

- TELEFÓNICA Response to the Berc Public Consultation - Report on submarine cables connectivity in Europe

1. [Introduction.](#)

Telefónica welcomes BEREC's initiative to analyze domestic submarine cable connectivity in Europe, recognizing its critical role in territorial cohesion, digital inclusion, and the resilience of electronic communications infrastructure. As an operator with extensive experience in deploying and operating submarine cables, particularly in insular regions such as the Canary and Balearic Islands, Telefónica believes that such studies should inform public policies that ensure the continuity, security, and sustainability of these critical infrastructures.

Telefónica considers that **the challenges associated with submarine cables should be assessed within the context of ongoing debates at the European level (such as the Digital Networks Act – DNA) regarding the need for a new regulatory framework that promotes investment and ensures adequate returns for EU network operators.**

2. [Overview of the domestic submarine cables in Europe](#)

Telefónica concurs with BEREC that submarine cables are essential for ensuring connectivity to insular and remote regions. In Spain, the connectivity of the archipelagos and the cities of Ceuta and Melilla relies heavily on these systems. The increasing diversity of operators and technologies, such as the integration of optical fibers in power cables, has enhanced competition and resilience.

It is important to note that while some segments are under 1 km, others exceed 1,500 km, presenting diverse technical and economic challenges. Telefónica believes that infrastructure planning should consider the age, capacity, and redundancy needs of existing systems, especially in areas highly dependent on a single cable.

3. [The legal framework](#)

The legal framework outlined by BEREC, grounded in international law (UNCLOS) and the European Electronic Communications Code (EECC), provides a solid basis for regulating submarine cables. Telefónica emphasizes the importance of maintaining the freedom to install cables on the continental shelf and EEZ (Exclusive Economic Zone), while respecting coastal states' competencies in environmental protection.

At the European level, the general authorization regime under the EECC should be applied consistently, ensuring legal certainty for operators. As in any other digital infrastructure market, obligations imposed on operators with significant market power (SMP) must be

based on updated market analyses and objective criteria, avoiding unnecessary regulatory burdens in competitive markets.

[4. The ex-ante economic regulatory treatment of submarine cables](#)

Telefónica appreciates the comparative analysis of regulatory approaches across countries. In Spain, the shift from national regulation to geographically specific markets has allowed for obligations to be tailored to the competitive reality of each route. The progressive deregulation of all the routes with effective competition, such as the Canary Islands-mainland connection, has been a positive development.

[5. Case studies](#)

Spain serves as a case study of how regulation can adapt to market evolution. Telefónica has actively collaborated with the CNMC in various market analyses, providing detailed information on costs, capacity, and cable usage. The emergence of new players, such as Canalink and Red Eléctrica, has diversified the market and improved resilience.

It is crucial that regulation considers the specific characteristics of each route, including technical, economic, and geographic factors. And it is also very relevant that a prospective analysis of the situation is assessed.

[6. Potential challenges and future trends](#)

Telefónica identifies the following key challenges:

- The need to replace aging cables, especially in a difficult financial context for EU network operators.
- Ensuring security and resilience against physical and cyber threats.
- The economic viability of new investments in low-density areas.

We support the use of public funds, such as the Connecting Europe Facility, to finance strategic projects that are not viable through private investment alone. Public-private cooperation and the promotion of common technical standards are also essential to enhance interoperability and efficiency.

[7. Conclusions](#)

Telefónica appreciates the opportunity to contribute to this consultation and reaffirms its commitment to developing robust, secure, and sustainable connectivity infrastructure.

These deployments and the challenges associated with them should be assessed within the context of the ongoing debates at the European level (such as the Digital Networks Act – DNA) regarding the need for a new regulatory framework that promotes investment and ensures adequate returns for EU network operators.

We believe that BEREC's report provides a solid foundation for future European policies on submarine cables and encourages continued exploration of key issues such as resilience,

funding, and technological innovation (e.g., SMART cables), as well as maintaining ongoing dialogue among all the stakeholders.