

## Recommendation on Relevant Markets

In line with the European Electronic Communications Code, the European Commission has to Review the Recommendation on relevant product and service markets within the electronic communication sector by 21 December 2020 and regularly thereafter.

Today, in the interest of transparency, the Commission published the draft Recommendation and its accompanying Explanatory Note.

The Recommendation on Relevant Markets sets out the list of predefined markets susceptible to regulation which National Regulatory Authorities are required to regularly review. In case they identify existence of significant market power of operators active on these markets, they are obliged to impose remedies adequate to address market failures identified. As such the Recommendation is an important regulatory and harmonization tool, which helps to focus regulatory intervention to those product and geographic markets in which significant market failures persist.

In order to prepare for the review of the Relevant Market Recommendation, in 2019, the Commission has conducted a public consultation which results are available on the Commission website. An external study was commissioned by the Commission to gather input for the review and subsequently published. Moreover, in early 2020 two workshops have been organised to present the preliminary results of the study and seek stakeholders' comments.

As a result of the information collected up to this point, the Commission proposes to identify two wholesale markets as susceptible to regulation at EU level:

1. wholesale local access provided at a fixed location which can be used to provide mass market broadband services and bundles and
2. wholesale dedicated capacity which is mainly relevant for business use requiring a higher quality of connectivity.

Due to the progressing deployment of alternative networks, competitive conditions can vary significantly between different areas of a same country (for instance between urban and rural areas). Therefore, the draft Recommendation includes guidelines on the geographic market assessment.

The draft Recommendation on relevant markets has been sent to BEREC for opinion on 31 July. Today the Commission published the draft Recommendation on Relevant Markets and its accompanying Explanatory Note. Neither document is yet final, they serve as a basis for discussion with BEREC, which is the main interlocutor of the Commission at this stage of the review process. The Commission will take the opinion of BEREC into utmost account.

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