

59th Ordinary Plenary Meeting of the BEREC Board of Regulators (BoR)

Hybrid Meeting

Conclusions

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6 June 2024

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Annex I – List of documents

Main Results of the 59th Meeting of the BEREC Board of Regulators

The BEREC Board of Regulators held its 59th Ordinary Plenary Meeting virtually on 6 June 2024.

During the Meeting, the BoR discussed and/or approved the following documents:

1. Documents approved as 'A' items:

1.1 For publication:

- BoR (24) 80 Report from the Mini-Board Study trip 2024;
- BoR (24) 81 BEREC Report on the outcome of the public consultation on draft BEREC Report on empowering end-users through environmental transparency on digital products and services;
- BoR (24) 82 BEREC Report on empowering end-users through environmental transparency on digital products and services;
- BoR (24) 83 Summary of the BEREC external workshop on the ex-ante regulatory experience concerning commitments, wholesale-only undertakings and commercial agreements' review;
- BoR (24) 84 BEREC Report on the outcome of the public consultation on draft BEREC Report on the authorisation and related framework for international connectivity infrastructures;
- BoR (24) 85 BEREC Report on the authorisation and related framework for international submarine connectivity infrastructures;
- BoR (24) 102 BEREC Report on WACC parameters 2024.

1.2 For approval for internal use:

- BoR (24) 86 Inventory of the evolution of NRAs' competencies.

2. Documents approved as regular items:

2.1. For publication:

- BoR (24) 79 BEREC BoR Agenda;
- BoR (24) 92 BEREC Annual Report 2023;
- BoR (24) 105 Recommendation of the ad hoc WG on the participation of the NRA of Republic of Moldova (ANRCET) in the work of BEREC and BEREC Office
- BoR (24) 106 BoR decision concerning the application of the NRA of Republic of Moldova (ANRCET) to join the work of BEREC and BEREC Office.

2.2. For internal use:

- BoR (24) 98 Scoping and Proposal Document for BEREC Guidelines on access to in-building physical infrastructure according to Article 11(6) of the Gigabit Infrastructure Act;

- BoR (24) 99 Scoping and Proposal Document for BEREC Guidelines on the coordination of civil works according to Art. 5(6) of the Gigabit Infrastructure Act.

2.3. For public consultation:

- BoR (24) 93 Draft BEREC Report on the IP Interconnection ecosystem;
- BoR (24) 96 Draft BEREC Report on M2M and permanent roaming;
- BoR (24) 101 Draft BEREC Opinion on the national implementation and functioning of the general authorisation regime.

3. Documents submitted for information purposes:

- BoR (24) Schedule for the election of BEREC Chair 2026 and Vice-Chairs 2025;
- BoR (24) 88 Contact lists pack;
- BoR (24) 89 Information on the planned electronic voting procedures;
- BoR (24) 90 Information on the electronic voting procedures since the last Plenary Meeting;
- BoR (24) 91 Work Programme 2024 status update;
- BoR (24) 94 List of proposed items for the BEREC WP 2025;
- BoR (24) 95 Preliminary schedule of the ordinary BoR and MB Meetings and Contact Network (CN) Meetings and public debriefings in 2025.

4. Other main topics discussed

The BoR was briefed on the recent activities of the BEREC Chair, the important projects carried out by the BEREC Office (BO) in support of BEREC, and BEREC's recent and forthcoming international activities. The BoR was also informed about the development of the BEREC Work Programme (WP) 2025. The BoR also discussed the organisational aspects of the Stakeholder Forum 2025.

The European Commission (EC) was invited to provide information on important recent developments and activities under its remit that have an impact on the electronic communications sector.

The BoR decided to further work on the BoR (24) 100 draft BEREC input to the EC public consultation on White Paper "How to master Europe's digital infrastructure needs?".

5. Next Meeting

The next Ordinary Plenary Meeting of the BoR will take place in hybrid format on **3 October 2024, in Hungary**.

Introduction and participation

The BEREC Board of Regulators held its 59th Ordinary Plenary Meeting virtually on 6 June 2024.

The Meeting was attended by the Heads and/or high-level Representatives of the National Regulatory Authorities (NRAs) from each EU Member State (MS) that have primary responsibility for overseeing the day-to-day operations of the markets for electronic communications networks and services. The European Commission also took part in the Meeting. Heads and high-level Representatives of the NRAs with whom BEREC has concluded working arrangements (WA) were also present.

List of documents

The list of final documents approved by the meeting for publication, in compliance with the BEREC Regulation and the BoR transparency rules, is presented in the Annex to the Conclusions.

Items discussed

A short overview of the information presented under each agenda item, a summary record of the proceedings and a record of the conclusions reached by the BoR are presented below.

1 Opening of the Meeting and adoption of the Agenda

Document(s)	BoR (24) 79 Draft BEREC BoR agenda
Introduction by	BEREC Chair (HAKOM)
Information presented	<p>The BEREC Chair welcomed the Meeting participants and provided practical information on Meeting logistics.</p> <p>He also introduced the new BEREC members:</p> <ul style="list-style-type: none"> - Dr. Daniela Brönstrup, BNetzA, Germany; - Dr. Milan Radulovic, EKIP, Montenegro. <p>The BEREC Chair informed the BoR that a newly elected director of the BEREC Office, Ms. Verena Weber was also attending the Meeting in person.</p> <p>In addition, the BEREC Chair informed the Meeting participants that the BEREC Office Communications team had set up a stand where participants could go and check the new website design on a touch screen and ask any questions related to it. This activity was foreseen in the BEREC Communications Plan 2024 as an internal launch event of the new website design. The website is not yet publicly available, as the Go-Live will happen in mid-July.</p> <p>The BEREC Chair opened the Meeting and presented the Draft Agenda for approval by the BoR. The BoR was invited to suggest any additional issue to be raised or presented under 'Any Other Business' (AOB).</p>
Conclusion	The Agenda was approved with an additional 'AOB' item.

2 List of 'A' items

Document(s)	<p><u>For publication:</u></p> <p>BoR (24) 80 Draft Report from the Mini-Board Study trip 2024</p> <p>BoR (24) 81 Draft BEREC Report on the outcome of the public consultation on draft BEREC Report on empowering end-users through environmental transparency on digital products and services</p> <p>BoR (24) 82 Draft BEREC Report on empowering end-users through environmental transparency on digital products and services</p> <p>BoR (24) 83 Draft Summary of the BEREC external workshop on the ex-ante regulatory experience concerning commitments, wholesale-only undertakings and commercial agreements' review</p> <p>BoR (24) 84 Draft BEREC Report on the outcome of the public consultation on draft BEREC Report on the authorisation and related framework for international connectivity infrastructures</p> <p>BoR (24) 85 Draft BEREC Report on the authorisation and related framework for international submarine connectivity infrastructures</p> <p>BoR (24) 102 Draft BEREC Report on WACC parameters 2024</p> <p><u>For internal use:</u></p> <p>BoR (24) 86 Draft Inventory of the evolution of NRAs' competencies</p>
Introduction by	BEREC Chair (HAKOM)
Information presented	The BEREC Chair presented the list of 'A' items as set out above. The list of 'A' items was drawn up based on the conclusions of the Contact Network (CN), according to which the BoR's approval of the documents should be possible without further discussion. The BEREC Chair informed the BoR members that, if needed, they could still make statements for the Minutes on any of the 'A' items. If a position taken on an 'A' item leads to further discussion, or if a member of the BoR requests it, this item will be withdrawn from the list of 'A' items.
Conclusion	The BoR approved the documents included in the 'A' item list.

3 Information from the BEREC Chair

Document(s)	BoR (24) 87 Draft Schedule for the election of BEREC Chair 2026 and Vice-Chairs 2025
Introduction by	BEREC Chair (HAKOM)
Information presented	<p>The BEREC Chair informed the BoR about the News Flash that he circulated for information before the Meeting, covering the following topics:</p> <ul style="list-style-type: none"> - the White Paper; - the Digital Markets Act High-Level Group (DMA HLG); - the Director ad interim and new Director; - the Stakeholder Forum 2025 and BEREC's 15th anniversary planning;

	<ul style="list-style-type: none"> - the Chairs' activities; - Upcoming events and conferences. <p>Lastly, the BEREC Chair presented to the BoR the Draft Schedule for the election of the BEREC Chair 2026 and Vice-Chairs 2025.</p>
Conclusion	The BoR took note of the information.

4 Information from the BEREC Office

Document(s)	<p>BoR (24) 88 Contact lists pack</p> <p>BoR (24) 89 Information on the planned electronic voting procedures</p> <p>BoR (24) 90 Information on the electronic voting procedures since the last Plenary Meeting</p> <p>BoR (24) 91 Work Programme 2024 status update</p> <p>BoR (24) 92 Draft BEREC Annual Report 2023</p>
Introduction by	BEREC Office Representative
Information presented	<p>The BEREC Office submitted to the BoR for information the updated contact lists for the BEREC Heads, CN members, and the BEREC Office, the recent and planned electronic voting procedures, and the implementation status of the 2024 BEREC Work Programme (WP 2024). A BEREC Office Representative provided update on:</p> <ul style="list-style-type: none"> - the progress of the BEREC WP 2024, including Phase-II cases; - the Number of Working Group (WG) meetings and participation of experts; - the satisfaction survey of the WG Co-Chairs for Q1 2024; - the BO ICT strategy; - BEREC's training of junior National Regulatory Authority experts - The BEREC Office Representative encouraged the Co-Chair to volunteer to provide the training; - Steps towards the Eco-Management and Audit Scheme (EMAS) review of the BO (assessment of GHG contributions due to commuting of BO staff). <p>Furthermore, the BEREC Office presented to the BoR the Draft Annual Report on market developments in the electronic communications sector in 2023 to approve it for publication and submission to the EU Institutions.</p>
Conclusion	<p>The BoR took note of the information.</p> <p>The BoR approved the Annual Reports 2023 for publication and submission to the EU Institutions.</p>

5 Information from the European Commission

Document(s)	No documents
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Introduction by	European Commission Representative
Information presented	<p>The European Commission Representative informed the BoR about the European Commission's main activities in the field of electronic communications and other relevant activities since the last Plenary Meetings.</p> <p>The Commission's main activities were described in the Paper circulated to the BoR for information before the Meeting:</p> <ul style="list-style-type: none"> - Roaming in 3rd countries <p>On 30 April 2024, DG CNECT sent a letter to the telecom industry associations (ETNO, ECTA, GSMA, MVNO Europe) inviting operators to continue their voluntary support by subscribing to a twelve-month prolongation of the EU-Ukrainian Joint Statement (EU/UA JS) on roaming, due to expire on 9 July. The deadline for signalling agreement to prolong is 9 June. Ukrainian regulators already agreed on prolongation, and there is positive feedback and willingness on the side of EU regulators, so it is expected that both sides will sign it. The EC Representative informed the BoR that Internal market treatment for Ukraine might be obtained until the end of the year, but more likely given the process foreseen, by mid - 2025. Lastly, she informed the BoR that a Council working party meeting will discuss roaming in Ukraine, Moldova, Georgia and Western Balkan countries. NRAs are expected to be invited to discuss progress in their respective country.</p> <ul style="list-style-type: none"> - Digital policy programme: <p>The EC Representative informed the BoR that the upcoming State of the Digital Decade Report i was being finalised with a view to adoption by the end of June. The Report will notably be based on an analysis of the national roadmaps. In addition, the Report will provide a picture of digital transformation in the EU. The Report will also serve as an input for the mandate mandate of the next Commission including what needs to be done about digital transformation.</p> <ul style="list-style-type: none"> - Council meetings: <p>The EC Representative informed the BoR that the White Paper was discussed at an informal Telecom Council meeting in April. Overall, Ministers supported the vision provided in The WP in on the technological and market developments that are affecting the sector. They were also very supportive about including topics on resilience and security as well as sustainability in the WP. An interesting discussion was also held on the single market dimension, and the need to review the regulatory framework, in order to cope with ongoing market developments.</p> <ul style="list-style-type: none"> - Letta report: <p>On 18 April 2024, Enrico Letta presented a Report on the Single Market, which sets out recommendations how to strengthen the Single Market to ensure a sustainable future and prosperity for all EU citizens. The Report has been welcomed by European leaders, noting that the Single Market would be a very important topic for the next EC mandate. In the context of the part of the report dealing with telecommunications, the Commission representative underlined creating right conditions for scaling up rather than for consolidating. In addition, the EC Representative informed the BoR that a Telecom council was held in May, which discussed the future</p>

	<p>of the EU digital policy, inter alia better governance system. The Digital Decade Board was mentioned in that latter context.</p> <ul style="list-style-type: none"> - Gigabit infrastructure Act (GIA): <p>The Gigabit Infrastructure Act was published in the Official Journal on 8 May 2024 and entered into force on 11 May 2024. Most of its rules will be applicable from 12 November 2025, except certain provisions that will be applicable as of February and May 2026. The EC Representative welcomed BEREC's work on the guidelines. In addition, she informed the BoR that the EC had started to work on the Guidelines on access to existing physical infrastructure, and BEREC would be kept closely informed on this work as well. Lastly, she informed the BoR that the EC was working internally on the Implementing Act on fair use, which is due by the end of 2024 and based on previous BEREC input on this topic.</p> <ul style="list-style-type: none"> - Review of the Roaming Regulation: <p>In the context of the roaming review due in July 2025, the Commission requested BEREC's expert views on 30 April 2024, including on questions related to the functioning of the roaming market. While BEREC's final replies to the questionnaire are expected to be included in its Opinion planned by Q1 2025, work on relevant BEREC inputs will already start in 2024, thanks to the Roaming (ROAM) WG. BEREC's contribution will be an important building block of the review.</p> <p>Lastly, the EC Representative informed the BoR that another discussion with stakeholders on the Model for the calculation of wholesale roaming services was planned for the beginning of July.</p>
Conclusion	The BoR took note of the information.

6 Open Internet (OI)

Document(s)	BoR (24) 93 Draft BEREC Report on the IP Interconnection ecosystem
Introduction by	OI Working Group Co-Chairs (BNetzA/ILR)
Information presented	<p>The Co-Chairs presented the objectives and scope of the Report, emphasising that the goal of the Report was to re-evaluate earlier findings and assess the current status and market developments since 2017. They explained that the scope of this Report is limited to the IP-IC ecosystem.</p> <p>Data collection was held in September and October 2023, including desk research, 12 internal workshops with various selected stakeholders and a questionnaire distributed via NRAs to national internet access service providers and the RIPE NCC ("Réseaux IP Européens Network Coordination Centre") network. 174 answers were received.</p> <p>The Co-Chairs presented the main takeaways and conclusions of the Report, outlining that:</p> <ul style="list-style-type: none"> - traffic growth rates were stabilising; - competition and technological progress exerted downward pressure on costs and prices;

	<ul style="list-style-type: none"> - the IP-IC ecosystem continued to evolve and was still largely driven by functioning market dynamics and cooperative behaviour of market players, without regulatory intervention; - BEREC is aware that there are a few IP-IC disputes that have occurred since 2017. <p>In addition, an ad hoc questionnaire on IP-IC practices had been launched, which addressed various market players.</p> <p>To BoR was invited to approve the document for public consultation, with 6 weeks duration. The Final Report will be presented for approval at Plenary 4 2024.</p>
Conclusion	The BoR approved the document for public consultation.

7 Planning and Future Trends (PFT) - BEREC Work Programme 2025

7.1 BEREC Work Programme 2025

Document(s)	<p>BoR (24) 94 List of proposed items for the BEREC WP 2025</p> <p>BoR (24) 95 Preliminary schedule of the ordinary BoR and MB Meetings and Contact Network (CN) Meetings and public debriefings in 2025</p>
Introduction by	The Incoming BEREC Chair (ComReg)
Information presented	<p>According to the BEREC Regulation, the BoR shall adopt the outline of the annual work programme by 31 January of the year preceding that to which the annual Work Programme relates. The Outline BEREC Work Programme 2024 was adopted on 26 January 2023 by the BoR via an e-vote and submitted to the EU Institutions.</p> <p>Having regard to BEREC's Outline Work Programme 2025, its Strategy 2021-2025, and Action Plan for 2030, the Incoming BEREC Chair launched a call for inputs on 1 March 2024, by inviting all stakeholders and interested parties to submit proposals for projects to be incorporated in the BEREC Work Programme 2025. The call ended on 9 April 2024.</p> <p>Having considered the oral and written comments received from the CN and after further consultation with the WG Co-Chairs, the Incoming BEREC Chair informed the BoR that the Draft WP 2025 had been further refined and rationalised. It has 50 projects in total and can be approximated as follows:</p> <ul style="list-style-type: none"> - 28 carry-over projects from 2024, mandatory, placeholder projects; - 21 projects selected from the Call for input in 2024; - 1 External Study. <p>The Incoming BEREC Chair presented the proposal for the WP 2025 and asked for feedback and guidance from the BoR. The Heads were invited to comment on the current proposals, bearing in mind the limits to the capacity of WGs to take on projects and the likely possibility of having to demote current proposed projects to accommodate others.</p> <p>In addition, the Incoming BEREC Chair presented the timeline, outlining that the adoption of the draft Work Programme 2025 would be submitted</p>

	<p>for Plenary 3 2024, and that the final Work Programme 2025 was planned for Plenary 4 2024.</p> <p>Finally, the Incoming BEREC Chair presented the preliminary schedule of the ordinary BoR and MB Meetings and Contact Network Meetings and public debriefings in 2025.</p>
Conclusion	<p>The BoR took note of the information and agreed to continue work on the BEREC Work Programme 2025 with a view to resubmitting it to Plenary 3 for approval for public consultation, taking into account comments made during the Meeting and received in writing.</p>

7.2 Update on the recent international activities

Document(s)	No document
Introduction by	BEREC Vice-Chair responsible for international activities (EETT)
Information presented	<p>The BEREC Vice-Chair responsible for international activities briefed the BoR members on the recent and planned international activities, as follows:</p> <ul style="list-style-type: none"> • the Joint WG BEREC-Regulatel meeting will be held in Montevideo, Uruguay on 10 April 2024; • the BEREC-Regulatel Summit will be held in Santa Cruz, Bolivia on 20 June 2024; • the EaPeReg plenaries will be held on 22 May 2024 in Bucharest and in November in Moldova; • the ITU GSR, will take place in Kampala, Uganda from 1 to 4 July 2024.
Conclusion	The BoR took note of the information.

8 Roaming

8.1 Draft BEREC Report on M2M and permanent roaming

Document(s)	BoR (24) 96 Draft Draft BEREC Report on M2M and permanent roaming
Introduction by	ROAM WG Co-Chair (EETT)
Information presented	<p>According to Recital 21 of Regulation (EU) 2022/612 (the 'Roaming Regulation') and BEREC Guidelines, Machine-to-Machine (M2M) communications are included in the scope of the Regulation and are therefore subject to the limitations of permanent roaming and reasonable requests for regulated wholesale roaming access. If Machine-to-Machine services are used permanently in a visited network, wholesale roaming access should be subject to commercial negotiations.</p> <p>To monitor how the market for M2M communications and permanent roaming is evolving, BEREC launched a call for input in November 2023, which concluded on 24 January 2024. The goal was to gather information from relevant stakeholders and prepare a Draft Report for public consultation, which will be used for the BEREC Opinion on the review of the Roaming Regulation.</p> <p>The Co-Chairs presented the main findings about wholesale access and pricing, as well as the main findings about potential competition issues.</p>

	The Final Report is expected to be approved at Plenary 4 2024.
Conclusion	The BoR approved the document for public consultation.

8.2 Draft BEREC Report on EU/UA JS monitoring exercise

Document(s)	BoR (24) 97 Draft BEREC Report on EU/UA JS monitoring exercise
Introduction by	ROAM WG Co-Chair (EETT)
Information presented	<p>BEREC has been tasked to monitor the implementation of the Joint Statement agreed between the EEA and Ukrainian operators with the aim of lowering wholesale charges of both roaming and termination rates.</p> <p>Therefore, in March 2024, BEREC launched a 4th data collection, to monitor the implementation of the prolonged Joint Statement with the aim of:</p> <ol style="list-style-type: none"> monitoring the implementation of the JS, especially the lowering of the wholesale roaming and termination rates charged between EU and Ukrainian operators; understanding potential issues of fraud and potential obstacles operators might face in relation to the implementation of the JS. <p>The main results of this data collection were presented to the BoR:</p> <ul style="list-style-type: none"> Termination rates are stable over time, still much above Eurorates; Wholesale roaming - average rates are stable, prices are below regulated rates; Transit is stable/slightly decreasing during monitoring period, between 5.4 and 8.2 eurocents; Volumes - more traffic coming from UA customers than the other way around.
Conclusion	The BoR approved the document for publication.

9 Fixed Network Evolution (FNE)

9.1 Draft Scoping and Proposal Document for BEREC Guidelines on access to in-building physical infrastructure according to Article 11(6) of the Gigabit Infrastructure Act

Document	BoR (24) 98 Draft Scoping and Proposal Document for BEREC Guidelines on access to in-building physical infrastructure according to Article 11(6) of the Gigabit Infrastructure Act
Introduction by	FNE WG Co-Chairs (ARCEP/BNetzA)
Information presented	<p>On 5 February 2024, the European Parliament and the European Council reached a political agreement on the Gigabit Infrastructure Act, which will repeal the Broadband Cost Reduction Directive (BCRD). The Co-legislators have agreed to task BEREC with the provision of Guidelines on key provisions of the GIA, i.e. access to in-building physical infrastructure (Article 11(6)).</p> <p>The objective of this project is to prepare BEREC Guidelines on the terms and conditions for access to in-building physical infrastructure, including on the application of fair and reasonable terms and conditions, and criteria</p>

	<p>for the settlement of disputes by dispute settlement bodies (DSBs) according to Article 11 (6) of the GIA.</p> <p>The Co-Chairs presented the “Scoping and Proposal” document, including the main policy principles. A medium level of harmonisation, which corresponds to level 2, is considered to be most appropriate for the BEREC Guidelines on the coordination of civil works according to Art. 5(6) of the GIA, meaning that the BEREC Guidelines will fully take into account the well-established principles and the specific situations of each Member State, as demanded by Art. 5(6) of the GIA.</p> <p>The BEREC Guidelines would consist of the following three parts, according to Art. 5(6) of the GIA:</p> <ol style="list-style-type: none"> 1) Guidance on apportioning the costs associated with the coordination of civil works as referred to in Article 5 (1); 2) Criteria that the DSBs should follow when settling disputes falling within the scope of Article 5; and 3) Criteria for ensuring sufficient capacity to accommodate foreseeable future reasonable needs if coordination of civil works is refused pursuant to Article 5(4).
Conclusion	To BoR approved the document for internal use.

9.2 Draft Scoping and Proposal Document for BEREC Guidelines on the coordination of civil works according to Art. 5(6) of the Gigabit Infrastructure Act

Document	BoR (24) 99 Draft Scoping and Proposal Document for BEREC Guidelines on the coordination of civil works according to Art. 5(6) of the Gigabit Infrastructure Act
Introduction by	FNE WG Co-Chairs (ARCEP/BNetzA)
Information presented	<p>On 5 February 2024, the European Parliament and the European Council reached a political agreement on the Gigabit Infrastructure Act, which will repeal the the Broadband Cost Reduction Directive (BCRD). The Co-legislators have agreed to task BEREC with the provision of Guidelines on key provisions of the GIA, i.e. on civil works coordination (Article 5 (6)).</p> <p>The GIA aims at facilitating and stimulating the rollout of very high capacity networks so that such networks can be rolled out faster and at a lower cost. In order to achieve that, the GIA i.a. sets out rules in Art. 5 for the coordination of civil works.</p> <p>The Co-Chairs presented the “Scoping and Proposal” document, including the main policy principles. A medium level of harmonisation, which corresponds to level 2, is considered to be most appropriate for the BEREC Guidelines on access to in-building physical infrastructure according to Art. 11(6) of the GIA.</p> <p>The BEREC Guidelines would consist of the following two parts, according to Art. 11(6) of the GIA:</p> <ol style="list-style-type: none"> 1) Guidance on terms and conditions of access to in-building physical infrastructure, including on the application of fair and reasonable terms and conditions; and 2) Criteria that the DSBs should follow when settling disputes falling within the scope of Article 11.

	The GIA entered into force on 11 May 2024, following its publication in the Official Journal. BEREC shall publish both Guidelines by 12 November 2025. Therefore, the adoption of the final Guidelines and Summary Report on the public consultation are envisaged in November 2025 via e-voting procedure, following an oral update on stakeholder reactions in Plenary 3 2025.
Conclusion	The BoR approved the document for internal use.

10 Regulatory Framework (RF)

10.1 Draft BEREC input to the EC public consultation on the White Paper “How to master Europe’s digital infrastructure needs?”

Document(s)	BoR (24) 100 Draft BEREC input to the EC public consultation on the White Paper “How to master Europe’s digital infrastructure needs?”
Introduction by	RF WG Co-Chairs (AGCOM/NMHH)
Information presented	<p>On 21 February 2024, the European Commission published a White Paper on "How to master Europe's digital infrastructure needs?", analysing the challenges Europe currently faces in the rollout of future connectivity networks and presenting possible scenarios to attract investments, foster innovation, increase security, and achieve a true Digital Single Market (DSM).</p> <p>The Commission launched a public consultation on 12 scenarios set out in the White Paper. The consultation will close on 30 June 2024.</p> <p>The RF WG has been coordinating this work but all the other WGs also contributed with their inputs on specific subjects. The EC has also been involved in the process; two meetings with the EC’s experts were held under the RF WG framework.</p> <p>The WG Co-Chairs presented background information and timeframe of work on the BEREC Opinion on the White Paper. They noted that at CN2 in Vienna, it was requested to draft a shorter strategic document to make BEREC’s message clearer to the outside world. A high-level ad hoc task force was set up for this purpose.</p> <p>The WG Co-Chairs introduced both documents to the BoR for discussion and to reach a decision on the way forward.</p>
Conclusion	To arrange another round of written comments with a view to approving the document via an e-voting procedure.

10.2 Draft BEREC Opinion BEREC Opinion on the national implementation and functioning of the general authorisation regime

Document(s)	BoR (24) 101 Draft BEREC Opinion on the national implementation and functioning of the general authorisation regime
Introduction by	RF WG Co-Chairs (AGCOM/NMHH)
Information presented	According to Article 122(3) of the European Electronic Communications Code (EECC), BEREC shall, by 21 December 2021 and every three years

	<p>thereafter, publish an opinion on the national implementation and functioning of the general authorisation (GA), and on their impact on the functioning of the internal market. BEREC adopted its first Opinion in 2021, and now in line with the EECC, BEREC is carrying out another stock-taking exercise on the current GA situation.</p> <p>The RF WG conducted a survey from 4 to 15 April 2024, to gather information from NRAs on the national EECC implementation status, on the features of the national notification form (where envisaged), on the NRAs' experience with the General Authorisation Database (GADB) and on the NRAs' overall experience with the GA regime.</p> <p>Based on the information and results of a questionnaire, the Draft BEREC Opinion was prepared. The Co-Chairs presented the structure of the report to the BoR and main points discussed within the WG.</p> <p>Lastly, they informed the BoR that 3 questions would be posed during the public consultation:</p> <ul style="list-style-type: none"> • <i>Do you agree with the assessment provided by BEREC of the state of play concerning the implementation of the GA regime?</i> • <i>Are there further issues than those mentioned in the draft Opinion hindering the smooth functioning of the GA regime in the Union?</i> • <i>Would you suggest any future adaptation to the GA regime in the future (e.g., in terms of scope, operational functioning...)?</i> <p>The final approval of the Opinion is expected at Plenary 4 2024.</p>
Conclusion	The BoR approved the document for public consultation.

10.3 Oral update on the Self-assessment tool for NRAs' independence

Document(s)	No document
Introduction by	RF WG Co-Chairs (AGCOM/NMHH)
Information presented	<p>Based on the steering of the BoR at Plenary 2 2023, the RF WG was requested to explore the possibility of developing a self-assessment tool that could allow NRAs to self-assess their institutional layout against the background of the independence guarantees envisaged by the regulatory framework.</p> <p>Based on BEREC's technical specifications, the BEREC Office commissioned this service from an external consultant.</p> <p>In March 2024, the BEREC Office launched the procurement procedure, which resulted in the selection of an external consultancy to develop a self-assessment tool. The contractor aims to finish the development of this tool by end of June 2024.</p> <p>The goal of the project is to develop a simple assessment tool and a checklist for NRAs. He informed the BoR that, as a next step, the NRAs should test the assessment tool and invited NRAs who would like to use the tool in the future to take participation in testing.</p>
Conclusion	The BoR took note of the information.

11 Ad hoc group to analyse the requests of NRAs of third countries to participate in the work of BEREC and BEREC Office

Document(s)	BoR (24) 105 Draft recommendation of the ad hoc WG on the participation of the NRA of Republic of Moldova (ANRCET) in the work of BEREC and BEREC Office BoR (24) 106 Draft BoR decision concerning the application of the NRA of Republic of Moldova (ANRCET) to join the work of BEREC and BEREC Office
Introduction by	Chair of the ad hoc group (BnetzA)
Information presented	The Chair of the ad hoc team presented to the BoR the Working Group recommendation on the assessment of the application of the NRA of Moldova (ANRCET) to become a participant without voting rights. The BoR was asked to decide whether or not the application of ANRCET was eligible and the NRA could become a participant without voting rights in BEREC and BEREC Office. As a next step, the Working Arrangement needs to be drafted and the WAs currently in place will serve as a reference. In addition, the BoR was informed that the application of the NRA of Georgia (ComCom) had currently been put on hold. The assessment will be finalised once the revision of the Association Agreement and its relevant Annex is adopted (as was the case for Moldova in October 2023).
Conclusion	The BoR approved the documents for publication.

12 AOB

12.1 Information on the 60th BoR Plenary Meeting (2-4 October 2024, Budapest, Hungary)

Document(s)	No documents
Introduction by	Representative of the host NRA (NMHH)
Background information	The Representative of the host NRA provided information on the 60 th Plenary Meetings that will take place on 3-4 October 2024 in Hungary. In addition, he informed the BoR that a High-level conference of the Hungarian EU Presidency on “Changing the Rulebook of European Electronic Communications” will be held on 2 October in Budapest, and invited BoR members to take part.
Conclusion	The BoR took note of the information.

12.2 Location of the BEREC Stakeholder Forum 2025

Document(s)	No documents
Introduction by	The Incoming BEREC Chair (ComReg)
Background information	The Incoming BEREC Chair informed the BoR that a survey was conducted and NRAs asked about the location of the next Stakeholder Forum. The NRAs had a chance to choose between Riga and Brussels. The Incoming BEREC Chair informed the BoR that according to the

	feedback received, most of the NRAs were in favour of organising the Forum in Brussels, bearing in mind that the majority of stakeholders are located in Brussels.
Conclusion	The BoR took note of the information and agreed to investigate further venue options for the Stakeholder Forum 2025.