

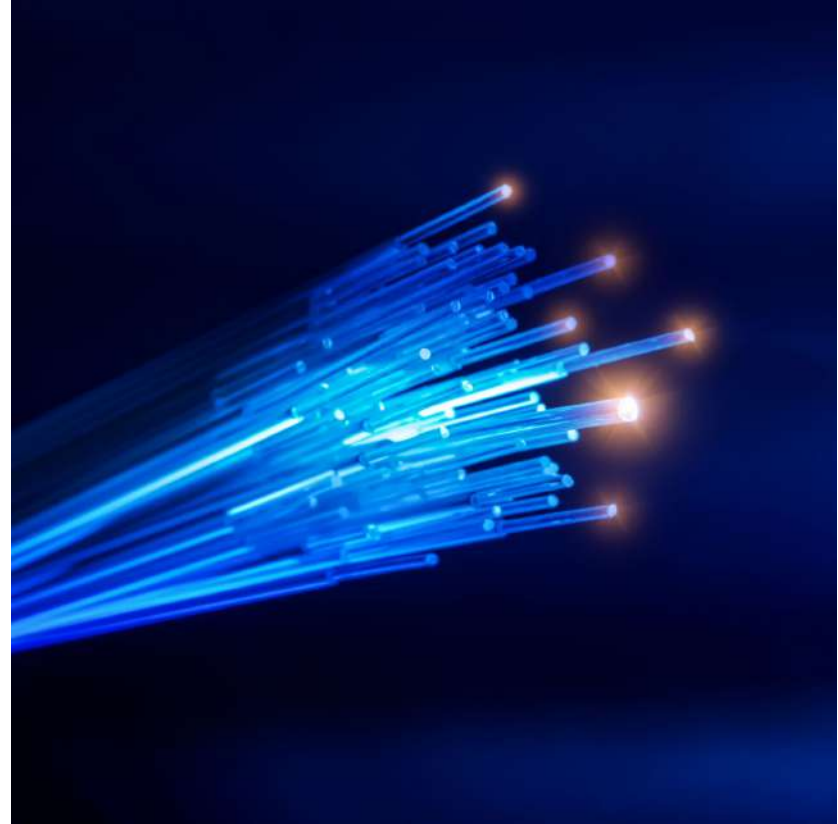
# The Code and the VHCN

*Alexandre de Streel*

*University of Namur, CRIDS/NADI, CERRE*

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# OUTLINE

1. Where we are?
2. Where the Code may bring us?
3. What may need to be done?

# 1. Very High Capacity Network

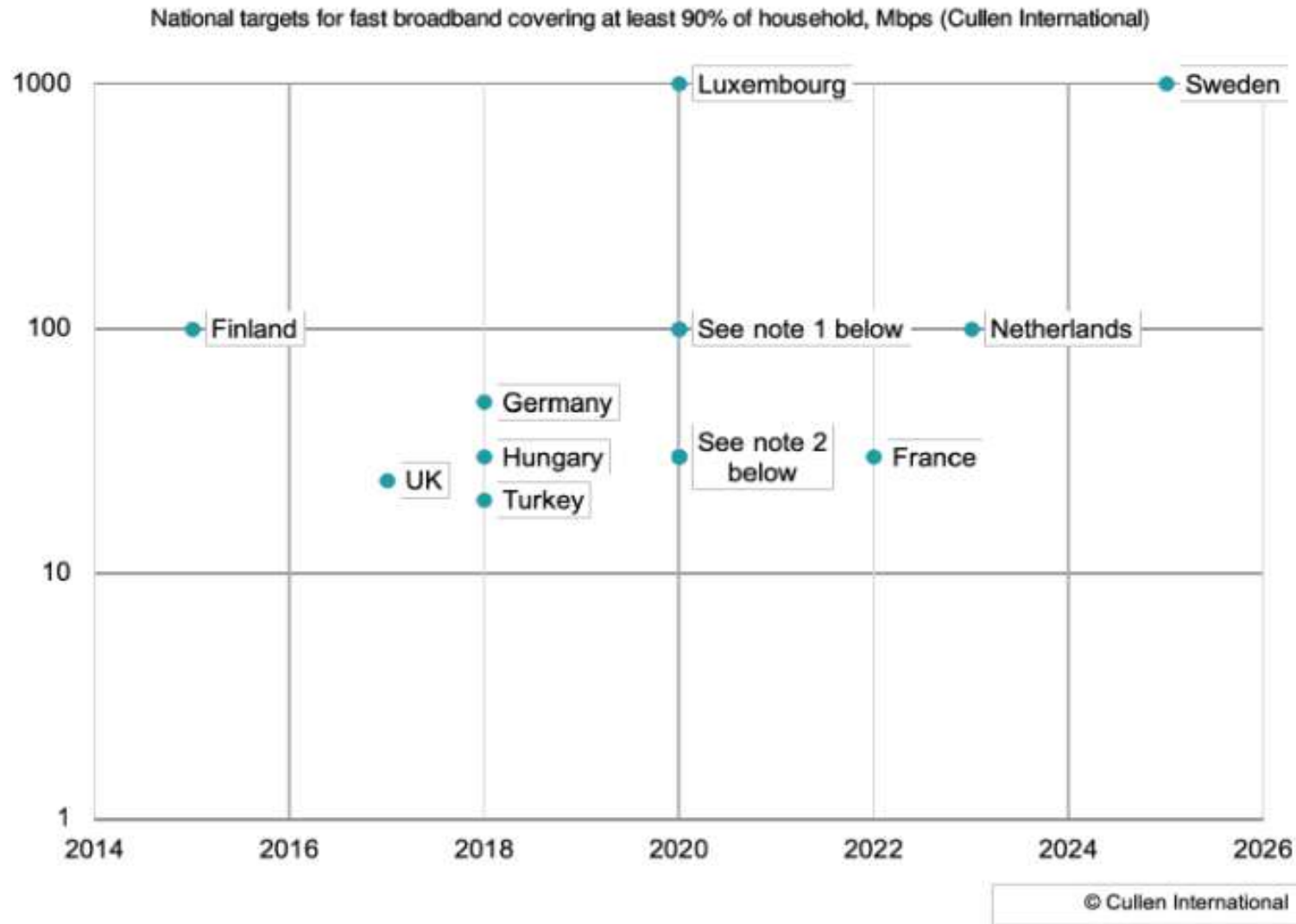
- *means either an electronic communications network which consists wholly of **optical fibre** elements at least up to the distribution point at the serving location*
- *or an electronic communications network which is **capable** of delivering, under usual peak-time conditions, **similar network performance** in terms of available downlink and uplink bandwidth, resilience, error-related parameters, and latency and its variation;*
- *network performance can be considered similar regardless of whether the end-user experience varies due to the inherently different characteristics of the medium by which the network ultimately connects with the network termination point*

# High speed fixed broadband: Coverage and take-up

Take up of high speed broadband has significant potential for growth with today's network coverage, % households (Cullen International)



# National Broadband Plans



Note 1: Austria, Denmark, Norway, Slovenia

Note 2: Bulgaria, Croatia, Cyprus, Czech Republic, Spain, Greece, Ireland, Italy, Lithuania, Latvia, Malta, Poland, Portugal, Slovakia

## 2. Tools in EECC to stimulate VHCN

- New objective
  - *Promote connectivity and access to, and take-up of, very high capacity networks, including fixed, mobile and wireless networks, by all citizens and businesses of the Union*
- (Possibly) better spectrum assignment
- More symmetric regulation
  - Esp. on passive network to reduce deployment costs
- (Possibly) less asymmetric regulation
  - In case of network sharing or wholesale only





# Possible impact

- Less principle-based and more complex
  - Increased litigation?
- More tools
  - Increased differentiation among MS?
- More role for BEREC
  - Increased legitimacy gap?

## 3. Recommendations

- Focus on demand-side and not only supply-side
  - Take up can catch up coverage
  - Most demand-side policies are decided at national level
- Use additional flexibility to experiment among Member States
  - But requires a feed-back loop: Open Method of Coordination
- Increase the legitimacy of BEREC soft-law
  - Transparency, check-and-balances
- Ensure coherence with competition law
  - Network sharing and Art. 101 TFEU
  - State aids and Art. 107 TFEU