

Public debriefing

8 October 2025

Outcomes of the 64th BEREC ordinary plenary meetings
2-3 October 2025

Programme

- Draft BEREC Work Programme 2026
- BEREC Opinion on the EC review of the Delegated Regulation setting Union-wide termination rates

Q&A session

- BEREC Guidelines on the coordination of civil works according to Article 5(6) of the Gigabit Infrastructure Act
- BEREC Guidelines on access to in-building physical infrastructure according to Article 11(6) of the Gigabit Infrastructure Act
- Summary report from external workshop on practical issues preventing number misuse and possible fraudulent activities as a result of impact of new technologies
- BEREC updates

Q&A session

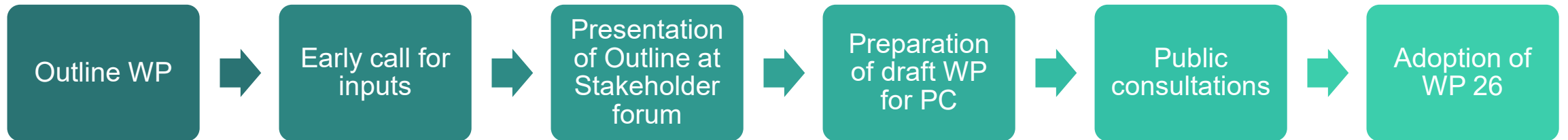
Draft BEREC Work Programme 2026

Incoming BEREC Chair
Marko Mišmaš (AKOS)

01

Structure of the WP and preparation process

Preparation process



New strategic priorities

1. Promoting full connectivity and the Digital Single Market
2. Supporting competition-driven and open digital ecosystems
3. Empowering end-users
4. Contributing to environmentally sustainable, secure and resilient digital infrastructures
5. Strengthening BEREC's capabilities and continuous improvement

The Work Programme also reflects BEREC's institutional and international cooperation.

Type of work items in WP 26

- Mandatory/recurring
- Carry-overs
- Optional

Main principles for 2026

- New strategic priorities
- Focus on the incoming legislative discussions
- Feasible and well balanced workload

02

Strategic priorities

Strategic priority 1

Promoting full connectivity and the Digital Single Market

Projects envisaged for 2026:

- BEREC Opinion on the Recommendation on relevant markets susceptible to ex ante regulation
- BEREC Report on access conditions to state-aid funded networks
- BEREC contribution to European Commission Guidelines on Access to existing physical infrastructure according to Art. 3 (13) of the Gigabit Infrastructure Act
- External Workshop on migration and copper switch-off in light of the DNA

Strategic priority 2

Supporting competition-driven and open digital ecosystems

Projects envisaged for 2026:

- BEREC contribution to the implementation of the Data Act
- Further Guidance on 5G Network Slicing
- BEREC contribution to the implementation of the Digital Markets Act
- BEREC report on the impact of artificial intelligence on competition dynamics, internet openness and end-users' rights

Strategic priority 3

Empowering end-users

Projects envisaged for 2026:

- BEREC report on switching and termination of contracts
- Workshop and Report on practices for ensuring equivalence of access and choice with respect to accessibility
- Implementation of the Open Internet Regulation and the BEREC Open Internet Guidelines
- Collaboration on internet access service measurement tools

Strategic priority 4

Contributing to environmentally sustainable, secure and resilient digital infrastructures

Projects envisaged for 2026:

- Advancing towards environmental data collection on ECN/ECS and contributing to future code of conduct on ECN/ECS sustainability
- Sustainable AI for greener digital infrastructures: Understanding the environmental implications of AI in the telecoms and ICT sector
- Ad hoc work to support reinforcing EU's cybersecurity capabilities
- Combating fraud (e.g. smishing, vishing, etc. attacks)

Strategic priority 5

Strengthening BEREC's capabilities and continuous improvement

Projects envisaged for 2026:

- Stakeholder Forum
- WACC parameters' calculation according to the EC Notice

BEREC's other tasks

Projects envisaged for 2026:

- BEREC inputs to the regulatory framework review and the DNA
- Report on regulatory accounting in practice
- Peer review process and engaging with RSPG

Institutional and international cooperation

- In line with its mandate under Article 35 of the BEREC Regulation, institutional and international relations are aligned with the EU's external relations policy and strategic priorities and an integral part of BEREC annual work programme.

What Comes Next?

- **Public Consultation**

Provide your views and contributions to the Draft BEREC Work Programme 2026 before **3 November 2025, 17:00 CET**.

<https://www.berec.europa.eu/en/public-consultations-calls-for-inputs/public-consultation-on-the-draft-berec-work-programme-2026>

- **Adoption of the BEREC Work Programme 2026**

At the 65th BoR Plenary meeting, 4 December 2025

Thank you

BEREC-WP2026@distro.berec.europa.eu

BEREC Opinion on the EC review of the Delegated Regulation setting Union-wide termination rates

Remedies and Market Monitoring Working Group
Annegret Groebel (BNetzA), Marco Benacchio
(AGCOM)

Background

Review process of Commission Delegated Regulation (EU) 2021/654 setting single maximum Union-wide mobile/fixed voice termination rates within the Union ('Delegated Regulation'/DR)

- To assess whether the imposition of single maximum Union-wide termination rates remains necessary
 - taking in the utmost account the opinion of BEREC
- BEREC directly requested by letter of DG Connect General Director
- Parallel to public consultation
- Opinion does not answer all questions
- BEREC collective view based on a survey among the NRAs
- Outline: five chapters

The Opinion

1) Effects/Contribution of the Eurorates to the objectives of the Code (harmonization, market dynamics, prices, operators, interconnection agreements etc.)

- No major impact in market dynamics and/or competition (pure LRIC models already applied before the DR entered into force)
 - Less disputes
- Eurorates based on one EU cost model reduced the regulatory burden
- Good example of simplification and harmonization
- Decrease of termination revenues due to lower Eurorates (incoming calls)
 - potential problems of cost recovery (for operators in smaller markets)
- Increasing prices in unregulated markets (e.g. external transit prices)?

The Opinion

2) Non-price problems (still requiring national regulation) such as access, one-off fees, cost allocation between termination and transit services etc.

- NRAs shall address non-price competition problems in case of specific (anti-competitive behaviour)
 - regulatory interventions at national level (tools and regulatory powers still needed)
- Possible issues: charging high rates for ancillary services (e.g. collocation)
 - Eurorates include the costs just for interconnection ports/links -> clarifications may help
- NRAs should have the power to adopt symmetric decisions to regulate termination markets (apart from Eurorates) when necessary, and to settle disputes
- Definition of interconnection: the DR should be understood as applied to physical **and** logical of interconnection regardless of the technology
 - Only interconnection providers are eligible to charge termination rates (no OTTs)

The Opinion

3) Calls originating from numbers of non-EU/EEA operators): non-reciprocity, fraud (spoofing) etc.

- Eurorates do not apply to calls originating from numbers of non-EU/EEA operators
 - **asymmetric regime** (exception of two specific cases)
- Termination rates for non-EU/EEA calls are still an issue due to lack of transparency
 - Complexity in negotiating with the non-EU/EEA counterparts
 - When no direct interconnections with non-EU/EEA operators -> international transit carriers -> termination prices + transit rates
 - Without a “breakdown” of the total price EU/EEA operators are generally unable to determine which non-EU/EEA operators apply termination rates \leq the Eurorates.
 - operators of third countries (even transit operators) could spoof CLI, in order to avoid termination rates higher than Eurorates
- BEREC suggests:
 - that the revised DR clearly indicates the country codes to which Eurorates apply
 - the creation of a specific summary sheet - hosted by NRAs or BEREC - to allow operators to include directly voice termination rates
 - to include a provision in the DR stating that operators are not bound to apply Eurorates to termination of calls if the CLI is missing, invalid or fraudulent.

The Opinion

Proposals for improvement

- Technological and service neutrality in the definition (e.g. VOIP / 5G)
- Clear statement of which costs are included in the termination rate
- Addressing fraud related matters in order to assist efforts in combatting such negative impact on Eurorates effort
- Consider SMS termination rates:
 - Amended Regulation (EU) 2015/2120: operators from 1 January 2029 “*shall not apply different retail prices to consumers for domestic communications and intra-EU communications*” and since 1 January 2025 “*may on a voluntary basis comply with the obligation not to apply different retail prices*”
 - Risk of unfair competition at wholesale level due to asymmetry in SMS termination in EU
- it may be worthwhile to consider either including SMS termination in the Delegated Regulation
 - or
 - to foresee a comprehensive evaluation addressing the issue

The Opinion

Level of the EU-wide termination rates (and cost modelling results)

- BEREC was not asked specifically to consider the proposed level of the Eurorates being set by the EC following its cost modelling

Nevertheless...

- While the updated cost model foresees clear cost savings for mobile data and voice roaming services after explicitly introducing the more efficient 5G technology, the decrease is less marked for voice termination services
 - It could be justified to **maintain** the current level of the Eurorates

BEREC Guidelines on the coordination of civil works according to Article 5 of the Gigabit Infrastructure Act

Fixed Network Evolution Working Group
Alexander Thelen (BNetzA), François Weber
(Arcep)

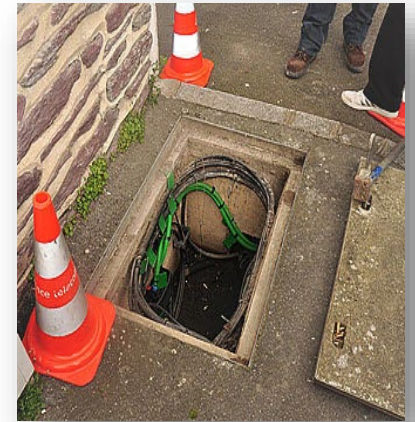
GIA main content

- The “Gigabit infrastructure Act” (GIA) was adopted on 12 May 2024 and will fully replace the BCRD on 12 November 2025
- It aims to **facilitate and stimulate the roll-out of VHCNs**
- Main provisions include:
 - Access sharing to physical infrastructure
 - Coordination of civil works
 - Permit granting facilitation
 - Gathering of information and procedures into electronic single information points



Legal mandate on Article 5 guidelines

- Article 5 introduces an obligation for physical infrastructure owners to meet any reasonable request to coordinate civil works
- 3 topics have to be covered by BEREC's guidelines according to GIA article 5(6):
 - **Apportioning the costs** associated with the coordination of civil works
 - The criteria the **dispute** settlement body (DSB) should follow
 - The criteria for **ensuring sufficient capacity** to accommodate foreseeable future reasonable needs if coordination of civil works is refused

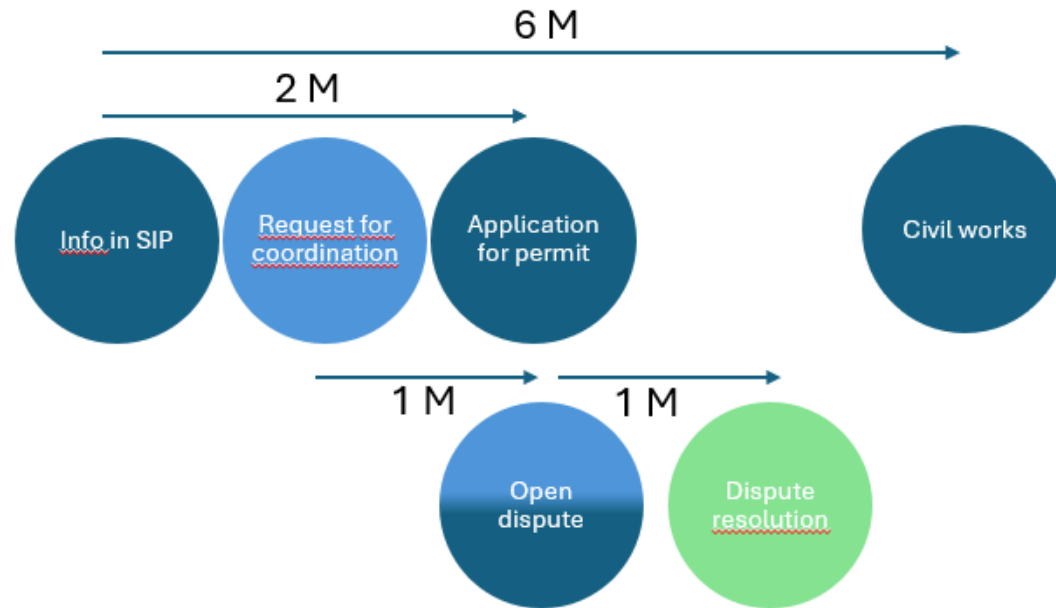


Apportioning of the costs

- Directly attributable costs should be borne by the party causing these costs
- Shared costs should be analyzed on a case-by-case basis, based on objective criteria
- For shared costs, BEREC recommends the use of objective formulas, reflecting either equity or proportionality
- Non-exhaustive examples of formulas are provided

Criteria to settle disputes (1/2)

- General dispute settlement rules (independence of the DSB, transparency of the procedure, etc.) apply the same way they do for other disputes.
- Time constraints defined in GIA (1 month to settle the disputes) are demanding. Consequently, **information sharing during the settlement needs to be swift**

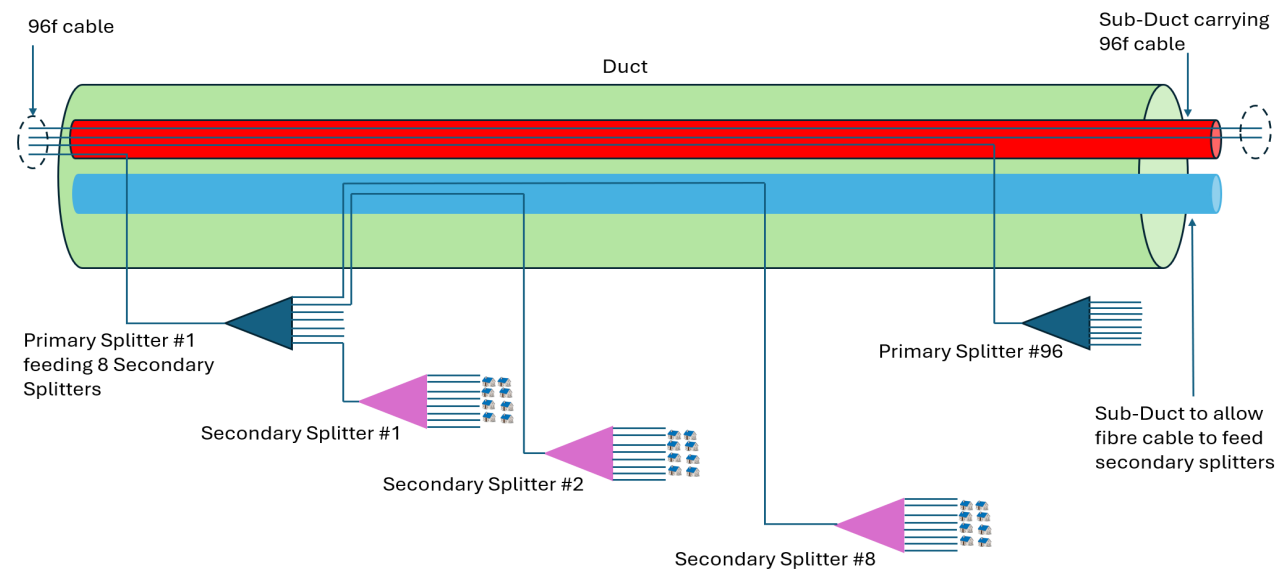


Criteria to settle disputes (2/2)

- **Missing information may, when foreseen in national procedural rules, require suspension or extension of the 1 month deadline.**
- **Transparency on the information requirement is provided through a list of suggested information demands.**
- **To smooth negotiations, BEREC also suggests an optional standard agreement model**

Ensuring sufficient capacity (1/2)

- Article 5(4) allows refusals of requests to coordinate civil works in certain circumstances
- This refusal is only possible if the refusing party deploys physical infrastructure with sufficient capacity for future 3rd party-access
- This part of the guidelines aims to define a methodology to estimate how to quantify this additional capacity need



Ensuring sufficient capacity (2/2)

The suggested methodology covers several steps:

- estimation of the **number of end-users** and their reasonable **needs** based on the number of households as well as on the number of businesses in the area;
- estimation of the **volume of fibre** necessary to cover the above requirements;
- **estimation of the physical infrastructure** needed to accommodate such fibre;
- examples of relevant models and formulas are suggested in Annex 2

Public Consultation

- A public consultation took place from 11 June to 11 July 2025. 17 answers were received
- Overall, the draft guidelines received support from the respondents.
- Most negative feedback criticizes measures coming from GIA itself rather than specific recommendations introduced in the guidelines
- Some respondents pointed out that to ensure the guidelines are followed regarding apportioning of the costs, transparency obligations regarding these costs should be imposed. A new §31 has been added to that effect as a recommendation

BEREC Guidelines on access to in-building physical infrastructure according to Article 11 of the Gigabit Infrastructure Act

Fixed Network Evolution Working Group
Alexander Thelen (BNetzA), François Weber
(Arcep)

Legal mandate on Article 11 guidelines

- Article 11 introduces an obligation for physical infrastructure owners to meet any reasonable request to access in-building physical infrastructure
- Two topics have to be covered by the guidelines according to GIA article 11:
 - **The terms and conditions of access**
 - **Procedural guidance**, setting criteria the dispute settlement body (DSB) should follow when settling disputes

Terms and conditions (1/3)

In-building physical infrastructure owned by the building owner

- When the in-building physical infrastructure is owned by the building owner, BEREC recommends access is **generally provided for free**;
- The reason is that this reflects
 - the current practice in most Member States,
 - the overarching goal of GIA, that “*networks can be rolled out faster and at a lower cost*” and
 - the value-added for the building owner of having these services available.

Terms and conditions (2/3)

In-building physical infrastructure owned by ECN operator

- Typically this infrastructure will already host fibre wiring.
- Fair and reasonable prices to the in-building physical infrastructure should in those instances not deplete a reasonable first mover advantage.
- When the in-building physical infrastructure is owned by an electronic communication operator, any pricing should be **based on evidence** (bills for instance), and BEREC suggests to keep the methodology simple in that case.

Terms and conditions (3/3)

- **Delays** should be **kept reasonable** at each step of the process;
- Trying to **share fiber itself** – when suitable – rather than in-building infrastructure appears a good practice in many situations.
(Access conditions to fibre outside the scope of BEREC guidelines)



Criteria to settle disputes (1/2)

- General dispute settlement rules (independence of the DSB, transparency of the procedure, etc.) apply the same way they do for other disputes.
- Time constraints defined in GIA (1 month to settle the disputes) are demanding. Consequently, **information sharing during the settlement needs to be swift.**

Criteria to settle disputes (2/2)

- **Missing information may, when foreseen in national procedural rules, require suspension or extension of the 1 month deadline.**
- **Transparency on the information requirement is provided through a list of suggested information demands.**

Public consultation

- A public consultation took place from 11 June to 11 July 2025. 20 answers were received
- Overall, the draft guidelines received support from the respondents.
- The main comments concerned pricing of the access, fibre sharing and the possibility to issue provisional orders. No major change was done (either the issue was already covered or there was no consensus to change in the answers received).

Summary report from external workshop on practical issues preventing number misuse and possible fraudulent activities as a result of impact of new technologies

End Users Working Group
Marina Ljubić Karanović (HAKOM), Indre
Jurgelioniene (RRT)

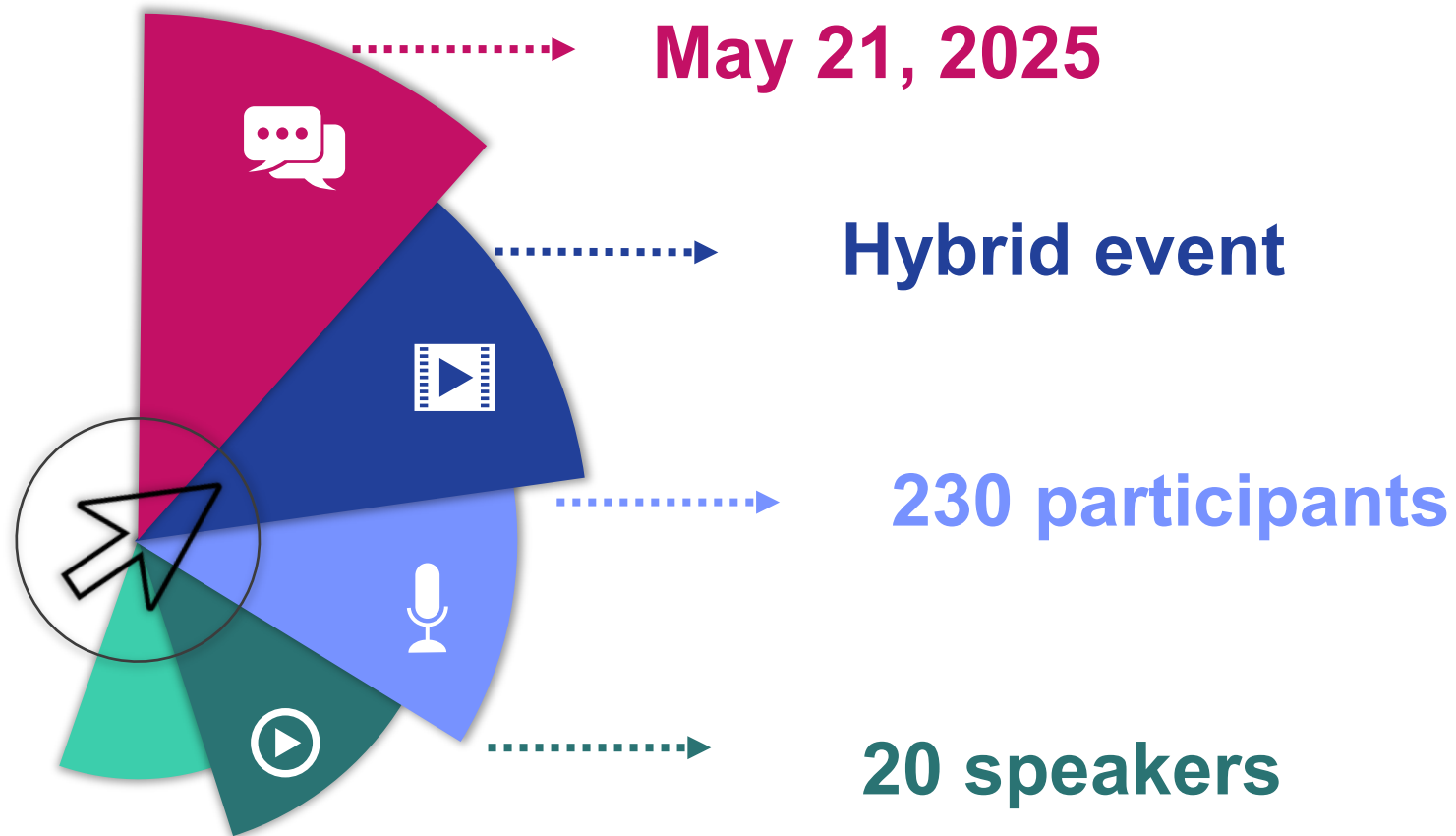
Background and structure

- BEREC Opinion on Article 123 (BoR (24) 180)

Market developments

1. Continued growth of data use in mobile communications;
2. Demand for connectivity and high-capacity internet connections;
- 3. Significant increase in fraudulent traffic and scams;**
4. Growth of usage of digital platforms.

Background and structure



Background and structure



Overview of
the problem



Stakeholders
perspective



NRAs
measures



Panel
discussion

Overview of the problem



Tonko Obuljen,
BEREC Vice Chair 2025
Opening Speech



Rens Grim,
GASA



Els Bruggeman,
Euroconsumers



Marnix Dekker,
ENISA

NRAs measures



Laurence Nivot,
Cullen



Alina Stafecka,
SPRK, Latvia



Sharon Brennan,
Comreg, Ireland



Darius Kuliešius,
RRT, Lithuania



Johannes Myhre Vallesverd,
NKOM, Norway

Stakeholders perspective



Rita de Castro,
GSMA



Katia Gonzalez Guttierrez,
BICS



Tomas Grinevičius,
Telia Lithuania



Filip Filković,
Infobip



Tomas Jakimavičius,
Microsoft

Panel discussion



Mariana Santo,
EC DG FISMA



Katja Kmet Vrčko,
BEREC, AKOS



Claudio Texeira,
BEUC



Alvaro Azofra Martinez,
Europol




Angela Coriz,
Connect Europe




Alessandra Chiarini,
EBF


Key messages




Manipulation fraud = **>50% of payment fraud.**




Financial and emotional toll on victims is high.




Cross-border and cross-sectoral challenges; no single solution exists.



Responses are **reactive, fragmented, localised**; anti-scam measures are slow vs. fast-evolving scams.



Collaboration, transparency, and best practice sharing are **essential.**

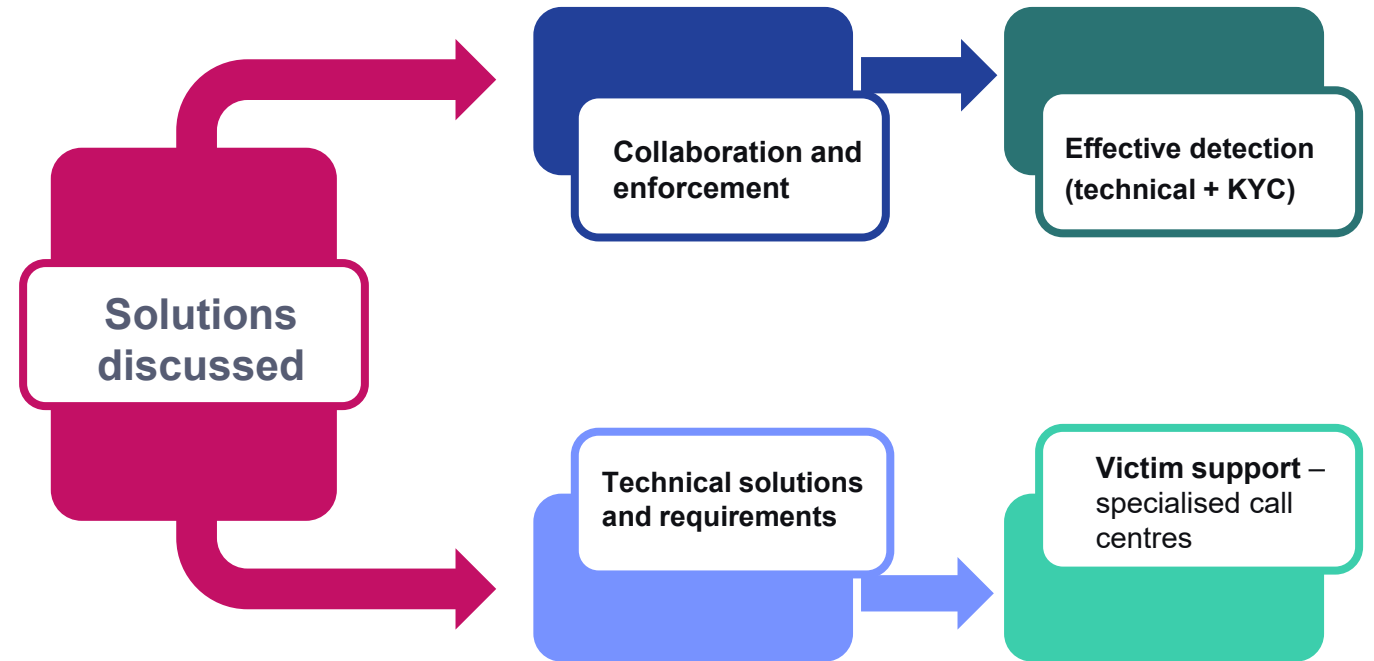
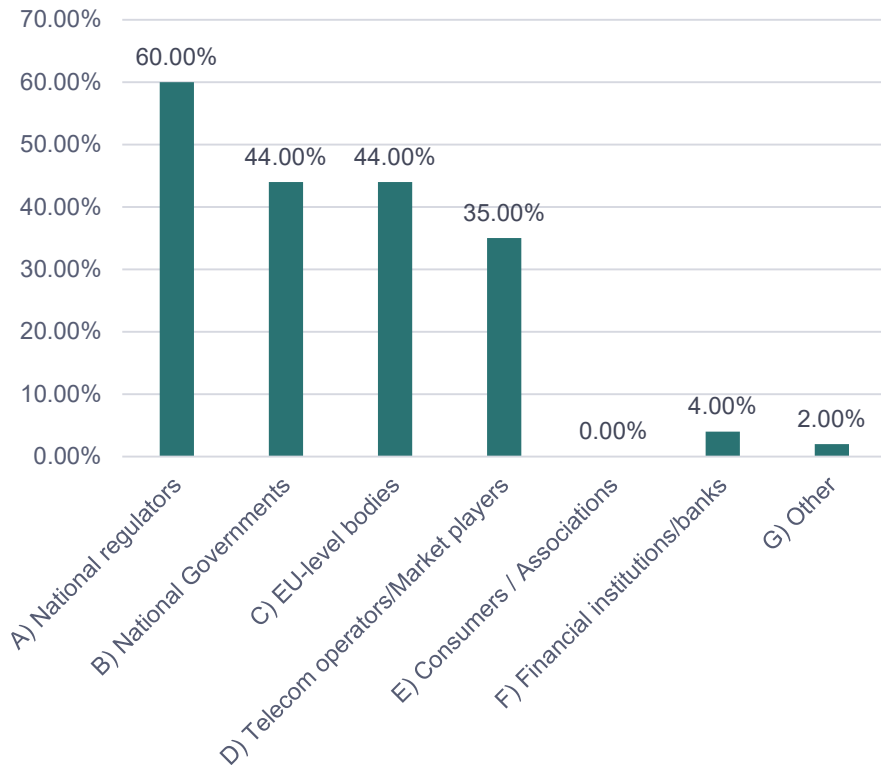


Regulators must ensure **holistic, harmonised frameworks** involving telecom and data protection authorities.

Agenda, Bio's, Summary and Presentations from the workshop are available on the BEREC website

Key messages

Q10 Which stakeholder should take the lead in combating fraud?



Proven need for periodical external workshops and practice sharing

BEREC updates

BEREC Chair
Robert Mourik (ComReg)

BEREC Chair 2027 and Vice-Chairs' 2026 elections

- **Elected BEREC Chair 2027**
Alejandra de Iturriaga Gandini (CNMC)
- **Elected Vice-Chairs 2026:**
 - Klaus Steinmaurer (RTR, Austria);
 - Sarah Jacquier-Pelissier (Arcep, France)
 - Michel van Bellinghen (BIPT, Belgium);
 - Giacomo Lasorella (AGCOM, Italy)
- **Representative of participants without voting rights:** Milan Radulović (EKIP, Montenegro)



EC workshops with BEREC



BEREC study trip

15-16 September 2025, London, United Kingdom

- Ofcom
- Digital Regulation Cooperation Forum (DRCF)
- Alan Turing Institute
- UK Government's Department for Science, Innovation & Technology (DSIT)
- British Telecom
- UK Competitive Telecommunications Association (UKCTA)



#empowering
EUconnectivity

Do not miss out!

- Joint BEREC and BEUC workshop on end-user rights on **15 October 2025** (registration ongoing)
- External **workshop on the submarine connectivity**: market dynamics, regulatory approaches and challenges, **December 2025** (date and place tbc)
- Next **BEREC Stakeholder Forum** – on **31 March 2026** in Brussels

BEREC's inputs

- BEREC input to the EC's call for evidence on DNA - **11 July 2025**
- BEREC input to the EC's public consultation on the Review of Merger Guidelines - **3 September 2025**
- BEREC input into EC's public consultation of DMA Review - **24 September 2025**
- Revision of the Recommendation on relevant markets – **30 September 2025**
- BEREC Opinion on Commission Delegated Regulation setting a single maximum Union-wide MTR and FTR - **5 October 2025**
- BEREC input to EC's Call for Evidence on Digital Fairness Act (DFA) – **24 October 2025**

Public consultations

Document title	Deadline
Draft BEREC Work Programme 2026	3 November 2025

BEREC Communications survey

Share your thoughts by **13 October 2025!**

<https://ec.europa.eu/eusurvey/runner/BEREC-external-comms-2025>



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