The GSMA welcomes the EC’s initiative to review the Broadband Cost Reduction Directive (BCRD), agrees that it needs to be reviewed in light of current technological, market and regulatory developments and shares its objectives. Turbocharging the BCRD so it provides an effective pan-European instrument for network deployment is vital in connecting Europe for a better and digital future.

We share the EC’s mentioned facts about the BCRD’s implementation and the persisting inefficiencies. The BCRD’s effectiveness has varied greatly between Member States. While in some Member States it was transposed and enforced in a relatively effective manner, thus facilitating the deployment of ultra-fast broadband networks, in others it had limited success, specifically in areas of enforcement, dispute resolution and local permit costs and procedures.

To increase the BCRD’s effectiveness, so it would incentivize and facilitate the deployment of future networks efficiently, its scope should be widened. Moreover, consistent, harmonized and efficient procedures for the Member States should be introduced. Thus, it would significantly contribute to achieving Digital Single Market (DSM).

We support the EC’s identified problems it will aim to tackle, as well as foreseen objectives it will aim to achieve with the review. The GSMA hereby provides preliminary comments in that respect.

**Fit for purpose**

To achieve fitness for purpose and future proof BCRD to deliver on European Gigabit society aspirations, we propose the following changes:

- Alignment with the EECC and the objectives of the Gigabit Society Communication
- Specific improvements needed to promote the efficient VHCN deployment and the transformation towards the Gigabit society

**Cutting red tape**

The BCRD has failed in achieving its goal of providing uniform rules across Member States and helping them achieve the DSM. Variability in local processes, procedures and administrative costs creates inefficiencies for operators and hurdles to effective deployment. Ultimately, increased costs of compliance and deployment result in worse consumer and socioeconomic outcomes. To achieve its goals, the BCRD must prescribe more effective and simplified procedures, applicable universally and consistently across the EU. We propose the following key improvements:

- A “deemed consents” regime for relevant access to public buildings, rooftops and infrastructure.
- Universal and streamlined rules for permit costs and procedures.
- A single information point at national level to also cover access to the private sector infrastructure information allowing access on demand to minimum information concerning the existing physical infrastructure to any network operator.

**Bold and enforceable**

A bold new instrument, empowered to deliver socioeconomic results of a connected Europe, should reinforce the obligation to implement measures contributing to the achievement of the 2025 gigabit society targets:

- Harmonised and streamlined rules is the only way to overcome the granularity and inefficiency at the local and municipal level.
- The new law should facilitate the negotiation of economic conditions to reduce the need to resort to dispute resolution, which has been largely underused and ineffective as a way to enforce the Directive.

**Support networks as enablers for digitalization**

We support the green option, which also needs to consider networks’ crucial “enabling effect” for the economy’s efficiency, irrespectively of the network technology used. This and the complexity to assess efficiency is elaborated in GSMA’s published position paper on the Green Deal.

In conclusion, to improve network roll-out conditions, we support an ambitious pro-investment and green option which, in addition to the alignment with the EECC and stronger harmonisation and enforcement of current measures, will provide an enhanced new framework for public authorities and network operators to ensure a more cost-efficient deployment of sustainable networks.