

Questionnaire for the survey on the EECC and the Digital Single Market



WIK

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Questionnaire for the survey on the EECC and the Digital Single Market

The Directorate General for Communication Networks, Content and Technology of the European Commission has commissioned EY Economic and Policy Advisory Services SRL (EY) and WIK-Consult to conduct three studies, in support of the assessment of the functioning of the EECC. The three studies are: “Completing the Digital Single Market - Regulatory enablers for cross-border networks”, “Review of Access Regulation under the European Electronic Communications Code and analysis of future Access policy in full fibre environment” and “Financial conditions, demand and investment needs and their regulatory and policy implications including the review of universal service”.

This survey aims to collect stakeholder views and evidence related to potential amendments of the legal framework for electronic communications. The survey covers the following topics:

0. About you
1. Objectives of the EECC
2. Scope and level-playing field
3. Quality-based services
4. General authorisation
5. Numbering
6. Mobile / wireless services and spectrum
7. Access-related provisions
8. Environmental sustainability
9. Universal service
10. End-user protection
11. Regulatory governance
12. Finalisation

This survey should be read in conjunction with the [Call for Evidence](#) published by the Commission in June 2025. General considerations by respondents of this survey concerning the problem identified and other general observations could be submitted as part of the feedback of the Call for Evidence, whereas more detailed elements regarding policy options could be included in the reply to this survey.

Survey instructions

Please start the survey by answering the mandatory questions of the section “About you”. The remaining questions of the survey are optional. You are invited to click on the tabs of various sections and answer only those questions, of which you have knowledge and can provide evidence. You can skip the whole sections of questions by choosing a different tab.

You can download the PDF version of the survey questionnaire [here](#) and prepare your answers in advance. Please note that the visual presentation of the questions in the survey tool looks different from the one on paper. The support letter from the European Commission can be downloaded [here](#).

The survey will be open until 17:00 CET on 11 July 2025, after which the survey will be taken offline. Please upload your answers until then.

Data protection notice

The Commission services and the consortium study team will make use of your contribution (information/data provided) only for the needs of the external supporting study and the staff working document to be prepared by the Commission services.

All answers received will be processed and stored securely by EY in compliance with the EU General Data Protection Regulation (GDPR). The answers you provide will not be published and will be retained by EY for as

long as necessary for the successful completion of the study and will be deleted thereafter. Your answers will be treated confidentially, and only the analysis of the responses will be published.

Thank you for taking the time to respond to this survey – we highly appreciate your feedback. If you have any questions concerning the study, please feel free to contact the project team at Gilles.Van.Cappellen@be.ey.com.

Section 0: About you

1. Which category of stakeholder do you represent? Please select the category that fits your organisation best. [\[mandatory\]](#) [\[Single choice\]](#)

- a) NRA
- b) National competent authority
- c) Company (provider of ICT services)
- d) Company (user of ICT services)
- e) Business/industry association representing providers of ICT services
- f) Other business / industry association
- g) Academia
- h) Consumer protection organisation
- i) Civil rights organisation
- j) Organisation representing environmental interests
- k) Other [\[please specify\]](#)

2. [\[follow up on Q1a and Q1b\]](#) On behalf of which country are you replying? [\[mandatory\]](#) [\[Single choice\]](#) [\[drop down menu\]](#)

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czechia
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Netherlands
- Poland
- Portugal
- Romania
- Slovakia
- Slovenia
- Spain
- Sweden

3. [\[follow up on 1c, 1d, 1e, 1f, 1h, 1i, 1j\]](#) In which country or countries do you operate? [\[mandatory\]](#) [\[Multiple choice\]](#) [\[drop down menu\]](#)

- EU-wide
- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czechia
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Netherlands
- Poland
- Portugal
- Romania
- Slovakia
- Slovenia
- Spain
- Sweden

4. [\[follow up on 1c and 1e\]](#) Please indicate the ICT business activities in which you or your members are active? [\[multiple choice\]](#)

- a. Fixed-network provider
- b. MNO
- c. MVNO
- d. Satellite operator
- e. Cloud/ hosting provider
- f. Content and application provider
- g. Broadcaster
- h. Other [\[please specify\]](#)

5. [\[follow up on 4a\]](#) Which of the following best characterises your business model? [\[single choice\]](#)

- a. Vertically integrated former incumbent
- b. Vertically integrated alternative operator
- c. Cable operator
- d. Wholesale only infrastructure company (netco)
- e. Other [\[please specify\]](#)

6. [\[follow up on 4a\]](#) Which technologies do you use to provide fixed broadband services? [\[multiple choice\]](#)

- a. Copper including FTTC / VDSL
- b. FTTH / B
- c. Cable
- d. Wireless incl. fixed wireless access (FWA)
- e. Other [\[please specify\]](#)

7. [\[all respondents\]](#) Please indicate the name of the organisation/institution you represent. [\[mandatory\]](#) [\[Free text\]](#)

8. [\[follow up on 1c and 1d\]](#) Please indicate the number of employees associated with your EU operations. [\[single choice\]](#)

- a. Less than 10 employees
- b. 10-49 employees
- c. 50-99 employees
- d. 100-249 employees
- e. 250-999 employees
- f. More than 1000 employees

9. [\[follow up on 8\]](#) Please indicate the turnover associated with your EU operations. [\[single choice\]](#)

- a. Less than EUR 900,000
- b. EUR 900,001 to EUR 9,999,999
- c. EUR 10,000,000 to EUR 14,999,999
- d. EUR 15,000,000 to EUR 49,999,999
- e. EUR 50,000,000 to EUR 449,999,999
- f. EUR 450,000,000 to EUR 1bn
- g. More than EUR 1 bn

Section 1: Objectives of the EECC

The EECC pursues four regulatory objectives (Art. 3(2) EECC): promoting connectivity and investment, promoting effective competition, fostering the internal market, and promoting citizens' interests. While these objectives remain relevant, technological, economic and policy developments of the recent years may require some adjustments of the EECC objectives.

The aim of the study on "Completing the Digital Single Market - Regulatory enablers for cross-border networks" is to assess whether it may be appropriate to amend the current regulatory objectives of Art. 3(2) EECC or add new ones to ensure that the regulatory framework remains future-proof and effective.

10. Is there a need to change the regulatory objectives set out in Art. 3(2) of the EECC? When answering, please take into account policy developments since the EECC's adoption in 2018, such as the European Green Deal, EU Digital Decade, Competitiveness Compass, EU Preparedness Strategy etc. [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

11. [\[follow up on 10a and 10b\]](#) Please explain your answer. [\[Free text\]](#)

12. If new regulatory objectives are added, what would be the relative benefits compared with the costs of adding a regulatory objective regarding: [\[scale, 5 benefits significantly outweigh costs – 1 costs significantly outweigh benefits for each point\]](#)

- a. "competitiveness"
- b. "environmental sustainability"
- c. "resilience and security"

13. [\[follow up on 12\]](#) Please explain your answers. [\[Free text\]](#)

14. Should any other regulatory objectives be added? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

15. [\[follow up on 14a and 14b\]](#) Please explain your answer. [\[Free text\]](#)

16. If objectives are added, should there be a hierarchy of objectives e.g. with objectives such as competitiveness and end-user welfare being the ultimate goal, while others such as competition, promotion of the internal market etc provide the means? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

17. [\[follow up on Q16b\]](#) Please indicate the main problems of creating a hierarchy of regulatory objectives in the EECC. [\[Free text\]](#)

18. [\[follow up on Q16a\]](#) Please indicate the main benefits of creating a hierarchy of regulatory objectives in the EECC. [\[Free text\]](#)

Section 2: Scope and level playing field

Reflecting the emergence of a broader connectivity ecosystem and the need for a level playing field, one of the issues to be addressed in the present study is related to the regulatory treatment of cooperation between various players, including IP interconnection.

19. Would there be a benefit in proposing a harmonised approach at the EU level to the regulatory treatment of IP interconnection? [\[single choice\]](#)

- a. Yes, the current situation is not clear enough.
- b. No, the current situation is clear enough.
- c. No opinion

20. [\[follow up on 19a\]](#) Please indicate how beneficial would be the following measures: [\[Likert scale from 1 \(not beneficial\) to 9 \(most beneficial\) for each point\]](#)

- a. Cooperation mechanism between network providers and CAPs, including on IP interconnection
- b. Amendment of the definition of interconnection in Art. 2(28) EECC to explicitly include IP interconnection
- c. Amendment of Art. 61 EECC to empower NRAs to impose IP interconnection obligations under certain conditions
- d. Amendment of Art. 26 EECC to explicitly include IP interconnection under the dispute settlement mechanism of NRAs

21. [\[follow up on 20a if it is graded 7-9\]](#) Please select which issues could be addressed in relation to a possible cooperation mechanism [\[multiple choice\]](#)

- a. Traffic forecasting
- b. Pricing mechanisms for IP peering
- c. Usage of technologies for reducing bandwidth in data transfers (codecs, data compression algorithms, etc.)
- d. Templates for Service level agreements for QoS of end-to-end connections
- e. Other [\[please specify\]](#)

22. [\[follow up on 20\]](#) [\[display only those graded 7-9\]](#) Please describe what benefits can materialise from the most beneficial measures. [\[Free text\]](#)

23. [\[follow up on 20\]](#) [\[display only those graded 1-3\]](#) Please explain why these measures are not beneficial. If additional burden is expected, please identify it and quantify, if possible. [\[Free text\]](#)

24. [\[follow up on 19b\]](#) Please explain why no benefits would result from clarification. [\[Free text\]](#)

Section 3: Quality-based services

To support innovation and enhance investments in new technologies and services in electronic communications sector as well as competitiveness across the EU single market, it is necessary to provide additional clarification on the regulatory treatment of new quality-based services (e.g. services which assure a given level of quality regarding bandwidth or other factors end-to-end in order to support the provision of specialised services). This study aims to explore how the regulatory framework can be improved for quality-based services.

25. Would the clarification of regulatory regime for quality-based services be beneficial? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

26. [\[follow up on 25a\]](#) Please indicate how beneficial the following measures would be: [\[Likert scale from 1 \(least beneficial\) to 9 \(most beneficial\) for each point\]](#)

- a. European Commission's guidelines/ recommendation on the application of the Open Internet Regulation to 5G/6G
- b. Additional clarification on the application of the Open Internet Regulation to 5G/6G and other quality enabling technologies in the legislation by targeted recitals or annexes
- c. Explicit definition of specialised services in the Open Internet Regulation in the light of 5G/6G and other quality-enabling technologies
- d. Explicit definition of specialised services in the Open Internet Regulation in the light of 5G/6G and other quality-enabling technologies; and adjustment of the scope of Open Internet rules for B2B and B2G; and empowerment for consumers to choose innovative offers by opt-out from Open Internet requirements
- e. Other [\[please specify\]](#)

27. [\[follow up on 26\]](#) [\[display only those graded 7-9\]](#) What benefits are most likely to materialise from the most beneficial measure in your view measures? [\[scale 1-least likely to 9-most likely\]](#)

- a. More innovation in quality-based services
- b. Improved competition
- c. Greater choice and more empowerment for consumers
- d. Higher level of harmonisation
- e. Increased legal certainty
- f. Other [\[please specify\]](#)

28. [\[follow up on 26\]](#) [\[display only those graded 1 -3\]](#) Please explain why you consider these measures not beneficial. If additional burden is expected from the measures, please identify it and quantify, if possible. [\[Free text\]](#)

29. [\[follow up on 25b\]](#) Please explain why a clarification will not be beneficial or is not necessary. [\[Free text\]](#)

Section 4: General authorisation

Although the EECC contributed to the greater harmonisation of the general authorisation regime, many differences persist across Member States. To further lower barriers to market entry for electronic communications

services and reduce compliance costs and market fragmentation, this study aims to explore possible improvements to the general authorisation regime.

30. Please indicate how beneficial the following changes to the general authorisation would be: [\[scale from 1 \(not beneficial\) to 9 \(most beneficial\) for each point\]](#)

- a. Simplification of the current EECC list of harmonised and non-harmonised conditions attached to general authorisation (please consider Art. 13 and Annex I EECC)
- b. Introduction of the maximum harmonisation of the conditions attached to general authorisation
- c. Simplification of conditions attached to rights of use of extraterritorial numbers for B2B services
- d. Creation of a national single point of contact in each MS regarding all other applicable requirements and rules for ECN/ECS providers (including all general authorisation conditions)
- e. Introduction of a coordination mechanism between NRAs and other national competent authorities, incl. those beyond the EECC (e.g. cybersecurity)
- f. Adoption of guidelines on standardised implementation of non-harmonised conditions of general authorisation (incl. cross-border provision)
- g. Harmonisation of annual reporting under Arts. 20-21 EECC (e.g. by adopting guidelines, templates)
- h. Making the BEREC notification template mandatory
- i. Adoption of an annual mandatory reporting template
- j. Introduction of a one-stop-shop for the notification for cross-border providers (i.e. notification to be submitted only in one Member States or to BEREC), while indicating in which Member States the operators plans to be active
- k. Introduction of a Union notification for B2B network providers (i.e. only those that do not provide B2C)

31. [\[follow up on 30\]](#) [\[display only those graded 7-9\]](#) Please explain what benefits are expected from the selected measures. [\[Free text\]](#)

32. [\[for NRAs\]](#) [\[follow up on 31\]](#) What types of additional costs do you expect to incur in connection with the selected measures? Please quantify if possible. [\[Free text\]](#)

33. [\[for companies and NRAs/NCAs\]](#) [\[follow up on 31\]](#) What cost savings do you expect? Please quantify if possible. [\[Free text\]](#)

34. [\[follow up if 30a is graded 7-9\]](#) Please provide examples of harmonised conditions attached to general authorisation that can be simplified or removed. For non-harmonised conditions, please indicate the level of flexibility applied at the national level. [\[free text\]](#)

35. [\[follow up if 30c is graded 7-9\]](#) Please provide examples of conditions attached to rights of use that can be simplified. [\[free text\]](#)

36. [\[follow up on 30\]](#) [\[display only those graded 1-3\]](#) Please explain why the proposed measures are not beneficial. If additional burden is expected, please identify it and quantify, if possible. [\[Free text\]](#)

Section 5: Numbering

The questions in this section target only for NRAs, NCAs, businesses and business / industry associations. If you do not see any questions, please select a different section with questions.

37. [\[For NRAs, NCAs\]](#) Did you assign non-geographic numbers which may be used for the provision of M2M/IoT services throughout the union in line with Article 93(4) EECC? [\[single choice\]](#)

- a. Yes
- b. No

38. [\[follow up on 37a\]](#) What are the conditions attached to the rights for use of numbering resources that may be used extraterritorially, in accordance with Article 93(4)? [\[free text\]](#)
39. [\[follow up on 37a\]](#) Are there specific conditions imposed to such rights in order to ensure compliance with relevant consumer protection rules or national law related to the use of numbering resources applicable in the Member State where the numbering resources are used? [\[single choice\]](#)
- a. Yes
 - b. No
40. [\[follow up on 39a\]](#) Please briefly describe these conditions. [\[free text\]](#)
41. [\[For NRAs, NCAs\]](#) In the past 2 years, how many requests did national regulatory or competent authorities receive from national regulatory or other competent authority of another Member State where such numbering resources were used indicating breach of relevant consumer protection rules or national law related to the use of numbering resources? [\[free text, numbers only\]](#)
42. [\[follow up if 41 ≠ 0\]](#) Was BEREC involved to facilitate and coordinate the exchange of information between competent authorities? [\[single choice\]](#)
- a. Yes
 - b. No
43. [\[For Companies and Business/Industry associations\]](#) Please indicate what are the bottlenecks in terms of the use of numbering resources for the deployment of pan-European M2M/IoT services. [\[free text\]](#)
44. [\[For Companies and Business/Industry associations\]](#) Please indicate if national numbering resources with the right to be used extraterritorially are fit for the deployment of pan-European M2M/IoT services. [\[free text\]](#)
45. [\[For Companies and Business/Industry associations\]](#) Are there or should there be alternatives fit for pan-European M2M/IoT services preferable to national numbering resources? [\[single choice\]](#)
- a. Yes
 - b. No
 - c. No opinion
46. [\[follow up on 45a\]](#) Please explain your answer. [\[free text\]](#)

Section 6: Mobile and wireless services / spectrum

As we see insufficient investments in high quality 5G and limited regulatory predictability for spectrum assignments, leading to unexploited single market potential, the EU legal framework related to mobile and wireless services may need to be amended to support the deployment and take-up of high capacity mobile connectivity while ensuring competition and innovation in 5G services, to create common approaches to support cross-border services and to enhance EU sovereignty in spectrum management. The aim of the current study is to explore potential measures in all these areas.

Single market

The current EECC strengthens the single market by emphasizing the importance of harmonising spectrum, by coordination in spectrum assignment (Arts. 53 and 54 EECC) and through Article 35 whereby Member States may ask the RSPG to carry out a peer review on procedures for the award of harmonised spectrum bands.

47. Please indicate the degree to which you consider that the following measures would be the most effective in ensuring **consistency** in spectrum assignment procedures: [\[scale from 1 \(ineffective\) to 9 \(most effective\) for each point\]](#)

- a. Strengthen the Peer Review process (Art. 35 EEC)
- b. Simplify and reduce fragmentation for satellite authorisation through, e.g. templates or common authorisation conditions
- c. Strengthen the coordination of spectrum awards between Member States
- d. Strengthen MS obligations to resolve intra-EU cross-border harmful interference, e.g. set binding deadlines for disputes
- e. Allow/facilitate other actors than electronic communications operators to own spectrum, e.g. tower companies
- f. Other [\[please specify\]](#)

48. [\[follow up on 47\]](#) [\[display only those graded 7-9\]](#) Please select what benefits are expected from the selected measures. [\[multiple choice\]](#)

- a. Greater harmonisation of technical conditions for use or authorisations
- b. Consumer benefits
- c. More innovation (e.g. new services)
- d. Reduced spectrum cost
- e. Improved competition
- f. Increased investments
- g. Improved efficiency of decision-making
- h. More efficient use of spectrum
- i. Allowing economies of scale
- j. Fostering cross-border networks and services
- k. Other [\[please specify\]](#)

49. [\[follow up on 48\]](#) Please further explain and quantify the identified benefits of the selected measures, if possible. [\[free text\]](#)

50. [\[follow up on 47\]](#) [\[display only those graded 1-3\]](#) Please explain why you consider that these measures would not be beneficial. If an additional burden resulting from these measures is expected, please identify it and quantify, if possible. [\[Free text\]](#)

51. [\[follow up if Q47a is graded 7-9\]](#) Please rank the following measures based on which one would be the most effective in promoting and strengthening the Peer Review process: [\[scale 1-ineffective to 9-most effective\]](#)

- a. Peer review process should be mandatory;
- b. Member States should be required to take Peer Review feedback into account;
- c. Certain elements of spectrum awards procedures to be scrutinised at the EU level;
- d. Peer Review process could be applied to any spectrum band beyond harmonised spectrum

52. [\[follow up on 51\]](#) Please explain and quantify the benefits resulting from your choice, if possible. [\[free text\]](#)

53. [\[follow up if 47b is graded 7-9\]](#) Please select what elements should be part of a framework for satellite authorisations at the EU level: [\[table with answer options: Yes / no / I don't know \[single choice per row\] \]](#)

- a. ITU notification and coordination
- b. EU-level mechanism for satellite operators' selection, (based e.g. on the MSS Decision)
- c. EU template for simplifying satellite authorisations at national level
- d. One stop shop procedure for getting satellite authorisations in more than one Member State
- e. Common satellite authorisation at the EU level
- f. Operator's right to request a joint authorisation at the EU level

- g. Operator's right to request coordinated assignment conditions across multiple Member States
- h. Other [\[please specify\]](#)

54. [\[follow up on 53\]](#) Please select what benefits are expected from the selected measures. [\[multiple choice\]](#)

- a. Greater harmonisation of conditions for the provision of satellite services
- b. Reduced administrative burden for satellite operators
- c. Consumer benefits
- d. More innovation (e.g. new services)
- e. Improved competition
- f. Increased investments
- g. Reduced administrative burden for national authorities
- h. Improved efficiency of decision-making
- i. More efficient use of spectrum
- j. Allowing economies of scale
- k. Fostering cross-border networks and services
- l. Other [\[please specify\]](#)

55. [\[follow up on 54\]](#) Please explain and quantify the benefits resulting from your choice, if possible. [\[free text\]](#)

56. [\[follow up if 47c is graded 7-9\]](#) Please choose which measures would be the most effective to coordinate the timing of spectrum awards between Member States: [\[scale 1-ineffective to 9-most effective\]](#)

- a. Evolving roadmap for the timely availability of spectrum at EU level
- b. National roadmaps for the availability of spectrum coordinated with EU roadmap
- c. Legal deadlines for spectrum awards in various bands
- d. Other [\[please specify\]](#)

57. [\[follow up on 56\]](#) Please explain your answer and quantify the benefits resulting from your choice, if possible. [\[free text\]](#)

58. What would be the consequences of not taking any new measures regarding spectrum awards? [\[free text\]](#)

59. [\[follow up if 47d is graded 7-9\]](#) Please choose the most effective way(s) to resolve intra-EU harmful interference cases. [\[scale 1-ineffective to 9- most effective\]](#)

- a. Impose deadlines on Member States to mitigate the intra-EU cross-border interference
- b. Apply additional measures in EU-harmonised bands only
- c. Apply additional measures in all bands
- d. Private enforcement in cases of harmful interference (i.e. operators suing Member States that fail to resolve a case)
- e. Other [\[please specify\]](#)

60. [\[follow up on 59\]](#) Please explain and quantify the benefits resulting from your choice, if possible. [\[free text\]](#)

Mobile and wireless services/ spectrum: Fostering investment and sustainable competition

61. What measures do you think could best support investment in future mobile generations? Please indicate how effective you think the following measures would be in fostering investments in mobile and wireless infrastructure? [\[Likert scale from 1-ineffective to 9-most effective for each point\]](#)

- a. Measures designed to limit the costs of obtaining spectrum licenses
- b. Coverage and quality of service commitments in licences
- c. Longer licence duration

- d. Automatic/ easier renewal of licences
- e. Increase the burden of proof for spectrum management authorities (SMAs) when imposing market shaping measures (such as measures which affect the number of infrastructures and quality requirements) by requiring them to better take into account the need for investment in infrastructure and the need to support an economically viable level of infrastructure competition.
- f. Requirement for Spectrum Management Authorities (SMAs) to take into account EU mobile / wireless connectivity targets and associated investment needs when considering what would constitute a sustainable market structure, and what should be the associated coverage and quality of service obligations
- g. More coordination at EU level regarding spectrum authorisation and associated conditions to ensure predictability and consistent application of measures , while respecting national specificities
- h. No specific measures are necessary

62. [\[follow up on 61\]](#) [\[display only those graded 7-9\]](#) Please choose what benefits are expected from this change. [\[multiple choice\]](#)

- a. Greater predictability and harmonisation
- b. Consumer benefits
- c. More innovation (e.g. new services)
- d. Improved competition
- e. Increased investments due to increased predictability and increased ability to ensure financing
- f. Wider coverage with VHCNs
- g. Improved efficiency of decision-making
- h. Promote spectrum trading
- i. Other [\[please specify\]](#)

63. [\[follow up on 61\]](#) [\[display only those graded 1-3\]](#) Please explain why you consider that these measures are not beneficial. If additional burden is expected in relation to these measures, please identify it and quantify, if possible. [\[free text\]](#)

64. What would be the consequences of not taking any new measures to foster investments in 5G and the current legal framework is maintained? [\[free text\]](#)

65. [\[follow up if 61c is graded 7-9\]](#) If you consider that longer licence durations than the current minimum duration of (15+5) would support investment and sustain competition, please indicate the one you consider the most effective: [\[single choice\]](#)

- a. Duration of 25 years with conditional renewal
- b. Duration of 25 years with automatic renewal
- c. Duration of 30 years with conditional renewal
- d. Duration of 30 years with automatic renewal
- e. Duration of 40 years with conditional renewal
- f. Duration of 40 years with automatic renewal
- g. Indefinite licence duration
- h. Other [\[please specify\]](#)

66. [\[follow up on 65\]](#) Please provide a justification for your answer (e.g. explain the rationale based on economic elements, investment cycles, other elements and present any evidence supporting the adequacy of the proposed length) [\[free text\]](#)

67. Do you agree that the investment requirements of future generations of mobile technologies, especially those with high Quality of Service (QoS) requirements and those relying also on higher frequency spectrum

bands, may limit the viability of duplicating mobile networks when it comes to investing in new generations of mobile infrastructure? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

68. [\[follow up on 67a and 67b\]](#) Please provide a justification for your answer. [\[free text\]](#)

69. In cases where there is limited economic rationale to replicate mobile infrastructure **and** a forward looking assessment of the competitive conditions in the market concludes that there is high likelihood that retail competition would be undermined, what measures, if any, do you consider might be most effective in ensuring that competition in mobile networks and/or mobile services can be sustained at the retail level?

[\[scale 1- ineffective and/or harmful to 9 - most effective for each point\]](#)

- a. Support/provide incentives for wholesale only models
- b. Support/provide incentives for network sharing
- c. Include wholesale access obligations, e.g. MVNO access, national roaming obligations in spectrum licences,
- d. Other [\[please specify\]](#)
- e. No specific measures are necessary

70. [\[follow up on 69\]](#) Please provide a justification for your answer to the previous question and describe the impact of the different solutions discussed on competition, investment and consumer welfare. [\[free text\]](#)

71. [\[follow up if 69c is graded 7-9\]](#) If you consider that wholesale access obligations should be imposed in spectrum licences in cases where there is a risk of an impediment to effective competition at retail level, how should this be imposed? [\[single choice\]](#)

- a. obligation on all spectrum holders
- b. obligation attached to specific lots
- c. case by case

72. [\[follow up on 71\]](#) Please justify your answer and describe to what extent you consider that an obligation to provide wholesale access might affect willingness to pay for specific lots, and if so, in which circumstances [\[free text\]](#)

73. Under the EECC, market shaping measures may be adopted by SMAs only after a forward-looking assessment of market competitive conditions following a procedure which should take into account the market analysis procedure of Art. 67(2) EECC. In your view, to what extent has the current requirement relating to the assessment of competitive conditions been effective in? [\[scales from 1 ineffective to 9 most effective for each point\]](#)

- a. supporting investment and sustainable competition in mobile markets
- b. ensuring that approaches taken by SMA regarding market shaping measures are consistent

74. As an alternative to the current approach, which is described in the previous question, should the DNA establish a more elaborated process for market analysis with conditions in EU law that Spectrum Management Authorities need to follow when assigning spectrum?

This could, for example, refer to the need to take into account viability of investments in view of the envisaged market structure (in relation to measures affecting infrastructure duplication) and to the need to consider measures to foster service competition in the event that the resulting market structure would not support effective competition at the retail level. [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

75. [\[follow up on 74a and 74b\]](#) Please elaborate your answer, and if appropriate provide further insights regarding factors that you consider should be taken into account by Spectrum Management Authorities in the context of spectrum assignment procedures. [\[free text\]](#)

76. What measures could be imposed to support a more harmonised approach to the application of market shaping measures? [\[free text\]](#)

77. [\[follow up on 74b\]](#) If you consider that the existing regime does not adequately ensure consistency when it comes, for instance, to the application of market shaping measures in spectrum awards or other auction conditions, would a review by the European Commission or another EU body of any competition analysis supporting the introduction of market shaping measures in auctions increase consistency? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

78. [\[follow up on 77a\]](#) In your view, which of the following intervention possibilities would have the most impact in ensuring consistency? [\[scales from 1-limited impact to 9-significant impact for each point\]](#)

- a. Opinion
- b. Comments letter
- c. Veto decision
- d. Other [\[please specify\]](#)

Mobile and wireless services/ spectrum: Innovation

Promoting innovation is a key objective of the EECC. Measures which have the potential to promote innovation include spectrum sharing, for example through local licensing and experimental licences.

79. Please indicate which measures would be the most effective in enabling wider access to spectrum and boosting innovation: [\[scale from 1 \(costs significantly outweigh benefits\) to 9 \(benefits significantly outweigh costs\) for each point\]](#)

- a. Policies which result in greater use of spectrum sharing
- b. Policies which result in greater use of spectrum pooling
- c. Policies which result in greater use of spectrum trading
- d. Policies which impose a use-it-or-share-it-or-trade-it-or-lose-it condition in spectrum licences
- e. Promote flexibility in spectrum access to EU harmonised bands 1.(e.g non-MNO entities, local/temporary licences)
- f. Policies which could result in the assignment of spectrum to wholesale network operators
- g. Coordinated assignment of spectrum for specific cross-border use cases / customer types (e.g. to multinational companies operating local networks)
- h. Policies which result in greater use of dynamic geolocation database systems
- i. Right of stakeholders to request the European Commission to start a harmonised allocation process (i.e. a petition for rule making)
- j. Other [\[please specify\]](#)

80. [\[follow up on 79\]](#) [\[display only those graded 7-9\]](#) Please choose what benefits are expected from the selected/most preferred by you measures. [\[multiple choice\]](#)

- a. Greater harmonisation
- b. Consumer benefits
- c. More innovation (e.g. new services)
- d. Cost savings
- e. Improved competition
- f. Increased investments
- g. Wider coverage with VHCNs
- h. Improved efficiency of decision-making

- i. More efficient use of spectrum
- j. Other [\[please specify\]](#)

81. [\[follow up on 80\]](#) Please further explain and quantify the identified benefits, if possible. [\[free text\]](#)

82. [\[follow up on 79\]](#) [\[display only those graded 1-3\]](#) Please explain why you consider these measures are not beneficial. If an additional burden is expected, please identify it and quantify, if possible. [\[Free text\]](#)

83. What would be the consequences, if any, of not taking any new measures to promote wider access to spectrum and boosting innovation? [\[free text\]](#)

Mobile and wireless services/ spectrum: Sovereignty

This section considers whether the EECC should be enhanced to improve EU sovereignty in relation to access to the EU satellite market and to boost EU decision-making processes related to spectrum.

The satellite sector is subject to intensive investment, growth, innovation and industry and service competition, including between regions. Member States currently implement various approaches when allowing access to national satellite markets. Other third countries have more restrictive legislations imposing some kind of prior authorisation for access to their market. These fragmented approaches may undermine the EU's ability to adequately respond to new challenges.

84. Which of the following measures do you consider the most beneficial to harmonise approaches to access to EU market for satellite operators and enforcement? [\[scale from 1 \(costs significantly outweigh benefits\) to 9 \(benefits significantly outweigh costs\) for each point\]](#)

- a. Single point of information for requirements for satellite authorisation;
- b. Greater consistency among Member States regarding requirements for satellite authorisations
- c. Greater consistency among Member States regarding compliance/ enforcement frameworks for allowing satellite constellations' access to the EU market;
- d. Action at the EU-level
- e. No measures are necessary

85. [\[follow up on 84a, 84b, 84c, 84d, if they are graded 7-9\]](#) What would be the added value/ benefits of harmonising approaches to access the EU market for satellite operators? [\[multiple choice\]](#)

- a. Reduced financial costs and administrative burden for NRAs
- b. Reduced financial cost and administrative burden for operators
- c. More efficient decision-making
- d. Improved access to satellite services for users
- e. Limit risk of forum shopping
- f. Ensure level playing field between all operators aiming to access
- g. Improved management of potential harmful interference
- h. More innovation (e.g. new services)
- i. Increased investments in the satellite sector
- j. Other [\[please specify\]](#)
- k. No added value/ benefits

86. [\[follow up on 85\]](#) Please further explain and quantify the benefits, if possible. [\[free text\]](#)

87. [\[follow up on 84a, 84b, 84c, 84d, if they are graded 1-3\]](#) Please explain why you consider that these measures would not be beneficial. If an additional burden is expected, please identify it and quantify, if possible. [\[free text\]](#)

The Radio Spectrum Decision of 2002 allows the Commission to adopt implementing decisions to designate frequency bands at the EU level under harmonised technical conditions, with regard to the availability and efficient

use of spectrum for the proper functioning of the single market. To this end, the Commission may issue mandates to the European Conference of Postal and Telecommunications Administrations (CEPT) for the preparation of such harmonising implementing measures.

The European Commission and national spectrum regulators work closely together to develop common rules. To assist the Commission in developing and implementing EU-level spectrum policy, two complementary bodies of national experts have been set up:

- The Radio Spectrum Policy Group (RSPG) as a high-level strategic advisory group.
- The Radio Spectrum Committee (RSC) provides assistance and issues regulatory opinions in adopting Commission implementing decision on spectrum harmonisation. [\[text ended\]](#)

88. The European Commission, in collaboration with Member States, coordinates harmonisation of radio spectrum at EU level to ensure effective use and reduce interference. Do you consider that the harmonisation method has worked well so far? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

89. [\[follow up on 88a\]](#) What has been its main added value? [\[free text\]](#)

90. Have there been shortcomings in the spectrum harmonization process you would like to signal or elements that can be improved in the harmonization process? [\[single choice\]](#)

- a. Yes
- b. No

91. [\[follow up on 90a and 90b\]](#) Please explain your answer. [\[free text\]](#)

92. [\[follow up on 90a\]](#) Which of the measures would be most beneficial in increasing EU sovereignty in issues related to security or technology sovereignty? [\[scale from 1 \(costs significantly outweigh benefits\) to 9 \(benefits significantly outweigh costs\) for each point\]](#)

- a. Coordination between Member States before going to CEPT
- b. In exceptional strategic cases, instead of CEPT, rely on an ad hoc/ high-level group consisting only of EU Member State representatives, as a safety net.

93. [\[follow up on 92\]](#) [\[display those graded 7-9\]](#) Please choose what benefits you expect from the measures you ranked the highest in previous question. [\[multiple choice\]](#)

- a. Greater sovereignty around spectrum management
- b. Improved coordination and cooperation among EU Member States
- c. Improved regulatory consistency in the EU
- d. Improved efficiency of decision-making
- e. Improved accountability and transparency of spectrum management
- f. More efficient use of spectrum
- g. Improve cybersecurity
- h. improve control of MS on their communications, improve single market
- i. Other [\[please specify\]](#)

94. Which measures would be the most effective in increasing EU sovereignty in cases of harmful interference from outside the EU: [\[scale from 1 \(ineffective\) to 9 \(most effective\) for each point\]](#)

- a. Enhance coordination among Member States vis-à-vis 3rd countries that cause harmful interferences;
- b. Coordinate through RSPG the response to harmful interferences caused by 3rd countries;
- c. Coordinated EU-level response to harmful interference caused by 3rd countries;

95. [\[follow up on 94\]](#) [\[display those graded 7-9\]](#) Please choose what benefits you expect from the measures you ranked the highest in previous question. [\[multiple choice\]](#)

- a. Greater sovereignty around spectrum management
- b. Improved coordination and cooperation among EU Member States
- c. Improved regulatory consistency in the EU
- d. Improved efficiency of decision-making
- e. Improved accountability and transparency of spectrum management
- f. More efficient use of spectrum
- g. Improve cybersecurity
- h. Improve control of MS on their communications, improve single market
- i. Other [\[please specify\]](#)

96. [\[follow up on 95\]](#) Please further explain and quantify the identified benefits, if possible. [\[free text\]](#)

97. What would be the consequences of not taking any new measures to increase EU sovereignty in spectrum management? [\[free text\]](#)

Mobile and wireless services/ spectrum: Establishing goals

98. Art. 3(2)(a) EEC establishes an objective to “promote connectivity, access to and take-up of very high capacity networks... including mobile and wireless networks by all citizens and businesses of the Union”. Is the current concept of “very high capacity network” as it relates to mobile and wireless networks still relevant, or should it be redefined in light of technological and market developments? [\[Single choice\]](#)

- a. Current concept of VHCN is still relevant for mobile / wireless – no need for amendment
- b. Current concept of VHCN is no longer relevant for mobile / wireless and should be amended
- c. No opinion

99. [\[follow up on 98b\]](#) What changes would you propose? [\[free text\]](#)

100. Should Member States be required to establish a national plan for the achievement of future mobile and wireless services goals? [\[Single choice\]](#)

- a. Yes
- b. No
- c. No opinion

Section 7: Access-related provisions

Updating the definition of Very High Capacity Networks (VHCN)

101. The current definition of Very High Capacity Networks (VHCN) in Art. 2(2) EEC refers to an electronic communications network which consists wholly of fibre (or a network with equivalent capabilities) up to at least the distribution point, but is silent about connectivity beyond the distribution point. Taking into account that the Decision establishing the Digital Decade Policy Programme (Art. 4(2) establishes a target regarding coverage by a gigabit network up to the Network Termination Point (NTP) and that the Gigabit Infrastructure Act (GIA) includes obligations (Art. 10) to deploy in-building fibre in new build or major renovation works, and that copper switch-off will require the replacement of in-building copper with an alternative that supports VHCN connectivity, it may be relevant to consider updating the definition of VHCN in the EEC. What would be the relative benefits in comparison to costs of the following options in your view? [\[scale 1 \(costs significantly outweighs benefits\) -9 \(benefits significantly outweighs costs\) for each point\]](#)

- a. Update the definition of Very High Capacity Networks (VHCN) to include not only fibre to the distribution point / NTP but also in-building fibre or connectivity with equivalent capabilities

- b. Amend Art 10 GIA to provide for standardisation of in-building fibre when fibre is deployed to existing buildings, noting that currently standards are required only for new buildings or buildings subject to major renovation works
- c. Amend Art 10 GIA to note that standards should be defined up to the relevant distribution point outside the building if obligations for access at such a point have been established in the context of Art 61(3) EECC?

102. Please explain your response to the previous question and the implications for benefits and costs with quantification where feasible. [\[free text\]](#)

Access-related provisions: Copper switch-off

103. Data gathered in the context of the studies conducted for the Commission regarding the review of the EECC / DNA shows that, in some Member States, fibre take-up is low and that uncertainty around how long there will be parallel operation of copper networks may also be limiting investment in fibre, as the business case for fibre depends on high take-up rates that can be undermined when copper is retained. Do you consider that a concrete plan for copper switch-off would speed up the deployment of fibre or alternatives (such as suitably dimensioned 5G Fixed Wireless Access), in particular in less dense areas where deploying and operating parallel infrastructures for fixed connectivity is not viable? What would be the impact in your view of the following options for copper switch-off on the deployment and take-up of fibre? For each of the following options, please indicate how effective you consider it is likely to be in supporting the EU's progress towards a gigabit connectivity target. [\[scale no or negative effect / minor increase in Gigabit connectivity / some increase / significant increase / full fibre and equivalent coverage resulting from the measure concerned\]](#)

- a. Non-binding target date for copper switch-off of 2030 included in soft law e.g. in an EC Recommendation
- b. Non-binding target date for copper switch-off of 2030 included in legislation
- c. Binding target date of 2030 for copper switch-off in legislation with an exception for areas not fully covered by a fibre network.
- d. Binding target date of 2030 for copper switch-off in legislation with an exception for areas not fully covered by a fibre network or a network offering capabilities equivalent to fibre.
- e. Binding target date of 2030 included in legislation with an exception for areas linked to coverage of FTTH and which do not have any alternative broadband access network with a minimum level of capabilities reaching e.g. 100Mbit/s.
- f. Binding requirement included in legislation for copper switch-off linked to a specified level of fibre coverage (e.g. 90% or 95%) in a given area
- g. Binding requirement included in legislation for copper switch-off linked to specified coverage of fibre or other broadband access with equivalent capabilities (e.g. of 90% or 95%) in a given areas

104. Please describe the benefits and costs (including any possible unintended effects) associated with each of the options for society as a whole including consumers, SMEs and larger businesses and for different actors providing telecom services such as former incumbent operators, wholesale only or other regional fibre investors, access seekers. [\[table with options from 103, open text for each option\]](#)

105. Do you consider that it would be justified to amend the conditions for copper switch-off as set out in Art 81 EECC regarding copper to fibre migration? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

106. [\[follow up on 105a\]](#) Which of the following changes should be made? [\[multiple choice\]](#)

- a. Removing the linkage between migration conditions and an SMP finding, and instead basing it on ownership of a copper network
- b. Adding requirements relating to transparency
- c. Adding requirements relating to non-discrimination (i.e. equivalent treatment in areas where an alternative operator has deployed fibre)
- d. Clarifying that switch-off may occur when there is availability of alternative technologies / wholesale solutions from any provider
- e. Other [\[please describe\]](#)

107. [\[follow up on 106\]](#) Please elaborate your response and provide justification and any evidence [\[free text\]](#)

Access-related provisions: Replicability of fixed networks and implications for the future need for access regulation

108. As of 2024, the data shows that while some premises, especially those in very dense areas are served with three or more parallel VHCN networks, most premises are served by only one or two distinct fixed access network infrastructures. Looking forward to 2035, when the switch-off of copper networks should be complete, what % of households do you consider will be served by: [\[table\]](#)

- a. Only 1 fibre infrastructure [\[single choice - <10% / 10-20% / 20-30% / 30-40% / 40-50% / More than 50%\]](#)
- b. At least two fibre infrastructures [\[single choice - <10% / 10-20% / 20-30% / 30-40% / 40-50% / More than 50%\]](#)
- c. Three or more fibre infrastructures [\[single choice - <10% / 10-20% / 20-30% / 30-40% / 40-50% / More than 50%\]](#)

When answering this question you should take into account economies of scale involved in the deployment of fixed access infrastructure as well as potential cost reductions that might be achievable by using the Gigabit Infrastructure Act (GIA) but not any measures that might be applied regarding wholesale access under the EECC. As this question asks about distinct infrastructures / separate deployments, co-investment should not be taken into account.

109. Bearing in mind possible limitations on the replicability of fixed very high capacity fixed access infrastructure, do you consider that it will be necessary for the future DNA to include provisions regarding wholesale access? [\[single choice\]](#)

- a. Yes – there should be some provision made in the DNA for wholesale access provisions
- b. No – all existing provisions regarding SMP access regulation and Symmetric access under Art 61(3) should be removed in a future DNA and reliance should be placed on the GIA and competition law instead
- c. No opinion

110. [\[follow up on 109a\]](#) If you consider that it will be necessary for the future DNA to include provisions regarding wholesale access, what types of wholesale access should be covered? [\[multiple choice\]](#):

- a. Strict regulation of access to ducts and poles of operators with market power i.e. access obligations which go beyond those set out in the Gigabit Infrastructure Act (GIA)
- b. The potential for NRAs to mandate other forms of fixed wholesale access in the local access network and potentially beyond such as physical or virtual fibre unbundling or access to terminating segments of leased lines?
- c. Other [\[please specify\]](#)

111. [\[follow up on 109a\]](#) If you consider that it will be necessary for the future DNA to include provisions regarding wholesale access, why do you consider that removing all wholesale access provisions in a future DNA would have negative impacts? [\[multiple choice\]](#)

- a. Difficulties for operators to make investments e.g. in fibre networks and services
- d. Disruption arising from a change in the rules undermining certainty for investors
- e. reduction in competition impacting consumers
- f. challenges for operators to deploy services nationwide
- g. challenges for operators to provide cross-border services e.g. to businesses
- h. challenges for operators to enter and provide services in other European markets
- i. challenges to obtain widespread duct and pole access on fair terms under the GIA
- j. Challenges to make use of competition law for the purposes of obtaining wholesale access where needed
- k. Other [\[please explain\]](#)

112. [\[follow up on 109b\]](#) Why do you consider that no provisions on wholesale access will be needed under the DNA? [\[multiple choice\]](#)

- a. Access regulation would undermine incentives to invest in VHCN
- b. GIA is sufficient to support access to ducts and poles and to enable infrastructure competition on this basis
- c. access issues can be handled under competition law
- d. multiple service providers are not necessary to meet end-user needs
- e. commercial wholesale access arrangements will ensure that consumers have an adequate choice
- f. other [\[please explain\]](#)

Access-related provisions: Thresholds for access regulation

The current provisions are SMP regulation via a market analysis (Art. 67 and associated articles) and/or symmetric regulation under Art. 61(3) EECC. It should be noted in this context that under the existing rules, the SMP regime remains the key instrument for ex ante regulation. The current regime requires NRAs to analyse relevant markets included in the Recommendation on Relevant Markets considered susceptible to ex ante regulation and a requirement for NRAs to conduct the three criteria test when proposing regulation in markets not included in the list set out in the Recommendation on Relevant Markets. Regulatory intervention can be also envisaged outside of the SMP regime under the specific conditions set in Article 61(3) through so-called symmetric regulation, but this is typically viewed as subsidiary to SMP regulation as the introduction of access obligations under article 61(3) is optional. while there is a requirement for NRAs to review markets included in the Relevant Market Recommendation.

113. Regarding existing provisions on “symmetric” regulation under article 61(3), it should be noted that access obligations under this provision do not apply to all operators in general but rather typically to a single operator (monopolist on fibre in a given area) who deploys wiring inside a building or **up to the first distribution point** in a given area or building in situations where **duplication of such wiring would be economically inefficient or physically impractical**. Additional criteria must be met when mandating access beyond the first distribution point. This provision (beyond the first distribution point) has not been used in practice. [\[Single choice\]](#)

- a. yes retain the current system of SMP (Art 67 and associated articles) and symmetric regulation relating to wiring (Art 61(3)) unchanged
- b. No wholesale access provisions may still be needed under the DNA but changes are necessary to the threshold
- c. not relevant because access provisions are not necessary
- d. No opinion

114. With reference to the response given above, what do you see as the benefits of the existing approach, and what are the drawbacks / unintended consequences? Will this approach remain relevant on a forward-looking basis? [\[free text\]](#)

115. How would you rate the respective benefits in comparison with costs of the following options? [\[for each point: scale from 1 - costs significantly outweigh benefits to 9 - benefits significantly outweigh costs\]](#)

- a. Retain the existing system whereby SMP regulation is the mainstay of ex ante regulatory intervention, and NRAs are required to analyse markets listed in a Recommendation on Relevant Markets and impose access obligations where they find SMP. Access obligations in other markets can be imposed but only if the 3 criteria test is passed. Symmetric obligations under article 61(3) remain as a complement (for in-building wiring) and/or as an alternative to SMP for specific types of access regulation (access to the terminating segment), but remain optional for NRAs.
- b. Replace both SMP-based regulation and the symmetric provisions (article 61(3) with an alternative bottleneck concept defined as one closed network in a given area.
- c. Replace both SMP-based regulation and the symmetric provisions (article 61(3) with an alternative bottleneck concept whereby "bottleneck" regulation could be triggered if access is (i) necessary from a functional point of view to provide an effective alternative service provision, (ii) the market is not effectively contestable by access seekers given the minimum cost-efficient scale and (iii) there would be no other viable and functioning alternatives.
- d. Remove the SMP provisions and instead rely entirely on GIA complemented by Article 61(3) as it is now (see description of this article above).
- e. Remove the SMP provisions and instead rely entirely on GIA and Article 61(3) with amendments to reduce the burden of proof in relation to Article 61(3). For example, amend article 61(3) so that access may be mandated where replicability would be economically inefficient or physically impractical and extend this threshold so that this same burden of proof also applies for access at points beyond the first distribution point as well as potentially to active access, in cases where passive access would not be feasible
- f. Remove the markets from the Relevant Market Recommendation, and instead require NRAs to periodically gather retail and wholesale data and conduct market analyses first at retail, and then if necessary at wholesale level. Specifically, in cases where relevant retail markets for fixed broadband and mobile connectivity (for the provision of services to consumers, SMEs and enterprises) would not otherwise be effectively competitive in the absence of ex ante wholesale obligations under the EECC (and after taking into account provisions under the GIA), NRAs would be required to apply access obligations under the EECC based on an assessment of the 3CT and SMP finding and/or under art 61(3) (for cases where replicability would be economically inefficient or physically impractical) as appropriate. In other cases, regulation would be required to be removed.
- g. Retain SMP regulation but as a safeguard mechanism, always requiring the three criteria test, under the assumption that competition problems would by default, normally be addressed by existing symmetric regulations, in particular GIA, but also potentially article 61(3) unamended.
- h. Replace the existing SMP and Article 61(3) provisions with a broader obligation which requires all operators deploying a fixed network to offer wholesale local access on fair and reasonable terms and conditions, subject to the potential for dispute resolution by the NRA

116. What would be the implications of the different options described above on competition and investment, for NRAs, consumers, businesses and different actors in the telecom market? [\[free text\]](#)

117. Do you have alternative suggestions regarding any changes to the threshold for ex ante access regulation? If so please describe, and explain why these would be more effective than the current regime or other options described above. [\[free text\]](#)

118. Do you consider that the EECC tackles cases where there may be competition problems associated with **tight oligopolies** effectively? [\[single choice\]](#)

- a. yes the existing access regime effectively addresses cases where there may be competition problems associated with tight oligopolies

- b. No the existing access regime does not effectively address cases where there may be competition problems associated with tight oligopolies
- c. The question is not relevant because tight oligopolies do not lead to competition concerns or concerns can be addressed via competition law

119. [\[follow up on 118b\]](#) What approach do you think would be most appropriate to identify tight oligopolies that might give rise to competition concerns and establish which operator(s) should be subject to access obligations in this case? [\[scale from 1-9 where 1 = costs significantly outweigh benefits and 9=benefits significantly outweigh costs\]](#)

- a. By maintaining the concept of single SMP but replacing the concept of joint SMP with a concept linked to Significant Impediment to Effective Competition (SIEC) under Merger Control
- b. By maintaining the concept of single SMP but replacing the concept of joint SMP with a concept linked to "Economic Dependence" as found in some applications of competition law at national level
- c. By maintaining the concept of single SMP but replacing the concept of joint SMP with a "gap assessment" i.e. Assessment that the retail market would not be competitive in the absence of ex ante regulation, and there is no single SMP. Access obligations could then be applied on operators meeting a minimum market share threshold.
- d. By moving away entirely from the SMP (and joint SMP) concept and instead applying obligations on all operators to meet fair and reasonable requests for access
- e. By elaborating on the threshold established under article 61(3) – that replicability would be economically inefficient or physically impractical - so that it could apply in cases where there are two networks

120. What would be the implications of the different options described above on competition and investment, for NRAs, consumers, businesses and different actors in the telecom market? [\[free text\]](#)

121. Do you have alternative suggestions regarding any changes to the threshold that could be applied to assess whether access obligations should be applied in the case of tight oligopolies? If so please describe and explain why these would be more effective than the current regime or other options described above. [\[free text\]](#)

122. Do you consider that the same market analysis process and threshold should be used to assess whether access obligations should be applied in the case of fixed and mobile infrastructures, noting that access obligations in the case of mobile are often applied in the context of spectrum licenses? [\[single choice\]](#)

- a. Yes - the same market analysis process and threshold should be used to assess the need for access obligations to be applied to mobile as to fixed infrastructure including when access obligations are applied in the context of spectrum licences
- b. Partly - The same market analysis process and threshold should be used to assess the need for access obligations to be applied to mobile wholesale markets (outside of a licensing procedure) as to fixed wholesale markets but a different process can be applied when it comes to access obligations imposed in the context of spectrum licences
- c. No – different thresholds should always be used to assess the need for access obligations to be applied to mobile as to fixed infrastructure
- d. No opinion

123. [\[follow up if 122 ≠ d\]](#) Please explain the rationale for your answer and elaborate your proposal, if different from those described above [\[free text\]](#)

Access-related provisions: Common specifications for wholesale products

124. Differing wholesale product specifications within the same country and across Europe can complicate the process of providing services nationwide or (for businesses) on a pan-European basis. Data gathered in the context of the studies also shows that there is relatively limited availability of fibre unbundling and that the specifications of active wholesale products may not always allow access seekers to differentiate their offers. This contrasts with the copper environment where there were standard products such as copper unbundling and standardised specifications for leased lines EU-wide. Is there a case to provide guidance regarding the characteristics of fixed wholesale access products in order to support competition and innovation nationwide and (where relevant) cross-border via the use of these products? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

125. [\[follow up if 124 = a\]](#) If yes to the previous question, what would be the relative benefits compared with costs of the following options [\[scale from 1 \(costs significantly outweigh benefits\) to 9 \(benefits significantly outweigh costs\) for each point\]](#)

- a. EC Recommendation regarding best practice specifications for wholesale access products
- b. Legislative requirement that any wholesale access obligations imposed e.g. on the basis of SMP regulation, State Aid, competition law remedies should take into account best practice wholesale product specifications to be developed by EC and/or BEREC.
- c. Requirement that all operators should make available on reasonable request a given minimum set of wholesale access products identified by the EC and/or BEREC. This option would be applied in tandem with an obligation that all operators should meet reasonable requests to offer wholesale access on fair and reasonable terms and conditions.

126. In the event that best practice / standardised specifications for wholesale access products are developed, which of the following products should be included? [\[multiple choice\]](#)

- a. FTTH unbundling
- b. FTTH VULA
- c. Bitstream (not meeting VULA specifications)
- d. Ethernet Leased Lines
- e. Business-grade SLA / SLG and associated KPIs
- f. Other [\[please specify\]](#)

127. [\[follow up on 126\]](#) Please provide your rationale. [\[free text\]](#)

128. What would be the impact of establishing standardised characteristics for these products? To which establishing standardised characteristics would be effective in achieving the following aims? [\[scale 1 \(ineffective or harmful\) -9 \(most effective\)\]](#)

- Encouraging service provision in multiple EU countries to consumers or multi-national enterprises
- Facilitating the provision of retail broadband services in national markets characterised by different wholesale access providers and potentially different legal bases for regulation e.g. SMP, State Aid
- Facilitating differentiated services / innovation – in particular in the event that specifications for FTTH unbundling and VULA are included

129. What would be the impact of such a provision on stakeholders including consumers, SMEs, larger businesses and different types of telecom provider (operators subject to access regulation, access seekers specialising in mass-market broadband, access seekers providing business services, wholesale only providers, NRAs? [\[free text\]](#)

Access-related provisions: Potential areas to improve coherence and strengthen effectiveness of the access measures

130. Art. 72 EECC (**Access to civil engineering**) encourages NRAs to mandate access to ducts and poles in cases where SMP has been found in a market which does not directly include ducts and poles within the scope of the market definition. This provision has been widely used to mandate access to SMP ducts and poles. However, in cases where SMP duct and pole access is widely taken up and used by access seekers to deploy fibre, it does not make sense any more to rely on the provision as set out in art 72 EECC because it prevents NRAs from taking into account the impact of duct and pole access (as an upstream remedy) on competition in the market in which SMP has been found (such as Wholesale Local Access or dedicated connectivity). There has thus been a trend for some NRAs to identify it as a separate (PIA) market. As a further challenge, once an operator has made use of SMP PIA to install fibre, is that it is not possible to switch to another duct network. Thus, there is dependency on this asset for the duration of the fibre investment.

How would you rate the following options in terms of their effectiveness in addressing this problem? [\[for each point - scale 1= ineffective or harmful to 9 = most effective\]](#)

- a. Maintaining the status quo i.e. retaining Art. 72 EECC without change, and thereby continuing to encourage the introduction of duct access obligations as a remedy under other wholesale markets e.g. relating to wholesale local access or dedicated connectivity.
- b. Remove Art. 72 and instead require (via a legal obligation) or recommend (e.g. through the inclusion of a PIA market in the RRM) NRAs to assess a separate PIA market in the context of a periodic market analysis procedure
- c. Maintain Art. 72 but amend to note that in the event that SMP PIA is likely to have a significant impact on downstream competition, then it should be assessed as a separate market
- d. Include a provision in the DNA that the operators of historic copper networks and/or operators that have previously been found to have SMP and have provided access to ducts and poles on the basis of SMP regulation should provide access to ducts and poles on the basis of cost-orientation and non-discrimination with provision for the EC or BEREC to provide guidelines on the terms and conditions

131. [\[follow up on 130\]](#) Please elaborate your answer or explain what other measures might be appropriate to address the problem described [\[free text\]](#)

Access-related provisions: Potential areas for simplification regarding access regulation

132. The following access provisions associated with SMP regulation have not been extensively used. Moreover, some stakeholders have highlighted concerns with their interpretation and possible unintended consequences in the context of interviews conducted for the access study. In the event that SMP regulation is retained, which of the following provisions could be removed?

In the event that they are removed, NRAs would then be asked to take the relevant factors into account (e.g. impacts on market dynamics of co-investment arrangements, wholesale only and voluntary separation) when conducting a market analysis without reference to a specific article establishing further rules. [\[multiple choice\]](#)

- a. Article 76 Co-investment -Regulatory treatment of new very high capacity network elements
- b. Article 80 Wholesale only
- c. Article 77 Functional separation
- d. Article 78 Voluntary separation by a vertically integrated undertaking
- e. Others [\[please specify\]](#)

133. [\[follow up on 132\]](#) For those provisions that you consider can be removed, what would be the benefits associated with removing these provisions e.g. in terms of reduced bureaucracy / costs / increased regulatory certainty / effects on competition, consumer welfare and/or investment? [\[table displaying only option selected in 132, free text per option\]](#)

134. [\[follow up on 133\]](#) For those provisions that you consider should remain, what would be the negative impacts associated with their removal? What changes could be made to these provisions to render them more effective / relevant? [\[table displaying options not selected in 133, free text for each option\]](#)

Section 8: Environmental sustainability

The current legal framework for electronic communications predates EU policies such as the European Green Deal and the Green Deal Industrial Plan. This study aims to explore how to ensure the alignment between the various policies in the most effective manner.

135. Could there be benefits from introducing an environmental sustainability objective and/or provisions related to environmental sustainability in the legal framework for electronic communications? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

136. [\[follow up on 135a and 135b\]](#) Please explain your answer. [\[free text\]](#)

137. [\[follow up on 135a\]](#) What would be the relative costs in relation to benefits of the following measures when it comes to addressing the current lack of alignment between the EECC and more recently introduced environmental targets and policies? [\[for each point - scale 1-9, 1= costs significantly outweigh benefits, 9= benefits significantly outweigh costs\]](#)

- a. The status quo with no explicit reference to sustainability within the objectives of the EECC or (with the exception of Art. 44) other provisions of the EECC
- b. Introduction of a new environmental sustainability objective without other specific measures. Separately, the upcoming EU Code of Conduct for sustainable telecommunications networks is not integrated into the simplified EU Taxonomy for sustainable finance
- c. Introduction of a new environmental sustainability objective, with the only other specific measure to promote sustainability being the integration of the upcoming EU Code of Conduct for sustainable telecommunications networks into the simplified EU Taxonomy for sustainable finance
- d. Introduction of a new environmental sustainability objective and explicitly empowering NRAs to consider environmental sustainability in the context of specified regulatory tasks and to gather environmental information limited to requirements triggered by these tasks. However, no link is made to, the upcoming EU Code of Conduct for sustainable telecommunications networks and it is not integrated into the simplified EU Taxonomy for sustainable finance.
- e. Introduction of a new environmental sustainability objective and explicitly empowering NRAs to consider environmental sustainability in the context of specified regulatory tasks and to gather environmental information limited to requirements triggered by these tasks. The upcoming EU Code of Conduct for sustainable telecommunications networks is integrated into the simplified EU Taxonomy for sustainable finance and a link to it is made in the legal framework for electronic communications.
- f. Introduction of a new environmental sustainability objective and explicitly empowering NRAs to consider environmental sustainability but beyond their specified regulatory tasks (broad mandate), to gather information on environmental impact from all ICT actors and to act on such information. However, no link to the upcoming EU Code of Conduct for sustainable telecommunications networks is made and it is not integrated into the simplified EU Taxonomy for sustainable finance.
- g. Introduction of a new environmental sustainability objective and explicitly empowering NRAs to consider environmental sustainability but beyond specified regulatory tasks (broad mandate), to gather information on environmental impact from all ICT actors and to act on such information. The upcoming EU Code of Conduct for sustainable telecommunications networks

is integrated into the simplified EU Taxonomy for sustainable finance and a link to it is made in the legal framework for electronic communications.

138. [\[follow up on 138\]](#) [\[display only those graded 7-9\]](#) Which specific benefits could result from the measures you ranked positively? [\[free text\]](#)

139. [\[follow up on 139\]](#) What additional cost do you expect to be associated with the measures you favour? Please quantify if possible. [\[free text\]](#)

140. [\[follow up on 140\]](#) [\[display only those graded 1-3\]](#) What adverse effects do you expect from the measures you ranked negatively and why? Please quantify any additional costs to your organisation if possible. [\[free text\]](#)

141. [\[follow up if 138d, 138e, 138f are graded 7-9\]](#) Please provide examples of the type of regulatory tasks in which NRAs should consider environmental sustainability. [\[free text\]](#)

142. [\[follow up to 142\]](#) What type of environmental information would be necessary to fulfil these? [\[free text\]](#)

143. Do you see a need for a wider cross-industrial collaboration to promote environmentally sustainable use of networks (e.g. via traffic optimisation, codecs, etc)? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

144. [\[follow up on 136b\]](#) Please explain why, in your view, no benefits would result from adding an environmental sustainability objective and/or provisions related to sustainability in the legal framework for electronic communications. [\[free text\]](#)

145. What would be the consequences of not taking any new measures related to environmental sustainability in the legal framework for electronic communications? [\[free text\]](#)

Section 9: Universal service

146. The Universal service obligations (USO) in the European Electronic Communications Code (EECC) provide a social safety net that seeks to support the availability, affordability and accessibility of basic electronic communications services. However, other horizontal measures such as State aid measures, the provision of Services of General Economic Interest or social welfare contributions, could in principle be used to address the same objectives. Do you consider that the universal service provisions could be completely withdrawn from the EECC without undermining the underlying objectives which they set out to achieve? [\[single choice\]](#)

- a. Yes, the USO provisions could be withdrawn
- b. No, the USO provisions should not be withdrawn
- c. No opinion

147. [\[follow up on 146a\]](#) Please elaborate your answer and provide examples of the alternative measures that could be taken to address the objectives currently guaranteed by the universal service obligations [\[free text\]](#)

148. [\[follow up on 146a\]](#) Could you provide an indication of what costs and resources would be saved from within your organisation (in absolute terms or FTE), taking into account administrative costs, revenues and contributions (when applicable), if the universal service obligations were withdrawn. [\[free text\]](#)

149. Information gathered by the study team suggests that there is limited use of the USO **availability** provisions in Member States because end-users' needs for safety net broadband solutions are typically met by commercial means, or will be addressed through public funding. Options may be either to remove this provision (regarding availability) or to update it in way that would mean that it may be relevant in more cases. What do you consider are the relative costs and benefits of the following options? [\[for each - scale 1-9, 1= costs significantly outweigh benefits, 9= benefits significantly outweigh costs\]](#)

- a. Maintain the status quo
- b. Phase-out of existing (optional) provisions in the EECC regarding availability of adequate broadband
- c. Extend the definition of adequate broadband so that it more closely matches the targets established in the Digital Decade policy programme

150. [\[follow up on 149\]](#) Please elaborate your response and provide quantitative evidence where possible of the costs and benefits that might be associated with each of these options. [\[free text\]](#)

151. Information gathered by the study team suggests that the provisions relating to **affordability** of adequate broadband are used in some cases, but can be costly to apply and in many cases have limited take-up. If the costs are met by the industry, this could result in excessive burdens. What would be your preferred option when comparing the relative benefits compared with costs? [\[for each point - scale 1-9, 1= costs significantly outweigh benefits, 9= benefits significantly outweigh costs\]](#)

- a. Maintain the status quo without any changes
- b. Phase-out of existing provisions in the EECC regarding affordability and address affordability through social welfare system
- c. Maintain the existing scope of provisions and update the definition of adequate broadband to align with the Digital Decade targets/ VHCN
- d. Update adequate broadband definition by updating Annex V to reflect forward-looking use cases (falling short of VHCN) while providing more guidance on the relation between adequate broadband and broadband speeds enjoyed by the majority with aim of highlighting the role of universal service as a safety net
- e. Maintain the current rule of limiting affordability measures to consumers with low income, or special social needs (including those in remote areas for whom a connection is available but not affordable) and ensuring support to consumers with disabilities. Clarify that the provisions should be used only where other public policy tools (measures such as vouchers or social allowances), would not address objectives;
- f. Remove SMEs and not-for-profit organisations from the (optional) scope of the affordability provisions
- g. Remove the option of an industry fund (so that any unfair burden would need to be met from public funds)

152. [\[follow up on 151\]](#) Please elaborate your response and provide quantitative evidence where possible of the costs and benefits that might be associated with each of these options. [\[free text\]](#)

153. The current EECC allows the use of industry funds to finance the costs of universal service provision (availability if implemented and affordability). Do you think that this option should be kept? [\[single choice\]](#)

- a. Yes, maintain the status quo including the option of an industry fund
- b. No, remove the option of an industry fund (so that any unfair burden would need to be met from public funds)
- c. No opinion

154. [\[follow up on 153\]](#) Please elaborate your response and provide quantitative evidence where possible of the costs and benefits that might be associated with each of these options. [\[free text\]](#)

Section 10: End-user protection

This study aims to explore whether the effectiveness and benefits of the end-user protection rules can be streamlined and simplified to reduce administrative burden for operators while strengthening protection for consumers in key areas.

End-user protection: Streamlining consumer protection provisions

155. In your view, are there examples at national level of the end-user rights rules that go beyond or fall short of the end-user protection measures set in the EECC? Please provide examples if available. [\[free text\]](#)

156. [\[for NRAs\]](#) What is the maximum contractual commitment period in your country (Art 105(1) EECC)? Please indicate in number of months [\[free text, numbers only\]](#)

157. What is the average duration of consumer contracts (in other words, how long on average does a consumer maintain a contract)? Please indicate in number of months [\[free text, numbers only\]](#)

158. [\[for NRAs\]](#) Member States can apply certain end-user provisions scoped to consumers to microenterprises, small enterprises or not-for-profit organisations (Arts. 102(2), 105(2), 107(4) EECC). Has this been done in your country? [\[single choice\]](#)

- a. Yes
- b. No

159. Could you provide an example of (or a link to) a contract summary in your country? [\[free text\]](#)

160. Are the EECC provisions that extend certain end-user rights beyond consumers to also cover all other end-users, including **businesses**, beneficial? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

161. [\[follow-up on 160a\]](#) Please explain the benefits resulting from keeping such provisions. [\[free text\]](#)

162. [\[follow-up on 160b\]](#) Please explain why such provisions are not beneficial in your view. [\[free text\]](#)

163. Are the **sector specific pre-contractual information** requirements in the EECC (Art. 102 and Annex VIII EECC) which build on the requirements in horizontal consumer rules beneficial? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

164. [\[follow-up on 163a\]](#) Please explain what benefits result from these provisions. Provide evidence and examples if available. [\[free text\]](#)

165. [\[follow-up on 163b\]](#) Please explain why such provisions are not beneficial in your view. Provide evidence and examples if available. [\[free text\]](#)

166. Is the obligation of Art. 105(3) EECC that requires providers to offer end-users the **best tariff information** (at least annually and after automatic prolongation) beneficial? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

167. [\[follow-up on 166a\]](#) Please explain what benefits result from keeping this obligation. [\[free text\]](#)

168. [\[follow-up on 166b\]](#) Please explain why this obligation is not beneficial in your view. [\[free text\]](#)

169. Is the provision (Art. 103 and Annex IX EECC) requiring National Regulatory Authorities to ensure that providers of internet access and interpersonal communications services, which make their services subject to terms and conditions, **publish certain related information** beneficial? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

170. [\[follow-up on 169a\]](#) Please explain what benefits result from this obligation. [\[free text\]](#)

171. [\[follow-up on 169b\]](#) Please explain your answer and indicate potential costs/ burdens. [\[free text\]](#)

172. Is the provision (in Art. 103 EECC) that requires NRAs to ensure that end-users have access to an independent **comparison tool** free-of-charge beneficial? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

173. [\[follow-up on 172a\]](#) Please explain what benefits result from this obligation. [\[free text\]](#)

174. [\[follow-up on 172a\]](#) Should this obligation also cover bundled offers? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

175. [\[follow-up on 174a\]](#) Please explain your answer. Please also explain how qualitative difference – e.g. in terms of content offered – could be compared. [\[free text\]](#)

176. [\[follow-up on 174b\]](#) Please explain why this obligation is not beneficial and identify potential costs/ burdens. [\[free text\]](#)

177. Is the required **contract summary** beneficial to end-users? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

178. [\[follow up on 177a and 177b\]](#) Please explain your answer [\[free text\]](#)

179. The provisions concerning access to **emergency communications** (Art. 109 EECC) have been transposed by Member States, but further implementation is needed to ensure effective access to emergency services. The Commission's 112 implementation report shows that diverging national solutions are implemented with regard to caller location criteria and access to emergency services for end-users with disabilities. Do you consider that more harmonisation with regard to emergency communications is needed? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

180. [\[follow-up on 179a\]](#) Please explain the areas where you would see benefits from more harmonisation [\[free text\]](#)

181. Do you have views on the benefits of the **EECC's accessibility** provisions for the electronic communications sector? [\[free text\]](#)

182. Regarding the list of **additional facilities** specified in Art. 115 EECC, are the facilities listed in Annex VI beneficial to end-users? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

183. [\[follow-up on 182a\]](#) Please explain your answer signifying which facilities in particular are beneficial (are some more beneficial than others?). Should there be an obligation for providers to provide some or all of the facilities to consumers free of charge? [\[free text\]](#)

184. [\[follow-up on 182b\]](#) Please explain why the facilities are not beneficial in your view. Are some less beneficial than others? [\[free text\]](#)

185. Fraud perpetrated through ECSs /ECNs leads to growing threats to end-users in terms of loss of personal data or financial losses. In order to combat fraud Article 97(2) allows for competent authorities to order ECNs/ECSs to block numbers or access to services and in such cases to require from ECSs to withhold relevant interconnection or other service revenues. Which of the following do you consider true? [\[single choice\]](#)

- a. This provision is sufficient to effectively combat fraud perpetrated through ECNs/ECSs such as interpersonal communications services (voice communications, SMS, MMS, instant messaging services, web-based e-mails).
- b. This provision does not allow to apply preventive measures to act swiftly and effectively against fraud schemes.
- c. This provision does not allow processing of content data for such purposes in accordance with the existing data protection and privacy legislation.

186. [\[follow up on 185b\]](#) Do you consider that national authorities should have broader competences? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

187. [\[follow up on 185a\]](#) Please specify how the competences should be broadened. [\[free text\]](#)

188. Do you consider that ECS/ECN providers responsibilities should be further extended and specified? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

189. [\[follow up on 188a\]](#) Please specify how the responsibilities should be extended or specified. Please also specify how privacy and data protection concerns can be addressed, in your view, to allow lawful data processing for efficiently combatting fraud (possibly, by providing examples for applying privacy preserving techniques e.g., blockchain technology etc.). [\[free text\]](#)

190. Are there areas in electronic communications service where in your view, the end-user protection should be increased? [\[free text\]](#)

End-user protection: Reducing fragmentation

In order to avoid fragmentation of the internal market, the EECC provides for maximum harmonisation of end-user protection rules, while leaving the Member States the possibility to go beyond several of the obligations set by the EECC.

191. Please indicate how beneficial would be the following changes to improve the effectiveness of end-user protection rules: [\[scale from 1 \(not beneficial\) to 9 \(most beneficial\) for each point\]](#)

- a. Status quo
- b. Increase protection of end-user with updates to sector-specific rules
- c. Update to directly applicable rules and reduce possibilities for national derogations
- d. Update to directly applicable rules and reduce possibilities for national derogations and excluding business users from most end-user protection provided to consumers
- e. Partial removal of EU level sector-specific rules combined with full harmonisation of remaining sector-specific rules (e.g. Art 106 on switching and number portability), where rules (without sector specificities) already exist under horizontal consumer law, adopted by Member States in conformity with the applicable directives
- f. Full removal of sector specific rules, move to protection of consumers only under horizontal consumer law

192. [\[follow up if 191b is graded 7-9\]](#) In which areas do you see a need to increase the protection of end-users? [\[free text\]](#)

193. [\[follow-up if 191e is graded 7-9\]](#) Which of the current EECC end-user rights could, in your view, be governed only under horizontal consumer law? [\[free text\]](#)

194. [\[follow up on 191\]](#) [\[display only those graded 7-9\]](#) Please explain what benefits are expected from the selected measures. [\[free text\]](#)

195. [\[for companies and NRAs/NCAs\]](#) [\[follow up on 194\]](#) Would you expect any cost savings? Please quantify if possible. [\[free text\]](#)

196. [\[follow up on 191\]](#) [\[display only those graded 1-3\]](#) Please explain why these measures would not be beneficial. If an additional burden is expected, please identify it and quantify, if possible. [\[Free text\]](#)

197. What would be the consequences of maintaining the current end-user protection rules without changes? [\[free text\]](#)

198. Please indicate which of the following issues should be (in combination with any of the changes above), in your view, addressed with an update (whether simplification, removal, clarification, increased protection) of the current end-user rights rules of the EECC [\[for each point - scale 1-no need to change to 9-urgent need to change\]](#):

- a. Quality of service information
- b. Contractual information
- c. Mechanisms for complaints and compensation
- d. Effectiveness of monitoring tools (where available, pursuant to Art. 4 OIR)
- e. Relation with horizontal rules
- f. Price indexation in contracts
- g. Provider switching in case of embedded internet connectivity (IoT, including in cars)
- h. Fraud in electronic communications services
- i. Harmonised caller location criteria for emergency communications
- j. Must carry obligations
- k. Directory enquiry services
- l. Interoperability of car radio and consumer radio receivers and digital television equipment
- m. Information on the environmental sustainability of the product

n. Other [\[please specify\]](#)

199. [\[follow up on 198\]](#) [\[display those graded 7-9\]](#) Please specify the update that is in your view required (e.g. simplification or improvement of end-user protection or relation to which horizontal rules). [\[free text\]](#)

Improving the effectiveness of transparency provisions

200. Do you think the information end-users currently receive on quality of service, e.g. internet speed (fixed and mobile), is sufficiently clear? [\[single choice\]](#)

- a. Yes, the information that consumers receive about quality of service (e.g. Internet speeds) for fixed and mobile is clear
- b. No, the information that consumers receive about quality of service (e.g. Internet speeds) for fixed and mobile is not clear or not clearly presented
- c. No opinion

201. [\[follow up on 200b\]](#) What measures could be taken to improve the clarity of quality of service information (e.g. contract summary updates, labelling schemes, simplification of information, harmonised KPIs)? [\[free text\]](#)

202. [\[follow up on 201\]](#) Please explain in more detail what would be the costs and benefits associated with these measures. [\[free text\]](#)

End-user protection: Facilitating switching

203. Switching provider can be particularly complex in the case of bundles and in some cases also regarding connected devices (IoT). Should the DNA include more measures to improve switching processes? [\[single choice\]](#)

- a. Yes the DNA should include more measures to improve switching processes
- b. No further measures are needed to improve switching processes
- c. No opinion

204. [\[follow up on 203a\]](#) Which of the following measures regarding switching would be most effective in improving switching processes [\[scale from 1 \(costs significantly outweigh benefits\) to 9 \(benefits significantly outweigh costs\) for each option\]](#):

- a. Requiring the providers of mobile services to offer Over-the-Air procedures for provisioning and switching, including for devices bundled with connectivity (where technically feasible)
- b. Clarifying that terminal equipment under the EEC includes connected devices (such as cars) for the purposes of provisions regarding contract termination and switching, while providing for an exclusion in cases where connectivity is intrinsically linked to the operation of the device e.g. safety features
- c. Harmonising the period after which penalties may not be provided for contract termination, for example, to one year
- d. Other [\[please specify\]](#)

205. [\[follow up on 204\]](#) Please explain in more detail what would be the costs and benefits associated with these options. [\[free text\]](#)

Section 11: Regulatory governance

The aim of the present study is to explore possible enhancements of regulatory governance in the area of electronic communications in view of simplification and possible new harmonized tasks, e.g. in the area of

general authorisation, definition of a harmonised wholesale access product, tasks related to satellite access to EU market and enforcement of common requirements, cloud switching.

206. Do you think that EU-level governance (i.e. the interplay of NRAs and competent authorities, BEREC and the BEREC Office, RSPG, European Commission) could benefit of amendment? [\[single choice\]](#)

- a. Yes
- b. No
- c. I don't know/ No opinion

207. [\[follow up on 206a\]](#) Please explain what changes are required to the current regulatory governance at the EU level. [\[free text\]](#)

208. [\[follow up on 206b\]](#) Please explain why you think no changes are required to the current regulatory governance at the EU level. [\[free text\]](#)

209. [\[follow up on 206a\]](#) Which of the following changes would be beneficial to improve the effectiveness of the European Commission? [\[scale 1-not beneficial to 9-most beneficial\]](#)

- a. No changes
- b. Obtain decision-making powers on cross-border issues
- c. Obtain decision-making powers on (selected issues of) spectrum management

210. [\[follow up if 209b or 209c ranked 7-9\]](#) Please describe what benefits you expect from these measures. Quantify the benefits, if possible. [\[free text\]](#)

211. [\[follow up if 209a ranked 7-9 or 209b or 209c ranked 1-3\]](#) Please explain why these measures would not be beneficial. If additional burden/ costs are expected, please identify and quantify them, if possible. [\[free text\]](#)

212. [\[follow up on 206a\]](#) Which of the following measures would be beneficial to improve the effectiveness of RSPG? [\[scale 1-not beneficial to 9-most beneficial\]](#)

- a. No changes
- b. Provide RSPG with more administrative support (e.g. BEREC Office could also be used to support RSPG, thereby replacing also the Commission which is currently providing RSPG secretariat)
- c. Make RSPG a body (no longer a high-level advisory group on radio spectrum policy), but without legal personality
- d. Make RSPG a fully-fledged agency with legal personality and decision-making powers on selected cross-border spectrum issues

213. [\[follow up if 212b, 212c or 212d ranked 7-9\]](#) Please describe what benefits you expect from these measures. Quantify the benefits, if possible. [\[free text\]](#)

214. [\[follow up if 212a ranked 7-9 or 212b, 212c or 212d ranked 1-3\]](#) Please explain why these measures would not be beneficial. If additional burden/ costs are expected, please identify and quantify them, if possible. [\[free text\]](#)

215. [\[follow up on 206a\]](#) Which of the following measures would be beneficial to improve the effectiveness of BEREC and the BEREC Office (considering that BEREC is a network of European regulators whereas the BEREC Office is currently an EU decentralised agency administratively supporting BEREC with no competence on substance)? [\[scale 1-not beneficial to 9-most beneficial\]](#)

- a. No changes
- b. Make BEREC Office an agency supporting both BEREC and RSPG

- c. Merge BEREC and BEREC Office in a single EU decentralised agency; such agency could also have decision-making powers on selected cross-border issues and become a secretariat to RSPG
- d. Merge RSPG and BEREC into one single fully-fledged agency with legal personality, where both BEREC and the RSPG would have decision-making powers on selected cross-border issues

216. [\[follow up if 215b, 215c or 215d ranked 7-9\]](#) Please describe what benefits you expect from these measures. Quantify the benefits, if possible. [\[free text\]](#)

217. [\[follow up if 215a ranked 7-9 or 215b, 215c or 215d ranked 1-3\]](#) Please explain why these measures would not be beneficial. If additional burden/ costs are expected, please identify and quantify them, if possible. [\[free text\]](#)

218. Do you see the need to improve the coordination at national level among national regulatory authorities and other competent authorities? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

219. [\[follow up on 218a\]](#) What would be the best way to improve such coordination? [\[free text\]](#)

220. Do you see the need to improve the coordination at EU level among BEREC and other bodies established in other interrelated areas of digital policies? [\[single choice\]](#)

- a. Yes
- b. No
- c. No opinion

221. [\[follow up on 220a\]](#) What would be the best way to improve such coordination? [\[free text\]](#)

222. What would be the consequences and benefits of keeping the regulatory governance in the area of electronic communications as it exists today? [\[free text\]](#)

Section 12: Finalisation

223. Could you please share any relevant documents and data that would be useful for the purposes of our evaluation? (please add documents here or contact the project team Gilles.Van.Cappellen@be.ey.com) [\[free text and possibility to upload a document\]](#)

Thank you for your contribution!