

Public Consultation BoR (21)129 Draft BEREC Report on the regulatory treatment for fixed and mobile backhaul

Fields marked with * are mandatory.

General information

During the 48th BEREC plenary meeting (29 September 2021), the Board of Regulators has approved the [Draft BEREC Report on the regulatory treatment for fixed and mobile backhaul](#) for public consultation.

The objectives of this report are to present the legal provisions applicable to mobile and fixed backhaul, the regulation in force and use of different types of backhaul networks and services in Europe, as well as views expressed by operators on their current and future needs for backhaul.

Your details

*Language of your contribution

English

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Organisation name (in case you are replying on behalf of your organisation)

Open Fiber

*Country of origin

Italy

* I agree with the [personal data protection provisions](#).

Practical details of the public consultation

Stakeholders are invited to comment and provide their views on the different chapters of the draft report following its structure:

Chapter 1 - Executive summary

Chapter 2 - Introduction and objectives

Chapter 3 - EU legal framework for backhaul

Chapter 4 - Stakeholders input on backhaul

Chapter 5 - Regulatory treatment of fixed and mobile backhaul by NRAs

Chapter 6 - Conclusions

Chapter 7 - Future work

Annex I: Additional charts on mobile backhaul

Annex II: Additional charts on fixed backhaul

Annex III: NRAs and stakeholders responding to the questionnaires

Annex IV: Questionnaire sent to NRAs

Annex V: Questionnaire sent to operators

Stakeholders may also upload a document as a part of their contribution, see below.

In order to facilitate the processing of the responses, the comments provided should clearly refer to certain sections/subsections/paragraphs of the draft report.

Contributions should preferably be sent in English.

Stakeholder may submit their contributions **by 5 November 2021 close of business**.

In accordance with the BEREC policy on public consultations, BEREC will publish all contributions and a summary of the contributions, respecting confidentiality requests. Any such requests should clearly indicate which information is considered confidential.

Public consultation

Please indicate comments on Chapter 1- Executive summary and Chapter 2- Introduction and objectives

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Please indicate comments on Chapter 3 - EU legal framework for backhaul

10000 character(s) maximum

Please indicate comments on Chapter 4 - Stakeholders input on backhaul

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Please indicate comments on Chapter 5 - Regulatory treatment of fixed and mobile backhaul by NRAs

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Please indicate comments on Chapter 6 - Conclusions

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Open Fiber appreciates the important information gathering work that has been carried out by BEREC, which clearly underlines the need for future backhaul regulation to foster VHCN deployment properly.

However, we would like to stress out again what we have already said in replying to the questionnaire on regulation of fixed backhaul.

In particular and also in consideration of the connectivity goals set by the European Commission with the adoption of the 2030 Digital Decade communication, Italy could be fully connected only if all points of the network are connected effectively to the backhaul.

To develop our FTTH network on the entire national territory (both urban and rural areas) with the same level of efficiency and reliability, we need to buy dark fibre or passive access to backhauling from other infrastructural operators (normally the incumbent) to connect our core network (PoP) to their main stations.

Nevertheless, in white areas (rural and less dense areas of the country) we have faced a shortage, when not even a complete lack of fixed backhaul networks, as there is only one supplier (normally the incumbent) who does not provide passive access to alternative operators. In such remote areas, we often could not obtain dark fibre due to the saturation of existing infrastructures or due to the operator's policy for these connections. In some cases, our requests for capacity were denied.

The shortage of backhauling has led to excessively high prices (IRU), causing a bottleneck for the evolution of access services in most Italian small islands. On the contrary, it is crucial that the available optical resources are made accessible at regulated prices, which would allow alternative operators to provide VHCN services also in other small islands.

In order to address the abovementioned issues, we advocate for a proper regulation where there is only one backhaul supplier. We believe that AGCOM could carry out a market analysis identifying those areas with backhauling shortage to be regulated or, alternatively, introduce regulation at national level.

In conclusion, given that the development of the national infrastructure is extremely different depending on the areas, the only way to allow access to backhauling networks provided by the SMP operator in areas characterised by backhauling shortage is to introduce a proper regulatory framework for the access.

Please indicate comments on Chapter 7 - Future work

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Please indicate your comments on Annex I: Additional charts on mobile backhaul

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Please indicate your comments on Annex II: Additional charts on fixed backhaul

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Please indicate your comments on Annex III: NRAs and stakeholders responding to the questionnaires

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Please indicate your comments on Annex IV: Questionnaire sent to NRAs

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Please indicate your comments on Annex V: Questionnaire sent to operators

10000 character(s) maximum

Please upload your file (max file size is 1MB)

Please specify which part of your response should be treated as confidential, if any.

THANK YOU FOR YOUR CONTRIBUTION

Contact

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