

Notice for the launch of the public consultation on the draft BEREC Report on access to physical infrastructure in market analyses

During its 37th plenary meeting (5-7 December 2018, Prague) the Board of Regulators has approved the [draft BEREC Report on access to physical infrastructure in market analyses](#) for public consultation.

The EU needs significant investment in next generation access (NGA) networks that are capable of supporting a wide range of services in order to meet the needs of end-users (both residential and business consumers). Physical infrastructure (such as ducts and poles used to deploy networks) represents a significant proportion of the investment in NGA networks. Civil engineering works are lengthy and costly processes, for instance due to the need to gather the necessary permissions and the intensive use of human resources, among other issues. Moreover, replicating existing physical infrastructure is sometimes not technically feasible and, in many cases, not economically profitable. Measures aimed at facilitating greater use of existing physical infrastructure can reduce the civil engineering works required to deploy new networks, significantly lowering costs.

In this context, most NRAs in the EEA currently regulate access to physical infrastructure in the market for wholesale local access provided at a fixed location (market 3a). Some NRAs also regulate access to physical infrastructure in market 3b or market 4. BEREC has not previously studied how NRAs have chosen to precisely address access to physical infrastructure in their market analyses. Therefore, following a questionnaire completed by NRAs, this report depicts the different approaches taken regarding the regulation of access to physical infrastructure.

The public consultation will run from **12 December 2018 to 23 January 2019**.

All stakeholders are invited to submit their contributions via the BEREC online public consultation tool at <https://consultations.berec.europa.eu/en/consultation/33222> by **23 January 2019 17:00 CET**. When registering with the consultation tool, please indicate your name and/or the name of the organization or company you represent.

In case the above submission method is not possible, contributions can also be sent to the following e-mail address: PC_Physical_Infrastructure@berec.europa.eu. Further enquiries about the consultation, including registration problems with the online platform, may also be sent to this address.

Stakeholders are not limited by any number of words in their replies. E-mail attachments should be included only if considered absolutely necessary. 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 accordance with the BEREC policy on public consultations, BEREC will publish a summary of all received contributions, respecting confidentiality requests.

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 is considered confidential.

Please note that it is also possible to submit both a confidential and a public version of your contribution to the same e-mail address: PC_Physical_Infrastructure@berec.europa.eu