



COLT RESPONSE
TO THE PUBLIC CONSULTATION
BY BEREC ON THE
OUTLINE BEREC STRATEGY 2026-2030

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Colt Technology Services (hereinafter, COLT), in its capacity as the leading provider of digital infrastructure in the European Business-to-Business market (hereinafter, B2B market), with the largest European fibre network (>1.6m km) and presence with own fibre network in all EU Member States, welcomes the opportunity to provide its feedback to the BEREC's Outline BEREC Strategy 2026-2030.

As a starting point, COLT considers that the BEREC's proposal is of enormous benefit for the telecom market. All and every single action proposed can be and, indeed, is supported by COLT.

In order to avoid excessive additional workload to BEREC in this Call for Input, COLT will only focus this response on a single proposal related to the B2B Market, that can be summarized in the **urgent need to analyse the B2B market** in all and every single EU Member State so the regulation covers the needs of the European business customers and not, like it happens now, their needs are based on the needs of the residential customers.

1. Urgent continuation with the BEREC Report on business services

Colt appreciates that, as part of the issues that BEREC aims to address about market regulation in the coming years within the Priority 2 "Supporting competition-driven and open digital ecosystems" of the Strategy 2026-2030, BEREC includes

"(ii) business services, considering barriers to entry such as the complexities of the services or multi-site provision".

European Business customers cannot be anymore excluded from the regulation. It is urgent for them to be know their real needs and services they demand so the regulation can provide a proper solution.

Therefore, Colt urges BEREC to give of utmost urgency to address business market regulation starting in early 2026.

Indeed, BEREC is in the best position to do so. First of all, because the entire knowledge of the market sits in BEREC through the NRAs. And secondly, because in 2023 BEREC already provided to the market with a good analysis of the B2B market. But this analysis needs a continuation.

COLT is on the opinion that the **BEREC Report on the Regulatory Treatment of Business Services published in June 2023** ("BEREC's B2B Report 2023")¹ is the milestone that has delivered to the market a minimum understanding of the B2B market. There is no other similar analysis and it has been of utmost help for the entire sector.

However, there is yet a clear lack of a minimum knowledge of the B2B market. And this gap applies to all decision-makers, both at national and EU levels. They ignore the basics of:

- The market share in the B2B.
- The needs that business customers have.
- The characteristics of the connectivity demanded by the business customers.
- The differences with the consumer's market.

¹ https://www.berec.europa.eu/en/document-categories/berec/reports/bor-23-89-berec-report-on-the-regulatory-treatment-of-business-services_0pdf

- The networks and footprint in the B2B.
- What regulation/remedies are needed.
- Why Market 2 is NOT a B2B market (but only part of it).
- Why Wholesale access regulation is critical for the existence of the B2B market.

The BEREC's B2B Report 2023, in its "Chapter 13. Future Work" (pages 36-37), states literally as next actions the following:

- Monitoring the evolution of wholesale regulation practiced by NRAs on markets related to these services, collecting good practices, and analysing different aspects related to the regulation of business services. On this, **the details and reasoning underlying the wholesale remedies imposed (forms of access, pricing obligations, transparency, comparison of wholesale inputs, etc) may be of special interest.**
- To explore in more detail the **evolution of competition dynamics** among different actors and its relation to countries characteristics (such as size, business structure, and regulation applied).
- **Follow-up work on the consequences of deregulation of the businesses market on competition.**
- The **increasing use of IT services** (such as cloud services) by business users and the dynamics of competition/collaboration between traditional ECS players and IT specific players, such as (but not only) the Big Tech companies, will also be part of the BEREC agenda.
- Analysis of the **switching** from one provider to another.
- Analysis of **how to address the evolution of the wholesale regulation to adapt to this evolution.**
- An analysis of **geographical aspects** of market analysis in the context of business services.
- **Data collection issues.**
- Preparation of recommendations for companies and public institutions aimed to encourage competition in the context of business services.
- A more in-depth analysis of the needs of SMEs for business services, potential issues they may have, as well as taking their specificities into account in the wholesale regulation.

All these actions are needed at this moment in time, when the European Commission is demanding a deeper knowledge in their preparation of the new regulatory framework.

However, among these actions described in the BEREC's B2B Report 2023, the utmost and more urgent, are the following:

1. Data Collection issues

Information is the basics of any regulatory decision. Today, the Commission is working on a complete regulatory change. **But the entire knowledge of the market sits in the NRAs.**

If the data does not emerge from the NRAs, how the Commission can be in a position to take a proper regulatory decision? Even more, how the NRAs can even regulate national markets if they do not have any data?

Today, the business reports run by NRAs falls short of a specific section for the B2B market, so the data reported feeds the consumer's market. Indeed, most of the data requested remains empty in our reports because they do not apply to the B2B market.

Therefore, it is needed that NRAs adapt their business reports to the reality of the B2B market. To this aim, BEREC could identify best practices and a template of questionnaire, which would

provide not only specific data for the B2B market but also some harmonization to finally obtain conclusions at EU level.

Proposal 1.- Draft report for B2B market to be collected by NRAs in their Quarterly and Annual Reports.

2. Details and reasoning underlying the wholesale remedies imposed.

This analysis would give BEREC a clear picture of the regulation applicable in each Member State, so BEREC would be in the best position to provide to the market with a benchmark on the situation of the B2B market in each country.

Proposal 2.- Study of the Wholesale remedies imposed in the B2B market.

3. Follow-up work on the consequences of deregulation of the businesses market on competition.

This action would also include the analysis of how to address the evolution of the wholesale regulation to adapt to this evolution.

Proposal 3.- Study on the consequences of deregulation of the B2B market.

4. Best practices.

In addition to that, it is clear that the scope of the consumer's market will always be local. However, there is no doubt that the B2B market has a **national approach**. And, such national scope is completed in many cases with an **international approach**. European enterprises that tends to spread their businesses across Europe needs harmonization, security and confidence in the applicable regulation to the connectivity of their sites.

This implies that BERE should issue, in 2026, a **Common Position on the regulatory treatment of business services**, containing best-practice measures to promote competition on B2B markets where competition is not functioning.

This Common Position should assess the entire set of issues which results in B2B electronic communications network and services markets remaining strongly dominated by incumbent telecommunications operators in many EU Member States. There is a need to examine, in a truly in-depth manner, the structure of retail demand for B2B services (including by single-sited and multi-sited enterprises and public administrations of all sizes), and how control over non-replicable legacy network assets (ducts and poles, local access networks, backhaul) in some Member States results in supply remaining largely in the hands of incumbent telecommunications operators.

Proposal 4.- BEREC's Common position on the regulatory treatment of business services, containing best-practices measures and an analysis of the demand and the supply.

2. Reality of the B2B market

Incumbents hold an insane market share in the B2B market:

- BEREC's 2023 Business Services Report: *"Business markets tend to be highly concentrated in many countries, as in half of the countries, the incumbent operator has a market share of at least 50% (taking together all responses concerning the incumbent's market share)"*.
- In Spain, **Telefónica holds 75%** in the Business private sector², **and 72%** in the public sector³.
- In Belgium, **Proximus holds 60-70%**⁴
- In Italy, **Telecom Italia holds 50%**⁵

With such lack of competition in the B2B across EU Member States, there is no path even to think about removing markets from the Annex to the EC Recommendation on Relevant Markets (Scenario 5, part 2 of the White Paper), or replacing SMP regulation with symmetric regulation. Therefore, **BEREC must strongly take into account the (lack) of competition in the B2B market.**

The B2B market is fundamentally different to the Residential market. However, current regulation mix needs and services, demand and offer.

Business customers have very **specific needs** that differ fundamentally from consumers in terms of: connectivity (multi-site vs. one site), products (multi-product vs bandwidth and/or TV products), quality of service, security (redundancy of networks), latency, etc. Such needs can only be covered throughout the territory of EU Member States in the presence a robust wholesale access regime, imposing access to incumbents' infrastructures and offers.

Investments to serve the residential market tend to focus on specific geographic areas. Their commercial prospects depend only on the return on investment in the particular geographic areas where they have chosen to focus their investment. Business only operators, on the other hand, invests in key business areas but the location of customer demand is unpredictable. To provide a competitive offer, a business only operator needs to be able to offer connectivity anywhere, without limitation. Colt and other specialist business-to-business providers cannot invest everywhere and the existence of just one customer site where we have no connectivity options can be sufficient to exclude us from consideration for the entire bid.

On **services**, Business customers, in addition to services corresponding to Residential markets, firstly need improved services and services with special characteristics (especially QoS, guaranteed bandwidth, latency, jitter etc.), regardless of their size (and being single-site, multi-site, and multi-country). Very small enterprises may need very high quality services, and some sites of very large enterprises may have moderate quality needs. The size of the enterprise is not a determinant of its needs at a particular site.

² Source: [Resolucion ANME DTSA 003 20 Mercado2ampliado 2020.pdf \(cnmc.es\)](#).

³ Source: https://transparencia.gob.es/transparencia/transparencia_Home/index/MasInformacion/Informes-de-interes/Ciencia_y_tecnologia/InformeREINA22.html.

⁴ Source: [BIPT, Annual Report 2021](#).

⁵ Source: [AGCOM, Annual Report 2023 Documento generico 19-07-2023 - Documento – AGCOM](#)

In conclusion, BEREC must have in mind the following **main differences between the B2B and the Residential markets** in order to make a deep diagnosis of the entire market and define efficient scenarios that benefit the European telecoms and digital markets:

	B2B Market	B2C Market
Coverage / Investment	Multi-site coverage , both local, national and international. Invests in key commercial centres but the location of customer demand is unpredictable.	Focus on specific geographic areas.
Products and Services	Specialised voice & data services (dedicated internet, leased lines, VPNs, unified communications, managed services, cloud services). Standard Internet Access also requested.	Only Standardised services
Sales	Long-term contracts. Longer sales cycle due to complexity and customisation.	Shorter sales cycle. Promotional offers.
Pricing	Customised pricing based on business requirements, negotiated contracts, volume discounts, long-term agreements. Incumbents are experts in counter-offers and cross-discounts (fixed-mobile) due to their market share.	Fixed and standardised pricing. Discounts. Bundled offers.
Customer relationship	Long-term relationships. Difficulties to gain new customers from the incumbent.	Emphasis on customer acquisition and retention; loyalty programmes, transactional interactions
Security	Redundancy of the network. Back-up services. Low latency connections.	No security products
Network deployment	Exclusively on-demand	Massive deployment
QoS	Very high quality standards - SLAs. Scalable bandwidth. Reliability, flexibility and security.	No specific QoS requests. Just high-speed connectivity.
Commercial prospects	To provide a competitive offer, a business telco needs to be able to offer connectivity anywhere , without limitation. Investment cannot be everywhere and the existence of just one customer site where the alternative operator has no connectivity options can be sufficient to exclude us from consideration for the entire contract.	Depend only on the return on investment in the particular geographic areas where they have chosen to focus their investment.

3. Concluding Remarks

Based on the arguments defended in this document, COLT urges BEREC to dedicate maximum effort and expertise, now, in 2026, and beyond, to deliver the following:

1. **Draft report for B2B market to be collected by NRAs in their Quarterly and Annual Reports.**
2. **Study of the Wholesale remedies imposed in the B2B market.**
3. **Study on the consequences of deregulation of the B2B market.**
4. **BEREC’s Common position on the regulatory treatment of business services, containing best-practices measures and an analysis of the demand and the supply.**

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In case of questions or clarification regarding this contribution, BEREC can contact [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] ([\[REDACTED\]@colt.net](mailto:[REDACTED]@colt.net)), EU Regulatory Director of Colt.

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