

Commission adopts new Broadband Guidelines

The European Commission has adopted revised guidelines for the application of EU state aid rules to the broadband sector. These guidelines will help Member States achieve the objectives of the EU Digital Agenda. Taking into account the extensive submissions from all stakeholders, they contain in particular a reinforcement of open access obligations and improved transparency rules. They also follow the principles of the Commission's State Aid Modernisation (SAM) initiative, which aims at facilitating well-designed aid targeted at market failures in order to achieve growth-enhancing priorities, while simplifying the rules to allow for faster decisions.

The changes are based on a two-staged public consultation and an intensive dialogue with all stakeholders (Member States, national telecoms regulators, aid granting authorities, telecommunications operators, business associations, consumer associations and citizens).

These changes focus on the following principles and priorities:

- **Technological neutrality:** the new guidelines take into account technological advances, acknowledging that super-fast (Next Generation Access) networks can be based on different technological platforms;
- **Ultra-fast broadband networks:** to help achieve the Digital Agenda objective of delivering very fast connections (of more than 100 Mbps) to half of European households by 2020, the revised guidelines will allow public funding also in urban areas but subject to very strict conditions to ensure a pro-competitive outcome;
- **Step change to connectivity:** to protect private investors, the guidelines require that any public investment must fulfil a so-called "step change": publicly financed infrastructure can only be allowed if it provides a substantial improvement over existing networks and not only a marginal improvement in citizens' connectivity;
- **Reinforcement of open access:** when a network is realised with taxpayers' money, it is fair that the consumers benefit from a truly open network where competition is ensured;
- **Transparency:** new provisions regarding the publication of documents, a centralised data base for existing infrastructure and ex post reporting obligations to the Commission have been introduced.

For information purposes, the full text of the guidelines is available in the working languages of the EU institutions at:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2013:025:0001:0026:EN:PDF>