



**AIIP comments on BEREC “Draft Report on Infrastructure Sharing as a lever for ECN/ECS Environmental Sustainability” - BoR (24) 186**

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Associazione Italiana Internet Provider (“AIIP”) has been established in 1995 and represents more than 60 (sixty) Italian ECN/ECS providers, mainly SMEs and a couple of large ones.

Many of AIIP members are operators which install and deploy Very High-Capacity Networks (“VHCN”), with both fibre (FTTH) and wireless access (FWA) technologies. Over such networks AIIP members provide Ultra-Broadband (“UBB”) electronic communications services to their retail clients, as well as access to their infrastructures (to both to passive and active components), at wholesale terms and conditions, to other operators.

AIIP has an interest to participate to this public consultation as many of its associated operators install and provide to the public VHCNs access networks and acknowledge that infrastructure sharing is an efficient tool to develop VHCNs and has also many advantages among which to ameliorate the conditions to ensure ECN/ECS environmental sustainability.

As a matter of fact, infrastructure sharing would allow the following environmental benefits:

- (i) reduction in duplicative infrastructure;
- (ii) resource and building materials conservation;
- (iii) energy efficiency improvements and consequently;
- (iv) reduction of CO<sub>2</sub> emissions (which would be concentrated and limited to only one infrastructure);
- (v) reduction of waste; etc. (as per Table 2 at pp. 36-37).

Therefore, AIIP agrees with BEREC that *“it is ... crucial to ensure that the environmental impact of these [network] deployments end of the electronic communication sector is minimized”* and that *“in this regard, infrastructure sharing, whether passive or active, can be an instrument to reduce the environmental footprint of deployments and encourage increase network efficiency”* (p. 37).

However, AIIP points out that this aim can be achieved as a “subproduct” of a strengthening of the rules which impose (or favour) sharing of both active and passive elements of network infrastructure in order to promote efficient investments and fasten the deployment of VHCNs (see whereas no. 22 of Gigabit



Infrastructure Regulation), and not necessarily by putting environmental sustainability as “the” specific aim of any such intervention to amend the applicable regulation.

AIIP agrees with BEREC statement that “*the benefits of infrastructure sharing have to be weighed against potential technical, legal and regulatory issues in terms of ... competition*”. However, according to AIIP regulation should only be focused at maximizing the possibility of sharing both active and passive elements of network infrastructure, while any worry as to such possible limits in terms of competition should be left aside to the prior attention of the interested operators and, if necessary, to the ex-post intervention of National Competition Authorities.

As to **fixed networks**, BEREC acknowledges that EU law provides a fair and balanced set of rules for infrastructure sharing, starting from coordination of civil works, mainly based on efficiency criteria.

In this respect as far as ***access to passive elements*** of the fixed network is concerned, AIIP points out the need to implement or ameliorate provisions to disaggregation, in order to minimize the extent of any installation works, and not only for environmental reasons but also to better pursue the aim of granting redundancy and resilience of electronic communications networks. According to AIIP it should be clarified that, where physical access to ducts or to infrastructure is not possible (e.g., due to technic reasons or saturation), in order to prevent inefficient or obnoxious to environment duplication of infrastructure, regulation should grant access to dark fiber.

In addition, according to AIIP more attention should be put by regulators in order to grant ***access to active elements*** of the fixed network, which might become necessary especially if access to passive elements is saturated and no physical access may be granted.

On the other side, as to **mobile networks**, BEREC points out that “*it appears that the current European framework does not foresee the ability to formulate infrastructure sharing obligation for mobile networks, outside spectrum allocation*”.

AIIP deems therefore necessary that focus should be primarily given to sharing active and passive elements of mobile networks (also by providing specific access obligations at wholesale level), not only for granting environmental sustainability and avoid duplications and inefficiencies but also to promote integration of both fixed and mobile networks and convergent services on a symmetric path (i.e. also from fixed to mobile and not solely from mobile to fixes, as of nowadays).



Finally, in order to ensure an adequate level of services differentiation and to promote tailored services to the end users, AIIP points out that any regulation relating to sharing of active and passive elements of fixed and/or mobile networks should leave operators free to negotiate for different terms and conditions of SLAs as to network maintenance and problems resolutions

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Should you need any clarification on the above contribution, please do not hesitate to contact us at [presidenza@aiip.it](mailto:presidenza@aiip.it), [segre@aiip.it](mailto:segre@aiip.it) and [andrea.valli@vallimancuso.it](mailto:andrea.valli@vallimancuso.it)

Kindest regards,

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