



Brussels, July 11th, 2025

European Commission
Brussels

Subject: Reaction to the call of evidence of the Digital Network Act

Dear sir/madam,

As the president of the European Local Fiber Alliance (ELFA), I appreciate the opportunity to respond to this call for evidence aimed at shaping a future-proof regulatory framework. ELFA has previously contributed to both the WIK and EY questionnaires earlier this year.

As the collective voice for alternative fiber operators throughout Europe, ELFA's network represents over 800 operators, including those in the UK and Norway. While many aligned members will submit their own responses, this letter reflects key shared insights from our broad base. We remain open to engaging further, should the Commission request more detailed discussions.

Our overarching goal is to ensure that fiber infrastructure across Europe supports the digital inclusion of all European citizens and businesses.

Best regards,

A handwritten signature in blue ink, appearing to read 'Andrew van der Haar', is written over the printed name.

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Reaction on the call of evidence for the DNA

ELFA supports the European Commission's initiative to review and modernize legislation such as the EEC Directive 2018/1972, which replaced Directives 2002/19/EC, 2002/20/EC, 2002/21/EC, and Article 5 of Decision No 243/2012.

The pace of digital transformation demands a more agile legislative framework. However, we caution that continuous changes risk making some recommendations obsolete by the time they are implemented at national levels. We also highlight the burden of overlapping regulations (NIS2, GIA, CRA, DORA, EU TAXONOMY), which create complex compliance landscapes, especially for operators active across multiple Member States without a unified reporting mechanism.

ELFA appreciates the Commission's efforts to investigate to harmonize EU regulation like mentioned above, and now highlights the following topics relevant to all Member States.

Digital Single Market

ELFA does not currently observe a market failure in the Digital Single Market. Many SMPs operate across borders, dominant in their home market while acting as challengers in others. This dynamic allows for healthy competition and access for consumers. We strive for an open-access model, which will support innovation and competition.

However, strategic overbuilding of fibre networks in certain Member States jeopardizes private investments made by alternative operators. This risk is immediate and requires inclusion in the DNA. Incentives for deploying networks in underserved areas must remain a priority, especially given the EU's goal of universal 1 Gbps connectivity.

We would like to advise that the Commission take into account that making the DNA as a Regulation leaves little room for National differences and would like to suggest that a Directive would be more appropriate.

Regulatory Considerations for the Copper Switch-Off

We support the transition away from copper networks for example for environmental reasons. In many cases, these SMPs are not subject to regulation on their fiber networks, creating an uneven playing field also for alternative operators which already made investments in deploying fiber. Given the differences between Member States, the Commission should examine this issue carefully. As ELFA, it will come as no surprise that we fully support a swift migration to fiber including a migration to networks of alternative network operators.



Yet to ensure a competitive and affordable broadband market, this migration must be accompanied by consistent and fair regulatory conditions across all member states.

We have also reviewed the submissions of our members and note that there are differing views regarding the introduction of a fixed switch-off date. We believe it is important that the Commission takes these perspectives into consideration.

The Commission must act to prevent widening the digital divide. Every EU citizen should have access to connectivity preferred via fixed than wireless, or hybrid means.

Free Wireless Solutions

Access to fiber-based connections (FTTH/FTTB) relies heavily on Wi-Fi within premises. To match the capabilities of fiber, it is essential that the 6 GHz band is reserved for Wi-Fi and not shared with 5G/6G. ELFA, alongside the Wi-Fi Alliance and others, continues to advocate for this allocation.

Competition and Deregulation

Effective competition drives innovation and benefits consumers. The Commission must apply both ex-ante and ex-post regulation with care. Independent of the grade deregulation, fibre markets need efficient, competitive supervision.

On the 'fair share' debate, ELFA reiterates our concern that such measures may disproportionately favor large SMPs. Fiber infrastructure, once in place can handle future service demand without major upgrades. We urge the Commission to ensure any future framework is equitable and proportionate.

Investment in Digital Infrastructure

Significant investment is still required to meet Europe's digital goals. ELFA members have contributed €6–12 billion in recent years, connecting up to 50% of households with a 33% average uptake rate.

While we welcome instruments like the CEBF (Connection Europe Broadband Fund), smaller and alternative operators often struggle to access such funding. The Commission must ensure a level playing field, and promote public awareness of fiber's benefits, including sustainability and improved access to public services.



Alignment with Other Industries (Cloud, AI, Datacenters)

ELFA supports integrating perspectives from related sectors such as cloud, AI, and datacenters. Fiber networks enable all these services and more, creating a resilient digital ecosystem.

However, bundling all sectors under one legislative act risks diluting focus and slowing fiber rollout. The Commission must take care not to compromise core infrastructure goals by overcomplicating regulatory design.

Conclusion

ELFA welcomes the opportunity to contribute to this consultation. While many members have submitted or will submit their own responses, we emphasize the importance of balancing effective legislation with administrative simplicity.

We remain committed to supporting the EU's ambition of full digital connectivity and stand ready to collaborate further with the Commission and other stakeholders.