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To: copper_switch-off@berrec.europa.eu
Subject: Response on Draft Report on a consistent approach to migration and copper switch-off
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Attachments: [image001.png](#)

Dear copper switch-off team,

From an ANO perspective there is actually one lesson learned from previous legacy phase-outs of copper based wholesale services in the Netherlands that supersedes all other learnings: make sure that a notification period is meaningful by imposing that such a notification period may commence only **after** the SMPO and ANO's have reached full agreement on migration terms and conditions (incl. notification periods for End-of-Sale/End-of-Life, [costs of] target-portfolio, compensation of one-off variable migration costs, etc.). In case SMPO and ANO's fail to reach an agreement, a notification period may only commence after the NRA has ruled over the relevant migration terms and conditions.

Although this may appear as a futility (and easy to impose/repair by NRA), it turned out to be the number one issue during legacy phase-outs of copper based wholesale services in NL since approximately 2010. Over and over again KPN (our national incumbent) played out the same scenario: an announcement without even any information on migration terms and conditions and target portfolio. After such an announcement, while the clock towards migration end date is ticking, ANO's desperately try to get a migration agreement with KPN in place (sometimes with help of the NRA, sometimes without). Obviously the SMPO has been dealt with all the best cards in this one sided poker-game and in NL we see that KPN is winning market-share and margin as a result.

ANO's need a full migration agreement at least 3-years before the first parts of the copper network will be phased out. In particular clarity is needed on (costs of) targetportfolio. This kind of clarity determines IF a targetportfolio will be implemented at all (in NL we see that targetportfolio for some customer groups cant be implemented in an economically viable way, so these lines regrettably switch to the incumbent). Also clarity beforehand is needed to determine HOW a targetportfolio will be implemented (for example, if high volumes of lines are expected then ordering & provisioning will be extensively automated).

After implementation of target portfolio has been realized the order intake has to be modified so new orders will be provisioned on target portfolio (and therefore will no longer be provisioned on legacy copper). This is obviously the most efficient way to decrease the installed base on copper (and will therefore minimize the migration effort, prevents forced migrations, etc.): simply stop order intake on copper and divert order intake to the newly implemented targetportfolio. A sufficient time to run the copper network and targetportfolio-network in parallel, would be two years. In case a shorter period would be imposed, this approach can't really make an impact. A (much) longer period would however result in too high costs for the incumbent. A basic requirement for this phase-out strategy is however an agreement between SMPO and ANO's (or a NRA rulling) **before** the SMPO may announce the copper phase-out.

Hope this helps

Kind regards
Met vriendelijke groet,

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