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BEREC
Body of European Regulators for Electronic Communications

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BEREC views on the roaming specific topics included in the draft ITRE report of 20 October 2026

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Roam Like at Home: Ensuring end-user Welfare while safeguarding Market Sustainability and Regulatory Certainty

The Regulation (EU) 2022/612 (the "Roaming Regulation") aims to ensure that end-users of public mobile communications networks can use mobile services while periodically travelling within the Union without paying additional roaming charges. The introduction of Roam Like at Home (RLAH) represents a significant achievement of the European Union's telecommunications policy, making this objective a reality across the EU/EEA. On 1 January 2026, the RLAH regime was expanded to Ukraine and Moldova and on 4 June 2026, the Council authorized talks on extending the scheme to 6 Western Balkan Partners. The roaming framework was designed to achieve these objectives while preserving sustainable competitive conditions in domestic mobile markets and preventing unintended market distortions arising from permanent roaming.

The ITRE rapporteur's draft report of 20 October 2026[1] proposes to amend Roaming Regulation, which the Commission's proposal for a Digital Networks Act did not amend. In short, it proposes to (i) delete 'permanent roaming' as a ground for the conditions, information requests and termination provided for in Article 3(6); (ii) lower the maximum average wholesale charge for data roaming to EUR 0.65 per GB, then EUR 0.50 per GB from 1 January 2030 and EUR 0.40 per GB from 1 January 2031 until 30 June 2037. The reasons are set out in a new recital 283a.

In its 2025 Opinion, BEREC considered that the existing regulatory framework designed for periodic travel, including relevant wholesale provisions as well as the retail Fair Use Policy (FUP) rules, remains relevant and coherent with the objectives of the Roaming Regulation and the broader telecommunications regulatory framework. The FUP as well as the wholesale provisions in Article 3(6) are essential mechanisms for operators to prevent themselves from abusive, anomalous usage and permanent roaming and their potential implications for competition and market sustainability. In particular, they provide operators with the necessary tools to protect the sustainability of their domestic charging models while ensuring that end-users can benefit from RLAH during periodic travel without unnecessary restrictions.

As identified in BEREC's previous assessments, differences in national retail prices, network deployment and operating costs, and consumption patterns may create incentives for cross-border arbitrage which, if not adequately addressed through appropriate safeguards, could distort competition and have uneven financial effects across operators and Member States. Removing or substantially weakening the existing safeguards against permanent roaming could therefore affect competition in domestic mobile markets, undermine the sustainability of retail pricing models and reduce incentives for infrastructure investment. Such developments could also have indirect consequences for end-users, including adjustments to domestic tariffs or data allowances, potentially shifting roaming-related costs towards customers who make little or no use of roaming services.

In this context, it is important to recognise that domestic retail tariffs are generally designed to reflect national market conditions and underlying cost structures. The widespread use of permanent

[1] See: DRAFT REPORT on the proposal for a regulation of the European Parliament and of the Council on digital networks, amending Regulation (EU) 2015/2120, Directive 2002/58/EC and Decision No 676/2002/EC and repealing Regulation (EU) 2018/1971, Directive (EU) 2018/1972 and Decision No 243/2012/EU | ITRE PR(2026)791994 | European Parliament, in particular AM 144, 559-563)

roaming as a substitute for domestic services, particularly if existing wholesale safeguards like the reference to permanent roaming in Article 3(6) Roaming Regulation is removed, could therefore create additional cost pressures for operators, potentially requiring them to adjust their retail tariff structures and offerings. Firstly, such adjustments could give rise to so-called *waterbed effects*, whereby increased costs associated with roaming services are passed on to domestic consumers through higher retail prices. While BEREC found no indications of such effects under the existing RLAH framework in its 2025 Opinion[2] their potential emergence following changes to the safeguards should be fully assessed in light of possible consequences for consumer welfare. Secondly, as costs between Member States may present structural differences, due notably to the geography and the density of the population, the extension of permanent roaming (enabling end-users to purchase cheaper services which are finally delivered on networks that have been more expensive to build) could have an impact on operators' incentives and capacity to invest in their mobile networks. This could lead to lower quality of service on some networks.

In addition, according to BEREC's previous reports, **wholesale roaming price caps remain important.** While BEREC has recognized some room for further reductions, such caps should continue to take into account actual production costs in an efficient and well-maintained mobile network as well as an additional margin for commercial negotiations between operators, as foreseen in Recital 42 in the current Roaming Regulation. In this regard, it should also be noted that, for certain Member States and years, the wholesale data caps proposed in the ITRE rapporteur's draft report fall below some of the corresponding cost estimates resulting from the European Commission's mobile cost model updated in 2025.[3]

Any proposal to remove or substantially modify existing safeguard mechanisms either on retail or wholesale side and to significantly revise the wholesale caps glide path should therefore be preceded by a comprehensive impact assessment. Such an assessment should consider the implications for retail and wholesale markets, including the indirect effects of lower wholesale caps on retail FUP data allowance[4], differences in national cost structures, competitive conditions, investment incentives and consumer welfare.

Finally, BEREC is working closely with the Commission for the elaboration of the interim report reviewing the functioning of the Regulation to be submitted to the EU institutions by 30 June 2027. Depending on its findings, it may be accompanied by a legislative proposal to amend the Regulation. In this context**, BEREC will publish an Opinion in the first quarter of 2027 to support an evidence-based evaluation of the existing rules** and any potential adjustments, including a comprehensive consideration and analysis of their impact on national markets and infrastructure investment objectives.

BEREC strongly supports the objective of developing the internal market. Both enabling RLAH for periodic travel and addressing bottlenecks hindering the provision of cross-border services contribute to this objective. However, any changes to the regulatory framework should be subject to a thorough impact assessment, including their effects on competition, investment, wholesale markets and the long-term sustainability of RLAH.

[2] See BEREC Opinion 2025, Page 2 and 34

[3] BEREC would also like to note that the rapporteur's draft Report is not consistent with regard to the expiry dates (The proposed maximum wholesale charges are set until 30 June 2037, while the Regulation expires on 30 June 2032).

[4] Lower caps raise the minimum data volume to be provided at domestic price under open data bundles, which, as BEREC has noted, might lead to sustainability problems, BoR (25) 48

As a sectoral advisory body to the EU institutions, BEREC stands ready to contribute to this work by providing technical assistance to inform the design and implementation of proportionate and effective data-driven regulations.