

E U R O P E A N E C O N O M I C A R E A
FORUM OF LOCAL AND REGIONAL AUTHORITIES OF THE EEA EFTA STATES

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24th MEETING OF THE EEA EFTA FORUM

Jura, Switzerland

11 and 12 May 2023

Opinion on the Proposal for a Gigabit Infrastructure Act

Rapporteur: Hilde Onarheim

The EEA EFTA Forum of Local and Regional Authorities:

A. Having regard to the European Commission's 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);

B. Recognising the Proposal for a Commission Recommendation on the regulatory promotion of gigabit connectivity and the Commission public Consultation on the future of the electronic communication sector and its infrastructure;

C. Noting the role of the EEA EFTA Forum as a body in the EFTA structure as stipulated in the Decision of the Standing Committee of the EFTA States No 10/2009/SC establishing a Forum of Elected Representatives of Local and Regional Authorities of the EEA EFTA States;

1. Recognises the importance of high quality and stable connectivity infrastructure for everyone, everywhere in Europe;
2. Supports the EU's ambition regarding secure and sustainable digital infrastructures. Ensuring that every business and citizen in Europe will be fully covered by a gigabit network, with all populated areas covered by 5G by 2030 as set forth in the 2030 Digital Compass;
3. Highlights the vital importance for excellent connectivity in remote and disparate, and sparsely populated communities as often found in Iceland and Norway and highlights that the local and regional authorities in these

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countries have played a significant role in the deployment of fibre and next generation mobile networks, especially in rural areas;

4. Notes that the EEA EFTA States Iceland, Liechtenstein, and Norway are deeply entwined in the EU's digital legal framework and that the States have incorporated and implemented relevant legislation pertaining to the digital single market and making Europe fit for a digital age, including the Broadband Cost Reduction Directive;
5. Underlines that in some European countries, such as Norway and Iceland, National schemes were in place well before the existing Broadband Cost Reduction Directive was transposed into National law, resulting in that by 2022, approx. 94% of Norwegian and 90% of Icelandic households had access to minimum 100 Mbit/s capacity;
6. Stresses therefore that the European Commission's proposal to update and repeal the Broadband Cost Reduction Directive with the Gigabit Reduction Act, must not lead to new and partly burdensome obligations which may not be useful to reach the 2030 Digital Goals nor proportionate to the objective of the proposed regulation;
7. Emphasises that the proposed legislation must allow for national cost-benefit analysis prior to any considerations of new requirements which may imply large investments and recurring costs for local and regional authorities which are not proportionate to its objective;
8. Notices the main parameters set down in the proposed legislation such as: reducing and simplifying procedures for operators to access existing physical infrastructure, and ensuring increased coordination of civil works, bringing fibre inside every new or majorly renovated building, and emphasises the importance that the legislation should be human-centred, sustainable, and inclusive in nature;
9. Points to the fact that some parameters set down in the proposed legislation will oblige local and regional authorities to establish systems and processes for provision of information about not-network facilities to Single Information Points, provision of access to non-network facilities and pro-active notification of civil works;
10. Further, notices that the European Commission's Impact Assessment Report accompanying the proposed legislation estimates huge one-off and recurring costs, both direct and indirect, for local and regional authorities if the proposed new requirements are implemented in all European countries;
11. Is of the opinion that the one-size-fits-all approach of the proposed legislation is not appropriate and stresses the need for sufficient flexibility

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for those countries which are well underway to reaching the EU 2030 targets for the Gigabit Society. For example, establishing a “single information point” in countries that are already well underway to reaching the 2030 targets is not the best use of staff and financial resources;

12. Encourages the EU and EEA EFTA authorities to be mindful of the important role of local and regional authorities in the preparation and implementation of the Gigabit Infrastructure Act. This should also include consultation with local and regional authorities of the EEA EFTA States which will likely take part in the rollout of the legislation;
13. Remarks that proportionality must be considered and increased administrative burden and cost related to the implementation of the proposed legislation needs to be kept to a minimum;
14. Remarks that requirements for broadband development must be seen in connection with ability and capacity in other areas of society that may be interdependent with broadband development, for example power supply, data centres, redundancy, security and preparedness;
15. Stresses that the question of cyber security is instrumental if Europe is to provide its citizens with a high quality, stable and secure connectivity infrastructure;
16. Notes that the proposed Gigabit Infrastructure Act is not marked as EEA relevant by the European Commission and encourages EU institutions to closely coordinate work with the EEA EFTA States. It points out the relation of the act to the XI Annex to the EEA Agreement regarding Electronic Communication, Audio-visual Services, and Information Society and an important tool to level the playing field of the internal market, in which the EEA EFTA States take full part.