

# Ireland Broadband Competency Office Submission to the Public consultation on the draft BEREC Guidelines on Geographical surveys of network deployments

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## Introduction

In the comments below, the European Electronic Communication Code ('EECC') is referred to as «*the Code*» while the Geographic Survey Guideline is referred to as the GS guideline.

We welcome the opportunity to comment on the *draft BEREC Guidelines on Geographical surveys of network deployments*, and we strongly support the underlying objective of these guidelines as specified in Article 22(7) of the Code.

## Answers to Questions in the Consultation Document

### Question 1 (p.11):

The speed values should be specified on the transport layer protocol payload: This approach will better reflect the user experience and it would be an advantage to have an aligned specification of speed values between the Open Internet Regulation and the GS guideline.

### Question 2 (p.20):

We do not consider the position of network infrastructure to be strictly required, however for operators to support their claims of network performance, capacity and coverage significant detail is required from the network for example, they will need to confirm the infrastructure used, the product specifications of the equipment deployed, how they are configured, the link budget designed and used ( for both fixed and wireless networks) as well as a number of other parameters. However for the purposes of mapping the speed, rather than assessment and validation of the claim, we agree the operator speed class information is sufficient.

### Question 3 (p.21):

A: According to 22(3) of the Code, a need may arise to provide information as to whether an area is – or is likely to be – covered by an NGA network. Also in the EU legal framework for state aid, the categorization of a network serving an address as being NGA or not is important. The NGA criteria - as rather generally described in the state aid framework - remains important both with regard to assessing current broadband coverage and with regard to assess whether a proposed state aid project qualifies as an NGA network. In this regard we believe it should be mandatory for network information to be made available which such as the minimum committed information rate to each user, network dimensioning, capacity information, the cell edge/cell area probability etc.

B. While information about mobile performance level through different levels of mobile coverage is useful, it does not provide any information as to the likelihood of achieving a certain download or upload speed. QoS-2 speed information as discussed in 79 might be a

valuable addition for some consumers. For other consumers, as well as for many business users, QoS-2 speed information about average speed would be of limited value: For end users demanding a more predictable service, QoS-2 based on normally available speed should hence also be made available. As mentioned under 3A, QoS-1 speed information is anyway required for state aid purposes.

Question 4 (p.25):

In light of the upcoming BEREC guidelines on VHCN, and that the state aid rules foresee that mobile and wireless networks only under certain circumstances will qualify as NGA, it's suggested not to harmonize assumptions made by operators before the VHCN guidelines have been finalized.

However, in order to measure progress and compare EU Member State progress on a like for like basis some level of harmonisation should be considered. Proposals for harmonisation should be cognisant of mapping frameworks that already exist in a number of countries and which have been already extensively implemented and agreed with operators. The transition to any harmonised position should allow sufficient time for existing frameworks to adopt or allow existing frameworks some local adaptation where necessary. Also the transition to harmonised assumptions should be forward/future looking only and should not consider retrospectively reviewing mapping exercises which are already completed.

## Other Comments

With respect to paragraphs 121 and 122:

*'121. In the context of State Aid, although data may be collected on a fine granular basis – specifically, geocoded address data - the data will need to be aggregated in order to enable the identification of white and grey areas, so that the market failures arising from the lack of commercial investment incentives in local or regional areas can be addressed with minimal distorting effect. Indeed, broadband networks cannot be efficiently deployed to target individual addresses. Accordingly, geocoded address data should be aggregated into areas which are large enough to ensure that that an efficient state-aided network deployment would be feasible.*

*122. Broadband networks cannot be efficiently deployed to target individual addresses. Accordingly, geocoded address data should be aggregated into areas consisting of aggregated address points which are large enough to ensure that an efficient state-aided network deployment would be feasible.'*

Further guidance should be developed to assist in determining a percentage threshold of coverage that is needed to establish whether an area should be considered white or grey, for example guidance should be developed on a minimum percentage of premises in a given area that would need to be passed by a NGA service before an area can be considered a grey NGA area.