



## **Open Fiber contribution to the public consultation on the BEREC Strategy 2021-2025**

Open Fiber welcomes the opportunity to contribute to the public consultation on the BEREC Strategy 2021-2025.

Overall, we consider that the priorities indicated by BEREC are well identified and respond to the main challenges that the telecom sector is facing and to the need to ensure the correct interpretation and swift implementation of the EECC.

Yet we believe that BEREC should devote further attention to some topics that are of utmost importance to allow a faster and wider rollout and uptake of new VHCN networks, in particular FTTH ones, and hence to promote full connectivity, which is the first objective of both the EECC and the BEREC mission at present.

### **Copper switch-off and customers' migration**

The transition from legacy copper networks to new VHCN ones and the consequent migration of customers will characterize the next 5-10 years. While in some EU Member States such process has already started, in many others this is far from happening. This may depend not only on the fact that both the coverage and the uptake of VHCN networks are still very low in many EU countries, but also on the lack of guidance on how to ensure an orderly transition or of a clear timeline. In some circumstances, the latter may allow incumbents to delay the transition or to target it only in those areas where it is most convenient for them. This would especially happen where no alternative VHCN networks are ready or in the process of completion, which would allow the incumbents to maintain its customers by smoothly migrating them from their old networks to their new ones.

There is no need to underline how this would hamper both competition between incumbents and alternative operators and deprive consumers of a wider choice of services.

Although the pace of the transition process should depend on the degree of coverage and uptake in a specific country, so that it will not be possible for this to be completed at the same time in all EU Member States, a coordination at European level by BEREC would be definitely helpful to strengthen the Single Market and prevent the persistence of a digital divide between different countries in the years to come.

In our view, it is critical that a consistent European approach insists both on a procompetitive design of the process and on the necessity to carefully monitor the ways in which incumbents work out the migration processes, in order to safeguard the alternative operators' network/investments. More specifically, the NRAs should guarantee that migration processes allow end customers to migrate towards the most performing VHC networks available (both incumbent and alternative operators infrastructures without discrimination) in order to maximise the consumer welfare.

However, in the BEREC Strategy 2021-2025 there is only a vague indication that BEREC will carry out work on this crucial topic. In its outline WP 2021, BEREC announced its intention to follow up on the 2019 internal workshop and summary report on the migration from legacy infrastructures to fibre-based networks and interact with stakeholders, but only as an additional item and without providing further details. While this may be enough for a start, a mid-term strategy such as the BEREC Strategy 2021-2025 should definitely indicate that a concrete action plan will be laid out by BEREC as soon as possible to ensure a smooth transition from legacy copper networks to VHCN networks.

### **Fibre backhauling for 5G networks**

BEREC rightly recognizes that the availability of fibre is essential for the development of next generation connectivity solutions in Europe, either fixed or wireless and that the right conditions for investments and competition need to be ensured.

The development of 5G networks will dramatically increase the demand for fibre backhauling and with it the need for an appropriate regulation. This is all the more true in consideration of the awaited increase of network sharing agreements, which will raise competition issues not only on the mobile retail market but also between providers of fibre backhauling.

This will probably lead some NRAs to identify national backhauling markets, which may likely result in the adoption of different solutions from country to country. We are of the view that BEREC should closely follow the developments of the demand for fibre backhauling and anticipate the above scenario by strongly advising the European Commission to identify a specific backhauling market to be added to the list of relevant markets.

We welcome that BEREC intends to prepare a report on the regulatory treatment for backhauling next year. Following up on this activity, we would then advise BEREC to maintain a strong focus on the issue in the following years as well.



### **Neutral hosts as a solution for the development of 5G networks**

As enabling 5G is at the core of BEREC objectives, Open Fiber would like to bring up again the importance of Neutral Hosts as a solution for a steadier development of 5G networks. Neutral Hosts act as wholesale-only operators building and managing relevant infrastructures for a plurality of network operators. The resulting cost sharing could prove effective both in maintaining competition among a higher number of operators and in extending network coverage, to the benefit of all customers.

Open Fiber strongly recommends BEREC to thoroughly investigate this issue as a follow up on the BEREC report and feasibility study on the impact of 5G on regulation, in order to identify how NRAs may help fostering this scenario within the boundaries set by the new EECC.

### **Sustainable networks**

Recent studies show that a complete transition to full fibre networks would bring about dramatic reductions of energy consumption and provide a great contribution towards achieving the goals set out in the European Green Deal. Ensuring the rollout and uptake of full fibre networks would allow BEREC not only to achieve the objectives of the EECC, but at the same time also to implement the European Green Deal. BEREC should therefore keep this in mind and come up with solutions that, while respecting the principle of technological neutrality, interpret the latter in a forward looking perspective and in a way to ensure the achievement of the goals set by the EU.