

60th Ordinary Plenary Meeting of the BEREC Board of Regulators (BoR)

Hybrid Meeting

Conclusions

Chair: Tonko Obuljen

President of the Croatian Regulatory Authority
for Network Industries (HAKOM)

3 October 2024

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Annex I – List of documents

Main Results of the 60th Meeting of the BEREC Board of Regulators

The BEREC Board of Regulators held its 60th Ordinary Plenary Meeting virtually on 3 October 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) 134 BEREC Report on the implementation of the Open Internet Regulation and the BEREC Open Internet Guidelines;
- BoR (24) 135 BEREC Report on the outcome of the public consultation on the draft report on cloud services and edge computing;
- BoR (24) 136 Report on cloud services and edge computing;
- BoR (24) 137 BEREC 5th Intra-EU communications Benchmark Report;
- BoR (24) 138 BEREC Report on the outcome of the public consultation on the draft BEREC Report on the entry of large content and application providers into the markets for electronic communications networks and services;
- BoR (24) 139 BEREC Report on the entry of large content and application providers into the markets for electronic communications networks and services;
- BoR (24) 140 Summary report on the outcome of a workshop on the application of rights of end users in the European Electronic Communications Code (EECC).

1.2 For approval for internal use:

- BoR (24) 141 Summary of the BEREC internal workshop on the design, enforcement and monitoring of remedies in subnational markets with multiple SMP operators

2. Documents approved as regular items:

2.1. For publication:

- BoR (24) 133 BEREC BoR Agenda;
- BoR (24) 146 Implementation Report on the BEREC Guidelines on Geographical surveys of network deployments;
- BoR (24) 151 Summary of the external workshop on the use of satellite technologies in mobile communications;
- BoR (24) 152 Assessment of the application from the NRA of the Republic of Armenia (PSRC) to join the work of BEREC and BEREC Office;
- BoR (24) 153 BoR decision concerning the application from the NRA of the Republic of Armenia (PSRC) to join the work of BEREC and BEREC Office.

2.2. For public consultation:

- BoR (24) 148 Draft BEREC Work Programme 2025;

- BoR (24) 150 Draft Report on the evolution of private and public 5G networks in Europe.

3. Documents submitted for information purposes:

- BoR (24) 142 Contact lists pack;
- BoR (24) 143 Information on the planned electronic voting procedures;
- BoR (24) 144 Information on the electronic voting procedures since the last Plenary meeting;
- BoR (24) 145 2024 Work Programme status update;
- BoR (24) 149 Draft non-paper on strategic debate on BEREC strategies

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 also discussed the approach to the next BEREC Strategy. The WNE WG informed the BoR about progress of work on the update to criterion 3 of the BEREC Guidelines on very high-capacity networks (VHCNs).

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 held elections of BEREC Chair 2026 and Vice-Chairs 2025.

5. Next Meeting

The next Ordinary Plenary Meeting of the BoR will take place in hybrid format on **5 December 2024 in Slovenia**.

Introduction and participation

The BEREC Board of Regulators held its 60th Ordinary Plenary Meeting in hybrid format on 3 October 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 Annex to the Minutes.

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) 133 Draft BoR Agenda
Introduction by	BEREC Chair (HAKOM)
Information presented	<p>The BEREC Chair welcomed the Meeting participants and provided practical information on the logistics of the Meeting.</p> <p>He also introduced the new BEREC members:</p> <ul style="list-style-type: none"> - John-Eivind Velure – from Nkom, Norway. <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 issues to be raised or presented under ‘Any Other Business’ (AOB).</p>
Conclusion	The BoR approved the agenda with no changes.

2. Election of the BEREC Chair for 2026 and Vice-Chairs for 2025

Document(s)	No documents
Information presented	BEREC Chair (HAKOM)
	<p>Based on Article 10(1) of the BEREC Regulation, the Board of Regulators shall, acting by a two-thirds majority of its members, appoint a Chair and at least two Vice-Chairs from among its members.</p> <p>The elections took place during the BoR session, as indicated in the BEREC Regulation (Articles 10(1) and 17(1)), following the procedure outlined in Article 2 of the BoR RoP (Rules of Procedure) – BoR (19) 58.</p> <p>The following candidates submitted valid nominations to the BEREC Office to participate in the election process at the 60th BEREC Ordinary Meetings:</p>

	<ul style="list-style-type: none"> - Mr Marko Mišmaš, Head of AKOS, Slovenia – for the post of BEREC Chair 2026; - Ms Alejandra de Iturriaga Gandini, Director of Telecommunications and Audiovisual Sector at CNMC, Spain – for the post of BEREC Vice-Chair 2025; - Ms Daniela Brönstrup, Vice-President of BNetzA, Germany – for the post of BEREC Vice-Chair 2025; - Ms Liliia Malon, Commissioner of NCEC, Ukraine – for the post of Representative of participants without voting rights to the Mini Board 2025.
Conclusion	The BoR agreed on the election process as suggested by the BEREC Chair, on the number of additional Vice-Chairs, and to organise a joint vote on all the positions.

3. List of ‘A’ items

Document(s)	<p><u>For publication:</u></p> <p>BoR (24) 134 Draft BEREC Report on the implementation of the Open Internet Regulation and the BEREC Open Internet Guidelines</p> <p>BoR (24) 135 Draft BEREC Report on the outcome of the public consultation on the draft report on cloud services and edge computing</p> <p>BoR (24) 136 Draft Report on cloud services and edge computing</p> <p>BoR (24) 137 Draft BEREC 5th Intra-EU communications Benchmark Report</p> <p>BoR (24) 138 Draft BEREC Report on the outcome of the public consultation on the draft BEREC Report on the entry of large content and application providers into the markets for electronic communications networks and services</p> <p>BoR (24) 139 Draft BEREC Report on the entry of large content and application providers into the markets for electronic communications networks and services</p> <p>BoR (24) 140 Draft Summary report on the outcome of a workshop on the application of rights of end users in the EECC</p> <p><u>For internal use:</u></p> <p>BoR (24) 141 Draft Summary of the BEREC internal workshop on the design, enforcement and monitoring of remedies in subnational markets with multiple SMP operators</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 they could still make statements for the Minutes on any of the ‘A’ items. He noted that if a document included on the ‘A’ item would require further discussions, or should a member of the BoR so request it, this item could be withdrawn from the list of ‘A’ items.
Conclusion	The BoR approved the documents included in the ‘A’ item list.

4. Information from the Chair

Document(s)	No document.
Introduction by	BEREC Chair (HAKOM)
Information presented	<p>The BEREC Chair referred to the email circulated before the meeting with a summary of all his activities.</p> <p>He drew the meeting's attention to the fact that the RF WG Co-Chairs were invited to the Council Working Party meeting on 10 September 2024 to present BEREC's input on the EC's White Paper (WP) in the context of Council deliberations on this topic.</p> <p>He also informed the BoR about the ongoing discussions and exchanges with the EC on the topics covered by the WP.</p> <p>The BEREC Chair also recalled the Mario Draghi Report, which was discussed at the conference preceding the Plenary meeting. He expressed the view that BEREC input to the WP addressed the issues mentioned in the report. He also informed the BoR that if any reaction from BEREC's side was needed it could be discussed.</p> <p>The BEREC Chair reported to the BoR about progress with the draft WAs with the NRA of Moldova. The draft document was sent to the EC for their prior approval. Once approved, it will be submitted to the BoR and MB at the Plenary meeting in Ljubljana for final approval and signature.</p> <p>The BEREC Chair also informed the BoR about the 4-lateral summit to be organised back-to-back with the Mobile World Congress in Barcelona. It will take place on 5 March 2025, in the afternoon.</p> <p>He also informed the BoR about the procedure on the appointment of new Co-Chairs of Working Groups, which will be launched on 8 October 2024. New Co-Chairs would be appointed at Plenary 4 in Ljubljana and start their mandate from 1 January 2025.</p> <p>The BEREC Chair also informed the BoR that the RF WG proposed to postpone the external workshop in the context of PRD on the report on national experiences with the implementation of EECC to the beginning of next year.</p>
Conclusion	The BoR took note of the information.

5. Information from the BEREC Office

Document(s)	<p>BoR (24) 142 Contact lists pack</p> <p>BoR (24) 143 Information on the planned electronic voting procedures</p> <p>BoR (24) 144 Information on the electronic voting procedures since the last Plenary meeting</p> <p>BoR (24) 145 2024 Work Programme status update</p>
Introduction by	BEREC Office Representative
Information presented	<p>The BEREC Office submitted to the BoR for information the updated contact lists for 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 (2024 WP).</p> <p>A BEREC Office Representative updated the BoR on:</p> <ul style="list-style-type: none"> - The progress in delivering the 2024 BEREC WP;

	<ul style="list-style-type: none"> - Support to BEREC WGs, including workshops & phase-II cases in Q2 2024; - New BERECnet+ functionality developed by the BEREC Office ICT Team and the ICT ENG for the nomination of the resource commitments by the NRAs (the tool would replace the existing process done via Excel and emails) and testing phase that required the involvement of the NRAs; - The BEREC training for the junior experts of the NRAs by using BEREC own internal resources for 2024–2025 - Call for SNEs in the Boards Support Team and Programme Management Unit that will be launched in mid-October 2024 to fill in the vacant positions.
Conclusion	The BoR took note of the information.

6. Information from the European Commission

Document(s)	No documents
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 EC representative focused on the following topics:</p> <ul style="list-style-type: none"> - Roaming and Ukraine <p>The EC representative reported to the BoR about the progress made by the Ukrainian side in terms of implementation of the EU legislation allowing for harmonisation of roaming area between the EU and Ukraine. Ukraine’s notification concerning the roaming acquis is expected in October 2024. She said thank you for the work done so far.</p> <ul style="list-style-type: none"> - Digital Decade Policy Programme (DDPP) <p>The EC representative recalled that the 2024 State of the Digital Decade Report was adopted in July 2024, which was subsequently presented to the Telecom Council working party. She informed the BoR that the report, including its recommendations and way forward concerning roadmap adjustments, had been discussed with the Digital Decade Board on 10 September 2024. Now the EC is waiting for adaptation of national roadmaps by November 2024.</p> <ul style="list-style-type: none"> - Digital Markets Act and Digital Services Act <p>With respect to Messenger, the EC representative recalled that the Commission had invited BEREC to provide its views on the Refence Offer published on 6 September 2024.</p> <p>On 10 September the Commission announced that its services in charge of the enforcement of the DMA and the European Data Protection Board (EDPB) have agreed to work together to clarify and give guidance on the interplay between DMA and GDPR.</p>

	<p>On 20 September 2024, the second meeting of the DMA High-Level Group (HLG) sub-group on Article 7 – interoperability took place, including the presentation by the Co-Chairs of the Digital Markets WG on the important work that BEREC has been doing on this topic.</p> <ul style="list-style-type: none"> - Draghi Report <p>The EC representative recalled that on 9 September 2024, Mario Draghi presented a report on ‘The future of European competitiveness’ composed of ‘A competitiveness strategy for Europe’ and ‘In-depth analysis and recommendations’. The report looks at the challenges faced by the industry and companies in the Single Market. The findings of the report will contribute to the Commission’s work on a new plan for Europe’s sustainable prosperity and competitiveness.</p> <ul style="list-style-type: none"> - New European Commission <p>The EC representative informed the BoR that Mrs Henna Virkkunen, was designated new Executive Vice-President for Tech Sovereignty, Security and Democracy, and if confirmed will deal with the Connect agenda and her portfolio.</p> <p>She noted in her mission letter important elements referring to the White Paper and the telecommunications regulatory framework in the context of technological changes, as well as topics related to sub-marine cables and resilience and governance.</p>
Conclusion	The BoR took note of the information.

7 Remedies and Market Monitoring (RAMM)

7.1 Draft Implementation Report on the BEREC Guidelines on Geographical surveys of network deployments

Document(s)	BoR (24) 146 Draft Implementation Report on the BEREC Guidelines on Geographical surveys of network deployments
Introduction by	RAMM WG Co-Chairs (BNetzA/AGCOM)
Information presented	<p>The WG Co-Chairs recalled that Article 22(7) of EEC tasked BEREC with the delivery of Guidelines (‘GL’) to assist authorities to implement their obligations under Article 22 consistently. In this respect, BEREC approved three different Guidelines, published as a Handbook (BoR (21) 104) in June 2021.</p> <p>They also recalled that it was agreed that BEREC would prepare an Implementation Report to examine how different European countries had transposed and enabled the provisions of Article 22 to consider whether or not to revise and update the Guidelines.</p> <p>The WG Co-Chairs informed the BoR about the process leading to the preparation of the draft report, which is based on feedback provided by 27 public authorities that are responsible for conducting geographical surveys.</p> <p>The WG Co-Chairs presented to the BoR the main findings of the report. They highlighted that Article 22 and the BEREC Guidelines have resulted in a substantial increase in the number of Member States carrying out the</p>

	<p>geographical surveys and contributed to a harmonisation of the criteria for mapping broadband coverage.</p> <p>The WG Co-Chairs noted that the implementation report has shown there is room for improvement regarding the approaches to implementing the Guidelines to achieve further harmonisation and increase comparability across Member States.</p> <p>Overall, they concluded that in the light of the main evidence resulting from the survey, technological developments or other recent BEREC documents and new legislation (GIA) it would be appropriate to propose an update to the BEREC Guidelines on Article 22 broadband mapping.</p> <p>Consequently, they informed the BoR that the update of the Guidelines would be done in the second half of 2025 after the outcome of the EC's 'Methodology on 5G Mobile and Fixed QoS Coverage Mapping' is known, as there is a link between these projects.</p>
Conclusion	The BoR approved the document for publication.

7.2 Update on the ad hoc PRD BEREC Opinion on an EC Roadmap on a methodology for QoS mapping

Document(s)	No document
Introduction by	RAMM WG Co-Chairs (BNetzA/AGCOM)
Information presented	<p>At the beginning of 2024, the EC presented a draft 'Roadmap for a two-stage approach for developing a methodology for mapping QoS coverage for mobile and fixed broadband services and establishing harmonised pre-conditions for future data processing', containing several milestones.</p> <p>The first stage, regarding the methodology development dedicated to 5G, was scheduled for 2024 and required BEREC's opinion, which was supposed to be submitted at the meeting.</p> <p>On 16 July 2024, the EC presented the first draft of the '5G Mobile and Fixed QoS Coverage Mapping Methodology' sent to BEREC (and Member States' experts) which was subject to the WG work. One of the key questions was related to the objective of the exercise proposed by the Commission – if the aims to be used for multiple purposes including measures of the user experience or predict the network performance to deliver it, or both. Another question focused on the most appropriate way to calculate it – a theoretical approach, a commercial measurement tool or a combination of both. While the final question was dedicated to the time frame in which the QoS mapping methodology could be realistically implemented (taking into account the need to collect data of a certain granularity and to process it accordingly).</p> <p>In this context, the Co-Chairs updated the BoR about the outcomes of the meeting held on 1 October 2024 with the EC and BEREC Drafters on the QoS mapping parameters methodology.</p>
Conclusion	The BoR took note of the information.

8. Announcement of the election results for BEREC Chair for 2026 and Vice-Chairs for 2025

Document(s)	No document
Introduction by	BEREC Chair (HAKOM)
Information presented	<p>The BEREC Chair informed the Meeting that the following BoR members had been elected:</p> <ul style="list-style-type: none"> - Mr Marko Mišmaš, Head of AKOS, Slovenia – for the post of BEREC Chair 2026; - Ms Alejandra de Iturriaga Gandini, Director of Telecommunications and Audiovisual Sector at CNMC, Spain – for the post of BEREC Vice-Chair 2025; - Ms Daniela Brönstrup, Vice-President of BNetzA, Germany – for the post of BEREC Vice-Chair 2025; - Ms Liliia Malon, Commissioner of NCEC, Ukraine – for the post of Representative of participants without voting rights to the Mini Board 2025.
Conclusion	To inform relevant EU institutions about the results of the elections for BEREC Chair 2026 and Vice-Chairs 2025.

9. Planning and Future Trends (PFT)

9.1 BEREC Work Programme 2025

Document(s)	BoR (24) 148 Draft BEREC Work Programme 2025
Introduction by	Incoming BEREC Chair (ComReg)
Information presented	<p>The Incoming BEREC Chair presented the current draft of BEREC Work Programme 2025 to the BoR.</p> <p>He mentioned the carry-over/recurring projects from 2024 and informed the BoR about optional projects and one external study that will be commenced in 2025 (a BEREC external study on data centres).</p> <p>He also informed the BoR about changes that had been made after CN3 in Belgrade and additional round of consultations with the Co-Chairs regarding the draft, especially in relation to FNE, MEA, DM, EU, RF, RAMM, WNE and PFT.</p> <p>The Incoming BEREC Chair presented to the BoR information about the distribution of these projects and the workload among the WGs – he noted that the Regulatory Framework (RF) WG has the lowest number due to ad hoc projects that can be initiated in relation with EC initiatives (for example, revision of the Code) and could require extensive work. He noted a heavy workload, but the number of deliverables is comparable to 2024 (and 2023).</p> <p>The Incoming BEREC Chair concluded that the final WP 2025 would include 50 work items: 32 mandatory/carry-overs and 18 own initiatives after a prioritisation exercise.</p>
Conclusion	The BoR approved the document for public consultation.

9.2 Discussion about the review of BEREC strategic documents for 2026–2029

Documents	BoR (24) 149 Draft non-paper on Strategic debate on BEREC strategies
Introduction by	PFT Co-Chairs (CNMC/PTS)
Information presented	<p>The WG Co-Chairs recalled that it had been decided that BEREC would merge its strategic documents: BEREC strategy 2021–2025, BEREC’s Medium-Term Strategy for relations with other institutions 2022–2025 and BEREC’s Medium-Term Strategy for International Cooperation 2022–2025 in view of the latest and expected relevant market, technological and regulatory developments for the next five years.</p> <p>The Co-Chairs highlighted that the update of strategies should be undertaken in light of the further thoughts delivered in the BEREC Action Plan for 2030, BEREC’s response to the EC consultation on the future of telecommunications and BEREC’s self-assessment prepared as input for the EC evaluation. They also noted external inputs which are not known at the moment. In this context, they underlined uncertainties related to the drafting process.</p> <p>The Co-Chairs presented to the BoR the non-paper document with key questions, already discussed by the full WG on 27 August, and CN3 in Belgrade for discussion at the BoR level.</p> <p>The questions were split onto two categories. The first set of questions was referring to main sectoral challenges in the coming years, and defining BEREC’s strategic priorities to address them. The second set of questions was addressing the issue of publication of the new strategy: whether to delay the review until a legislative proposal is made public, launch internal work but postpone publication to a later stage, or proceed as planned with publication for public consultation at Plenary 2/2025 and final approval by the end of 2025.</p>
Conclusion	The BoR agreed to continue discussions on the new strategy.

9.3 BEREC International Cooperation

Document(s)	No document
Introduction by	BEREC Vice-Chair responsible for international activities (EETT)
Information presented	<p>The BEREC Vice-Chair responsible for international cooperation briefed the BoR members about recent BEREC’s international activities:</p> <ul style="list-style-type: none"> - ITU-GSR: 1–4 July, Kampala, Uganda; - BEREC – Regulatel Summit: 20–21 June, Santa Cruz, Bolivia; - EMERG Plenary: 24–25 July, Nicosia, Cyprus; - EaPeReg Plenary and workshop: 27–28 November, Chisinau, Moldova; - Regulatel Plenary: 11–12 December, Cartagena de Indias, Colombia; - BEREC-EaPeReg-EMERG-Regulatel Summit to be held on 5 March 2025, Barcelona (CNMC premises during MWC).

Conclusion	The BoR took note of the information.
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10. Wireless Network Evolution (WNE)

10.1 Draft Report on the evolution of private and public 5G networks in Europe

Document	BoR (24) 150 Draft Report on the evolution of private and public 5G networks in Europe
Introduction by	WNE WG Co-Chairs (ACM/ComReg)
Information presented	<p>The WG Co-Chairs reported that this report is a factual state of play of 5G public and private networks in Europe.</p> <p>They explained what a 5G private mobile network is and presented theoretical categorisation of its architecture.</p> <p>The WG Co-Chairs also informed the BoR about the results of the questionnaire that was the basis for the report. They highlighted that the results give a very diverse picture across the NRAs in terms of definitions used for private and public networks, payment schemes, frequency bands used, etc.</p> <p>The Co-Chairs noted that, because of the different classifications and registrations used by NRAs, it is very likely that a significant part of private network deployments is not known to the NRAs. As a result, potential difficulties faced by private network actors which regulation might address, may go unnoticed.</p> <p>The Co-Chairs also informed the BoR about amendments and improvements made in the document after the CN meeting and additional questions to seek feedback from the public consultation.</p> <p>They informed the BoR that final report is due for Plenary 1 2025.</p>
Conclusion	The BoR approved the document for public consultation.

10.2 Draft Summary of the external workshop on the usage of satellite technologies in mobile communications

Document	BoR (24) 151 Draft Summary of the external workshop on the usage of satellite technologies in mobile communications
Introduction by	WNE WG Co-Chairs (ACM/ComReg)
Information presented	<p>BEREC held a hybrid workshop on the use of satellite technologies in mobile communications on Wednesday 22 May 2024, in Mainz, Germany.</p> <p>The workshop was held in hybrid format and was very well attended, with 40 people on site and over 300 online, from various stakeholder groups.</p> <p>The Co-Chairs informed the BoR about the relevant trends in satellite communications, as well as potential issues and uncertainties concerning spectrum, jurisdiction and interoperability.</p> <p>In addition, the Co-Chairs presented to the BoR ideas going beyond the summary report, in order to increase awareness about potential consequences for NRAs (and towards a possible internal Workshop in 2025), including the following:</p>

	<ul style="list-style-type: none"> – International/border issues (112, roaming, handover, differences in legislation); – Impacts of mobile network operators cooperating with satellite companies; market issues; consumer issues; – Jurisdictional issues; – A question concerning which regulatory and other bodies are equipped/tasked to examine specific issues – whether BEREC should look further at the environmental impacts of satellite communications and why?
Conclusion	The BoR approved the document for publication.

11 Fixed Network Evolution (FNE) – Update of criterion 3 of the BEREC Guidelines on very high-capacity networks (VHCNs)

Document	No document
Introduction by	FNE WG Co-Chairs (BNetzA/ARCEP)
Information presented	<p>The Co-Chairs updated the BoR on the project's progress and the first insights into the analysis of the data received. They recalled the rules applicable to the VHCN in the Code and the Gigabit recommendation as well as the Digital Decade Policy Programme.</p> <p>The WG Co-Chairs also recalled the definition of the VHCN and criteria that a network has to fulfil in order to be considered a VHCN.</p> <p>They also informed the BoR about the questionnaire that was the basis of the work. They highlighted that the general methodology of the questionnaires was the same as in 2020. The questionnaires were updated to take into account more advanced access technologies (e.g. MG.fast, DOCSIS 4.0) compared to 2020.</p> <p>After preliminary analysis of the data received, the Co-Chairs proposed to update the guidelines but not the performance thresholds of criterion 3. They noted that no technological developments were observed since the determination of old values, which actually had been confirmed. They underlined that any update that would lead to improvements of performance thresholds would require the use of very select data points, and different technologies for different performance parameters. The Co-Chairs suggested maintaining current performance values and amending the text of the Guidelines and some annexes with a view to having a more robust justification of the current performance values.</p> <p>The Co-Chairs aim for adoption of the Guidelines for public consultation at P1/2025, which would be ahead of initial schedule, and final adoption of the revised document at P4/2025.</p>
Conclusion	The BoR took note of the information and agreed to proceed as suggested by the WG Co-Chairs.

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

Document(s)	<p>BoR (24) 152 Draft assessment of the application from the NRA of the Republic of Armenia (PSRC) to join the work of BEREC and BEREC Office</p> <p>BoR (24) 153 Draft BoR decision concerning the application from the NRA of the Republic of Armenia (PSRC) to join the work of BEREC and BEREC Office</p>
Introduction by	Chair of the ad hoc group (BnetzA)
Information presented	<p>On 14 June 2024, the NRA of Armenia (PSRC) expressed its willingness to join BEREC and the BEREC Office to work as a participant without voting rights.</p> <p>BEREC set out a procedure^[1] to address requests from NRAs of third countries to participate in the work of BEREC, based on which the BEREC Chair established on 9 April 2024 an ad hoc group to analyse requests from NRAs of third countries to participate in the work of BEREC, subsequently amended to also address the application from PSRC.</p> <p>Following the above rules and procedures, the BEREC ad hoc group carried out an eligibility analysis regarding the application received, to determine whether the regulatory authority of Armenia is eligible to participate in the work of BEREC and the BEREC Office. It concluded that PSRC cannot become a participant without voting rights in BEREC and the BEREC Office. This is mainly due to the fact that the agreement which is in place between the European Union and the Republic of Armenia is a partnership and cooperation agreement in which, unlike other types of agreements (e.g. stabilisation and association agreements), the degree of engagement with the Union and the Republic of Armenia is not sufficient to qualify PSRC for participation in BEREC's work.</p> <p>A detailed assessment of the application can be found in the recommendation of the ad hoc group to the BoR.</p>
Conclusion	The BoR approved the documents for publication.

13 AOB

Information on the 61st BoR ordinary meeting (5–6 December 2024, Ljubljana, Slovenia)

Document(s)	No documents
Introduction by	Representative of the host NRA (AKOS)
Background information	The representative of the host NRA (AKOS) provided information on the next Plenary meetings, which would take place on 5–6 December 2024 in Ljubljana, Slovenia.

^[1] Decision No BoR/2024/01 of the Board of Regulators to establish a procedure to address requests from NRAs of third countries to participate in the work of the Body of European Regulators for Electronic Communications (BEREC).

Discussion	No discussion was held.
Conclusion	The BoR took note of the information.

14 European Commission's update on the results of the public consultation on the White Paper

Document(s)	No documents
Introduction by	European Commission Representative
Background information	<p>The EC representative presented a preliminary summary of public consultations on the White Paper to the BoR.</p> <p>The WP was published on 21 February 2024 and interested parties were invited to provide feedback until 30 June 2024. 357 contributions were received, the majority from business associations and public authorities including Member States.</p> <p>The public consultation confirmed a high recognition of the importance of the exercise among participating parties. There was broad agreement concerning the importance of digital infrastructures for EU competitiveness as well as partial agreement on the assessment of progress with the digital decade targets and broad stakeholder agreement with the challenging investment environment.</p> <p>Stakeholders also recognised the important technological changes, mostly related to cloud and software-based infrastructure in the context of the provision of telecommunications networks.</p>
Conclusion	The BoR took note of the information.