network and performance of electronic communication networks capable of delivering broadband.

During 2020 BEREC is working on phase 2 which includes 2 different tasks:

- a.) Guidelines regarding verification, including QoS2 and QoS3 information to verify QoS1 information.
- b.) Guidelines on the procedures to invite undertakings and public authorities to declare their intention to deploy VHCNs over the duration of the relevant forecast period (Art 22.2, 22.3 and Art 22.4)

This public consultation is regarding task b only (i.e. BEREC guidelines on the procedures).

The document has the following structure:

- 1) Chapter 1 sets out the legal background on the procedures to designate areas and to invite undertakings and public authorities to declare their intentions to deploy VHCNs and/or enhance the network capacities to at least 100 Mbps download speed .
- 2) Chapter 2 specifies the designation of areas in terms of: information required to designate areas; definition of area boundaries; frequency of area designation; and publication of designated areas.

¹ BoR (20) 42

- 3) Chapter 3 describes the methodology BEREC proposes for the invitations to declare investment intentions. It contains three main sections: procedures for the first invitation; procedures for the second invitation; information to be disclosed ex post, after the invitation process.

To this end, stakeholders are invited to comment and provide their views on the different chapters of the Guidelines following their structure.

Practical details of the public consultation

In accordance with the BEREC policy on public consultations, BEREC will publish a summary of all received contributions, respecting confidentiality requests.

The public consultation will run from **6 of October 2020 to 5 November 2020**.

All stakeholders are invited to submit their contributions to the following e-mail address: PC_Guidelines_GS_ND@berec.europa.eu Further enquiries about the consultation including registration with the online platform may also be submitted to this address.

The overall size of the e-mail (including attachments) should not be larger than 2 MB.

After submitting the contribution via e-mail, an automatic reply will be generated. If this confirmation e-mail is not received, the submission of the contribution was not successful and it should be submitted again.

We strongly encourage all stakeholders to submit their contributions as early as possible. **Contributions received after the above mentioned deadline will not be taken into account.**

Contributions should preferably be sent in English.

In order to facilitate processing of the responses, the comments provided should clearly refer to the certain paragraphs/structure of the document.

All contributions will be published on the BEREC website, taking into account requests for confidentiality and publication of personal data. **Any such requests should clearly indicate which information should be considered confidential.**