

To: [PC_Physical_Infrastructure](#)
Subject: draft BEREC Report on Access to physical infrastructure
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Attachments: [image001.png](#)
[image002.jpg](#)

Reference:

Public consultation on draft BEREC Report on Access to physical infrastructure in the context of market analysis

DNA Plc is grateful for the opportunity to provide insight on this report. The subject is generally interesting and topical.

We find it very important that NRAs share their experiences and practices with each other and publicly in order to gain most accurate information on both problems and solutions. Effective regulation demands understanding of technological changes and we are pleased to see that this report focuses on these questions.

From our point of view, it is vital that regulators understand that there are many situations where replicating existing physical infrastructure is not economically profitable. In some cases it is also virtually impossible to get a construction permit for a new mast if there is already a mast serving the area. We fully agree with the following statement from the report - effective access to operators' physical infrastructure is crucial to promote the deployment of networks.

Commercial negotiations between the operator which owns the infrastructure and the operator which seeks the access are not always easy and their results are not always fully fair. We find that consideration concerning BCDR as a solution to access problems is partly over optimistic in the report (except Annex 4).

Last year DNA contacted the Finnish NRA Ficora in order to solve mast related pricing problems it had with another operator. From our point of view the matter belongs to the scope of BCDR. However, Ficora decided that it had no competence over the contractual issues between operators and did not investigate our complaint. The administrative court established the decision.

As we have not found BCDR as a useful tool to the real problems concerning access to the physical infrastructure and fair pricing of access to masts we look forward further discussions on different possibilities to facilitate access via regulation. Since roll-out of 5G networks will require a significant amount of new mast and equipment sites as well as fiber, it is of utmost importance to ensure fair pricing of shared mast and equipment sites and leased fiber to these sites.

Best regards,



DNA Plc

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