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**Subject:** Public consultation on the draft BEREC Guidelines on the coordination of civil works according to Art. 5(6) of the Gigabit Infrastructure Act  
**Date:** Friday, July 11, 2025 3:06:09 PM  
**Attachments:** [image001.png](#)  
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Dear BEREC, dear Chairs of the Fixed Network Evolution Working Group,

according to the Gigabit Infrastructure Act (GIA), BEREC has to publish guidelines on the coordination of civil works according to Article 5(6). A public consultation on a first draft started on June 10, 2025.

Deutsche Telekom (DT) appreciates and welcomes this opportunity as a stakeholder who benefits from both granting and asking for access to in-building infrastructure and given our previous involvement in this topic at the national level.

As the draft reflects many current industry practices, we only have the following two comments:

1. Guideline 18, bullet *“the need for a fair return on infrastructure investments and any time schedule for the return on investment (recital 25 of the GIA)”*  
DT: The guidelines have pointed out that a differentiation between ECN and non-ECN access providers should be made. We call on BEREC **to further elaborate in detail on how that relates to price calculation**. The need for a fair return on infrastructure investment should be evaluated differently for ECN and Non-ECNs as it is plausible to assume that the core business of non-ECN is not affected by the coordination to any appreciable extent and is therefore irrelevant for the price calculation.
2. Guidelines 32 and 33 (Part “ECN-ECN vs ECN-other network”)  
DT: This is a critically important part of the Guidelines. BEREC is right in pointing out to the differences. We call on BEREC to **provide more guidance on how the differentiation should apply to the costing and pricing methods**. Just as in our previous comment, the key differentiator is that the core-business of non-ECNs is not affected by the coordination, therefore, only directly attributable cost should be compensated by ECN-access seekers.

We are happy to provide you with additional feedback on these topics should you find it helpful. Regretfully, due to very short consultation time our current comments are rather brief.

With best regards,



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