

September 2025

The Digital Networks Act – Brussels Roundtable hosted by Squire Patton Boggs

The meeting brought together European Commission officials and industry policy specialists from around Europe to discuss the upcoming proposal for a new Digital Networks Act. The meeting was held in Brussels on 23 September under the Chatham House rule, hosted and chaired by global law firm Squire Patton Boggs.

The purpose of the meeting was for European Commission officials to explain and get feedback from IIC on the current status of the forthcoming Digital Networks Act (DNA) proposal and concurrent review of the European Electronic Communications Code (EECC), on the back of the input received by the Commission in response to the call for evidence issued prior to the summer break. The Commission received an very high volume of responses to the call for evidence, including some “interesting practical solutions” to some of the issues lamented with the implementation of the EECC. Meeting participants asked about which of these solutions the Commission is minded to adopt, including a centralised and coordinated regime for authorisations and rights to use spectrum and numbers (especially for satellite and IoT connectivity), the future of net neutrality in the age of 5G network slicing, simplification of regulatory filings and reporting (especially for B2B services), National Regulatory Authority (NRA) independence and the interface with cloud regulation.

Streamlining and coherence

The public consultations and call for evidence broadly confirmed trends seen over the past two to three years. Submissions strongly supported streamlining and coherence, particularly reducing duplicative reporting and administrative burden, while acknowledging constraints where national security, privacy and data-retention rules bite. On authorisation, respondents backed more harmonised conditions and clearer coordination, with specific enthusiasm for EU-level or single-window approaches, especially for inherently cross-border services such as satellite services. Consumer groups’ responses to the call for evidence were described as being more positive than in previous rounds, seeing benefits from simplification and greater consistency in the application of a single-window authorisation regime that would compensate any residual concerns regarding the

potential risk of less vigorous consumer protection enforcement against foreign services providers without a local authorisation.

Two process milestones anchor the Commission's timetable: completion of the evaluation (an EECC legal obligation) and the impact assessment, both now being finalised. While the ink is not yet dry, the Commission aims to adopt and publish the DNA proposal by 10 December, enabling Council and Parliament to begin work early in the next Presidency in 2026. Studies underpinning the impact assessment will be published alongside or shortly after the proposal; a debrief workshop is being considered but is not essential given the depth of prior consultation.

On instruments and scope, the Commission envisages the DNA as a regulation that consolidates and streamlines the EECC and all related telecoms-sector provisions, leaving security-specific obligations to horizontal frameworks, such as the NIS2 Directive. Soft-law pieces (e.g., guidelines on relevant markets and SMP assessment, open internet guidance) will continue to evolve and be published in a second stage, because synchronising all updates with the DNA's publication is neither necessary nor realistic.

Improvements in spectrum policy

On spectrum licensing, the Commission is steering towards stronger, practice-driven coordination and peer mechanisms that improve consistency in assignment, renewal and licence conditions across the EU without fully centralising decisions. A similar logic may apply to numbering: rather than inventing a pan-EU numbering regime, the aim would be to simplify cross-border access to numbers and remove friction for providers operating in multiple member states. For satellites, however, given their inherent cross-border footprint, the Commission is exploring an EU-level authorisation model. Details remain open, especially on how to avoid merely relocating today's divergent national paperwork into a cumbersome central pipeline; but the intention is for one authorisation with coherent, proportionate conditions, complemented where needed by spectrum selection processes at EU level for specific bands (e.g., MSS, mindful of 2027 renewals).

No change to net neutrality rules

Net neutrality will not be reopened; the Commission sees no need to change the open-internet regulation principles. However, it recognises the need to clarify how specialised services, quality-assured offerings and 5G/6G features like slicing can be delivered within the framework, balancing legal certainty with technological flexibility.

It is clear that there will be no EU mandated "fair share" network fees. To defuse recurring interconnection disputes, particularly fears of de facto network fees, the Commission is leaning towards softer instruments such as voluntary conciliation, guidance and best-practice frameworks, rather than mandated arbitration or price-setting mechanisms.

Sunset of legacy networks

A major structural theme is the transition to fibre and the sunset of legacy copper and generally legacy networks (eg 2G). Officials floated the idea of a firm target to drive migration, paired with a pragmatic toolbox to protect consumers and ensure continuity including customer migration processes, wholesale access solutions, and (where justified) safety-net regulation. Participants cautioned that fibre coverage and economics vary widely. It was acknowledged that proportionality will be essential and that universal service objectives – availability and affordability – must remain credible, with state support where markets fail.

Legacy mobile technologies (e.g. 2G) prompted practical questions, notably maintaining a thin 2G layer for eCall, alarms and public safety uses while freeing 2G spectrum and operators to modernise their networks. The Commission sees industry-driven sharing models and time-limited solutions as possible, but urged a path that avoids reproducing the same dilemma in a decade's time, while keeping an eye on alternatives (such as retrofit devices or handset-based safety features) that could obviate permanent legacy.

Sunset of ex ante regulation

The future of SMP-based ex ante regulation is up for discussion. Some see a dwindling need for recommended markets at the EU level, but others were wary of discarding tools that may still be necessary in local contexts (e.g., emerging bottlenecks such as A2P SMS termination, as proposed by Ofcom in the UK). A balanced approach could reduce default reliance on ex ante regimes while preserving the ability to intervene where bottlenecks persist, complemented by symmetric obligations (e.g., fair and reasonable access to certain infrastructure) or commitment-based models where the sector can self-organise.

Simplified reporting procedures

Repeated calls were made to rationalise EECC reporting and filings burdens, especially for B2B services providers operating in 20+ member states who have to file hundreds of reports yearly. The Commission intends to cut duplications, standardise cadence and improve information-sharing among competent authorities, without removing genuinely necessary datasets. On scope and definitions, officials favoured a rule-by-rule simplification over a disruptive re-write of foundational definitions, mindful of cross-references in other EU laws.

Cloud and level-playing field

On cloud and level-playing-field concerns, the Commission's view is that the Data Act, DMA and competition instruments are the primary levers for IaaS/PaaS issues that affect many sectors, not just telecoms. The DNA's role is to enable cooperation and innovation such as facilitating telco-cloud partnerships and cloud-based network modernisation, rather than to import asymmetric competition remedies into the sectoral framework. It remains to be seen if cloud providers will be brought within the scope of the new DNA authorisation regime.

Conclusion

In summary, the DNA's purpose is to simplify and harmonise where it truly helps (such as for authorisations, spectrum coordination and reporting), clarify emerging service models (slicing and specialised services) without reopening old debates (e.g. net neutrality and fair share). The aim is to push the system towards fibre and next generation networks while safeguarding users, and keep sector tools that still matter. The Commission's December target is a clear political marker; the details now hinge on striking pragmatic balances that member states, NRAs, operators and users can live with.