

# Public debriefing

Outcomes of the 63rd BEREC ordinary plenary meetings  
5-6 June 2025

11 June 2025

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# Programme

- Draft BEREC Strategy 2026-2030
- Draft BEREC Guidelines on the coordination of civil works according to Article 5(6) of the Gigabit Infrastructure Act
- Draft BEREC Guidelines on access to in-building physical infrastructure according to Article 11(6) of the Gigabit Infrastructure Act

## Q&A session

- Draft BEREC Report on submarine cables connectivity in Europe
- BEREC updates

## Q&A session

# **Draft BEREC Strategy 2026-2030**

**Planning and Future Trends Working Group**  
**Maria Ruiz Merida (CNMC), Katia Marcantonio (AGCOM)**

# General considerations

- Review & Merge the three BEREC Strategies (Mid-term; Institutional and International) + Action Plan 2030 considering technological, market and policy developments
- Interplay with the review: a Strategy for a transition period
  - Too early to have a clear view of future developments
  - Reference to a possible early update of the Strategy to adapt to upcoming changes
- Structure of the document
  - Market and technological developments
  - Policy and legislative changes
  - High-level priorities (five priorities)
  - Institutional and international cooperation

# Priorities



# Next steps

- Public consultation open until **15 July 2025**
- **Final document** to be published in mid-December 2025

# **Draft BEREC Guidelines on the coordination of civil works according to Article 5(6) of the Gigabit Infrastructure Act**

**Fixed Network Evolution Working Group  
Alexander Thelen (BNetzA), François Weber (Arcep)**

# GIA main content

- Gigabit infrastructure Act (GIA) adopted on 12 May 2024 and will fully replace the BCRD on 12 November 2025
- Aims to **facilitate and stimulate the roll-out of VHCNs**
- Main provisions include:
  - Access sharing to physical infrastructure
  - Coordination of civil works
  - Permit granting facilitation
  - Gathering of information and procedures into electronic single information points





# Legal mandate on Article 5 guidelines

- Article 5 introduces an obligation for physical infrastructure owners to meet any reasonable request to coordinate civil works
- Three topics have to be covered by the BEREC guidelines according to GIA Article 5(6):
  - **Apportioning the costs** associated with the coordination of civil works
  - The criteria the **dispute** settlement body (DSB) should follow
  - The criteria for **ensuring sufficient capacity** to accommodate foreseeable future reasonable needs if coordination of civil works is refused

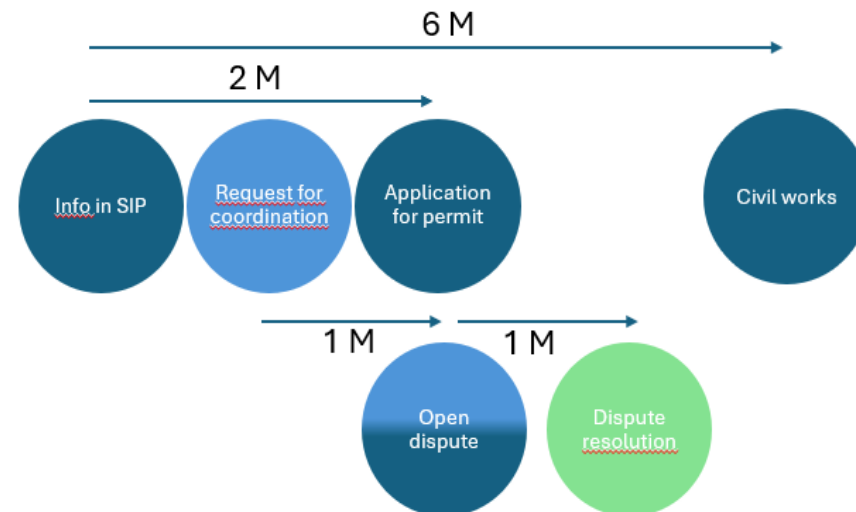


# Apportioning of the costs

- Directly attributable costs should be borne by the party causing these costs
- Shared costs should be analyzed on a case-by-case basis, based on objective criteria
- For shared costs, BEREC recommends the use of objective formulas, reflecting either equity or proportionality
- Non-exhaustive examples of formulas are provided

# Criteria to settle disputes (1/2)

- General dispute settlement rules (independence of the DSB, transparency of the procedure, etc.) apply the same way they do for other disputes.
- Time constraints defined in GIA (1 month to settle the disputes) are demanding. Consequently, **information sharing during the settlement needs to be swift.**

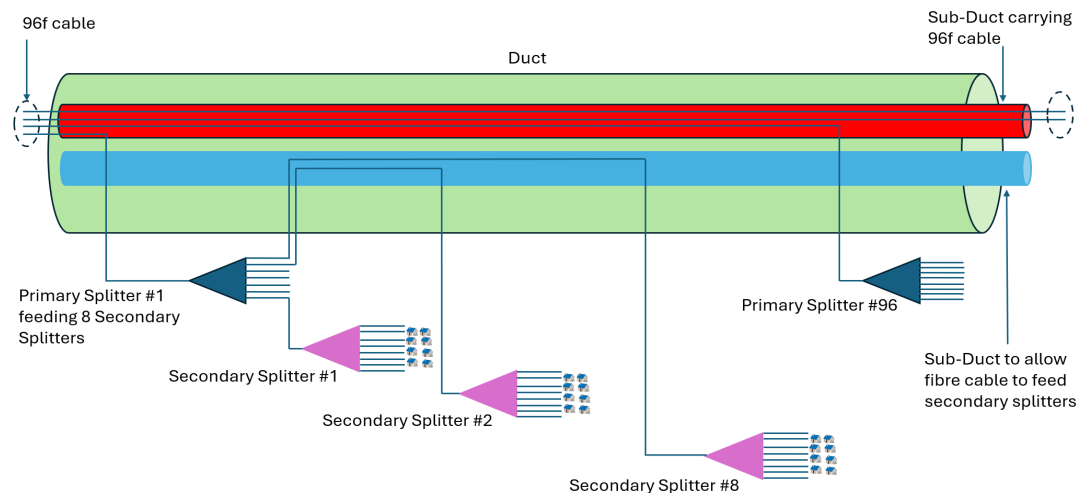


# Criteria to settle disputes (2/2)

- **Missing information may, when foreseen in national procedural rules, require suspension or extension of the 1-month deadline.**
- **Transparency on the information requirement is provided through a list of suggested information demands.**
- **To smooth negotiations, BEREC also suggests an optional standard agreement model.**

# Ensuring sufficient capacity (1/2)

- Article 5(4) allows refusals of requests to coordinate civil works in certain circumstances
- This refusal is only possible if the refusing party deploys physical infrastructure with sufficient capacity for future 3rd party-access
- This part of the guidelines aims to define a methodology to estimate how to quantify this additional capacity need



# Ensuring sufficient capacity (2/2)

The suggested methodology covers several steps:

- estimation of the **number of end-users** and their reasonable **needs** based on the number of households as well as on the number of businesses in the area;
- estimation of the **volume of fibre** necessary to cover the above requirements;
- **estimation of the physical infrastructure** needed to accommodate such fibre;
- examples of relevant models and formulas are suggested in Annex 2.

# Next steps

- Launch of public consultation on 11 June 2025
- End of public consultation on 11 July 2025 close of business
- No late contribution can be taken into account
- Adoption of final guidelines by 12 November 2025

# **Draft BEREC Guidelines on access to in-building physical infrastructure according to Article 11(6) of the Gigabit Infrastructure Act**

**Fixed Network Evolution Working Group  
Alexander Thelen (BNetzA), François Weber (Arcep)**



# Legal mandate on Article 11 guidelines

- Article 11 introduces an obligation for physical infrastructure owners to meet any reasonable request to access in-building physical infrastructure
- 2 topics have to be covered by the guidelines according to GIA Article 11(6):
  - **The terms and conditions of access**
  - **Procedural guidance**, setting criteria the dispute settlement body (DSB) should follow when settling disputes

# Terms and conditions (1/2)

In-building physical infrastructure owned by the building owner

- When the in-building physical infrastructure is owned by the building owner, BEREC recommends access is **generally provided for free**;
- The reason is that this reflects
  - the current practice in most Member States,
  - the overarching goal of GIA, that “*networks can be rolled out faster and at a lower cost*” and
  - the value-added for the building owner of having these services available.

# Terms and conditions (2/2)

In-building physical infrastructure owned by ECN operator

- Typically this infrastructure will already host fibre wiring.
- Fair and reasonable prices to the in-building physical infrastructure should in those instances not deplete a reasonable first mover advantage.
- When the in-building physical infrastructure is owned by an electronic communication operator, any pricing should be **based on evidence** (bills for instance), and BEREC suggests to keep the methodology simple in that case.

# Criteria to settle disputes

- General dispute settlement rules (independence of the DSB, transparency of the procedure, etc.) apply the same way they do for other disputes.
- Time constraints defined in GIA (1 month to settle the disputes) are demanding. Consequently, **information sharing during the settlement needs to be swift.**
- **Missing information may, when foreseen in national procedural rules, require suspension or extension of the 1 month deadline.**
- Transparency on the information requirement is provided through **a list of suggested information demands.**

# Next steps

- Launch of public consultation on 11 June 2025
- End of public consultation on 11 July 2025 close of business
- No late contribution can be taken into account
- Adoption of final guidelines by 12 November 2025.

# **Draft BEREC Report on submarine cables connectivity in Europe**

**Digital Markets Working Group**

**Chiara Caccinelli (Arcep), Margarida Melo Santos (ANACOM)**

# Context

- Providing an **overview** of the domestic submarine cable systems ensuring communications services in Europe and the main purpose of their deployment
- Showing detailed information on the **past and current ex-ante economic regulatory treatment** of submarine cables in the different BEREC member countries with the presentation of three specific case studies
- Identifying the main **challenges and emerging trends** according to NRAs
- The draft report will be opened for **public consultation from 11 June to 11 July 2025**. Publication of final report scheduled for mid-December
- 2<sup>nd</sup> half 2025: workshop in collaboration with REGULATEL (connectivity Europe-Latin America), EMERG (connectivity in the Mediterranean) and other regulators' networks or stakeholders

# Main findings – Overview of SC systems

- 15 out of 27 countries with direct access to sea have segments of submarine cables connecting national cable landing stations (CLS) mostly deployed in the Mediterranean Sea (41%) and in the Atlantic Ocean (38%), while almost 16% of the segments are deployed in the Baltic Sea
- Large majority is purely domestic SCs and 12% are part of an international cable systems
- A large majority of SCs is deployed by ECN operators acting at the retail level and using submarine cables for their own network connections and operations + in most cases they also offer wholesale connectivity to others
- Almost 1/3 of the SC systems are between 10 and 25 years old. 14% started operating over 35 years ago
- Nearly 20% of the domestic submarine cables analysed in this report benefitted from public funding → public funding instruments vital for assuring connectivity



# Main findings – Regulatory treatment

- 6 NRAs (Croatia, France, Greece, Iceland, Portugal, and Spain) have carried out a market analysis regarding or including domestic submarine cables leading to regulation of submarine cables with designation of an SMP operator: 4 (Croatia, Greece, Iceland, Portugal) are still regulating, and 2 (France and Spain) deregulated respectively in 2017 and 2024, but still monitor the evolution
- 4 NRAs (Greece, Iceland, Portugal and Spain) under M14/2003, 1 NRA (France) under M4/2014 and 1 (Croatia) under both M14/2003 and M4/2014
- Different remedies applied (3 NRAs on access, reference offer, transparency, non-discrimination and price control. 1 NRA also account separation and 2 NRAs also on financial reporting.
- Different forms of regulation: in France guidelines before regulating and Italy economic conditions for wholesale access to SC subject to public funds under NRA assessment
- Three case studies on Iceland, Portugal and Spain

# Main findings – Trends and challenges

- Security, reliability and redundancy of the connections provided through submarine cables
  - Replacement of current submarine cable systems as the end of their lifecycle is approaching and the need for very high investments, especially when submarine cables serve remote areas or coastal villages sparsely populated, where investment is not justified based on future revenues
- Key to monitor the evolution of effective competition in the long term, which requires precise data/information from different stakeholders. NRAs should be able to collect information relating to SCs from both public and private entities (owners like telecom ECN operators or big tech companies, suppliers, among others).



# BEREC updates

**BEREC Chair**  
**Robert Mourik (ComReg)**

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# List of BoR adopted documents

- BEREC Annual Report 2024
- Report on WACC parameters 2025
- Progress Report on managing copper network switch-off
- Report on Infrastructure-sharing as a lever for ECN/ECS environmental sustainability
- Report on Stock taking of NRAs application of Article 52(2) for wholesale access obligations
- Report on the regulation of physical infrastructure access
- 5<sup>th</sup> Ukraine Roaming Monitoring Report
- Summary of the BEREC sessions at ENISA Telecom and Digital Infrastructure Security Forum 2025

# BEREC Workshops

**External workshop on the ecodesign of digital services for greener networks and ICTs**

- ▶ **30 April 2025** in Brussels and online
- ▶ Video recording
- ▶ Presentations

**External workshop on practical issues preventing number misuse and possible fraudulent activities as a result of impact of new technologies**

- ▶ **21 May 2025** in Brussels and online
- ▶ Presentations



# 13th BEREC Stakeholder Forum

**611 Registered participants**

**261 Organisations represented**

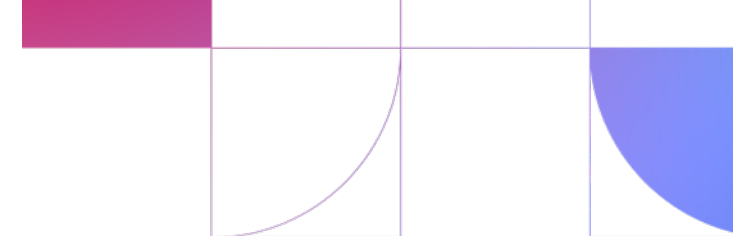
**49 Countries**



# Upcoming public events

- **26 June 2025** - Workshop on the competitive effects of strategic fibre networks deployment, including in the context of copper switch-off, IRG Secretariat and online
- **25 September 2025** - Workshop on on the environmental footprint of satellite constellations, IRG Secretariat and online
- **8 October 2025** - BEREC public debriefing, IRG Secretariat and online

# Public consultations



Document title	Deadline
Draft BEREC Guidelines on the coordination of civil works according to Article 5(6) of the Gigabit Infrastructure Act	<b>11 July 2025</b>
Draft BEREC Guidelines on access to in-building physical infrastructure according to Article 11(6) of the Gigabit Infrastructure Act	<b>11 July 2025</b>
Draft BEREC Report on submarine cables connectivity in Europe	<b>11 July 2025</b>
Draft BEREC Strategy 2026-2030	<b>15 July 2025</b>



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