

# Measures to reduce the cost of deploying gigabit electronic communications networks

2023/0046(COD) - 23/02/2023 - Legislative proposal

**PURPOSE:** to lay down new measures to facilitate the deployment of gigabit electronic communications networks across the Union (Gigabit Infrastructure Act).

**PROPOSED ACT:** Regulation of the European Parliament and of the Council.

**ROLE OF THE EUROPEAN PARLIAMENT:** the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

**BACKGROUND:** the digital economy has been changing the internal market profoundly over the last decade. The Union's vision is a digital economy that delivers sustainable economic and social benefits based on excellent and secure connectivity for everybody and everywhere in Europe. A high-quality digital infrastructure based on very high-capacity networks underpins almost all sectors of a modern and innovative economy.

The rapid evolution of technologies, the exponential growth in broadband traffic and the increasing demand for advanced very high-capacity connectivity have further accelerated during the COVID-19 pandemic.

As a result, the targets laid down in the Digital Agenda in 2010 have mostly been met, but they have also become obsolete. The share of households having access to 30 Mbps internet speeds has increased from 58.1% in 2013 to 90% in 2022. Availability of only 30 Mbps is no longer future-proof and not aligned with the new objectives set in Directive (EU) 2018/1972 of the European Parliament and of the Council for ensuring connectivity and widespread availability of very high-capacity networks. network, with all populated areas covered by 5G.

Therefore, there is a need for policies to **speed up and lower the costs** of the deployment of very high-capacity fixed and wireless networks across the Union, including proper planning, coordination and the **reduction of administrative burdens**.

**CONTENT:** with this proposal, the Commission seeks to **facilitate and stimulate the roll-out of very high-capacity networks** by promoting the joint use of existing physical infrastructure and by enabling a more efficient deployment of new physical infrastructure so that such networks can be rolled out faster and at a lower cost.

More specifically, the measures of the proposed Gigabit Infrastructure Act, *inter alia*,

- extend the **access obligation to physical infrastructure** that is **not part of a network** but is owned or controlled by public sector bodies. It also provides for exceptions for certain categories of buildings (e.g. for reasons of public security, safety and health) and introduces the possibility for Members States to set up a body to coordinate access relating to public assets;
- provide for the possibility for the Commission to issue guidance on the application of access provisions and on civil works coordination provisions;

- mandate the provision of **minimum information on existing physical infrastructure** by network operators and public sector bodies owning or controlling physical infrastructure, including georeferenced information, via single information points in electronic format. It is stipulated that access to this minimum information could be restricted, for example, for security reasons or certain categories of buildings. Similarly, the obligation to provide minimum information would not apply when the obligation would be disproportionate based on a cost-benefit analysis;
- provide for the **right of access to minimum information for all** (public and private) planned civil works carried out by network operators via single information points in electronic format, including georeferenced information;
- introduce a new principle of nationally consistent rules governing the conditions and procedures applicable for granting permits, including rights of way;
- mandate the Commission to specify the categories of deployments that will be exempted from permits by way of an implementing act;
- lay down that **fees and charges for permits**, including rights of way, cannot go beyond the administrative charges;
- mandate in-building physical infrastructure, access points and **in-building fibre wiring** for **new and majorly renovated** buildings;
- provide for a **single national digital entry point and access to digital tools**, especially when there is more than one single information point or when information is located elsewhere, allowing the exercise of rights and compliance with obligations set out in this Regulation.