Public Consultation on the draft BEREC-RSPG joint report on Facilitating mobile connectivity in 'challenge areas'

ETNO Contribution

The European Telecommunications Networks Operators' Association (hereinafter ETNO) appreciates the opportunity to provide its views on the draft BEREC-RSPG joint report on Facilitating mobile connectivity in "challenge areas".

While it is true that many countries face difficulties meeting the increasing demand for mobile connectivity in "challenge areas", one should also acknowledge the significant improvements and further efforts delivered by operators to constantly improve the level of coverage in these areas and consequently provide mobile services to customers wherever they are.

Good coverage and quality of service is an important competitive advantage for the operators and provides a strong incentive to invest in their network. While ETNO members are committed to continuously improve their networks, they face specific regulatory and administrative burdens. Some of these issues may be addressed in the scope of the forthcoming review of the Broadband Cost Reduction Directive.
Current obstacles for improving mobile connectivity in challenge areas include inter alia:

- Overly strict Electromagnetic Field (EMF) emission norms that are not based on scientific evidence;
- Non-proportionate environmental regulation;
- Difficult access to key (public) infrastructure (tunnel, along the railways, streets, roads and traffic lights) at reasonable conditions;
- Technical interferences issues (e.g. with GSM-R);
- Deploying dedicated indoor solutions in public buildings.

In addition to the obstacles mentioned above and to spectrum related aspects under the ongoing review of the regulatory framework with the new European Electronic Communications Code (EECC), we see other general issues that are becoming more acute in challenges areas, such as taxation on mobile infrastructure and the administrative burden for gaining the requested permits.

If a societal need to improve mobile connectivity is identified in a specific region, all means appropriate to improve connectivity should be considered and applied in a consistent way

towards that specific objective. Operators' experience however shows that this is rarely the case. The report shows that the most common practice in Member States to improve mobile connectivity is to impose license obligations. The variety of possible measures is not considered adequate and only mobile operators have to carry the burden. In most cases, no other measures are taken to facilitate the network roll-out for example appropriate revisions of existing local or national legislation concerning the above mentioned obstacles (tax, EMF emission limits, local planning, environmental regulation, etc.). Neither any other means that could help operators to invest in their networks are applied to provide better coverage and quality to customers (both in terms of coverage and QoS).

In cases where coverage obligations are imposed on mobile operators, this may cause inefficiencies and waste of resources if these obligations do not adequately reflect real market needs.
In some countries coverage obligations imposed on spectrum licences have even been adjusted in order to take into account legal constraints. In Belgium for example, national coverage obligations in the 800MHz band have been redesigned so as to exclude Brussels from the obligation because of the too strict applicable EMF limits in Brussels, which are not in line with scientific evidence. Before auctioning new spectrum and imposing any coverage obligations, all concerned authorities should combine the efforts to make sure that the overall regulatory framework makes it possible for operators to efficiently use the spectrum and fulfil their coverage obligations. That is why we deeply believe that concerted approaches bringing together all concerned stakeholders will offer much more possibilities and will always end-up being much more efficient than purely regulated approaches imposing strict coverage obligations to mobile operators only.

Though BEREC-RSPG joint report is an interesting comparative assessment of the initiatives to facilitate mobile connectivity in "challenge areas", ETNO believes that it should not be used by NRAs and other competent Authorities to impose a certain solution in order to enhance the coverage and performance of European mobile networks. As it is stated the described solutions have some limitations and possible undesired consequences. We can refer again to countries where the EMF limits are already below the harmonised ICNIRP limits and where the electromagnetic space is already saturated around many base station sites.

Imposing further coverage obligations would be very challenging and require the installation of new sites. Therefore each operator should be left free to choose the best solution for each case.

To enable **indoor solutions**, new public buildings such as government services, large commercial shopping malls or large residential private areas should be prepared to deploy dedicated indoor solutions including DAS, Wi-Fi, repeaters, small cells/Micro stations.

Key (public) infrastructure (tunnel, along the railways, streets, roads and traffic lights) should be encouraged to provide an improved access, at favourable conditions, to operators that want to deploy mobile infrastructure to reinforce the coverage.

With regards to **protected areas**, such as national parks, they should also benefit from environmental funds to improve mobile coverage for the prevention of fires and recovery of natural habitats. As an example, in 2017 the mobile coverage of Peneda Gerês national park in Portugal was improved with environmental funds for a pilot-project and the involvement of mobile operators and the electric company.

As far as **non-profitable areas** are concerned, the report suggests dealing with it notably through obligations linked to the acquisition of licenses. If or when competent authorities take this direction, they shall consider all the elements to take a well-balanced decision. The cost for deployment, potential revenues and the price of the license are at least the more structuring elements to consider. As well, there are other obligations to be considered like QoS, maybe for other zones, but that will increase the financial burden of the operators to the detriment of private initiative. A pragmatic approach, relying more on a concertation between the actors and a mix of public/private funding is often preferable. The sharing approach should be definitely left in the hands of the operators bearing in mind that the business case in these specific zones or in zones where only one operator is present is expected to be fragile.

Furthermore, any definition of "**good coverage**" should not be linked with thresholds and indicators per technology or band. Any coverage obligations or coverage related indicators should be technology and frequency band neutral i.e. all the mobile bands and technologies should be considered to meet the coverage obligations.

Finally, it should be made clear that the European Digital Agenda broadband objective to ensure that by 2020 all Europeans should have access to Internet speeds of above 30 Mbps and at least 50% or more of European households subscribe to internet access above 100 Mbps, should be met through a mix of technologies and not only mobile. As mobile networks are already contributing to meet these objectives, no coverage obligations should be linked to the aforementioned European strategy nor to the more recent Connectivity objectives in the context of the European Gigabit Society objective for 2025 but instead an investment friendly environment should be constructed.