









# Procedure file

| Basic information                                                                                                                                                                                                                                                                  |                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| COD - Ordinary legislative procedure (ex-codecision procedure)<br>Regulation<br>2023/0046(COD)                                                                                                                                                                                     | Awaiting Council's 1st reading position |
| Measures to reduce the cost of deploying gigabit electronic communications networks<br>Repealing Directive 2014/0061 <a href="#">2013/0080(COD)</a>                                                                                                                                |                                         |
| Subject<br>3.30.05 Electronic and mobile communications, personal communications<br>3.30.06 Information and communication technologies, digital technologies<br>3.30.20 Trans-European communications networks<br>3.30.25 International information networks and society, internet |                                         |

| Key players                            |                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |            |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| European Parliament                    | Committee responsible                                                                                                           | Rapporteur                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Appointed  |
|                                        |  <a href="#">Industry, Research and Energy</a> |  <a href="#">MITUA Alin</a><br>Shadow rapporteur<br> <a href="#">WINZIG Angelika</a><br> <a href="#">COVASSI Beatrice</a><br> <a href="#">NIENASS Niklas</a><br> <a href="#">MAYER Georg</a><br> <a href="#">NISSINEN Johan</a><br> <a href="#">KOUNTOURA Elena</a> | 31/03/2023 |
| Council of the European Union          | Commission DG                                                                                                                   | Commissioner                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |            |
| European Commission                    | <a href="#">Communications Networks, Content and Technology</a>                                                                 | BRETON Thierry                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |            |
| European Economic and Social Committee |                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |            |

| Key events |                                 |               |         |
|------------|---------------------------------|---------------|---------|
| 23/02/2023 | Legislative proposal published  | COM(2023)0094 | Summary |
| 29/03/2023 | Committee referral announced in |               |         |

|            |                                                                                                 |                                                  |         |
|------------|-------------------------------------------------------------------------------------------------|--------------------------------------------------|---------|
|            | Parliament, 1st reading                                                                         |                                                  |         |
| 19/09/2023 | Vote in committee, 1st reading                                                                  |                                                  |         |
| 19/09/2023 | Committee decision to open interinstitutional negotiations with report adopted in committee     |                                                  |         |
| 25/09/2023 | Committee report tabled for plenary, 1st reading                                                | <a href="#">A9-0275/2023</a>                     | Summary |
| 02/10/2023 | Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 71) |                                                  |         |
| 04/10/2023 | Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 71) |                                                  |         |
| 22/02/2024 | Approval in committee of the text agreed at 1st reading interinstitutional negotiations         | <a href="#">PE759.630</a><br>GEDA/A/(2024)001061 |         |
| 23/04/2024 | Decision by Parliament, 1st reading                                                             | <a href="#">T9-0292/2024</a>                     |         |

### Technical information

|                                              |                                                                |
|----------------------------------------------|----------------------------------------------------------------|
| Procedure reference                          | 2023/0046(COD)                                                 |
| Procedure type                               | COD - Ordinary legislative procedure (ex-codecision procedure) |
| Procedure subtype                            | Legislation                                                    |
| Legislative instrument                       | Regulation                                                     |
|                                              | Repealing Directive 2014/0061 <a href="#">2013/0080(COD)</a>   |
| Legal basis                                  | Treaty on the Functioning of the EU TFEU 114                   |
| Other legal basis                            | Rules of Procedure EP 159                                      |
| Mandatory consultation of other institutions | <a href="#">European Economic and Social Committee</a>         |
| Stage reached in procedure                   | Awaiting Council's 1st reading position                        |
| Committee dossier                            | ITRE/9/11366                                                   |

### Documentation gateway

|                                                                 |                              |            |     |         |
|-----------------------------------------------------------------|------------------------------|------------|-----|---------|
| Legislative proposal                                            | COM(2023)0094                | 23/02/2023 | EC  | Summary |
| Document attached to the procedure                              | SEC(2023)0096                | 23/02/2023 | EC  |         |
| Document attached to the procedure                              | SWD(2023)0046                | 23/02/2023 | EC  |         |
| Document attached to the procedure                              | SWD(2023)0047                | 23/02/2023 | EC  |         |
| Committee draft report                                          | <a href="#">PE749.242</a>    | 15/06/2023 | EP  |         |
| Amendments tabled in committee                                  | <a href="#">PE750.132</a>    | 07/07/2023 | EP  |         |
| Amendments tabled in committee                                  | <a href="#">PE750.223</a>    | 07/07/2023 | EP  |         |
| Economic and Social Committee: opinion, report                  | <a href="#">CES0921/2023</a> | 12/07/2023 | ESC |         |
| Committee report tabled for plenary, 1st reading/single reading | <a href="#">A9-0275/2023</a> | 25/09/2023 | EP  | Summary |
| Coreper letter confirming interinstitutional agreement          | GEDA/A/(2024)001061          | 16/02/2024 | CSL |         |

|                                                        |                              |            |    |
|--------------------------------------------------------|------------------------------|------------|----|
| Text agreed during interinstitutional negotiations     | <a href="#">PE759.630</a>    | 16/02/2024 | EP |
| Text adopted by Parliament, 1st reading/single reading | <a href="#">T9-0292/2024</a> | 23/04/2024 | EP |

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

**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 Unions 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.

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

The Committee on Industry, Research and Energy adopted the report by Alin MITU?A (Renew, RO) on the proposal for a regulation of the European Parliament and of the Council on measures to reduce the cost of deploying gigabit electronic communications networks and repealing Directive 2014/61/EU (Gigabit Infrastructure Act).

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

### Expanded access to physical infrastructure

To bridge the digital coverage gap between rural and urban areas, the report proposed, in limited conditions, to expand the obligation to facilitate access to physical public infrastructures to privately owned commercial buildings. This expansion aims to provide coverage in rural,

remote, or scarcely populated areas where no public building or infrastructure can offer a satisfactory alternative.

Member States could shorten the deadlines to grant or deny permits necessary for deployment, introduce supplementary permit exemptions, extend provisions on civil works coordination also to privately funded projects, require that more information on physical infrastructure or planned civil works is provided to a single information point in electronic format, expand the provisions on access to existing physical infrastructure to privately owned buildings, as well as introduce further incentives for administrative bodies to speed up permitting procedures, give guidance on methodologies for access price setting, including through the use of cost-oriented principle where appropriate, provided that they do not violate Union law including the provisions of this Regulation.

#### Joint coordination and single information points

To reduce the administrative burden and ensure shorter timeframes for the permit-granting procedure, where multiple competent authorities are involved in the granting of a number of different permits and rights of way associated to one request, Member States should assign a single coordination body. That body should be tasked to facilitate the coordination between the various competent authorities involved, through different mechanisms, including through joint coordination procedures such as on-site visits. The information on the procedures and general conditions applicable to granting permits for civil works and rights of way should be made available via single information points by each competent authority involved.

In addition, the report called for ensure adequate technical, financial and human resources to support the roll-out and the digitalisation of single information points. The cost of setting-up the single national digital entry point, single information points and related digital tools needed may be fully or partly eligible for financial support under Union funds.

#### Report and monitoring

Three years following the entry into force, the Commission should present a report to the European Parliament and the Council on the implementation of this Regulation which should take into consideration the use of satellite backhauling in digital highspeed connectivity and the use of the European Infrastructure for Resilience, Interconnectivity and Security by Satellite.

#### Abolition of retail surcharges for regulated intra-EU communications

To protect citizens from excessive prices, retail charges for intra-EU calls are currently capped. These caps are set to expire in May 2024. The amended text stated that providers of electronic communications to the public should not apply tariffs to regulated intra-EU communications terminating in another Member State that are higher than the tariffs applicable to services terminating in the same Member State, unless they demonstrate the existence of direct costs that are objectively justified. This change would not only foster intra-EU communications and exchanges but would also allow us to create a true single market for digital and telecommunication services in the EU.

| Transparency       |                   |            |                                                                     |                                                |
|--------------------|-------------------|------------|---------------------------------------------------------------------|------------------------------------------------|
| MITU?A Alin        | Rapporteur        | ITRE       | 02/02/2024                                                          | Deutsche Telekom                               |
| MITU?A Alin        | Rapporteur        | ITRE       | 01/02/2024                                                          | Friends of Europe                              |
| MITU?A Alin        | Rapporteur        | ITRE       | 30/01/2024                                                          | Vodafone GmbH                                  |
| WINZIG Angelika    | Shadow rapporteur | ITRE       | 10/01/2024                                                          | Bundesverband Breitbandkommunikation e.V.      |
| WINZIG Angelika    | Shadow rapporteur | ITRE       | 08/01/2024                                                          | European agri-cooperatives<br>European farmers |
| WINZIG Angelika    | Shadow rapporteur | ITRE       | 07/12/2023                                                          | Telekom Austria AG                             |
| MITU?A Alin        | Rapporteur        | ITRE       | 06/12/2023                                                          | US Embassy in Romania                          |
| WINZIG Angelika    | Shadow rapporteur | ITRE       | 06/12/2023                                                          | Telekom Austria AG                             |
| MITU?A Alin        | Rapporteur        | ITRE       | 22/11/2023                                                          | Vodafone                                       |
| MITU?A Alin        | Rapporteur        | ITRE       | 17/11/2023                                                          | Apple Inc.                                     |
| GRUDLER Christophe | Member            | 09/01/2024 | Orange                                                              |                                                |
| NIEBLER Angelika   | Member            | 28/11/2023 | Bundesverband Breitbandkommunikation e.V.<br>EWE Aktiengesellschaft |                                                |
| ECKE Matthias      | Member            | 09/11/2023 | 1&1 AG                                                              |                                                |
| ECKE Matthias      | Member            | 18/07/2023 | Vantage Towers AG                                                   |                                                |

|                           |        |            |                                                 |
|---------------------------|--------|------------|-------------------------------------------------|
| GRUDLER<br>Christophe     | Member | 12/07/2023 | Orange                                          |
| ECKE Matthias             | Member | 05/07/2023 | Deutsche Telekom                                |
| ECKE Matthias             | Member | 04/07/2023 | Bundesverband<br>Breitbandkommunikation<br>e.V. |
| KUMPULA-NATRI<br>Miapetra | Member | 30/06/2023 | DNA oyj                                         |
| KUMPULA-NATRI<br>Miapetra | Member | 27/06/2023 | Nokia                                           |
| DANTI Nicola              | Member | 12/06/2023 | Open Fiber                                      |