



**4iG GROUP'S RESPONSE TO
DRAFT BEREC REPORT ON THE GENERAL AUTHORISATION AND RELATED FRAMEWORKS
FOR INTERNATIONAL SUBMARINE CONNECTIVITY**

4iG Plc., a Hungarian majority-owned company based in Budapest is the leading regional telecommunications group in Hungary and the Western Balkans. The 4iG Plc, listed on Budapest Stock Exchange, operates mobile networks in 3, and fixed networks in 2 markets in Europe.

4iG appreciates the opportunity to provide feedback on BEREC's draft report on the general authorisation and related framework for international submarine connectivity.

The importance of submarine communication cables has been unexpectedly underlined by the dramatic developments in the geopolitical climate over the last two years. International submarine communication cable services play an important role in the EU's resilience and security, and therefore the long-term strengthening of the sector in the EU shall be based on a comprehensive assessment, including stakeholder input.

We hope that 4iG's reflections will support the renewal of the regulation.

Stronger focus in EU funding mechanisms

The diversification of international telecommunications infrastructure, in particular submarine cable systems, which are considered critical infrastructure for global data and internet traffic, is key to strengthening Europe's resilience. We advocate a stronger focus in EU funding programmes on investment in submarine communications cables that enhance the geographical diversity of transmission routes between the EU and other global destinations. The diversity of electronic communications infrastructure should be reflected in the choice of geographical routes and landing points, ensuring security of service in all eventualities.

The growing need for data transmission and the focus on resilience considerations underline the importance of intensively increasing the submarine communication capacities available to private and public actors in the EU, which will require additional infrastructure investments. The growing number of investments will increase the uncertainties and difficult processes for the planning, authorisation, implementation and operation of such submarine communication cables, unnecessarily slowing down projects and significantly increasing their costs.

Operators in EU Member States have invested and continue to invest in a significant number of submarine communication cable projects, creating a dynamic and competitive market climate. The increase in investment, accompanied by important technological advances, has also changed the ownership structure of submarine cable systems, with Content and Application Providers (CAP) emerging as major investors.



Clarification, simplification and harmonisation of the rules

The harmonisation and simplification of authorisation procedures in EU Member States for the construction of submarine communication cables appears essential to meet the changing needs of both the investment environment and the European Union. The harmonisation and simplification of procedures in the Member States is a vital means to promote the competitiveness of EU market players and to improve the predictability of investments and the timely implementation of the necessary infrastructure developments, while ensuring the necessary safety aspects.

Clarification and harmonisation of the rules applicable in the EU Member States is particularly important in cases where territorial jurisdiction over subsea infrastructure is unclear. In particular, regulatory harmonisation and cooperation with the non-EU countries concerned should focus on a coordinated and consistent approach to licensing, consistent information and a rapid and safe response to operational incidents.

The definitions of public electronic communications networks (ECN) and publicly available electronic communications services (ECS) play a crucial role in determining the regime applicable to each network or service, as most of the rights and obligations set out in the European Electronic Communications Code (EECC) apply only to public ECNs and publicly available ECSs. The definition of public ECNs is clearly set out in the EECC (Art. 2(8)), but the EECC does not provide a clear definition of ECS. We believe that the ECS needs to be defined in the EECC in order to provide clarity on the applicability of rights and obligations. A clear definition of ECS is considered essential for any future European legislative and financial initiative concerning investment in electronic communications services and networks, including the deployment of submarine communications cables.

In the light of the above, we strongly support a comprehensive reform of the authorisation procedures, the harmonisation of the procedures applied in the EU Member States to the greatest extent possible, including the introduction of a one-stop shop system in all countries, with a single point of contact for both operators and the various public authorities concerned. Harmonised EU regulation must reflect the competitive situation in the market concerned and should avoid introducing unbalanced regulatory treatment affecting only investment by traditional European communications operators, thereby unduly favouring investment by new entrants.