

61st Ordinary Plenary Meeting of the BEREC Board of Regulators (BoR)

Hybrid Meeting

Conclusions

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for Network Industries (HAKOM)

5 December 2024

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Annex I – List of final documents

Main Results of the 61st Meeting of the BEREC Board of Regulators

The BEREC Board of Regulators held its 61st Ordinary Plenary Meeting virtually on 5 December 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) 164 Draft BEREC Report on the outcome of the public consultation on the draft BEREC Report on M2M and permanent roaming;
- BoR (24) 165 Draft BEREC Report on M2M and permanent roaming;
- BoR (24) 166 Draft BEREC Regulatory Accounting in Practice Report 2024;
- BoR (24) 167 Draft BEREC Summary Report on internal workshop 'Telecom regulators role in the development and implementation of sustainability indicators in the ICT sector'_public

1.2 For approval for internal use

- BoR (24) 168 Draft List of institutional meetings in 2024 and List of contacts at other institutions;
- BoR (24) 169 Draft Annex to BEREC Summary Report on internal workshop 'Telecom regulators role in the development and implementation of sustainability indicators in the ICT sector'_internal

2. Documents approved as regular items:

1.1 For publication

- BoR (24) 170 Draft Decision No BoR/2024/07 of the Board of Regulators on the BEREC Working Groups and their Co-Chairs;
- BoR (24) 176 Draft BEREC Report on the outcome of the public consultation on the draft BEREC Report on the IP Interconnection ecosystem;
- BoR (24) 177 draft BEREC Report on the IP Interconnection ecosystem;
- BoR (24) 180 Draft BEREC Opinion on the market and technological developments and on their impact on the application of rights of end users in the EECC;
- BoR (24) 182 Draft BEREC Report on the outcome of the public consultation on the draft BEREC Work Programme 2025;
- BoR (24) 183 Draft BEREC Work Programme 2025;
- BoR (24) 187 Draft Report on Connectivity Indicators for the DDPP;
- BoR (24) 188 Draft BEREC Opinion on the methodology for the mapping of QoS coverage on Connectivity Indicators for the DDPP;

- BoR (24) 189 Draft BEREC Report on the outcome of the public consultation on the draft BEREC Opinion on the national implementation and functioning of the general authorisation regime;
 - BoR (24) 190 Draft BEREC Opinion on the national implementation and functioning of the general authorisation regime
- 1.2 For internal use
- BoR (24) 177b Annex to the draft BEREC Report on the IP Interconnection ecosystem;
 - BoR (24) 179 Draft Summary of the BEREC internal workshop on *ex ante* regulatory experience concerning commitments, wholesale-only undertakings and commercial agreement review;
 - BoR (24) 181 Draft BEREC Progress Report on managing copper network switch-off_internal;
 - BoR (24) 184 Draft PRDs for BEREC Work Programme 2025;
 - BoR (24) 185 Draft Indicative calendar of international events for 2025
- 1.3 For public consultation
- BoR (24) 178 Draft BEREC Report on the Regulation of Physical Infrastructure Access;
 - BoR (24) 181 Draft BEREC Progress Report on managing copper network switch-off_public;
 - BoR (24) 186 Draft BEREC Report on infrastructure sharing as a lever for ECN/ECS environmental sustainability
- 1.4 For information and further consideration
- BoR (24) 171 Contact lists pack;
 - BoR (24) 172 Information on the planned electronic voting procedures;
 - BoR (24) 173 Information on the electronic voting procedures since the last Plenary meeting;
 - BoR (24) 174 Work Programme 2024 status update;
 - BoR (24) 175 Draft Outline of BEREC Annual Report for 2024

Next meeting

The next Ordinary Plenary Meeting of the BoR will take place in virtual format on **13 March 2025**.

Introduction and participation

The BEREC Board of Regulators held its 61st Ordinary Plenary Meeting in hybrid format on 5 December 2024.

The Meeting was attended by the Heads and/or High-Level Representatives of the NRAs (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 I.

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) 163 Draft BoR Agenda
Introduction by	BEREC Chair (HAKOM)
Information presented	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).
Conclusion	The BoR approved the agenda with no changes.

2 List of 'A' items

Document(s)	<p><u>For publication:</u></p> <p>BoR (24) 164 Draft BEREC Report on the outcome of the public consultation on the draft BEREC Report on M2M and permanent roaming</p> <p>BoR (24) 165 Draft BEREC Report on M2M and permanent roaming</p> <p>BoR (24) 166 Draft BEREC Regulatory Accounting in Practice Report 2024</p> <p>BoR (24) 167 Draft BEREC Summary Report on the internal workshop 'Telecom regulators' role in the development and implementation of sustainability indicators in the ICT sector_public'</p> <p><u>For internal use:</u></p> <p>BoR (24) 168 Draft List of institutional meetings in 2024 and List of contacts at other institutions</p> <p>BoR (24) 169 Draft Annex to BEREC Summary Report on the internal workshop 'Telecom regulators' role in the development and implementation of sustainability indicators in the ICT sector_internal'</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.

3 Information from the BEREC Chair Including the Appointment of New WG Co-Chairs

Document(s)	BoR (24) 170 Draft Decision No BoR/2024/xx of the Board of Regulators on the BEREC Working Groups and their Co-Chairs.
Introduction by	BEREC Chair (HAKOM)
Information presented	<p>The BEREC Chair briefed the BoR on the outcomes of the recent important meetings he had held and on the meetings he would attend.</p> <p>He focused on the meeting with the ITRE Committee held on 2 December 2024, and the Mini Board 2025 kick-off meeting held in Dublin on 21 November.</p> <p>The BEREC Chair also reported to the BoR that the PFT WG had already started working on the new BEREC strategy document. They prepared a contextual paper which would serve as a starting point for the discussion that would be continued next year. He underlined that the new strategy, as agreed at P3/2024 in Budapest, will be based on current regulatory framework with a chapter dedicated to considerations on future challenges and developments.</p> <p>The BEREC Chair informed the BoR about the procedure for the appointment of the WG Co-Chairs for 2025–2026. He reported that by the deadline of 22 October 2024 a sufficient number of applications (24) had been received for all the WG Co-Chair positions. The Mini Board already assessed the applications at its meeting on 7 November 2024. As a result, he recommended all the candidates to the BoR for appointment to the position of WG Co-Chairs for 2025–2026. He advised that there are three new Co-Chairs (two for SUST and one for OI), while the rest stay with no changes for the next term. He asked the BoR to approve the submitted draft decision.</p> <p>The BEREC Chair also informed the BoR about the ITU Africa Broadband Mapping project. The project aims to use the ITU's knowledge and the European experience to strengthen broadband mapping systems in sub-Saharan Africa. It is aligned with the priorities set under the Global Gateway strategy launched in December 2021 and the Joint Communication Towards a Comprehensive Strategy with Africa launched in 2020. The project is funded by the European Union sub-Saharan Africa (SSA) Regional Multi-Annual Indicative Programme and will be implemented by the ITU. The beneficiary countries are: Cote d'Ivoire, Nigeria, Benin, Zimbabwe, Kenya, Uganda, Botswana, Ethiopia, Malawi, Zambia and Burundi.</p>

	Finally, the BEREC Chair informed the BoR about an offer from the EC concerning the organisation of a high-level workshop with BEREC to discuss topics related to challenges in the regulatory framework, the revision of the Code and the most important strategic topics to be defined in the near future. Such a workshop could be held in the week of 17 March 2025 in Brussels; the exact date still needs to be decided.
Conclusion	The BoR approved the decision for publication and implementation.

4 Information from the BEREC Office

Document(s)	BoR (24) 171 Contact lists pack BoR (24) 172 Information on the planned electronic voting procedures BoR (24) 173 Information on electronic voting procedures since the last plenary meeting BoR (24) 174 Work Programme 2024 status update BoR (24) 175 Draft Outline of the BEREC Annual Report for 2024
Introduction by	BEREC Office Representatives
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, recent and planned electronic voting procedures, and the implementation status of the 2024 BEREC Work Programme (BEREC WP 2024).</p> <p>A BEREC Office representative updated the BoR on the following:</p> <ul style="list-style-type: none"> - the progress of the BEREC WP 2024, including the withdrawal of a new phase-II case; - support to BEREC WGs, including workshops & phase-II cases (Q3 2024); - BERECnet+, resource commitments functionality; - the BEREC NRA training for 2024–2025; - the BEREC Annual Report 2024. <p>He concluded by reminding BoR members that there is an open call for a reserve list for SNEs for the Board Support Team at the BEREC Office, and the deadline for applications is 26 January; another call for SNE at the PM unit will be launched in May next year.</p>
Conclusion	The BoR took note of the information.

5 Information from the European Commission

Document(s)	No document
Introduction by	European Commission Representative
Information presented	<p>The EC representative informed the BoR about the EC's main activities in the field of electronic communications and other relevant activities since the most recent plenary meetings.</p> <p>A paper on the EC's main activities was submitted to the CN for information before the meeting.</p>

	<p>1) Ukraine and roaming</p> <p>On 7 November, Ukraine notified the EU about aligning its roaming regulations with the EU's. The Commission has a 12-week period to assess Ukraine's legislation, which can be extended if necessary. If the assessment is positive, and with the Council's endorsement and a formal decision by the EU-Ukraine Association Committee in Trade Configuration, Ukraine could join the Roam Like at Home Area. Beyond the Commission's deadline, the timing will depend on the Council's internal procedures. If everything proceeds smoothly, the process might be completed by Q2/Q3 2025. There will be a transition period for EU and Ukrainian operators to adjust.</p> <p>2) The Digital Decade Policy Programme</p> <p>The Digital Decade Board meeting was held on 20–21 November 2024 in Budapest, with the aim of presenting the 2025 Report to the Member States and discussing strategic and operational aspects, since the Member States will need to present adjustment roadmaps. The future of the Digital Decade will also be discussed at ministerial level, at the next Communication Council meeting on 6 December, regarding possible adjustments to objectives and targets. An information point from the Commission regarding roaming with third countries, including Ukraine, Moldova, Georgia, and the Western Balkans, is scheduled for discussion at the Telecommunications Council on 6 December.</p> <p>3) Digital Networks Act</p> <p>During the hearing for E V P Virkkunen, which took place on 12 November, she expressed her intention to review the EECC and adopt a DNA proposal, as outlined in her mission letter. In her remarks, she emphasised the necessity of simplifying the regulatory framework and the importance of competitiveness and security. In this regard, the Council Conclusions on the White Paper will be adopted on 6 December, representing a valuable input for a future Digital Networks Act proposal. In addition, the Commission services have launched three studies: one on regulatory enablers for cross-border networks, another on access provision and relevant markets, and a third on financial issues and their regulatory and policy implications. These studies, which will also involve BEREC, will contribute to the EECC review and may inform the preparation of a DNA proposal.</p> <p>4) Digital Markets Act</p> <p>As outlined in the mission letter to E V P Virkkunen, alongside the Digital Networks Act, the Commission plans to introduce key initiatives such as the Cloud and AI Development Act. In light of recent events, existing initiatives on submarine cables should be reinforced, and new ones explored. The Cloud and AI Development Act aims to develop a network of modern and sustainable data centres and significantly scale up our cloud computational capacity. The Union currently has three times fewer data centres and cloud capacity than the US; centres being crucial for companies to develop and deploy AI. Our AI Factories will be among the main beneficiaries of this infrastructure. Further in-depth discussions with BEREC will take place during 2025, ahead of EC proposals.</p>
Conclusion	The BoR took note of the information.

6 Open Internet (OI)

Document(s)	BoR (24) 176 Draft BEREC Report on the outcome of the public consultation on the draft BEREC Report on the IP Interconnection ecosystem BoR (24) 177 Draft BEREC Report on the IP Interconnection ecosystem.
Introduction by	OI WG Co-Chairs (ILR/BNetzA)
Information presented	<p>The Co-Chairs presented the Draft BEREC Report on the IP Interconnection (IP-IC) Ecosystem. Firstly, they began by outlining the extensive research and consultation process that informed the report, including over 170 responses to a questionnaire conducted between September and October 2023, 12 workshops during the same period, and 130 responses to an ad hoc questionnaire in May 2024. Additionally, they highlighted the 36 submissions received during the public consultation from 11 June to 1 August 2024. This comprehensive approach aimed to provide a robust and evidence-based understanding of IP-IC issues.</p> <p>The Co-Chairs then delved into the core issues surrounding IP-IC, emphasising the broader implications beyond just congested routes. They discussed the bargaining dynamics between content and application providers (CAPs) and internet service providers (ISPs), noting that while the debate often focuses on large players, smaller entities are also impacted. They pointed out the differing views on whether end users would switch ISPs, with evidence from Ofcom and the FCC suggesting low switching rates. The number of internet access lines controlled by an ISP was identified as a crucial factor, with BEREC maintaining that the bargaining situation appears balanced.</p> <p>In conclusion, the Co-Chairs outlined the relationship between the IP-IC and the Open Internet Regulation (OIR). ISPs argued that the IP-IC falls outside the scope of the OIR, while BEREC emphasised the importance of a non-selective reading of the OIR, reflecting European Court of Justice case law. The Co-Chairs asserted that the IP-IC markets function adequately without the need for additional regulation, suggesting that the current framework is sufficient to address the issues at hand.</p>
Conclusion	The BoR approved the document for publication and the Annex for internal use.

7 Market and Economic Analysis (MEA)

7.1 Report on the Regulation of Physical Infrastructure Access

Document(s)	BoR (24) 178 Draft BEREC Report on the Regulation of Physical Infrastructure Access
Introduction by	MEA WG Co-Chair (ANCOM)
Information presented	The Co-Chair presented the BEREC Report on the Regulation of Physical Infrastructure Access (PIA). She began by emphasising the growing importance of PIA regulation in Europe, particularly due to its significant impact on the rollout of Very High Capacity Networks (VHCNs). The report is based on data collected from 29 National Regulatory Authorities (NRAs) in July 2024 and focuses on fixed VHCNs, despite the relevance of PIA for mobile networks. The Co-Chair highlighted that the report takes foremost

	<p>an <i>ex ante</i> regulatory perspective, although it also addresses symmetric regulation.</p> <p>Firstly, the Co-Chair outlined the structure of the report, which consists of eight sections. She detailed the key issues covered, including trends in PIA provision, the role of PIA in market assessments, and the experiences of data collection from non-telecoms operators. She discussed the various types of PI elements, the stages at which they are considered in market reviews, and the feedback received from NRAs. The report also examines the remedies set for different PI categories such as ducts, poles and chambers/manholes, with dedicated subsections on pricing, transparency, and the quality of Significant Market Power (SMP) operators' PIA offers.</p> <p>Secondly, the Co-Chair addressed the regulatory measures related to PIA for incentivising VHCN rollout, highlighting the interrelation between asymmetric and symmetric regimes. She noted the importance of adapting regulations in a changing environment and discussed the expectations for the future, including the challenges of establishing a standalone PIA market and the application of the Gigabit Infrastructure Act (GIA). The report suggests that while the GIA could alleviate some regulatory concerns, there are mixed feelings about relying solely on it. The need for harmonising operational processes and addressing data availability from non-telecom PIA was also emphasised.</p> <p>In conclusion, the Co-Chair summarised the main findings, noting that many NRAs regulate PIA through the SMP regime, which allows for potential deregulation of other downstream markets. She highlighted the growing complexity and degree of sophistication of regulatory measures and the complementary nature of asymmetric and symmetric regimes. At the same time, concerns about pricing heterogeneity and data availability could be identified, further harmonization of practices being considered beneficial.</p>
Conclusion	The BoR approved the document for public consultation.

7.2 BEREC Internal Workshop on *Ex Ante* Regulatory Experience Concerning Commitments, Wholesale-only Undertakings and Commercial Agreements Review

Document(s)	BoR (24) 179 Draft Summary of the BEREC internal workshop on <i>ex ante</i> regulatory experience concerning commitments, wholesale-only undertakings and commercial agreements review
Introduction by	MEA WG Co-Chair (ANCOM)
Information presented	<p>The Co-Chair began her presentation by providing an overview of the workshop held on 18 September 2024, which aimed to discuss and reflect on the experiences of NRAs with the application of Articles 76, 79, and 80 of the EECC. These experiences relate to the regulatory treatment of new VHCN elements (Art. 76), the commitments procedure (Art. 79), and wholesale-only undertakings (Art. 80). The workshop also addressed the deregulation of relevant markets based on commercial agreements. Procedural aspects and assessments from countries like Italy, Denmark, France, Austria and Cyprus have been key points of discussion.</p> <p>The Co-Chair highlighted the key takeaways from the workshop, noting that the criteria for assessing co-investment offers embedded in the EECC are considered too detailed and complex, making them difficult to apply. She emphasised the need for simplification and suggested that deadlines</p>

	<p>for the provision or modification of co-investment offers or commitments should be set within the (new) regulatory framework. The interplay between traditional remedies setting in the context of SMP and binding commitments adoption was discussed, highlighting how operators' incentives might change in case there are no more relevant markets included in the Recommendation. Additionally, the need for the introduction of certain safeguards to allow NRAs to intervene when deregulation based on commercial agreements does not go as planned was emphasised, to ensure timely regulatory responses.</p> <p>The Co-Chair concluded that the overall experiences with these regulatory tools have been positive, with several achievements attributed to their use. However, there was acknowledgement that it was sometimes difficult to associate these positive outcomes solely with the regulatory conduct. Overall, the workshop underscored the importance of these alternative regulatory tools in achieving positive market outcomes, even if the experience so far is limited.</p>
Conclusion	The BoR approved the document for internal use.

8 End User (EU)

Document	BoR (24) 180 Draft BEREC Opinion on the market and technological developments and on their impact on the application of the rights of end users in the EECC.
Introduction by	EU WG Co-Chairs (RRT/HAKOM)
Information presented	<p>The Co-Chairs outlined the methodology used for the report, which included workshops, questionnaires to National Regulatory Authorities (NRAs) and stakeholders, and an external workshop held in Brussels. The report is structured to cover various aspects such as trends and developments, assessment of end user rights, and the impact of these trends on informed choice, contract terms, emergency communications, and accessibility.</p> <p>Firstly, the Co-Chairs highlighted key findings, noting that the development of 5G, the phase-out of 2G/3G, and the increasing use of digital platforms have significant implications for end-user rights. They emphasised the need for clearer guidelines on contract terms, especially regarding price increases and the termination process. The report suggests that, while the current regulatory framework is robust, there are areas where improvements can be made to better protect end users. The Co-Chairs also discussed the importance of ensuring that end users can make informed choices and easily switch providers, addressing challenges posed by new technologies and services.</p> <p>Secondly, the Co-Chairs addressed specific issues such as the accuracy of emergency caller location, the impact of the European Accessibility Act (EAA), and the need for harmonised approaches to combat fraud and spoofing. They proposed several measures to enhance end user protection, including improving the clarity of contract summaries, ensuring the accuracy of emergency communications, and addressing the accessibility needs of users with disabilities. The report also highlights the importance of making cost control, itemised billing and deactivation of third-party billing measures mandatory to protect end users.</p>

	In conclusion, the Co-Chairs summarised the recommendations for enhancing end user protection, such as setting specific criteria for caller location accuracy, ensuring interoperability between Member States, and addressing the challenges posed by the phase-out of older network technologies. They stressed the need for harmonised approaches across Member States to ensure legal certainty and flexibility based on national specificities. The presentation underscored BEREC's commitment to continuously improving the regulatory framework to better support end user rights in the evolving digital landscape.
Conclusion	The BoR approved the document for publication.

9 Fixed Network Evolution (FNE)

Document	BoR (24) 181 Draft BEREC Progress Report on managing copper network switch-off.
Introduction by	FNE WG Co-Chairs (Arcep/BNetzA)
Information presented	<p>The WG Co-Chairs highlighted the increasing demand for high data rate services, prompting network operators to roll out fibre closer to end users. This shift reduces the importance of copper-based access networks, leading to situations where Significant Market Power (SMP) operators plan to decommission these networks. National Regulatory Authorities (NRAs) must establish rules for the migration process and copper switch-off, guided by Article 81 of the European Electronic Communications Code (EECC) and the new Gigabit Connectivity Recommendation.</p> <p>They note that BEREC has been actively involved in projects related to copper switch-off since 2019, including workshops and reports aimed at ensuring a consistent approach to migration and copper switch-off. The latest initiative is the 2024 BEREC Progress Report on managing copper network switch-off.</p> <p>The Co-Chairs reported that in 17 European countries, SMP operators plan to switch off copper-based networks, with 18 countries already having closed some network elements. Additionally, 20 countries have set rules for the migration process. Specific cases, such as Liechtenstein's planned 100% switch-off by the end of 2024, and Bulgaria's deregulation since 2019, were also noted.</p> <p>The Co-Chairs outlined to the BoR the main rules applicable for migration and copper switch-off. Article 81 EECC mandates that SMP operators notify NRAs in advance of decommissioning plans, with NRAs setting rules to ensure a smooth process. These rules include notice periods, alternative wholesale access products, and migration costs. NRAs typically impose these rules through market analysis decisions, involving stakeholders via public consultations.</p> <p>The Co-Chairs reported that, since 2022, fibre deployments have significantly progressed, with several countries advancing in the copper switch-off process. Effective communication with Alternative Network Operators (ANOs) and end users, long notice periods, and ensuring the availability of Very High Capacity Network (VHCN) products before switch-off have proven efficient. Data sharing between parties has also been beneficial. They identified areas for improvement, particularly in communication and regulation. Direct communication with end users and support during the final stages of migration are crucial. Regulatory</p>

	<p>improvements include ensuring clear rules to protect end users and facilitating data-sharing between SMP operators, ANOs and NRAs.</p> <p>They concluded that the implementation of the Gigabit Connectivity Recommendation is in its early stages, with some NRAs beginning to adopt its suggestions. However, achieving the 2030 target for copper switch-off appears challenging for many countries, with only 10 NRAs confident in meeting this goal. They suggested that a uniform target may not be the most efficient approach, advocating for consideration of the diverse national circumstances.</p> <p>The asked the BoR to approve the document for public consultation. The final version and summary report would be presented to CN2/P2 in 2025 for final approval.</p> <p>The WG Co-Chairs also informed the BoR about WG work on EC Guidelines on access to existing physical infrastructure according to Art. 3(13) GIA, especially the questionnaire launched by the WG.</p>
Conclusion	The BoR approved the documents for public consultation.

10 Planning and Future Trends (PFT)

10.1 BEREC Work Programme 2025

Document(s)	<p>BoR (24) 182 Draft BEREC Report on the outcome of the public consultation on the draft BEREC Work Programme 2025</p> <p>BoR (24) 183 Draft BEREC Work Programme 2025</p> <p>BoR (24) 184 Draft PRDs for BEREC Work Programme 2025</p>
Introduction by	Incoming BEREC Chair (ComReg)
Information presented	<p>The BEREC Work Programme 2025 outlines the planned activities and projects for the year, following a public consultation process. It includes a total of 50 projects, with 31 recurring, mandatory or carry-over projects and 19 own initiative projects, including an external study on data centres. The Incoming BEREC Chair noted that the workload is comparable to previous years (2023 and 2024), with some uncertainty around ad hoc input required under the RF Working Group (WG) and challenges related to new NRA competences.</p> <p>The public consultation took place from 4 October to 4 November 2024, with submissions received from 15 stakeholders, including BEUC, CCIA, Connect Europe, GSMA, Liberty Global and others.</p> <p>Following the consultation, several linguistic and editorial changes were made throughout the text. Specific projects also saw updates and substantial changes, including those related to submarine cable connectivity and the impact of AI on the competition dynamics, internet openness and end users' rights. The Incoming BEREC Chair reported on the workload distribution per Working Group (WG) and per Plenary, with a breakdown of reports, workshops, guidelines, opinions and other deliverables. He also outlined projects without delivery dates.</p> <p>The Incoming BEREC Chair also explained how the CN comments on the DM WG AI-related project were addressed. He clarified that this PRD consist of three deliverables and the one dedicated to the BEREC report on the impact of AI on internet openness and the environment would commence in Q4 2025 with PC scheduled for P3 2026. It means that this</p>

	<p>work stream can be further discussed and clarified with the next year's Work Programme.</p> <p>The Incoming BEREC Chair concluded that the Work Programme for 2025 is ready for adoption, with detailed plans and stakeholder feedback incorporated. The programme aims to address key regulatory challenges and priorities, ensuring efficient resource allocation and stakeholder engagement.</p>
Conclusion	<p>The BoR approved the BEREC Work Programme 2025 (WP2025) and the draft Report on the outcome of the public consultation on WP2025 for publication.</p> <p>The BoR approved the PRDs for internal use.</p>

10.2 Oral Update on the Outline of the Draft BEREC Work Programme 2026

Document(s)	No document
Introduction by	Incoming BEREC Chair 2026 (AKOS)
Information presented	<p>The BEREC Chair for 2026 presented to the BoR the timeline for the preparation of the Outline of the draft BEREC Work Programme 2026. He reported that the first draft had been sent to the CN for comments by 11 December 2024. The final document will be adopted via e-voting procedure, with a view to submitting it to the EU institutions by 31 January 2025.</p> <p>The BEREC Chair also informed the BoR about the Stakeholders Forum to be held on 1 April 2025 in Brussels. Similarly to previous years, the event will be preceded by the Meet & Greet session.</p>
Conclusion	The BoR took note of the information.

10.3 BEREC International Cooperation

Document(s)	BoR (24) 185 Draft Indicative calendar of international events for 2025
Introduction by	BEREC Vice-Chair responsible for international activities (EETT)
Information presented	<p>The BEREC Vice-Chair responsible for international activities briefed the BoR about BEREC's recent and forthcoming international engagements, as follows:</p> <ul style="list-style-type: none"> • High-Level Roundtable on ITU's Green Digital Action at COP29, 16 November, Baku, Azerbaijan • Internal strategic planning meeting of CRC (Colombia) about mergers in November (virtual participation by BEREC MEA experts) • EaPeReg Plenary and workshop: 27–28 November, Chisinau, Moldova • Regulatel Plenary: 11–12 December, Cartagena de Indias, Colombia (it is still unknown whether somebody from BEREC will be able to participate) • BEREC-EaPeReg-EMERG-Regulatel Summit: 5 March 2025, Barcelona (CNMC premises during MWC).

	He also presented the indicative calendar of international events for 2025 for approval for internal use at this stage, as it would be updated and approved at P1/2025 for publication.
Conclusion	The BoR approved the document for internal use.

11 Sustainability (SUST)

Document(s)	BoR (24) 186 Draft BEREC Report on infrastructure sharing as a lever for ECN/ECS environmental sustainability
Introduction by	SUST WG Co-Chairs (CTU/Arcep)
Information presented	<p>The WG Co-Chairs recalled the objectives of this workstream and the legal basis applicable to co-location and sharing of infrastructure, with particular attention on measures that are based on or which include environmental considerations. Key deliverables mentioned were a questionnaire to NRAs, a technical workshop with stakeholders, and the publication of a draft report in December 2024 for public consultation, with a final report expected in June 2025.</p> <p>The Co-Chairs briefly outlined the CN comments, namely the need for further clarity on infrastructure-sharing tools, modifications to the draft report to specify regulatory provisions, and ongoing discussions with Cullen and BEREC Office to complete the report with additional data.</p> <p>They presented to the BoR the policy principles and articles of the EECC that empower NRAs to mandate infrastructure-sharing to protect the environment and ensure efficient use of resources. They noted that while most national acts transposing EECC Article 44 include environmental protection as a ground for infrastructure-sharing decisions, actual cases of mandatory sharing based on environmental considerations are rare.</p> <p>The main results indicated that few NRAs have integrated environmental considerations into their infrastructure-sharing decisions, and there is a lack of comprehensive data on the environmental impact of such sharing. However, there is interest among NRAs and industry stakeholders in further exploring how infrastructure-sharing can contribute to sustainable digital infrastructure, provided that competition, investment and quality of service are also considered.</p> <p>The Co-Chairs concluded with key messages emphasising the potential benefits of adding environmental sustainability objectives to the regulatory mandates of NRAs, the need for additional EU-level guidance, and the importance of sharing best practices and data within BEREC to support studies on the environmental benefits of infrastructure sharing.</p>
Conclusion	The BoR approved the document for public consultation.

12 Remedies and Market Monitoring (RAMM)

12.1 Report on Connectivity Indicators for the Digital Decade Policy Programme

Document(s)	BoR (24) 187 Draft Report on Connectivity Indicators for the DDPP.
Introduction by	RAMM WG Co-Chairs (BNetzA/AGCOM)
Information presented	The Co-Chairs provided a background on the DDPP established by Decision (EU) 2022/2481, which aims to monitor Member States' progress

	<p>towards digital targets. The European Commission is required to set KPIs for these targets, and BEREC's feedback on the draft implementing decision focused on connectivity KPIs, proposing amendments for more technologically neutral definitions.</p> <p>Firstly, the Co-Chairs outlined the methodology used for the report, which involved a questionnaire sent to NRAs and other competent authorities (OCAs) regarding the implementation of the KPIs. They highlighted the main findings, noting that the implementation of the DDPP KPIs required a 'warm-up' phase to address initial data collection and processing challenges. Progress has been made in data comparability, with many NRAs/OCAs now using BEREC's guidelines for data collection and reporting at more granular levels, resulting in improved data quality and comparability of national results.</p> <p>Secondly, the Co-Chairs discussed the main difficulties encountered, such as unclear or overly complex KPI definitions, particularly for 'homes passed', 'rural areas', and 5G coverage across different bandwidths. These issues have led to challenges in collecting data at the required granularity, with some NRAs/OCAs customising definitions to provide partial results. They emphasised the importance of defining KPIs in a way that measures the objectives while being simple to collect in practice, to ensure data comparability across Member States.</p> <p>In conclusion, the Co-Chairs summarised the recommendations for improving KPI implementation, suggesting that KPIs should be proportional to the targets and simple to collect. They highlighted the need for a balance between full accuracy and practicality, noting that adding complexity to indicators does not necessarily result in more comparability. The results of this implementation report will inform updates to BEREC's guidelines and views on the European Commission's methodology for 5G mobile and fixed QoS coverage mapping.</p>
Conclusion	The BoR approved the document for publication.

12.2 BEREC Opinion on the Methodology for the Mapping of QoS Coverage on Connectivity Indicators for the DDPP

Document(s)	BoR (24) 188 Draft BEREC Opinion on the methodology for the mapping of QoS coverage on Connectivity Indicators for the DDPP.
Introduction by	RAMM WG Co-Chairs (BNetzA/AGCOM)
Information presented	<p>The RAMM WG Co-Chairs outlined to the BoR the background to the initiative, which started in January 2024 with the European Commission's draft roadmap for developing a methodology to map QoS coverage. This methodology aims to enhance the Digital Decade KPIs by enabling detailed mapping of mobile broadband coverage, especially 5G. The timeline for the adoption of this methodology includes several key milestones, such as feedback from BEREC, small-scale tests by National Regulatory Authorities (NRAs), and consultations with the industry, leading up to its full application by 2027.</p> <p>The Co-Chairs presented the main elements of the draft Opinion to the BoR. BEREC's opinion highlights several critical aspects of the proposed methodology. Firstly, it acknowledges the ambitious nature of the plan and its goal to improve EU harmonisation in evaluating and reporting on 5G coverage. However, BEREC emphasises the need for the methodology to</p>

	<p>be tailored to specific purposes to avoid undermining other regulatory processes. The opinion also stresses the importance of ensuring that the tools and methodologies used are fit for their intended purposes, considering the potential trade-offs in terms of objectives, flexibility, costs and timing.</p> <p>BEREC raises concerns about the substantial investments required by operators and NRAs for implementing the proposed methodology. It highlights the need for detailed consultations with mobile operators to verify assumptions about their existing network planning models. BEREC believes that small-scale tests will provide valuable insights, which are crucial before fully adopting the methodology. The opinion suggests that the current proposal should not be adopted without these preliminary tests and consultations.</p> <p>The Co-Chairs also addressed several doubts and preliminary concerns regarding the proposed methodology. They pointed out the limitations of relying solely on theoretical models to inform end users and suggested considering complementary crowdsourcing measures. They also emphasised the trade-offs between accuracy and the burden on entities required to gather data, the definition of cell load, grid raster formats, and the complexity of propagation models.</p> <p>They concluded that, in the draft decision, BEREC advises against adopting the current proposal without prior small-scale testing and further consultation with mobile network operators. The opinion calls for a simpler approach that can achieve the objective of increased comparability across Member States, while considering the practical implementation challenges. They noted that BEREC plans to continue working with the European Commission to refine the methodology and update its guidelines on broadband mapping.</p> <p>Overall, the Co-Chairs underlined the commitment to ensuring that the proposed QoS mapping methodology is practical, cost-effective, and aligned with the broader goals of the Digital Decade initiative.</p>
Conclusion	The BoR approved the document for publication and submission to the EC.

13 Regulatory Framework (RF)

Document(s)	<p>BoR (24) 189 Draft BEREC Report on the outcome of the public consultation on the draft BEREC Opinion on the national implementation and functioning of the general authorisation regime</p> <p>BoR (24) 190 Draft BEREC Opinion on the national implementation and functioning of the general authorisation regime.</p>
Introduction by	RF WG Co-Chairs (AGCOM/NMHH)
Information presented	<p>The Co-Chairs provided a background on the requirement under Article 122(3) of the EEC for BEREC to publish an opinion on the national implementation and functioning of the general authorisation (GA) regime every three years. The first opinion was published in 2021, and a stock-taking exercise was conducted in 2024 to prepare the new opinion. The Co-Chairs outlined the process, including a survey distributed to NRAs (NRAs) and competent authorities (CAs) in March 2024, and the subsequent drafting and revision stages leading up to the current draft.</p> <p>Firstly, the Co-Chairs summarised the public consultation held from 12 June to 26 July 2024, which received contributions from eight</p>

	<p>stakeholders, including industry groups and companies. The feedback was broadly supportive of BEREC's assessment of the GA regime but highlighted concerns about additional requirements imposed on foreign or cross-border electronic communications network services (ECNS) providers. These requirements, such as needing an address in the Member State or requiring translated and legalised corporate documents, often fall outside the e-communications framework. Stakeholders suggested harmonising regulatory obligations and allowing notifications in English to streamline processes. BEREC's response to these inputs included rejecting the proposal for a no-notification approach but supporting the alignment of national practices with its template and the use of English for notifications where national law permits.</p> <p>Secondly, the Co-Chairs detailed the structure of the draft opinion, which includes sections on the legal background, implementation of GA rules, and the functioning of the General Authorisation Database (GADB). They noted that most Member States have a notification system managed by their NRAs, with only Denmark and France operating a no-notification system. The BEREC template for notification forms is widely used and considered effective in promoting market transparency. The GADB is generally functioning well, although initial issues with compatibility and operational effectiveness were noted. BEREC supports shorter update intervals for the GADB to enhance its reliability.</p> <p>In conclusion, the Co-Chairs highlighted the overall positive assessment of the GA regime but acknowledged the need for further harmonisation and simplification of regulatory obligations. They emphasised the importance of aligning national practices with the BEREC template and allowing English notifications to facilitate cross-border operations. The opinion also calls for continued reflection on expanding the GA scope to non-interpersonal communications services (NI-ICS) and the potential introduction of the country of origin principle for market entry. The presentation underscored BEREC's commitment to improving the regulatory framework to better support the internal market.</p>
Conclusion	The BoR approved the documents for publication.

14 Exchange of regulatory experience

14.1 Update on the situation in Ukraine

Document(s)	No document
Introduction by	Representative of the NRA (NCEC)
Information presented	<p>The representative of NCEC briefed the BoR on the current situation in the country in relation to the full-scale Russian invasion of Ukraine. She focused mainly on the challenges faced by civilians and also on the day-to-day work of the regulator. The representative of NCEC described how the NRA and the telecommunications operators are dealing with destroyed telecommunications infrastructure, power outages and blackouts and informed of the needs to ensure continuity of communications services and connectivity provision, as well as presented key achievements (despite the challenges and circumstances) and digital tools introduced by NCEC, in particular for markets' situation monitoring (dashboard).</p>
Conclusion	The BoR took note of the information.

14.2 Exchange of views in the context of BEREC reports on cloud services*

Document(s)	No documents
Introduction by	PFT WG Co-Chairs (PTS/CNMC)
Information presented	<p>The PFT WG Co-Chairs provided an overview of cloud and edge services within the European Union, starting with presentation of the BEREC Cloud Report, which clarifies the definitions and taxonomies related to these services. The report also delves into the challenges faced by cloud services in the EU and the existing policies and regulations that govern them.</p> <p>They highlighted the characteristics of the cloud market, emphasising the importance of interoperability, standards, and the ability to switch between providers seamlessly. They reported that the document also explores the interplay between cloud services and electronic communications, focusing on the connectivity required for cloud and edge computing. This section discusses the migration of electronic communication networks (ECN) to the cloud and the provision of new and enhanced ECN services, such as Network-as-a-Service (NaaS).</p> <p>The Co-Chairs noted that regulatory considerations are a significant focus of the report, particularly in the context of future trends. It discusses the need to adapt the European Electronic Communications Code (EECC) definitions to accommodate service convergence. The Report also examines market dynamics, including competition in both ECN and cloud markets, partnerships between ECN and cloud providers, and the broader effects on the digital markets ecosystem.</p> <p>They also gave an outline of the outcome of the public consultation, presenting a summary of stakeholders' feedback on various regulatory issues, including the convergence of telco and cloud services, market regulation, and licensing practices. This feedback highlights the need for regulatory frameworks to evolve in response to the changing landscape of cloud and edge services.</p> <p>Overall, they provided a detailed and informative overview of the current state and future trends in cloud and edge services in the EU, focusing on regulatory considerations, market dynamics, and the interplay between cloud services and electronic communications. They underscored the importance of digital sovereignty, sustainability, and addressing the digital divide in the EU's digital strategy.</p>
Conclusion	The BoR took note of the information.

15 AOB

Information on the 62nd BoR ordinary meeting (13 March 2025, virtual)

Document(s)	No documents
Introduction by	BEREC Chair (HAKOM)

*[BoR \(24\) 135 BEREC Report on the outcome of the public consultation on the draft BEREC Report on Cloud and Edge Computing Services](#)

[BoR \(24\) 136 BEREC Report on Cloud and Edge Computing Services](#)

Information presented	The BEREC Chair will provide information on the next plenary meetings, which will take place virtually on 13–14 March 2025.
Conclusion	The BoR took note of the information.