Full fibre for a digital and sustainable Europe

FTTH Council Europe response to the BEREC Guidelines on Access to In-Building Infrastructure (Article 11(6) of the Gigabit Infrastructure Act)

11 June 2025

Introduction

The FTTH Council Europe welcomes the opportunity to comment on BEREC Guidelines on Article 11(6) of the Gigabit Infrastructure Act (GIA) which aim to accelerate the deployment of very high capacity networks (VHCNs) across the European Union by making in-building wiring accessible to operators deploying FTTH. These measures can facilitate the robust competition in telecom markets that is essential to drive innovation, lower costs, and ensure end-users benefit from the latest technologies.

The FTTH Council is an industry organisation with a mission to accelerate the availability of fibre-based, ultra-high-speed access networks to consumers and businesses. The Council promotes this technology because it will deliver a flow of new services that enhances the quality of life, contributes to a better environment and increased competitiveness. The FTTH Council consists of more than 160 member companies. Its members include leading telecommunications companies and many world leaders in the telecommunications industry (additional information at www.ftthcouncil.eu).

Key Points Supporting Competitive Markets

- **Infrastructure Access and Competition**

The FTTH Council Europe strongly supports the GIA's provisions for broad, non-discriminatory access to in-building physical infrastructure. International experience demonstrates that countries

with effective access regimes for ducts, poles, and in-building wiring have achieved greater deployment and competition in fibre networks, particularly in dense urban areas.

Ensuring that all operators can access in-building infrastructure on fair and reasonable terms is critical for a level playing field and the rapid rollout of advanced networks. One area of concern is the duplication of in-building wiring. The FTTH Council believes that the duplication of in-building fibre wiring is prima-facie unnecessary, considering the operation of Article 11. The starting presumption must be sequential deployment of multiple fibre infrastructures within a building will be unnecessary (even if there might be exceptions where duplication is more efficient to ensure the acceleration of the deployment).

- **Operationalisation and Transparency**

To maximise competitive outcomes, NRAs need to implement clear, transparent, and enforceable operational processes for in-building infrastructure access, including:

  - Non-discrimination obligations and service level agreements (SLAs)
  - Published reference offers for physical infrastructure access only where the infrastructure is owned by another operator. Indeed, in all the other cases access to in-building infrastructure should be free of charge.
  - Timely information-sharing about available infrastructure and technical standards

- These steps help existing operators and new market entrants plan deployments efficiently, stimulating demand for advanced equipment and solutions. Other wholesale access products can also lead to a greater fibre uptake.

Promoting Technology Neutrality and Innovation

Competitive markets encourage operators to invest in the best available technologies, driving demand for FTTH, and energy-efficient solutions.

Cost Sharing and Investment Incentives

The FTTH Council recognises the importance of balancing fair access with incentives for initial infrastructure investment. Transparent, evidence-based cost-sharing mechanisms—such as proportional sharing based on occupancy or usage—can ensure that first movers are rewarded for their investments without creating barriers for subsequent entrants. This approach supports sustainable infrastructure expansion and continued equipment demand.

Specifically, the FTTH Council supports the proposal for in-building access and infrastructure owned by the building owner to be given free of charge. In other scenarios, the Dispute Settlement Body could give more specific guidance with an overall objective of minimising cost in an appropriate way.

- **Efficient Dispute Resolution**

The GIA's provisions for rapid dispute resolutions are welcome, but it is important that these processes remain transparent and predictable. Clear procedural rules, including preclusion and suspension mechanisms, will help prevent delays and ensure that disputes do not become a bottleneck for competition or network deployment. A one month period for settlement looks appropriate.

Policy Recommendations

BEREC should flag that the duplication of in-building fibre wiring is prima-facie unnecessary and inefficient, considering the operation of Article 11. The starting presumption must be sequential deployment of multiple fibre infrastructures within a building will be economically inefficient and unnecessary.

BEREC should ensure that access to all forms of passive infrastructure (ducts, poles, in-building wiring) is mandated on non-discriminatory, transparent, and cost-oriented terms.

The end-of-life reference in paragraph 39 could be elaborated to specify the two primary scenarios: i) at the user's request for activation of a FTTH service; ii) during the cabling phase with a

determination of infrastructure saturation. As well as restoration to the previous state, non-interference with the remaining fibre infrastructure should be specified.

NRAs should ensure publication of detailed reference offers and technical standards to facilitate planning and interoperability where appropriate.

BEREC should monitor and review access pricing and conditions to ensure the terms and conditions of in-building access do not prevent investment and network development.

Conclusion

A competitive telecom market, supported by effective infrastructure access and a clear framework for in-building access is essential for widespread deployment of FTTH and the adoption of gigabit connectivity. We look forward to continued collaboration with policymakers, regulators, and network operators to achieve these shared goals.