

64th Ordinary Plenary Meeting of the BEREC Board of Regulators (BoR)

Hybrid Meeting

Conclusions

Chair: Robert Mourik

Commissioner of the Commission for Communications
Regulation (ComReg)

2 October 2025

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Main results of the 64th Meeting of the BEREC Board of Regulators

The BEREC Board of Regulators ('BoR') held its 64th Ordinary Plenary Meeting in hybrid format on 2 October 2025.

During the meeting, the BoR discussed and/or approved the following documents:

1. Documents approved as 'A' items:

1.1 For publication:

- BoR (25) 125 BEREC Report on the implementation of the Open Internet Regulation and the BEREC Open Internet Guidelines
- BoR (25) 126 Summary of the BEREC external Workshop on the competitive effects of strategic fibre networks deployment, including the context of copper switch-off
- BoR (25) 128 BEREC 6th Intra-EU communications Benchmark Report
- BoR (25) 129 Summary report from external workshop on practical issues preventing number misuse and possible fraudulent activities as a result of the impact of new technologies
- BoR (25) 130 BEREC Summary Report on external workshop on digital services' eco-design for greener networks and ICTs
- BoR (25) 135 BEREC Summary Report from the internal workshop on aspects of 2G and 3G phase-out

1.2 For internal use:

- BoR (25) 127 Summary of the BEREC internal Workshop on the competitive effects of strategic fibre networks deployment, including the context of copper switch-off
- BoR (25) 135(i) Annex to the BEREC Summary Report from the internal workshop on aspects of 2G and 3G phaseout

2. Documents approved as regular items:

2.1. For publication:

- BoR (25) 124 BEREC BoR Agenda
- BoR (25) 138 BEREC Opinion on the EC review of the Delegated Regulation setting Union-wide termination rates
- BoR (25) 140 BEREC Guidelines on the coordination of civil works according to Art. 5(6) of the Gigabit Infrastructure Act
- BoR (25) 141 BEREC Report on the outcome of the public consultation on the Draft BEREC Guidelines on the coordination of civil works according to Art. 5(6) of the Gigabit Infrastructure Act
- BoR (25) 142 BEREC Guidelines on access to in-building physical infrastructure according to Article 11(6) of the Gigabit Infrastructure Act

- BoR (25) 143 BEREC Report on the outcome of the public consultation on the Draft BEREC Guidelines on access to in-building physical infrastructure according to Article 11(6) of the Gigabit Infrastructure Act

2.2. For public consultation:

- BoR (25) 136 Draft BEREC Work Programme 2026

2.3 For internal use:

- BoR (25) 137 Preliminary schedule of the ordinary BoR and MB meetings, Contact Network (CN) meetings and public debriefings in 2026
- BoR (25) 139 Internal BEREC Report on the integration of AI in the telecommunications sector

3. Documents submitted for information purposes:

- BoR (25) 131 Contact lists pack
- BoR (25) 132 Information on the planned electronic voting procedures
- BoR (25) 133 Information on the electronic voting procedures since the last plenary meeting
- BoR (25) 134 Work Programme 2025 status update

4. Other main topics discussed

The BoR was briefed on the recent activities of the BEREC Chair, the important projects carried out by the BEREC Office in support of BEREC and BEREC's recent and forthcoming international activities. The BoR was also informed about the development of the BEREC Work Programme 2026.

The European Commission ('EC') was invited to provide information on important recent developments and activities under its remit that have an impact on the electronic communications sector.

The BoR held elections for BEREC Chair 2027 and Vice-Chairs 2026.

5. Next meeting

The next Ordinary Plenary Meeting of the BoR will take place in hybrid format on **4 December 2025 in Malta**.

6. Follow-up actions

The follow-up actions arising from the conclusions of the meeting are presented in Annex I to the Minutes.

Introduction and participation

The BEREC BoR held its 64th Ordinary Plenary Meeting in hybrid format on 2 October 2025.

The meeting was attended by the Heads and/or High-level Representatives of the National Regulatory Authorities ('NRAs') from each EU Member State, who have primary responsibility for overseeing the day-to-day operations of the markets for electronic communications networks and services. The EC also took part in the meeting. Heads and High-level Representatives of the NRAs with whom BEREC has concluded working arrangements were also present.

List of documents

The list of final documents approved by the meeting for publication, in compliance with the BEREC Regulation and the BoR transparency rules, is presented in Annex I to the Conclusions.

Items discussed

A short overview of the information presented under each agenda item, a summary record of the proceedings and a record of the conclusions reached by the BoR are presented below.

1 Opening of the meeting and adoption of the agenda

Document(s)	BoR (25) 124 Draft BEREC BoR Agenda
Introduction by	BEREC Chair (ComReg)
Information presented	<p>The BEREC Chair welcomed the meeting participants and introduced the new BEREC members: Rex Leijenaar, A C M, the Netherlands; and Przemysław Kuna, UKE, Poland; and Constantinos Stylianou, OCECPR, Cyprus.</p> <p>The BEREC Chair opened the Meeting and presented the draft Agenda for approval by the BoR. The BoR was invited to suggest any additional issues to be raised or presented under 'Any other business' (AOB).</p>
Conclusion	The agenda was approved and one point was identified to be raised under 'Any other business' (AOB).

2 Election of the BEREC Chair 2027 and Vice-Chairs 2026

Document(s)	No document
Introduction by	BEREC Chair (ComReg)
Information presented	The BEREC Chair opened the joint vote for the positions of BEREC Chair for 2027, BEREC Vice-Chairs for 2026 and the representative of participants without voting rights to the Mini Board for 2026.
Conclusion	The BoR agreed on the election process as suggested by the BEREC Chair, on the number of additional Vice-Chairs, and to organise a joint vote on all the positions.

3 List of 'A' Items

Document(s)	<p><u>For publication:</u></p> <p>BoR (25) 125 Draft BEREC Report on the Implementation of the Open Internet Regulation and the BEREC Open Internet Guidelines</p> <p>BoR (25) 126 Draft summary of the BEREC external workshop on the competitive effects of strategic fibre networks deployment, including the context of copper switch-off</p> <p>BoR (25) 128 Draft BEREC 6th Intra-EU Communications Benchmark Report</p> <p>BoR (25) 129 Draft summary report from external workshop on practical issues preventing number misuse and possible fraudulent activities as a result of impact of new technologies</p> <p>BoR (25) 130 Draft BEREC summary report on the external workshop on digital services' eco-design for greener networks and ICTs</p> <p>BoR (25) 135 Draft BEREC summary report from the internal workshop on aspects of 2G and 3G phase-out</p> <p><u>For internal use:</u></p> <p>BoR (25) 127 Draft summary of the BEREC internal workshop on the competitive effects of strategic fibre networks deployment, including the context of copper switch-off</p> <p>BoR (25) 135(i) Annex to the draft BEREC summary report from the internal workshop on aspects of 2G and 3G phase-out</p>
Introduction by	BEREC Chair (ComReg)
Information presented	<p>The BEREC Chair presented the list of 'A' items, as set out above. The list of 'A' items was drawn up based on the conclusions of the CN, according to which the BoR's approval of the documents should be possible without further discussion. The BEREC Chair informed the BoR members that, if needed, they could still make statements for the Minutes on any of the 'A' items. The BEREC Chair advised that should a position taken on an 'A' item lead to further discussions, or should a member of the BoR so request, this item would be withdrawn from the list of 'A' items.</p>
Conclusion	The BoR approved the documents included in the 'A' item list.

4 Information from the Chair

Document(s)	No document.
Introduction by	BEREC Chair (ComReg)
Information presented	<p>The BEREC Chair's main activities were communicated in an email circulated to the BoR for information before the meeting.</p> <p>In particular, he drew attention to the following matters:</p> <ol style="list-style-type: none"> 1. EC Workshops; and 2. The annual Miniboard Study Trip; and 3. BEREC Chair's activities - speaking engagements/meetings in June, July and August and upcoming activities; and 4. Additional BEREC work outside the adopted Work Programme

	Finally, the BEREC Chair drew the BoR's attention to the Preliminary schedule of the ordinary BoR and Management Board ('MB') meetings, and the CN meetings in 2026, for the planned meeting dates.
Conclusion	The BoR took note of the information.

5 Information from the BEREC Office

Document(s)	BoR (25) 131 Contact lists pack BoR (25) 132 Information on the planned electronic voting procedures BoR (25) 133 Information on the electronic voting procedures since the last plenary meeting BoR (25) 134 Work Programme 2025 status update
Introduction by	BEREC Office Representative
Information presented	<p>The BEREC Office ('BO') submitted to the BoR information on the updated contact lists for the BEREC Heads, CN members and the BEREC Office, information about recent and planned electronic voting procedures, and the implementation status of the 2025 BEREC Work Programme (WP-2025).</p> <p>The BO representative updated the BoR on:</p> <ul style="list-style-type: none"> - WP-2025 (progress as planned) - Public Consultations to be launched (WP-2026) - WGs meetings - WGs meetings planned for the rest of 2025 - Feedback on the Support to BEREC WGs, including Workshops & Phase-II (Q2-2025) - BEREC Study on Data Centres - NRA junior staff training 2024–2025 - Next year training proposal - Use of BERECnet+ recordings - SNE reserve list call and deadline extension
Conclusion	The BoR took note of the information.

6 Information from the European Commission

Document(s)	No document
Introduction by	European Commission Representative
Information presented	<p>The EC representative informed the BoR about the EC's main activities in the field of electronic communications and other relevant activities since the last plenary meeting.</p> <p>The EC representative focused on the following topics:</p> <p>EXTENSION OF THE RLAH TO UKRAINE AND MOLDOVA</p> <p><u>Ukraine</u></p> <p>Ukraine will join the RLAH area from 1 January 2026.</p>

	<p>Separately, a voluntary agreement between telecom operators to support affordable connectivity for Ukrainian refugees was extended until 1 January 2026, with further commitments confirmed up to 4 March 2027.</p> <p><u>Moldova</u></p> <p>Following full alignment with EU requirements, including the EU roaming acquis, Moldova is set to join the EU RLAH area from 1 January 2026.</p> <p>The EC representative stated that EU operators should apply the RLAH rates and appealed to NRAs to monitor this closely. The EC representative noted that there had not been issues to date but the EC would notify the relevant NRA(s) should any issues arise in future.</p> <p>ROAMING</p> <p><u>REVIEW REPORT – COUNCIL PRESENTATION</u></p> <p>On 25 July 2025, the EC published its Roaming Review Report, confirming that the RLAH regime remains beneficial for consumers and sustainable for operators, with no immediate need for legislative changes.</p> <p><u>ROAMING QUALITY OF SERVICE STUDY</u></p> <p>To evaluate the Quality of- Service (QoS) of roaming services, the EC used an independent study conducted by Mozark, which compared domestic and roaming data service performance. The findings indicated that while QoS obligations are in place, improvements are needed.</p> <p><u>ROAMING COST MODEL UPDATE</u></p> <p>On 22 July, the EC published an updated cost model for wholesale roaming services, incorporating data from 2023 and 2024 and reflecting recent market changes such as the rollout of 5G and evolving user demand.</p> <p>DIGITAL NETWORKS ACT</p> <p>The EC is preparing a proposal for a DNA, scheduled for Q4 2025 as part of its 2025 Work Programme, alongside a review of the European Electronic Communications Code (EECC). The initiative aims to simplify and harmonise the legal framework to enhance competitiveness and support a more integrated single market.</p> <p>REVIEW OF THE RECOMMENDATION ON RELEVANT MARKETS</p> <p>The EC has started the procedure for the review of the Recommendation on relevant markets, which will be carried out according to the procedural steps already followed in the previous review, including the targeted consultation closed on 30 September.</p> <p>GIGABIT INFRASTRUCTURE ACT</p> <p>The Commission is working closely with BEREC on implementing the Gigabit Infrastructure Act (GIA), including the development of guidelines for coordinating civil works and access to in-building infrastructure; both due by 12 November 2025.</p> <p>REVIEW OF THE DELEGATED ACT ON TERMINATION RATES</p>
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	<p>A public consultation ran from 13 June to 16 September 2025, and the EC is analysing the input with a review report due at the end of 2025 or early 2026.</p> <p>DIGITAL MARKETS ACT AND DIGITAL SERVICES ACT</p> <p>The representative from the EC noted that significant and noteworthy developments were underway concerning the DMA and the DSA. The ongoing enforcement of both the DMA and DSA was emphasised, and it was reported that contributions to the consultation on the DMA review were currently under evaluation.</p>
Conclusion	The BoR took note of the information.

7 End Users (EU)

Oral update on BEREC's draft contribution to the Digital Fairness Act

Document	No document
Introduction by	EU WG Co-Chairs (HAKOM/RRT)
Information presented	<p>The EU WG Co-Chairs' presentation summarised BEREC's input to the EC's call for evidence on the proposed DFA. It placed the DFA within a review of existing EU consumer laws and aimed to address digital issues such as dark patterns, misleading influencer marketing, addictive design, and unfair personalisation. It reflected BEREC's ongoing focus on competition, investment, the internal market, and end user rights.</p> <p>The EU WG Co-Chairs supported targeted legislation that complements broader rules, stressing the need for proportionality, effective enforcement and simplification without weakening consumer protections.</p> <p>The EU WG Co-Chairs highlighted the importance of aligning the DFA with current and upcoming laws such as the EECC and DNA. They recommended a flexible, coordinated approach that strengthens existing protections rather than replacing them. They also urged structured reviews to identify overlaps and ensure legal clarity.</p> <p>Practical suggestions included tackling dark patterns and fraud, raising awareness, and considering environmental impacts.</p>
Conclusion	The BoR took note of the information and agreed to the e-clearance procedure for the final document.

8 Announcement of the election results for BEREC Chair 2027 and Vice-Chairs 2026

Document(s)	No Document
Introduction by	BEREC Chair (ComReg)
Information presented	<p>The BEREC Chair communicated the outcomes of the election of BEREC Chair 2027 and Vice-Chairs 2026.</p> <p>The BEREC Chair informed the Meeting that the following BoR members had been elected:</p>

	<p><u>For the post of BEREC Chair 2027</u></p> <p>Ms Alejandra de Iturriaga Gandini, Director of Telecommunications and the Audiovisual Sector, Comisión Nacional de los Mercados y la Competencia (CNMC), Spain.</p> <p><u>For the posts of Vice-Chairs 2026</u></p> <ul style="list-style-type: none"> • Mr Giacomo Lasorella, President, AGCOM, Italy • Ms Sarah Jacquier-Pelissier, Member of the Board, Arcep, France • Mr Michel Van Bellinghen, Chair of the Council, BIPT, Belgium • Mr Klaus Steinmaurer, Executive Director for Telecommunications and Postal Services, RTR, Austria <p><u>For the post of representative of participants without voting rights to the Mini Board</u></p> <ul style="list-style-type: none"> • Mr Milan Radulović, President of the Council, EKIP, Montenegro
Conclusion	To inform relevant EU institutions about the results of the elections for BEREC Chair 2027 and Vice-Chairs 2026.

9 Planning and Future Trends (PFT)

9.1 BEREC Work Programme 2026

Document(s)	<p>BoR (25) 136 Draft BEREC Work Programme 2026</p> <p>BoR (25) 137 Preliminary schedule of the ordinary BoR and MB meetings, Contact Network (CN) meetings and public debriefings in 2026</p>
Introduction by	Incoming BEREC Chair (AKOS)
Information presented	<p>The Incoming BEREC Chair presented the 2026 BEREC Work Programme and reported that the focus had been on creating a streamlined and realistic plan that accommodates anticipated ad hoc tasks in the first half of the year. The incoming BEREC Chair stated that the drafting process began after CN2, with coordination between WGs and the collection of proposals taking place throughout July and August. The draft was reportedly refined through several rounds of comments and assessments, culminating in an initial drafters' call. The aim was to maintain a 'light' workload while ensuring feasibility in implementation.</p> <p>The Incoming BEREC Chair outlined the next steps, with the draft scheduled for public consultation on 3 October 2025, followed by further discussions in November and final adoption in December. The presentation concluded with acknowledgements to Co-Chairs, the CN and PFT groups and all contributors, recognising their efforts in shaping the 2026 Work Programme and reinforcing BEREC's commitment to enhancing EU connectivity.</p>
Conclusion	The BoR approved the document for public consultation.

9.2 BEREC International Cooperation - Oral Update

Document(s)	No document
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Introduction by	BEREC Vice-Chair responsible for international activities (HAKOM)
Information presented	<p>The BEREC Vice-Chair responsible for international activities briefed the Board of Regulators (BoR) members on the latest developments concerning BEREC's international engagements.</p> <p>He reported that the status of the development of Memoranda of Understanding (MoUs) with the OECD and Ofcom, which is that they remain unchanged.</p> <p>Regarding participation in international events, the Vice-Chair informed the BoR that BEREC had been represented at several key forums:</p> <ul style="list-style-type: none"> - ITU Digital Regulation Network and the Regulatory Associations Meeting (GSR-25), which took place in Riyadh, Saudi Arabia, on 1 September, and - 20th International Regulation Workshop organised by the Communications Regulation Commission of Colombia, held in Cartagena de Indias, Colombia, on 1–2 September. <p>The Vice-Chair also noted the upcoming EaPeReg Plenary Meeting that is scheduled to take place in Riga, Latvia, on 11–12 November.</p> <p>In addition, the Vice-Chair provided an overview of the Mini Board Study Trip to London, United Kingdom, which took place on 15–16 September. He expressed appreciation for the warm welcome extended by Ofcom colleagues and highlighted the value of the meetings held during the visit. The delegation engaged in fruitful discussions with several organisations.</p>
Conclusion	The BoR took note of the information.

10 Market and Economic Analysis (MEA)

Oral Update on the BEREC input to the EC consultation on the revision of the Recommendation on Relevant Markets susceptible to ex ante regulation

Document(s)	No document
Introduction by	MEA WG Co-Chairs (ANCOM/CNMC)
Information presented	<p>The MEA WG Co-Chairs provided an oral update to the BoR on BEREC's input to the EC's consultation regarding the revision of the Recommendation on Relevant Markets (RRM). They explained that the current review process was initiated by the EC on 17 June 2025 through a targeted consultation, which concluded on 30 September. A workshop focusing on access-related topics was held on 18 September. The EC is expected to prepare a Draft Recommendation, on which BEREC will issue an Opinion. The input presented is considered an initial step in the collaborative process between BEREC and the EC.</p> <p>The Co-Chairs reported that most EU countries continue to require ex ante regulation for Wholesale Local Access (WLA) and Wholesale Dedicated Capacity (WDC) markets, as these still meet the three criteria test at EU level. While other markets such as Wholesale Central Access (WCA) and broadcasting are regulated in fewer countries, they remain relevant in areas with limited competition. Access to ducts and poles is deemed essential and often included within these markets, although standalone</p>

	<p>Physical Infrastructure Access (PIA) markets are gaining importance. It was suggested that defining separate PIA markets could facilitate partial or full de-regulation of downstream markets.</p> <p>They further noted that the copper network switch-off is expected to remove a competitive constraint in access markets. No significant changes in the competitive landscape are anticipated from wireless and satellite services, the activities of Content and Application Providers (CAPs), or commercially negotiated agreements. Long-term projections indicate that only one or two Very High Capacity Networks (VHCNs) will operate in parallel in most areas, with exceptions in densely populated zones. This scenario necessitates continued asymmetric ex ante regulation to safeguard competition. Symmetric regulation under the EECC or GIA is viewed as insufficient on its own and should be considered complementary. Regulatory approaches must reflect national infrastructure conditions, and NRAs must retain flexibility to address competition concerns, particularly in non-competitive oligopolistic environments.</p> <p>Finally, the Co-Chairs emphasised that the RRM remains a cornerstone of ex ante regulation, particularly due to its capacity to address sub-national market issues through geographically tailored remedies. The three criteria test (3CT) was highlighted as a safeguard against both premature deregulation and excessive regulation. The importance of maintaining the definition of product and geographical markets was underscored.</p>
Conclusion	The BoR took note of the information.

11 Remedies and Market Monitoring (RAMM)

11.1 Draft BEREC Opinion on the EC review of the Delegated Regulation setting Union-wide termination rates, including update on EC Targeted consultation on the review of the Delegated Regulation setting Union-wide termination rates

Document(s)	BEREC BoR (25) 138 Draft BEREC Opinion on the EC review of the Delegated Regulation setting Union-wide termination rates
Introduction by	RAMM WG Co-Chairs (BNetzA/AGCOM)
Information presented	<p>The Co-Chairs of the RAMM WG began by providing background information on the ongoing revision process of the relevant regulation. They explained that the core focus of the review was to assess whether the maximum termination rates (TRs) for fixed and mobile services remained necessary. BEREC had actively contributed to the process.</p> <p>The WG reported active participation throughout the summer period, including contributions from CN3. The structure of the draft opinion was outlined across five chapters.</p> <p>Two key challenges were identified: a lack of transparency regarding the originating country and the use of international carriers. This, combined with caller line identification (CLI) spoofing, made it difficult to trace calls. Two proposals were put forward: first, to increase transparency by clearly indicating which countries apply TRs and ensuring that similar rates are applied across all relevant jurisdictions; second, to allow operators to refrain from applying EU rates where CLI is missing or invalid.</p>

	<p>Further proposals for improvement included the adoption of a technology- and service-neutral definition of TRs, a clear statement of included costs, and enhanced tools for operators to combat fraud.</p> <p>The WG had reviewed the EU cost model and concluded that the updated model would not have a significant impact. It was considered justifiable to maintain the current rates.</p>
Conclusion	The BoR approved the document for publication and submission to the EC.

11.2 Oral Update on the Updated BEREC Guidelines on Geographical surveys of network deployment

Document(s)	No document
Introduction by	RAMM WG Co-Chairs (BNetzA/AGCOM)
Information presented	<p>The WG Co-Chairs updated the BoR on the ongoing work related to Article 22 of BEREC's Geographical Survey Guidelines, which is scheduled for approval for public consultation in Phase 4 (P4). This timeline aligns with the updated VHCN Guidelines being developed by the FNE WG enabling consistency across related documents.</p> <p>The RAMM WG continues its drafting work on Article 22. The group comprises a significant number of contributors, and discussions have primarily focused on the application of existing definitions and the varying interpretations among NRAs.</p>
Conclusion	The BoR took note of the information.

12 Digital Markets (DM)

Draft BEREC Report on the integration of AI in the telecommunications sector

Document(s)	BoR (25) 139 Draft internal BEREC Report on the integration of AI in the telecommunications sector
Introduction by	DM WG Co-Chairs (ANACOM/ARCEP)
Information presented	<p>The DM WG Co-Chairs presented to the BoR the draft internal BEREC Report on the integration of AI in the telecommunications sector, which explores the integration of Artificial Intelligence (AI) into the telecommunications sector. The report was developed following a detailed questionnaire and consultations with the three main telecoms associations – Connect Europe, ECTA, and GSMA – in May 2025.</p> <p>It was reported that AI is already being deployed by telecoms operators across various domains, including network and capacity planning, quality of service optimisation, threat detection, and customer order management.</p> <p>The Co-Chairs highlighted that operators foresee several benefits from AI adoption, such as cost savings, faster troubleshooting, enhanced customer engagement, and new revenue streams. However, they also acknowledged a range of risks, including regulatory uncertainty, lack of transparency and accountability in AI decisions, potential bias, data leakage, copyright issues, and ethical concerns. Operational risks and vendor lock-in were also noted as significant challenges.</p>

Conclusion	The BoR approved the document for internal use.
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13 Fixed Network Evolution (FNE)

13.1 Draft BEREC Guidelines on the coordination of civil works according to Art. 5(6) of the Gigabit Infrastructure Act

Document	BoR (25) 140 Draft BEREC Guidelines on the coordination of civil works according to Art. 5(6) of the Gigabit Infrastructure Act BoR (25) 141 Draft BEREC Report on the outcome of the public consultation on the Draft BEREC Guidelines on the coordination of civil works according to Art. 5(6) of the Gigabit Infrastructure Act
Introduction by	FNE WG Co-Chairs (BNetzA/ARCEP)
Information presented	<p>The WG Co-Chairs reported to the BoR about the development and consultation process of the BEREC Guidelines on the coordination of civil works, as mandated by Article 5 of the Gigabit Infrastructure Act (GIA). The GIA, adopted on 12 May 2024 and set to replace the Broadband Cost Reduction Directive (BCRD) by 12 November 2025, aims to facilitate and accelerate the deployment of Very High Capacity Networks (VHCNs). Key provisions include access to physical infrastructure, coordination of civil works, streamlined permit granting, and the consolidation of procedures into electronic single information points.</p> <p>The Co-Chairs highlighted that the draft guidelines proposed that directly attributable costs should be borne by the party responsible, while shared costs should be assessed on a case-by-case basis using objective criteria. They noted that the one-month dispute resolution timeframe set by the GIA necessitates rapid information exchange and, to support this, a list of suggested information requirements was included. Furthermore, the guidelines clarified that refusals to coordinate civil works are only permissible if the refusing party ensures sufficient capacity for future third-party access, with a methodology provided to assess this.</p>
Conclusion	The BoR approved the documents for publication.

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

Document	BoR (25) 142 Draft BEREC Guidelines on access to in-building physical infrastructure according to Article 11(6) of the Gigabit Infrastructure Act BoR (25) 143 Draft BEREC Report on the outcome of the public consultation on the Draft BEREC Guidelines on access to in-building physical infrastructure according to Article 11(6) of the Gigabit Infrastructure Act
Introduction by	FNE WG Co-Chairs (BNetzA/ARCEP)
Information presented	<p>The WG Co-Chairs informed the BoR about the development and consultation process of the BEREC Guidelines concerning access to in-building physical infrastructure, as stipulated under Article 11 of the Gigabit Infrastructure Act (GIA).</p> <p>They recalled that Article 11 of the GIA introduces an obligation for owners of physical infrastructure to meet reasonable requests for</p>

	<p>access to in-building infrastructure. The guidelines are required to address both the terms and conditions of access and procedural guidance for dispute settlement bodies (DSBs).</p> <p>The Co-Chairs reported that two questionnaires were circulated to NRAs, DSBs and stakeholders, with a public consultation held from 11 June to 11 July 2024. Key recommendations include that access should generally be free when the infrastructure is owned by the building owner, and any pricing must be evidence-based. Delays should be kept reasonable, and fibre sharing is encouraged when suitable.</p>
Conclusion	The BoR approved the documents for publication.

14 Sustainability (SUS)

Oral Update on the EC's Draft Code of Conduct for ECN/ECS

Document(s)	No document
Introduction by	SUS WG Co-Chairs (ARCEP/EETT)
Information presented	<p>The SUS WG Co-Chairs provided an oral update on the EC's Code of Conduct for the sustainability of telecommunications networks. The initiative aims to establish common indicators for monitoring and benchmarking the environmental footprint of telecom networks. It outlines best practices for the design, operation, maintenance and auditing of networks, grounded in recognised standards.</p> <p>The Co-Chairs explained that the drafting process has progressed steadily, with the initial draft received in April, followed by SUS WG feedback in June and a dedicated workshop in May.</p> <p>The co-chairs understand that stakeholders welcomed the draft's increased simplicity and transparency. However, concerns were raised regarding the auditability of the indicators (by relevant independent auditors), the comparability of data across operators, the clarity of sustainability targets, and the general alignment of the Code of Conduct with the EU Taxonomy. The Co-Chairs stated that these issues highlight the need for further refinement to ensure the Code of Conduct's effectiveness and practical implementation.</p> <p>Looking ahead, the final version of the Code of Conduct is expected by the end of the year. The SUS WG Co-Chairs emphasised the importance of a clear mandate for NRAs to collect relevant environmental data in order to support work on monitoring / understanding the sustainability of telecommunications networks.</p>
Conclusion	The BoR took note of the information.

15 Presentations on the Outcomes of Recent Internal and/or External Workshops

Document(s)	No document
Introduction by	<u>OI WG Co-Chairs (BIPT/BNetzA)</u> <u>MEA WG Co-Chairs (ANCOM/CNMC)</u> <u>EU WG Co-Chairs (HAKOM/RRT)</u>

	<p><u>SUS WG Co-Chairs (ARCEP/EETT)</u></p> <p><u>WNE WG Co-Chairs (ACM/ComReg)</u></p>
Information presented	<p>The BEREC Chair informed the BoR that, in a new departure, five WGs had been asked to present the key takeaways from their recent workshops.</p> <p><u>Open Internet (OI) - Outcome of the Internal Workshop (5G Differentiated Services/slicing)/BEREC's way forward</u></p> <p>The Co-Chairs of the OI WG presented the outcomes of their internal workshop held in May. The workshop aimed to clarify uncertainties around network slicing.</p> <p><u>Market and Economic Analysis (MEA) - Summary of the BEREC workshops (internal and external) on the competitive effects of strategic fibre networks deployment, including in the context of copper switch-off</u></p> <p>The MEA WG Co-Chairs explained that BEREC's June 2025 workshops explored how strategic fibre deployment affects broadband competition, especially amid copper switch-off. The workshops showed that distinguishing anti-competitive behaviour from legitimate competition remains difficult.</p> <p><u>End Users (EU) - Summary Report on practical issues preventing number misuse and possible fraudulent activities</u></p> <p>The Co-Chairs of the EU WG reported on the workshop held in May, which focused on fraud prevention in the context of end user rights. The discussions revealed a broad spectrum of scam types and a shared understanding across sectors. It was noted that manipulation fraud accounts for over half of payment fraud, highlighting the emotional impact on victims and the importance of cross-sector collaboration.</p> <p><u>Sustainability (SUS) – External workshop on digital services' eco-design for greener networks and ICTs</u></p> <p>The SUS WG Co-Chairs confirmed that they held an external workshop on 30 April, attended by 140 participants, including representatives from digital companies, with 30 attending in person. The workshop aimed to map existing sustainability initiatives and explore the impact of eco-design on energy efficiency. Key takeaways included the importance of digital product passports, eco-design regulations, and prioritising lifecycle emissions of audiovisual products.</p> <p><u>Wireless Network Evolution (WNE) - Summary report on internal workshop on aspects of phase-out of 2G and 3G</u></p> <p>The WNE WG Co-Chairs presented findings on the phase-out of 2G and 3G networks, noting that the process is complex and timelines are set by operators, not NRAs. This year, an internal questionnaire and workshop were held. The workshop was considered a high-quality event due to the valuable exchanges with participants. While some uncertainties remain – such as interoperability issues – examples from Australia, France, Iceland, Ireland, the Netherlands, Norway, Sweden and Switzerland highlighted a variety of proactive communication strategies some involving multi-agency approaches.</p>
Conclusion	<p>The BoR took note of the information.</p>

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16.1 Information on the next BoR and MB Ordinary Meetings (4–5 December 2025, Valletta, Malta)

Document(s)	No documents
Introduction by	Representative of the host NRA (MCA)
Information presented	The representative of the host NRA provided information on the 65 th BoR Plenary Meeting, which will take place on 4–5 December 2025 in Malta.
Conclusion	The BoR took note of the information.

16.2 Discussion on potential measures to achieve harmonised indicators and reporting approaches

Document(s)	No documents
Introduction by	Representative of ANACOM
Information presented	The Representative from ANACOM requested that consideration be given to a discussion about potential measures BEREC could consider so as to achieve more harmonised indicators and reporting approaches. It was proposed that the matter is first discussed at CN4 followed by discussion at P4.
Conclusion	The BoR took note of the information and agreed that there would be discussion among heads of BoR at P4 2025.