

**56th Ordinary Plenary Meeting of the BEREC Board of Regulators
(BoR)**
Hybrid Meeting

Conclusions

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& Post Commission (EETT)

5 October 2023

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Annex I – List of documents

Main Results of the 56th Meeting of the BEREC Board of Regulators

The BEREC Board of Regulators held its 56th Ordinary Plenary Meeting in hybrid mode on 5 October 2023.

During the Meeting, the BoR discussed and approved the following documents:

1. Documents approved as ‘A’ items:

1.1 For publication:

- BoR (23) 162 BEREC Report on the implementation of the Open Internet Regulation
- BoR (23) 163 BEREC Report on the outcome of the public consultation on the draft BEREC Guidelines on Very High Capacity Networks
- BoR (23) 164 BEREC Guidelines on Very High Capacity Networks
- BoR (23) 165 BEREC Report on the outcome of the public consultation on the Draft BEREC Report on Sustainability Indicators for Electronic Communications Networks and Services
- BoR (23) 166 BEREC Report on Sustainability Indicators for Electronic Communications Networks and Services
- BoR (23) 167 BEREC 4th Intra-EU Communications Benchmark Report

2. Documents approved as regular items:

2.1. For publication:

- BoR (23) 160 BEREC 56th BoR Agenda
- BoR (23) 177 BEREC Summary Report of the external Workshop on the evolution of the competition dynamics of tower and access infrastructure companies (not directly providing retail services)
- BoR (23) 180 BEREC Report Secure 5G networks

2.2. For internal use:

- BoR (23) 170 PRD on the procedure to assess applications from third-country NRAs to participate in BEREC and BEREC Office work

2.3. For public consultation:

- BoR (23) 176 Draft BEREC Work Programme 2024
- BoR (23) 178 Draft BEREC Report on Member States’ best practices to support the defining of adequate broadband Internet access service (IAS)
- BoR (23) 179 Draft BEREC Guidelines detailing QoS parameters of IAS and publicly available ICS and the publication of information

3. Documents submitted for information purposes:

- BoR (23) 171 Contact lists pack
- BoR (23) 172 Information on the planned electronic voting procedures

- BoR (23) 173 Information on the electronic voting procedures since the last Plenary Meeting
- BoR (23) 174 Work Programme 2023 status update

4. Other main topics discussed

The BoR was briefed on the recent activities of the BEREC Chair, the important projects carried out by the BEREC Office in support of BEREC, and the BEREC's current and forthcoming international activities. The BoR also held a regulatory exchange session concerning the environmental impact of the digital sector.

The European Commission (EC) was invited to provide information on significant recent developments and activities that impact the electronic communications sector under its remit.

5. Next Meeting

The following Ordinary Plenary Meeting of the BoR will take place in hybrid format on **7 December 2023 in Poland**.

6. Follow-up actions

The follow-up actions arising from the conclusions of the Meeting are presented in Annex I to the Minutes.

Introduction and participation

The BEREC Board of Regulators held its 56th Ordinary Plenary Meeting in hybrid mode on 5 October 2023 in Madeira, Portugal.

The Meeting was attended by the Heads and High-level Representatives of the National Regulatory Authorities (NRAs) from each EU Member State (MS), who have primary responsibility for overseeing the day-to-day operations of the markets for electronic communications networks and services. The European Commission also took part in the Meeting. Heads and High-level Representatives of the NRAs with whom BEREC has concluded working arrangements were also present.

List of documents

BEREC Regulation and the BoR transparency rules, is presented in Annex I to the Conclusions.

Items discussed

Below is a short overview of the information presented under each agenda item, a summary record of the proceedings and a record of the conclusions reached by the BoR.

1 Opening of the Meeting and Adoption of the Agenda

Document(s)	BoR (23) 160 Draft BEREC 56 th BoR Agenda
Introduction by	BEREC Chair (EETT)
Information presented	<p>The BEREC Chair opened the Meeting and presented the Draft Agenda for approval by the BoR. The BoR was invited to suggest any additional issues to be raised or presented under 'Any Other Business' (AOB).</p> <p>The BEREC Chair welcomed the Meeting participants and introduced three new participants in the BoR from ANCOM, AKOS and TRAFICOM.</p> <p>A representative of the host NRA provided practical information on the logistics of the Meeting.</p>
Conclusion	The BoR adopted the Agenda.

2 Election of the BEREC Chair 2025 and Vice-Chairs 2024

Document(s)	No Document
Introduction by	BEREC Chair (EETT)
Information presented	<p>Based on Article 10(1) of the BEREC Regulation, the Board of Regulators shall appoint, acting by a two-thirds majority of its members, a Chair and at least two Vice-Chairs from among its members.</p> <p>The elections took place under the BoR, as indicated in the BEREC Regulation (Articles 10(1) and 17(1)), following the procedure outlined in Article 2 of the BoR RoP (Rules of Procedure) - BoR (19) 58.</p> <p>The following persons had submitted valid nominations to the BEREC Office to participate in the election process at the 56th BEREC Ordinary Meetings:</p>

	<ul style="list-style-type: none"> - Mr Robert Mourik – Chairperson of the ComReg, Ireland – for the post of BEREC Chair 2025; - Ms Patrícia Silva Gonçalves – Member of the Board of ANACOM, Portugal – for the post of BEREC Vice-Chair 2024; - Ms Laure de La Raudière – Chairwoman of Arcep, France – for the post of BEREC Vice-Chair 2024; - Mr Hrafnkell V. Gíslason – Managing Director of ECOI, Iceland – for the post of Representative of the participants without voting rights to the Mini-Board 2024. <p>According to the BoR RoP, if the BEREC Office receives only one candidacy for the position of BEREC Chair, this candidate shall be elected provided that she/he gets the support of a 2/3 majority of all members (18 positive votes).</p> <p>In addition to the support provided to the Chair by the two Vice-Chairs (the Incoming and Outgoing BEREC Chairs), the Board of Regulators may decide to elect other members as additional Vice-Chairs for one year. The election shall take place in accordance with the voting rules applicable to the election of the BEREC Chair. This procedure shall also apply to the election of a representative of the participants without voting rights to the Mini-Board, as foreseen in Article 3(3) of the BoR RoP.</p> <p>The serving Chair informed the Board of Regulators about the voting procedure and asked the BoR to agree on the number of additional Vice-Chairs for 2024 to provide support to the BEREC Chair 2024, in addition to the Outgoing (2023) and Incoming (2025) Chairs, who will also serve as Vice-Chairs in 2024. The BEREC Chair suggested electing two additional BEREC Vice-Chairs for 2024.</p> <p>A joint vote for the positions of BEREC Chair 2025, BEREC Vice-Chairs 2024 and Representative of the participants without voting rights to the Mini-Board 2024 was organised.</p> <p>The BoR was informed that after all the members had voted, the vote would be closed, and the BEREC Chair would communicate the election outcomes for each position to the BoR before the coffee break.</p>
Conclusion	The BoR agreed on the election process and the number of additional Vice-Chairs for 2024.

3 List of ‘A’ items

Document(s)	<p>BoR (23) 162 BEREC Report on the implementation of the Open Internet Regulation</p> <p>BoR (23) 163 BEREC Report on the outcome of the public consultation on the draft BEREC Guidelines on Very High Capacity Networks</p> <p>BoR (23) 164 BEREC Guidelines on Very High Capacity Networks</p> <p>BoR (23) 165 BEREC Report on the outcome of the public consultation on the Draft BEREC Report on Sustainability Indicators for Electronic Communications Networks and Services</p> <p>BoR (23) 166 BEREC Report on Sustainability Indicators for Electronic Communications Networks and Services</p> <p>BoR (23) 167 BEREC 4th Intra-EU Communications Benchmark Report</p>
Introduction by	BEREC Chair (EETT)

Information presented	<p>The BEREC Chair presented the list of 'A' items as set out above. The list of 'A' items was drawn up based on the conclusions of the Contact Network (CN), according to which the BoR approval of the documents should be possible without further discussion.</p> <p>The BEREC Chair first requested the consent of the BoR members to include all the items in the list and then asked the BoR to approve the documents in the list of 'A' items.</p>
Conclusion	The BoR approved the documents included in the 'A' item list.

4 Information from the Chair

Document(s)	No document
Introduction by	BEREC Chair (EETT)
Information presented	<p>The BEREC Chair referred to the E-mail sent to the BoR with information about the three items of the Connectivity package, the Digital Markets Act (DMA), the Data Act and the evaluation of BEREC Regulation.</p> <p>He informed the BoR about the 3rd public debriefing on 12 October 2023 in Brussels. On the same day, there will also be the regular annual exchange of views between BEREC and the ITRE Committee.</p> <p>In addition, the BEREC Chair informed the BoR about the changes in the BEREC WP 2023. He explained that in light of BEREC's participation in the DMA High-Level Group (HLG), the Regulatory Framework (RF) Working Group's (WG) work on the amendment of the RoP would be postponed to 2024 or even later, due to the need to get an understanding of how the DMA HLG works in practice as well as the setup of the subgroups to be established.</p> <p>The other change was related to the work of the Remedies and Market Monitoring (RAMM) WG. Due to the WG's contribution to the Digital Decade Policy Programme (DDPP) KPIs, the RAMM WG Co-Chairs suggested dropping the work on Article 75 of the Code in this year's Work Programme in order to manage resources better.</p>
Conclusion	The BoR took note of the information and agreed with the changes proposed in the BEREC WP 2023.

5 Revision of Working Arrangements (WAs) with NRAs participating in the work of BEREC and BEREC Office

Document(s)	<p>BoR (23) 168 The letter of interest from Georgian National Communications Commission (ComCom) to participate in the work of BEREC and the BEREC Office as a member without voting rights</p> <p>BoR (23) 169 The letter of interest from the Moldavian National Regulatory Agency for Electronic Communications and Information Technology (ANRCETI) to become a BEREC member</p> <p>BoR (23) 170 Draft PRD on the procedure to assess applications from third-country NRAs to participate in BEREC and BEREC Office work</p>
Introduction by	<p>BEREC Chair (EETT)</p> <p>RF WG Co-Chairs (AGCOM/NMHH)</p>
Information presented	The BEREC Chair recalled that at the last Plenary Meeting in Montenegro, BEREC had successfully concluded revising six working arrangements

	<p>with Western Balkan national regulatory authorities. He also recalled that the revision of the WA with the NRA of Ukraine is still ongoing and had been delayed due to a longer-than-expected internal (within UA) approval procedure.</p> <p>The BoR was also informed about two requests to join BEREC from NRAs of Moldova and Georgia. In this respect, developing a specific procedure for assessing applications from third-country NRAs to participate in BEREC and BEREC Office work was proposed. The RF WG had prepared a draft Project Requirements Definition (PRD) that would serve this purpose. The BoR was informed that if it accepts this proposal, the final draft procedure can be prepared for approval at Plenary 4 (P4) 2023. Once the procedure is established, the two requests could be addressed by BEREC.</p>
Conclusion	The BoR approved the PRD for internal use.

6 Update about the situation in Ukraine.

Document(s)	No document
Introduction by	Representative of the NRA (NCEC)
Information presented	<p>The Representative of NCEC informed the BoR about the current situation in Ukraine under ongoing Russia's full-scale invasion of Ukraine.. He updated the BoR concerning the following topics:</p> <ul style="list-style-type: none"> - How Connectivity is ensured in Ukraine under ongoing Russia's full-scale invasion of Ukraine and main challenges for the electronic communications sector; - The scale of damages in the telecommunications infrastructure and the telecom sector's losses; - The actions taken by the authorities and operators to mitigate the negative impact of the damaged infrastructure on connectivity; - Information on already reconstructed and rebuilt network infrastructure elements; - QoS monitoring in the current circumstances. <p>The NCEC Representative ended his presentation by highlighting that telecommunication infrastructure still needs to be restored and supported, and that they are working hard to rebuild their country every day.</p>
Conclusion	The BoR took note of the information.

7 Information from the BEREC Office

Document(s)	<p>BoR (23) 171 Contact lists pack</p> <p>BoR (23) 172 Information on the planned electronic voting procedures</p> <p>BoR (23) 173 Information on the electronic voting procedures since the last plenary Meeting</p> <p>BoR (23) 174 Work Programme 2023 status update</p>
Introduction by	BEREC Office Representative

Information presented	<p>The BEREC Office submitted to the BoR, for information, the updated contact lists for the BEREC heads, CN members and the BEREC Office, the voting procedures since the last Plenary Meeting, as well as information on the planned electronic voting procedures and the implementation status of the 2023 BEREC Work Programme.</p> <p>The BEREC Office Representative briefed the BoR about the following:</p> <p>Figures for Working Group meetings that have taken place so far and meetings planned for the rest of 2023;</p> <p>2-factor authentication for BERECnet;</p> <p>The survey results on the quality of support to WGs, including workshops and Phase-II cases;</p> <p>Update on the Information Sharing Portal (ISP);</p> <p>Studies for 2023.</p> <p>The BEREC Office Representative also provided information about training sessions for junior NRA experts, organised for the first time using BEREC's resources, where WG Co-Chairs will present topics within their expertise.</p>
Conclusion	The BoR took note of the information.

8 Information from the European Commission

Document(s)	No document
Introduction by	European Commission Representative
Information presented	<p>The EC Representative informed the BoR about the European Commission's main activities in electronic communications and other relevant activities since the last Plenary Meeting. She focused on the following topics:</p> <p>Firstly, the EC Representative updated the BoR on the <u>State of the Union speech</u>. On 13 September, the Commission President delivered her State of the Union address, which notably covered green technologies, energy and enlargement.</p> <p>Secondly, the EC Representative updated on the <u>Roaming regulation</u>, particularly regarding the situation with Ukraine and Moldova. The Joint Statement between EU and UA operators was prolonged in July 2023 for an additional 12 months, allowing displaced refugees fleeing Russian aggression to stay connected across borders at affordable rates. Ukraine is working on aligning its national legislation with the EU roaming acts regarding long-term roaming arrangements.</p> <p>Furthermore, the EC Representative gave some <u>updates regarding Moldova</u>. On 1 September 2023, the Commission adopted a proposal to incorporate roaming into the EU-Moldova Association Agreement. Once all necessary steps are completed, Moldovan visitors to the EU can use their mobile phones under the same price conditions as in Moldova. At the same time, travellers from the EU will benefit from the same rights when visiting Moldova. In the meantime, some EU and MD operators jointly agreed to lower voluntarily roaming tariffs from 1 January 2024. Concerning that, the EC Representative asked all the NRAs to disseminate this information to the national operators to also apply voluntarily the same tariffs. Also, the EC Representative expressed gratitude towards the Co-</p>

Chairs of the Roaming Working Group for handling the negotiations and enabling a positive conclusion of this voluntary agreement.

Thirdly, the EC Representative updated the BoR on the ongoing negotiations on the Gigabit Infrastructure Act (GIA). The Commission adopted its Proposal for a 'Gigabit Infrastructure Act' Regulation on 23 February 2023. The instrument repeals the Broadband Cost Reduction Directive (BCRD). It aims to contribute to achieving the 2030 connectivity targets, particularly by accelerating the deployment of very high-capacity networks based on fibre and 5G.

Fourthly, The EC Representative informed the BoR about the draft Gigabit recommendation, recalling that BEREC issued its opinion on the draft Gigabit Recommendation on 5 May 2023. On 7 July 2023, CNECT services had an informal meeting with the BEREC Working Group to discuss BEREC's main points as expressed in the opinion. Commission services are now finalising the text following internal consultations and aim to adopt a final recommendation this autumn.

As a fifth item, the EC Representative informed the BoR about the Digital Decade Policy Programme, explaining that the first state of the Digital Decade Report was adopted on 27 September. It consists of a Communication that takes stock of the EU's progress in view of the 2030 objectives and targets and includes recommendations at EU and MS levels. It forms part of a broader package including, among other things, a Communication on EU trajectories, thematic reports on each Digital Decade cardinal point, progress on objectives taking into account the Declaration on digital rights and principles, country-specific reports, as well as an update on the implementation of multi-country projects and new European Digital Infrastructure Consortiums (EDICs). This report is a first step in collaborating with the Member States. The conclusions and recommendations will be discussed with the Member States shortly within the framework of the Digital Decade Board.

As a sixth topic, the EC Representative briefed the BoR on the exploratory consultation on the future of the electronic communications sector and its infrastructure, which closed on 19 May 2023. The Commission plans to publish the non-confidential versions of the responses to the consultation and a summary overview of the responses in the form of a summary report soon.

Lastly, the EC Representative briefly updated the BoR on the AI legislative act. The Commission proposed the legal act in 2021, and in 2022, there were many discussions. The Parliament's position was adopted in June 2023. The ambition of the co-legislators is to finish negotiations by the end of this year. The EU has a leading role in legislation on AI in the world. Currently, negotiations are on several aspects, such as discussions on the high-risk use cases under this act and the transitional period for the act to enter into force.

In addition, the EC Representative covered the latest updates regarding the DMA and DSA. DMA enforcement has reached its first significant milestone with the notification of gatekeepers on 6 September 2023.

	<p>Alphabet, Amazon, Apple, ByteDance, Meta, and Microsoft have been designated as gatekeepers under the DMA. In total, 22 core platform services (CPS) have been listed in the designation decisions. The list of gatekeepers has been published, and the corresponding Commission decisions will be published once confidential information has been removed from the latter. Now that this first milestone has passed, the discussions with gatekeepers on compliance will intensify. With respect to the DSA, on 25 April, the Commission designated 17 Very Large Online Platforms (VLOPs) and two Very Large Online Search Engines (VLOSEs) that reach at least 45 million monthly active users. A complete list of the designated platforms is published on the Commission's dedicated DSA website. For those VLOPs and VLOSEs, the rules of the DSA already started applying in late August. For all other platforms, the rules of the DSA start applying as of 17 February 2024.</p> <p>At the end of the presentation, the EC Representative mentioned that the <u>next DMA HLG meeting</u> is planned for 27 November 2023.</p>
Conclusion	The BoR took note of the information.

9 Announcement of the election results for BEREC Chair 2025 and Vice-Chairs 2024

Document(s)	No Document
Introduction by	BEREC Chair (EETT)
Information presented	<p>The BEREC Chair presented the outcomes of the election of BEREC Chair 2025 and Vice-Chairs 2024:</p> <p>Mr Robert Mourik – Chairperson of the ComReg, Ireland – was elected as BEREC Chair 2025, with 26 cast votes in favour and one abstention.</p> <ul style="list-style-type: none"> - Ms Patrícia Silva Gonçalves – Member of the Board of ANACOM, Portugal – was elected as BEREC Vice-Chair 2024, with 27 positive votes. - Ms Laure de La Raudière – Chairwoman of Arcep, France – was elected as BEREC Vice-Chair 2024, with 25 votes in favour, one abstention and one negative vote. - Mr Hrafnkell V. Gíslason – Managing Director of ECOI, Iceland – was elected as Representative of the participants without voting rights to the Mini-Board 2024, with 27 favourable votes.
Conclusion	To inform the European Parliament and the Council of the outcome of the elections.

10 Planning and Future Trends (PFT)

10.1 External study on the trends and policy/regulatory challenges of cloudification, virtualisation and softwarisation in telecommunication

Document(s)	BoR (23) 175 External study on the trends and policy/regulatory challenges of cloudification, virtualisation and softwarisation in telecommunication - Deliverable 1
Introduction by	PFT WG Co-Chairs (ACM/CNMC)/ Plum Consulting (contractor)
Information presented	The contractor presented to the BoR the research findings in the first phase of the project being undertaken for BEREC by Plum Consulting and

	<p>Stratix on the trends and policy/regulatory challenges of cloudification, virtualisation and softwarisation in telecommunications.</p> <p>The deliverable for this project phase is a report describing the current technical state of the art related to network virtualisation and cloudification, identifying the key players in the value chain, and a discussion of use cases.</p> <p>The second deliverable will analyse potential regulatory and competition issues and challenges and the expected future trends, including possible new business models that may be enabled by virtualisation and cloudification. Once the second deliverable is complete, the contractor will produce and submit an integrated final report to BEREC for approval, which is planned for the next Plenary Meeting of this year (P4).</p>
Conclusion	The BoR took note of the information.

10.2 BEREC Work Programme (WP) 2024

Document(s)	BoR (23) 176 Draft BEREC Work Programme 2024
Introduction by	Incoming Chair (HAKOM)
Information presented	<p>The Incoming Chair presented to the BoR the work progress on the draft BEREC Work Programme 2024 after P2 2023. He informed the BoR about the separate meetings with Working Group Co-Chairs, which were held to cooperate on the drafting of the proposals, followed by a meeting of the Planning & Future Trends (PFT) WG team to discuss and finalise the list of projects.</p> <p>He informed the BoR that one ad hoc item on Cybersecurity has been added. Also, he noted that some items had been merged, and instead of 3 reports, three workshops were introduced into the Work Programme. The structure of the Work Programme is similar to 2023. It is divided among the three strategic priorities (in accordance with the current BEREC Strategy 2021-2025): Full Connectivity, Sustainable and Open Digital Markets, and Empowering End Users. Further work items are also stemming from BEREC's mandatory and other tasks.</p> <p>This draft Work Programme 2024 consists of 46 work items, of which 20 are mandatory, 10 are carry-over projects, and 16 are from prioritisation exercises.</p> <p>Also, he informed that regarding the Work Programme 2024, an early call for resources will be published after this Plenary Meeting.</p> <p>The Incoming Chair ended his presentation with information on the following steps: Public consultation on the Draft Work Programme 2024 will be launched on 6 October, and the final version of Work Programme 2024 will be ready for adoption in P4.</p>
Conclusion	The BoR approved the document for public consultation.

10.3 BEREC International Cooperation

Document(s)	No document
Introduction by	BEREC Vice-Chair responsible for international activities (ACM)

Information presented	<p>The Vice-Chair briefed the BoR on the insightful four lateral Summit, where BEREC met with EaPeReg, REGULATEL and EMERG.</p> <p>She thanked the hosts for the excellent event. It covered different aspects of international connectivity and a fruitful exchange of experiences with fellow associations. The regulators exchanged experiences regarding the role of satellite and submarine cables in achieving reliable and high-speed connectivity. They expressed their commitment to increasing global connectivity through the use of those technologies, with the ultimate goal of creating a digital future that is sustainable and accessible for all end-users.</p>
Conclusion	The BoR took note of the information.

11 Market and Economic Analysis (MEA)

Document(s)	BoR (23)177 Draft BEREC Summary Report of the external Workshop on the evolution of the competition dynamics of tower and access infrastructure companies (not directly providing retail services)
Introduction by	MEA WG Co-Chairs (ANCOM/CNMC)
Information presented	<p>The Co-Chairs started their presentation with the main targets of the study on the evolution of the competition dynamics of the tower and access infrastructure companies not directly providing retail services, as well as some methodological aspects used for gathering information to inform the study. They highlighted that starting the study with the workshop helped increase the stakeholders' awareness and engagement to participate in the study.</p> <p>BEREC conducted the workshop in cooperation with WIK-Consult, the study's contractor. It took place on 20 June 2023 in Brussels. It was meant to collect views on the evolution and reconfiguration of the telecom markets in direct relation to the infrastructure assets divestitures trend, which has gained momentum in Europe, and to provide insights and recommendations for encouraging competition and investments in the electronic communications sector, given the market developments.</p> <p>The Co-Chairs explained that the study chose seven focus countries - five from the EU, and the UK, US and 14 different infrastructure companies and operators that provide services in more than one geographical area. Dedicated surveys, interviews, desk research and a workshop were conducted for data gathering.</p>
Conclusion	The BoR approved the document for publication.

12 End Users (EU)

12.1 Draft BEREC Report on Member States' best practices to support the defining of adequate broadband Internet access service

Document(s)	BoR (23) 178 Draft BEREC Report on Member States' best practices to support the defining of adequate broadband Internet access service (IAS)
Introduction by	EU WG Co-Chairs (RRT/HAKOM)
Information presented	Firstly, the Co-Chairs informed the BoR about the legal background for the Draft Report, i.e. that in accordance with Article 84 (3) of the European

	<p>Electronic Communications Code, "BEREC shall, in order to contribute towards a consistent application of this Article, after consulting stakeholders and in close cooperation with the Commission, taking into account available Commission (Eurostat) data, draw up a report on Member States' best practices to support the defining of adequate broadband internet access service [...]."</p> <p>Secondly, Co-Chairs recalled that in 2020, BEREC published the first Report on Member States' Best Practices to Support the Defining of Adequate Broadband (BoR (20) 99). However, it was published before the transposition of the EECC. Hence, the Report focused on a broadband universal service obligation (USO) under the legislative framework provided for in Directive 2002/22/EC (as amended by Directive 2009/136/EC) (the 'previous legislative framework'), which included "functional internet access" under universal service, and determined the broadband USO "taking into account prevailing technologies used by the majority of subscribers and technological feasibility".</p> <p>Finally, the Co-Chairs presented the general findings based on the questionnaire results circulated among members of the End Users WG. The Co-Chairs explained that 29 responses were received, of which 27 EU Member States and two non-EU MS. The general trend is to define adequate broadband (18 countries have it in legislation).</p> <p>Regarding criteria and definitions, they differ among countries. The majority of countries have mainly used minimum download and upload speeds. However, sometimes only download speed is used to define broadband internet access service. Most countries define a minimum adequate broadband service of 10 Mb/s download speed and 1 Mb/s upload speed. Only some countries use different approaches, defining minimum adequate broadband with download speed of up to 30 Mb/s.</p> <p>Regarding establishing obligations for companies to provide universal broadband, nine countries have imposed obligations on service providers to ensure universal service, including adequate broadband IAS, at a local or national level. The majority of the countries informed that they haven't imposed obligations or do not intend to consider obligations. The main conclusion on this topic is that the obligation to provide universal service is an essential tool for digital inclusion. The Report also involves a chapter on challenges and how to address those challenges.</p> <p>The Co-Chairs highlighted that the Report contains statistics and valuable insights and encouraged BoR members to investigate it. Also, the Co-Chairs informed the BoR that many comments were taken on board after the CN3 and one NRA contribution was received just before the Plenary Meeting. It is also included in this version that was prepared for public consultation.</p> <p>The Co-Chair asked to approve the Report for public consultation and to start public consultation on 10 October, before the debriefing.</p>
Conclusion	The BoR approved the document for public consultation.

12.2 Draft BEREC Guidelines detailing QoS parameters of IAS and publicly available ICS and the publication of information

Document(s)	BoR (23) 179 Draft BEREC Guidelines detailing QoS parameters of IAS and publicly available ICS and the publication of information
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Introduction by	EU WG Co-Chairs (RRT/HAKOM)
Information presented	<p>Firstly, the Co-Chairs reiterated the legal background, which lies in Article 4 of the BEREC Regulation and Article 104 of the EECC, whereby the National Regulatory Authorities, in coordination with other competent authorities, may require providers of Internet access services and of publicly available interpersonal communications services (ICS) to publish comprehensive, comparable, reliable, user-friendly and up-to-date information for end-users on the quality of their services, to the extent that they control at least some elements of the network, and on measures taken to ensure equivalence in access for end-users with disabilities.</p> <p>They recalled that in 2020, BEREC published the first Guidelines detailing QoS parameters (BoR (20) 5353) (EU Guidelines). The EU Guidelines stated that the review process will be done every two years, and this is the first review of those Guidelines.</p> <p>The Co-Chairs informed the BoR that for gathering statistics for the review of the implementation of the EU Guidelines, a questionnaire was sent to the NRAs to collect information on their current practices. Contributions were received from 26 MSs. The Co-Chairs also highlighted that the review of the EU Guidelines has been prepared in close cooperation with the OI (Open Internet) and FNE (Fixed Network Evolution) Working Groups and their technical expertise.</p> <p>Secondly, the Co-Chairs explained the main updates to the EU Guidelines. For example, to increase transparency, the results of the questionnaires for ICS and IAS are divided into fixed and mobile network parameters. Definition and measurement methods for latency, delay variation and packet loss ratio are listed, considering FNE and OI WGs' work. A new parameter not listed in EECC Annex X has been introduced: data transmission speed (upload and download), definition and measurement method.</p> <p>At the end of the presentation, the Co-Chairs informed about amendments made after the extensive discussions during the CN3 Meeting, aligning definitions and using methodologies with other BEREC documents.</p>
Conclusion	The BoR approved the document for public consultation.

13 Cybersecurity (CS)

Document(s)	BoR (23) 180 Draft BEREC Report Secure 5G networks
Introduction by	CS Working Group Co-Chairs (AKOS/HAKOM)
Information presented	<p>Firstly, the Co-Chairs gave a brief update on BEREC's cooperation with NIS CG and ENISA, explaining that BEREC's comments on "Cybersecurity and resiliency of Europe's communications infrastructures and networks - Follow-up to the Nevers Call" were taken on board. ENISA is still working on the document, and it might be presented during the upcoming joint Meeting of ECASEC, NIS CG (WS5G) and BEREC CS (Cybersecurity) WG in October, two weeks after this Plenary Meeting.</p> <p>The Co-Chairs also mentioned that on the second day of the previous Contact Network Meeting, on 15 September, they attended the second Advisory Group Meeting.</p>

	<p>Secondly, the Co-Chairs presented information regarding the prepared Draft BEREC Report on Secure 5G networks. The basis for preparing the Draft Report was two surveys BEREC prepared in collaboration with ENISA, the Commission and the NIS CG. One questionnaire was sent to the NRAs and another one to operators. The Co-Chairs noted that the survey questions related to the resilience and dependencies on the other infrastructure will be analysed by the Working Group in a second report prepared for P4.</p> <p>The Co-Chairs explained that the information collection period ran from 14 April to 26 May 2023, and answers received from the operators were collected nationally and anonymised by the respective NRAs. The Working Group received 124 responses from the operators and 30 from NRAs (BEREC members). The list of countries that participated in the survey is attached to the Draft Report in Annex 3.</p> <p>Thirdly, the Co-Chairs presented some main findings, explaining that the 5G rollout is in its early phase, especially 5G standalone (SA) and slicing. They also highlighted that most operators expect that 5G non-standalone will be in service for over five years. 5G standalone equipment in the network core and 5G RAN is expected to operate effectively between 5 to 10 years. Most operators believe that the current standards (e.g. 3GPP/ETSI, ISO, GSMA) and ENISA guidance available for dual-core security are comprehensive and adequate. In the cloud-based 5G SA core, the Access and Mobility Function (AMF) is considered the network function with the highest level of risk. The vast majority of EU operators use cloud-based services within the EU. And for cloud-based architecture, they use their private cloud.</p> <p>The Co-Chairs also informed the BoR that the multivendor strategy is progressing, meaning that half of the operators currently operating or planning to operate 5G networks use more than one supplier of 5G Core equipment. What's important is that many of them have not encountered significant interoperability issues. Regarding the 5G toolbox, most operators believe that they do not need to change their plans regarding equipment vendors due to any decision related to the 5G Toolbox. However, the Co-Chairs added that a significant minority had done this or are expecting to do so in the future.</p> <p>Lastly, the Co-Chairs presented some open issues that BEREC's work should focus on in the future and to consider for next year's Work Programme.</p>
Conclusion	The BoR approved the document for publication.

14 Exchange of regulatory experience

Document(s)	No document
Introduction by	Representatives of Arcep
Information presented	<p>Firstly, the Representatives of Arcep thanked the BoR for the opportunity to present their work on the environmental impact of the digital sector and introduced the main parts of the presentation structure.</p> <p>The Arcep Representative briefly explained that Arcep had been acting on sustainability for the past three years. Since digitalisation is ultimately shifting consumer behaviour, it massively affects the digital footprint produced by the sector. For the past three years, Arcep has been gathering a lot of information from the different stakeholders of the digital</p>

	<p>industry and parties involved, the public sector and associations, and also collaborating with other public sector authorities. In 2021, Arcep started collecting environmental data from the digital industry to improve its digital footprint, promote robust and transparent methodologies, and share some guidelines and best practices with all interested parties. Arcep aims to be a neutral expert on this topic. The Arcep Representative emphasised that the prospective view of this topic should be in place. She explained that the digital sector in 2020 already consumed 10% of energy, and in 2050, the estimated figure is double if no action is taken. She also gave some specific figures that show carbon footprint data.</p> <p>The Arcep Representative highlighted that a holistic approach is essential and all life cycle phases should be considered. The digital sector's environmental footprint is multidimensional, it is not only gas emissions. There is mineral consumption, energy and other components involved. At the end of the introduction, she emphasised that to monitor the impact of digitalisation, collective action at European level is needed. Even without a specific legal mandate, it is possible to start some activities, and she encouraged others to start thinking about this topic.</p> <p>Secondly, the other Arcep Representative introduced Arcep's main work streams, which are:</p> <ul style="list-style-type: none"> To improve the steering capacity of the digital environmental footprint; To integrate the environmental steering in Arcep regulatory actions; To enhance the engagement of economic actors, private and public stakeholders and consumers. <p>She also briefed the BoR on the examples of the concluded work items, like Arcep's Annual survey "Achieving digital sustainability", the ADME-Arcep assessment of the digital environmental footprint in France, the Technical Experts Committee's report on the carbon impact of the extinction of 2G and 3G networks, and the study on mobile terminal renewal. The Arcep Representative explained the main objectives of each work item and gave some perspectives on future editions. The BoR was also introduced to some of the statistics of the digital sector footprint in France.</p>
Conclusion	The BoR took note of the information.

15 Any Other Business (AOB)

Information on the 57th BoR ordinary meeting (7 December, Poland)

Document(s)	No document
Introduction by	Representative of the host NRA (UKE)
Information presented	The Representative of the Meeting host, UKE, provided information on the logistics for the Meeting.
Conclusion	The BoR took note of the information.