

Connect Europe feedback to the Draft BEREC Progress Report on managing copper network switch-off

January 2025

Connect Europe would like to thank BEREC for the opportunity to comment on the Draft BEREC Progress Report on managing copper network switch-off. We welcome the report's very useful update on the status of copper switch-off in Europe. The benefits of reducing copper use for energy efficiency and network performance are clear. However, we see that existing rules have so far not adequately addressed the need to streamline procedures and reduce bureaucracy. Additionally, switch-off significantly varies across EU countries, which we were pleased to see was reflected in the report; the monitoring of the migration process should therefore be limited to situations where issues are expected to occur. The right incentives and measures to facilitate the phase out are key for a successful transition.

Decommissioning by 2030 & VHCN coverage

The report highlights how the state of progress is different country-to country and how full decommissioning would only be feasible for a select few European countries by 2030. In this regard, it is worth noting that the countries for which the NRAs expect a copper switch-off by 2030 (indicated in table 2, p.8) are those with the highest VHCN coverage in the EU.

Each country has its own state of development of VHCNs and infrastructure-competition/market structure, and therefore, switch-off may significantly vary across EU countries. At the same time, any new EU policy should also not distort countries where the phase-out is already well on the way. We share BEREC's conclusion that "Uniform targets across all member states as suggested by the White Paper thus seem overly ambitious and may not be the most appropriate tool to tackle the vastly different situations across Member States".

Way forward for copper switch-off

The most credible path for economically sustainable and pro-competitive switch-off of copper lies in the copper owner's planning and in the streamlined procedures by NRAs, so long as they do not make the process burdensome and bureaucratic, or stand in the way of an operator's willingness to migrate. Migrating customers to a new network is one of the obstacles to copper switch-off. Therefore, in order to provide support for copper decommissioning, it is important that **all measures by the NRA that enable the migration of customers to the new network allow for a commercially**

viable transition once the technical migration has been completed and all other conditions have been met.

Namely, Connect Europe **supports the importance that BEREC places on the wholesale phase of commercial closure** in point 5.6 of the draft report. This reduces the number of lines to be migrated and accelerates the subsequent migration of the remaining customers. Additionally, to facilitate switch-off, NRAs should not impose a notice period that is too long. In our view, setting an EU-wide maximum notice period is not adequate. A 2/3-year period is not always compatible with the objective of facilitating/accelerating switch-off while protecting customers¹.

The period should be reduced to one year. In addition, the start of the notice period should not depend on additional constraints or conditions regarding coverage or even take-up that cannot be controlled by the SMP operator and that may have the effect of delaying the implementation of its decommissioning plan². In this regard, we deem it useful that the information on the notice period provided in table 4 of the BEREC report (p. 13) is accompanied by the information on the additional conditions applied and that affect, in the end, the period of time that the SMP operator has to wait before being allowed to switch-off copper.

¹ In Norway, following the SMP operator's switch off announcement in January 2019, the NRA decided to abandon notification schemes and dictated a five-year wholesale copper access obligation to preserve service competition. This implied an obligation for the SMP operator to keep the copper network running for an additional 2,5 years – for access seekers - after finalization of migration of its own retail copper customers to new networks by the end of 2022. The 5-year period could theoretically be shortened if sufficiently good substitute NGA products were offered by the SMP operator (i.e. accepted by all access seekers still having copper customers). The long tail of wholesale copper lines will finally be shut down in September 2025.

² For example, in Italy the notice period can only start after the satisfaction of two conditions - 1) 100% Next Generation Access (NGA) coverage and 2) 60% migration to NGA of the lines active in the central office – and after a specific NRA's decision approving the announcement (that may take 6 months or more). Also, the full migration of all customers is mandatory only after additional 15 months (on top of the notice period).