verbraucherzentrale
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PUTTING CONSUMERS AT THE CENTRE OF THE DIGITAL NETWORKS ACT

Statement from the Federation of German Consumer Organisations (Verbraucherzentrale Bundesverband - vzbv) on the European Commission's call for evidence on the planned Digital Networks Act

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The Federation of German Consumer Organisations is registered in the German Lobby Register and the European Transparency Register. You can access the relevant entries here and here.

CONTENT

RELEVANCE TO CONSUMERS

In an ever more interconnected world, consumers spend increasing amounts of time and money online, connecting with others and leading digital lives. Access to affordable, high quality internet connections and communication technologies have become a prerequisite for all consumers to be able to participate in the digital society. Consumers are an integral part of the European telecommunications market: without them, there would be little need for a digital infrastructure and its services. At the same time, the telecommunications sector remains one of the sectors with the highest number of consumer complaints: around 12 percent of all complaints registered at the German Consumer Associations relate to the telecommunications sector.[1]
It is to be feared that the legislative package planned at European level may weaken specific consumer rights and exacerbates the problems for end users.

Internet access, as a fundamental tool for social and economic participation, is a matter not only of affordability but also of availability. Especially now during the transition to fibre optic the Universal Service obligation must be maintained. Competition must be further strengthened to ensure that everyone can afford high-performance Internet access in the future. It must also be ensured that the principle of net neutrality is upheld so that all data continues to be treated equally and without discrimination. Specific consumer rights such as special information obligations, maximum contract duration, right to number portability or support when switching providers remain necessary to adequately protect consumers in this challenging market sector. The continuing high number of complaints shows that it is not the right time to weaken the existing end user protection standards.

[1] The analyses of the complaint statistics are based on the records of all 16 consumer associations and their approximately 200 advice centres in Germany. The records constitute the statistical recording of all consumer concerns reported by consumers to the advice centres. However, direct conclusions about the frequency of occurrence of certain consumer problems in the general population cannot be derived from them.

SUMMARY

- Simplification of the rules must not lead to a weakening of the existing end user rights. It would send a bad signal to providers and national regulatory authorities. Eventually, it would lead to higher prices for end users and a loss of consumer confidence.
- On the contrary, specific end user rights in the telecommunications sector must be further improved, especially with regards to their practical enforceability.
- A minimum harmonisation approach on the EU level is more flexible with regard to national implementation and leaves room for better end user protection. It is therefore preferable from a consumer policy perspective.
- The proposal of the Digital Networks Act must put the Union's objective of consumer welfare at its centre. The current level of consumer protection must be maintained. Specific consumer protection rights such as pre-contractual information obligations, maximum contract duration and termination periods as well as the right to number portability and support when switching providers must be retained.
- Despite claims to the contrary, European telecommunications companies are already competitive today, also internationally, thanks to the existing telecommunications rules.
- Instead of fostering a few internationally successful "European champions", the European Commission should support a competitive environment and uphold competitive pressure on telecoms companies in the European Single Market. Therefore, the European Commission must prevent any regression towards monopolistic structures in the European telecommunications market.
- The Open Internet Regulation provides sufficient scope for the development of innovative services and technologies. There is no need to change the existing rules to enable innovation.
- The open wording of Article 3(5) of the Open Internet Regulation does not result in legal uncertainty for service providers. The BEREC Guidelines offer adequate clarification of the rules.
- Even if the European Commission considers the current rules insufficiently clear, an update of the BEREC Guidelines would be sufficient to address this concern.
- The Digital Networks Act and other parts of the upcoming legislative package should uphold the principle of legal certainty. The use of undefined legal terminology should be avoided.
- There is no evidence of a market failure that would justify introducing a new dispute resolution mechanism. Existing judicial avenues already provide sufficient means of resolving disputes.
- vzbv is concerned that the introduction of such a mechanism could be a first step towards legalising network fees.
- Network fees have the potential to undermine net neutrality and thereby endanger consumers' free and open access to the internet.

- vzbv calls for a clear commitment to preserving the Open Internet Regulation and the principle of net neutrality.
- vzbv strongly supports the continuation of the ex-ante regulatory framework. This remains the only effective means of ensuring sustainable competition for all market participants and enabling the efficient rollout of fibre infrastructure.
- Ex-post competition law is insufficient to maintain robust competition in the European telecommunications market. Operators with significant market power may exploit the transitional period where consumers move from copper to fibre networks to expand their market share further and drive out smaller competitors.
- Access to universal services must be simple, fast and efficient for citizens.
- The process for determining an undersupply and imposing obligations by the National Regulator must be streamlined to enable citizens to effectively exercise their right to universal services.
- Internet access, as a fundamental tool for social and economic participation, is a matter not only of affordability but also of availability.
- "Forced migration" from one network to another, and the loss of internet access, must be avoided.
- Internet access must remain affordable. The switch to fibre optics must not lead to in-appropriate price increases for consumers. This must also be ensured in the long-term, not just during the migration period. Internet access must remain affordable.
- When the copper network is decommissioned, fibre-based tariffs should be offered at price levels comparable to those paid prior to migration.
- The transition from DSL to fibre optic technology must be transparent for consumers and accompanied by clear and reliable information campaigns.

I. INTRODUCTION

On 6 June 2025, the European Commission published a call for evidence for an evaluation and parallel impact assessment regarding the intended initiative of a legal proposal entitled the **"Digital Networks Act"**, scheduled for the fourth quarter of 2025. vzbv would like to thank the European Commission for the opportunity to comment on the initiative. However, vzbv regrets the short consultation period and the absence of any further opportunity for public input on what is likely to be a far-reaching legislative proposal, which aims to create a new regulatory basis for a future proof digital infrastructure in the European Union.

Consumers are an integral part of the telecommunications market – without them, there would be little need for the connectivity sector. With this in mind, vzbv calls on the European Commission to put end user interests at the centre of the legislative proposal.

The high level of consumer protection in the EU must not be undermined in pursuit of the vague and opaque objective of enhancing the international competitiveness of European telecommunications operators.

II. OBJECTIVES

According to the European Commission, the Digital Networks Act (DNA) initiative aims to support the Union's policy objectives of consumer welfare, industrial competitiveness, security and resilience and environmental sustainability. vzbv welcomes the fact that the DNA is intended to support the achievement of the goals laid out in the Digital Decade 2030. At the same time, it is important not to weaken the existing regulatory objectives of Article 3 of the European Electronics Communications Code (EECC)[2] by adding more and more objectives. A balance of interests between the objectives is necessary to prevent practical conflicts.

Furthermore, the broadening of objectives is not necessary to achieve the envisaged goals. The current legal framework works and legal terminology has been firmly established through court rulings. Introducing undefined legal terminology could upset the calibrated regulatory balance. Given that striking the right regulatory balance between the existing objectives is already complex, vzbv does not support the addition of further objectives at this time.

1. UPHOLDING HIGH USER STANDARDS

The call for evidence mentions explicitly the support of consumer welfare as one of the Union's policy objectives. Nevertheless, the proposals for the planned changes to the regulatory framework for the telecommunications sector do not contain any steps to noticeably improve the consumer welfare. vzbv is very concerned about the proposed deregulation of the telecommunications market. Simplification of the rules must not lead to a weakening of existing end user rights.

[2] Connectivity, end user rights, competition.

1.1 Need for specific end user rights

Even with the existing specific rules, in 2024 the telecommunications market was one of the sectors with the highest number of consumer complaints with a share of 12 percent of all consumer complaints in that year.[3] Most of these complaints refer to unsolicited contracts, to temporary failure of phone or internet access and to missing delivery or performance. A recently published study by the competent authority (Bundesnetzagentur) revealed that around 14 percent of the end users do not receive the agreed bandwidth on average.[4] In rural areas, which are particularly dependent on a functioning digital infrastructure for social participation, the situation is even worse with 42 percent under-fulfilment.[5]

General competition law is not enough to regulate the telecommunications market sufficiently. The still existing high number of complaints regarding various aspects of the provision of telecommunications services show how challenging this sector is. Furthermore, it emphasises that many operators are not so serious about complying with the rules and specific end user rights.

This makes it all the more important to not extend the maximum contract term of 24 months laid down in Art. 105 EECC any further. On the contrary, it would be appropriate to shorten the maximum contract term to 12 months. Life circumstances are changing faster and faster, making flexibility in everyday business increasingly important. The option to switch providers after a fixed period creates incentives for providers to offer good customer service and attractive contract conditions to convince customers to stay with them.

Information obligations are essential so that consumers can make a well-informed decision. The additional obligation to provide a contract summary ensures that consumers are aware of the key terms of the contract before concluding it. In order for the obligations to be fully effective, the information provided must be comprehensive and made available in sufficient time before the contract is concluded. The current design of the information obligations is sound and fulfils the protective function.

The current transition phase from copper to fibre optics is expected to lead to an increased number of switches between providers. It is therefore all the more important that the end user rights under Art. 106 EECC are upheld. In particular, it is essential for ensuring continuous digital participation that the period for activating the number in paragraph 1 is not extended to more than one day. Even an internet outage lasting just a few days leads to considerable burdens for consumers and unreasonable disadvantages.

Lowering end user protection standards at European level would send a damaging signal to providers and national regulatory authorities alike. Eventually, it would lead to higher prices for end users and a loss of consumer trust.

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[3] The analyses of the complaint statistics are based on the records of all 16 consumer associations in the approximately 200 advice centres in Germany. The records constitute the statistical recording of all consumer concerns reported by consumers to the advice centres. However, direct conclusions about the frequency of occurrence of certain consumer problems in the general population cannot be derived from them.

[4] Breitbandmessung: Jahresbericht 2023/2024 [annual report 2023/2024], https://download.breitbandmessung.de/bbm/Breitbandmessung_Jahresbericht_2023_2024.pdf, p. 5, 27/06/2025.

[5] Ibid, p. 7.

1.2 Potential for improvement

vzbv continues to advocate for a minimum harmonisation approach regarding telecommunications services. The implementation of the EECC in Germany has demonstrated difficulties in maintaining the previously high level of consumer protection enshrined in the German Telecommunications Act under the partial harmonisation model. Full harmonisation could entail the risk of a partial reduction in national consumer protection standards and would thus run counter to the stated regulatory objective.

Furthermore, the idea of harmonising contract law at European level appears entirely unrealistic given the current legal landscape. National contract law varies greatly from member state to member state.[6] Standardisation at European level would be a lengthy, complex and costly process that cannot be included in the framework of the Digital Networks Act.

The proposal of the Digital Networks Act must put the Union's objective of consumer welfare at its centre. The current level of consumer protection must be maintained. Specific consumer protection rights such as pre-contractual information obligations, maximum contract duration and termination periods as well as the right to number portability and support when switching providers must be retained.

POSITION

Simplification of the rules must not lead to a weakening of the existing end user rights.

Reducing end user rights at the European level would send a damaging signal to providers and national regulatory authorities. Eventually, it would lead to higher prices for end users and a loss of consumer confidence.

The minimum harmonisation approach is more flexible with regard to national implementation and allows for a higher level of end user protection. It is therefore preferable from a consumer policy perspective.

vzbv recommends adopting a Directive as the legal instrument for the Digital Networks Act, rather than a Regulation.

The proposal of the Digital Network Act must put the Union's objective of consumer welfare at its centre. The current level of consumer protection must be maintained. Specific consumer protection rights such as pre-contractual information obligations, maximum contract duration and termination periods as well as the right to number portability and support when switching providers must be retained.

[6] Viktoriia Anatiichuk, Iryna Banasevych, Ruslana Heints, Uliana Gryshko: Harmonisation of contract law in the EU: Analysis of the process and its impact on the legal system of the Member States, 2025, https://doi.org/10.34625/issn.2183-2705(37)2025.ic-2 , 04/07/2025.

2. COMPETITIVENESS OF EUROPEAN TELECOMMUNICATIONS COMPANIES

The promotion of competition is one of the objectives laid done in Art. 3 EECC and therefore one of the main goals of the current legal framework for the European telecommunications market. As described in the political context of the call for evidence the European Commission aims at reinforcing the competitiveness.

vzbv supports the promotion of competition on the European market. Competitive pressure is one of the main drivers for innovation, affordable prices and high service quality. The strength of the Single Market lies in the intense competition to which companies are subject, a factor that has resulted in greater consumer welfare, increased choice, and cutting-edge innovation.

2.1 Current state

European telecommunications companies are competitive today, also internationally, thanks to the existing special market sector rules. To highlight just one example, the German operator Deutsche Telekom is one of the three biggest telecommunications providers in the US.[7] The US is also by far the largest revenue segment of Deutsche Telekom with 66 percent.[8] In comparison, 21.3 percent of revenue is generated in Germany and 10.4 percent in other EU countries. The external sales revenue of the German telecommunications market in total increased by more than 2 percent to 61 billion euros in 2024.[9] Deutsche Telekom's revenue rose by 6.6 percent and that of its competitors fell by around 1 percent.

While Deutsche Telekom’s figures show that it earns significantly more per internet connection in the US—often cited as proof that it is only competitive there because of higher revenues—this narrative overlooks important context. The US telecommunications market is dominated by a “quadrigopoly,” a highly concentrated market structure that enables providers to generate very high profits and capture substantial rents. In contrast, the EU market is currently in a phase of heavy investment, particularly in fibre infrastructure, which naturally suppresses short-term profits. However, once these investments are completed, profits are expected to increase steadily over many years as the infrastructure is fully utilised. Therefore, rather than indicating an inability to generate revenue in the EU, these figures reflect different market dynamics and investment cycles.

This shows that Deutsche Telekom is already a large, internationally competitive provider in Germany under the current rules. The financial development is also positive, especially in comparison to its national competitors.

2.2 Future development

German operators have enough financial flexibility to invest in future-ready digital infrastructure and networks to maintain their competitiveness. In 2024, approximately 15 billion euros were invested in the German telecommunications market.[10] Out of these, Deutsche Telekom contributed around 5 billion euros and its competitors 10 billion euros. This shows that fibre development is driven by the incumbent’s competitors, rather

[7] Mordor Intelligence: US Telecom market size & share analysis – growth trends & forecast (2025-2030), https://www.mordorintelligence.com/industry-reports/united-states-telecom-market, 01/07/2025.

[8] Deutsche Telekom: Annual Report 2024, 38 Segment reporting, https://report.telekom.com/annual-report-2024/notes/other-disclosures/38-segment-reporting.html, 01/07/2025.

[9] Bundesnetzagentur: Jahresbericht Telekommunikation 2024 [annual report telecommunications 2024], 2025, p. 7.

[10] Ibid, p. 10.

than the incumbent themselves. The market design should therefore ensure that intra-EU-market competition is upheld.

Before striving for the international competitiveness of European companies, the European Commission's objective must first strengthen and safeguard competition within the European market. It is essential to unlock the full potential of a genuine Single Market. Supporting the emergence of so-called European champions does not promote the functioning of the Single Market. On the contrary, favouring a few large telecom operators risks driving smaller players out of the market. Fewer operators inevitably result in reduced competition and higher prices for end users.[11] The European Commission itself has emphasised that the large number of operators in the European market contributes to lower consumer prices compared to the US, alongside comparable fibre coverage and basic 5G availability.[12]

The fight against telecommunications monopolies by Deutsche Telekom or France Télékom was originally one of the main reasons for the special regulation of the telecommunications market.[13] It is crucial to prevent a backward trend towards monopolistic structures by fostering a few big European actors.

POSITION

European telecommunications companies are competitive today, also internationally, thanks to the existing special market sector rules.

European telecommunications operators have enough financial resources to invest in future-ready digital infrastructure to remain competitive.

Instead of fostering a few internationally successful so-called "European champions", the European Commission should maintain a high level of competition in the Single market within the European Union.

The European Commission must prevent regression towards monopolistic structures on the European telecommunications market.

3. INNOVATION

The European Commission highlights "a lack of clarity of the Open Internet Rules concerning the regulatory treatment of innovative services" as one of the main problems the upcoming legislative initiative aims to tackle. It describes the existing regulatory framework as increasingly unfit for market and technological changes in general. It is not clear on which evidence the European Commission bases this premise. According to recent studies, commissioned or conducted by the European Commission itself, the Open Internet Regulation is fit for purpose and flexible enough to allow innovation.[14] The responsible German ministry also considers the regulation to be sufficiently 'clear and appropriate'.[15] The ministry is not aware of any cases in which innovative strategies

[11] European Commission: Why is competition policy important for consumers?, https://competition-policy.ec.europa.eu/about/what-competition-policy/why-competition-policy-important-consumers_en, 02/07/2025.

[12] European Commission: White Paper – How to master Europe's digital infrastructure needs?, 2024, p. 15.

[13] Antonio Manganelli; Antonio Nicita: The long wave of Telecom Market Liberalisation, in: The Governance of Telecom Markets, 2020, Hampshire: Palgrave Macmillan.

[14] European Commission: Report on the implementation of the open internet access provisions of Regulation (EU) 2015/2120, 2023; BEREC, BEREC Opinion for the evaluation of the application of the Open Internet Regulation, 2022.

[15] Netzpolitik.org: EU-Kommission stellt Netzneutralität zur Debatte [EU Commission puts net neutrality up for debate], https://netzpolitik.org/2025/bremse-oder-motor-eu-kommission-stellt-netzneutralitaet-zur-debatte/, 30/06/2025.

such as network slicing have been prohibited on the basis of the Open Internet Regulation.

Art 3(5) of the Open Internet Regulation leaves enough room for the development of innovative services and technologies. The open wording of the article does not lead to legal uncertainty as the BEREC-Guidelines[16] further concretise it. Those Guidelines itself emphasise that the specifications need to be adapted to technological developments regularly as was last done in 2022.[17] The German regulatory authority also emphasises that companies are of course free to contact it in advance in the event of legal uncertainty and discuss the assessment of an innovative idea with them.[18] The authority did not receive one enquiry from providers of internet access services regarding business models that include specialised services in the last years.[19] It considers plans for the development of specialised services in the field of connected and autonomous driving to be possible under the current rules, depending on the technical design.[20] This report therefore also contains no evidence that the current rules are an obstacle to innovation. On the contrary, it also confirms the openness to new technologies.

vzbv fears, that the push from telecommunications operators for “clarification” of the definition of “special services” aims at changing the interpretation to a broader understanding. This would open up a loophole from the scope of application of the Open Internet Regulation, in particular an exception to the net neutrality principle.

However, even if the European Commission considers that the practical situation has changed since the last report and that the current rules are no longer sufficiently clear, a further update of the BEREC Guidelines would be sufficient to address this.

POSITION

Art. 3(5) of the Open Internet Regulation leaves enough room for the development of innovative services and technologies.

The open wording of Art. 3(5) of the Open Internet Regulation does not lead to legal uncertainty for the service providers. The BEREC-Guidelines provide sufficient concretisation of the rules.

Even if the European Commission considers that the practical situation has changed since the last report and that the current rules are no longer sufficiently clear, a further update of the BEREC Guidelines would be sufficient to address this.

4. LEGAL CERTAINTY

The upcoming legislative package should uphold the principle of legal certainty. Clear rules provide planning security and guidance for all market participants. The use of undefined legal terms should be avoided, as they allow for varying interpretations and can create legal uncertainty. This also helps prevent companies from exploiting loopholes to circumvent regulations. Furthermore, it is essential to ensure that the new and existing rules are sensibly harmonised and do not contradict one another.

[16] BEREC: BEREC Guidelines on the Implementation of the Open Internet Regulation, 2020.

[17] BEREC: BEREC Guidelines on the Implementation of the Open Internet Regulation, 2022.

[18] Bundesnetzagentur: Netzneutralität in Deutschland – Jahresbericht 2023/2024,[Net neutrality in Germany – annual report 2023/2024] https://www.bundesnetzagentur.de/SharedDocs/Mediathek/Berichte/2025/Netzneutralitaet_Jahresbericht%202023_2024.pdf?__blob=publicationFile&v=6, p. 7.

[19] Ibid, p. 14.

[20] Ibid.

POSITION

The new legislative package should uphold the principle of legal certainty. The use of undefined legal terms should be avoided.

It is essential to ensure that the new and existing rules are sensibly harmonised and do not contradict one another.

III.SCOPE

To date, the debate surrounding the introduction of a dispute resolution mechanism has not provided evidence of a market failure. However, it is necessary to demonstrate a market failure to justify regulating a market that has proven to be functioning effectively. In line with the European Commission's Better Regulation Guidelines, vzbv recalls that any legislative proposal must be based on available evidence.[21] In vzbv's view, the reasons put forward by telecommunications companies to justify the imposition of price regulation or a dispute resolution mechanism do not indicate a market failure.

Several recent reports and workshops came to the conclusion that the interconnection market works well without a dispute resolution mechanism. According to BEREC the internet's ability to self-adapt has been and still is essential for its success and it's innovative capability.[22] Even the European Commission's Whitepaper, which laid the ground for the future DNA-proposal, concludes that „there are very few known cases of intervention […] into the contractual relationships between market actors, that generally functions well and so do the market for transit and peering."[23] The reason why there have only been a very small number of problems with the current procedure so far is, among other things, the mutually beneficial nature of settlement free peering agreements with low costs for both networks, high quality of end user experience and high internet resilience.[24]

1. FIRST STEP TOWARDS THE INTRODUCTION OF NETWORK FEES

The call for evidence does not explicitly mention the option to introduce a price regulation mechanism for commercial agreements between ISPs and CAPs. Nevertheless, it proposes to create effective cooperation among the actors of the broader connectivity sector. As part of the discussion in recent years, some large ISP's called for "direct compensation" by large content and application providers (CAPs). Sending parties should also pay for the data traffic through the networks. Correspondingly, the questionnaire published in parallel by WIK and EY lists "Pricing mechanisms for IP peering"

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[21] European Commission: Better Regulation Guidelines, 2021, https://commission.europa.eu/document/download/d0bbd77f-bee5-4ee5-b5c4-6110c7605476_en?filename=swd2021_305_en.pdf.

[22] BEREC: BEREC preliminary assessment of the underlying assumptions of payments from large CAPs to ISPs, 2022, https://www.berec.europa.eu/system/files/2022-10/BEREC%20BoR%20(22)%20137%20BEREC_preliminary-assessment-payments-CAPs-to-ISPs_0.pdf, 26/06/2025, p. 5.

[23] European Commission: White Paper – How to master Europe's digital infrastructure needs?, 2024, p. 26.

[24] plum: Exploring the negative impacts of legally mandated dispute resolution in IP interconnection, https://plumconsulting.co.uk/study-on-the-negative-impacts-of-mandated-dispute-resolution-in-ip-interconnection/#:~:text=In%20this%20report%2C%20Plum%20Consulting%2C%20alongside%20experts%20Mike,measures%20would%20have%20on%20the%20European%20digital%20market, 2025, p. 14.

as one of the issues, which could possibly be addressed in relation to a cooperation mechanism.[25]

vzbv warns, that such mechanisms could be weaponised. Dispute resolution, often presented as a neutral process, becomes in the hands of powerful telecommunications operators a tool for extracting concessions. Some large ISPs could be incentivised to trigger disputes, hoping that their customers will be obliged to pay fees in the course of the dispute resolution procedure and that a number of such procedures will set precedents for the obligation of CAPs to pay traffic fees.[26] A negative example is the eleven-year peering dispute between Init7 and Swisscom, illustrating just how long and resource-draining such mechanisms can be when used strategically.[27]

A mechanism of direct payments to telecom incumbents would in fact have immediate and wide ranging negative consequences, not only on European businesses, but also on consumer interest.[28] A new fee or contribution would directly impact consumer costs and choice, with far ranging negative consequences on the diversity and quality of products and services. A negative example is the case of South Korea, where similar policies led to decreased efficiency, increased prices, and a chilling effect on content creation.[29] End users already pay for their internet connection and sometimes also for the content or application used. In return, they should receive a free service that is not influenced by third parties interests. vzbv thus calls on the European Commission to refrain from introducing such a counterproductive measure.

The debate gained momentum again as large European ISP's call for a financial contribution from large CAP's in the context of investments in high-speed access networks and the fibre roll-out. However, not all European ISP support the suggestion made by larger operators. Smaller and medium-sized operators which also invest in high-capacity networks have expressed concerns in the past.[30] They highlight „that there is sufficient capital available for investment in fibre networks, especially by private investors".[31] The slow expansion of fibre optics in Germany is not due to a lack of investment, but in

[25] Question 21.

[26] plum: Exploring the negative impacts of legally mandated dispute resolution in IP interconnection, https://plumconsulting.co.uk/study-on-the-negative-impacts-of-mandated-dispute-resolution-in-ip-interconnection/#:~:text=In%20this%20report%2C%20Plum%20Consulting%2C%20alongside%20experts%20Mike,measures%20would%20have%20on%20the%20European%20digital%20market, 2025, p. 23.

[27] Law.ch: Swisscom muss Zero-Settlement-Peering mit Init7 betreiben: ComCom-Verfügung [Swisscom must conduct zero-settlement peering with Init7: ComCom ruling], https://law.ch/lawnews/2025/01/swisscom-muss-zero-settlement-peering-mit-init7-betreiben-comcom-verfuegung/, 2025, 04/07/2025.

[28] plum: Exploring the negative impacts of legally mandated dispute resolution in IP interconnection, https://plumconsulting.co.uk/study-on-the-negative-impacts-of-mandated-dispute-resolution-in-ip-interconnection/#:~:text=In%20this%20report%2C%20Plum%20Consulting%2C%20alongside%20experts%20Mike,measures%20would%20have%20on%20the%20European%20digital%20market, 2025, p. 5.

[29] WIK-Consult: Wettbewerbsverhältnisse auf den Transit- und Peeringmärkten, Auswirkungen für die digitale Souveränität Europas [The competitive landscape on the transit and peer markets, implications for Europe's digital sovereignty], 2022, https://www.wik.org/fileadmin/user_upload/Unternehmen/Veroeffentlichungen/Studien/2022/Studie_Wettbewerbsverhaeltnisse_auf_den_Transit-_und_Peeringmaerkten.pdf, p. 37.

[30] BEREC: BEREC preliminary assessment of the underlying assumptions of payments from large CAPs to ISPs, 2022, https://www.berec.europa.eu/system/files/2022-10/BEREC%20BoR%20(22)%20137%20BEREC_preliminary-assessment-payments-CAPs-to-ISPs_0.pdf, 26/06/2025, p. 5.

[31] Ibid.

particular to the complex and lengthy bureaucratic processes and the lack of work force to carry out the expansion work.[32]

It is true that the switch from copper to fibre optics needs high investment sums. The installation of a single fibre connection costs between 600 euros and 1400 euros.[33] In total, investments of estimated 22 billion euros are still necessary to achieve 100 percent roll-out in Germany.[34] However, only around 53 percent of those costs are borne by the network operators alone.[35] The other half of the costs is either borne by the owners of the house/flat (12 percent), shared between owners and network operators (24 percent) or otherwise funded (10 percent).

These investments will pay off for the operators.[36] Fibre is the technology of the future. The networks will be used for decades. Maintenance costs will decrease as the number of contracts with end users increases (fix cost degression).[37] The switch to fibre has also the potential to decrease the OPEX costs for operators.[38]

Those investments will pay off within a few years and should not come at the expense of consumers.

2. NET NEUTRALITY AT RISK

Regulation (EU) 2015/2021 has regulated net neutrality since 2015, ensuring equal treatment of data transferred via the internet and discrimination-free access when using data networks. Telecommunications providers are obliged to treat all data traffic equally. Users have the right to use their selected broadband package as they please and to access whatever content they want. To this extent, the regulation has major effects on business relationships in the area of IP interconnection and possible network charges for CAPs.

Telecommunications companies are already repeatedly testing their room for manoeuvre with regard to the introduction of new business practices under the principle of net neutrality (e.g. zero–rating).[39] vzbv fears that providers will continue to exert pressure

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[32] PwC, Herausforderungen des flächendeckenden Glasfaserausbaus [Challenges of nationwide fibre optic expansion], https://www.pwc.de/de/technologie-medien-und-telekommunikation/pwc-umfrage-2025-herausforderungen-des-glasfaserausbaus.html, 2025, 04/072025.

[33] VATM: Bis in jede Mietwohnung: So sieht es mit Glasfaser in Deutschlands Häusern aus – Untersuchung zeigt Erfolge und Herausforderungen beim Highspeed-Internet [All the way into every rental flat: This is the situation with fibre optics in Germany's homes - study shows successes and challenges with high-speed internet], https://www.vatm.de/bis-in-jede-mietwohnung-so-sieht-es-mit-glasfaser-in-deutschlands-haeusern-aus-untersuchung-zeigt-erfolge-und-herausforderungen-beim-highspeed-internet/#:~:text=Ausgehend%20von%20rund%2022%20Millionen%20Haushalten%20in%20Mehrfamilienh%C3%A4usern%2C,der%20Wohneinheiten%20bis%20zu%2022%20Milliarden%20Euro%20erfordern., 2025, 26/06/2025.

[34] Ibid.

[35] Ibid.

[36] Belgian Institute for Postal Services and Telecommunications, Analysis regarding the request to impose mandatory contributions by Internet platforms to operators for the use of their networks (fair share), 2023, https://www.bipt.be/file/cc73d96153bbd5448a56f19d925d05b1379c7f21/eda673cd7f1dfafd794060b22a0ac1c185f4f9d0/communication_fairshare_en_2023-11-08.pdf, p. 22.

[37] Universität Köln, Fixkostendegression [fix cost degression], https://verwaltung.uni-koeln.de/wirtschaft_und_finanzen/content/investitionscontrolling_beteiligungen_und_stiftungsmanagement/kosten__und_investitionscontrolling/kosten__und_leistungsrechnung/allgemein_zur_klr/klr__lexikon/data/fixkostendegression/index_ger.html, 04/07/2025.

[38] Fibre Broadband Association: Operational Expenses for all-fibre networks are far lower than for other access networks, 2020, https://fiberbroadband.org/wp-content/uploads/2023/03/Access-Network-OpEx-Analysis-White-Paper.pdf.

[39] Zero rating judgements, Deutsche Telekom's 5G+ Gaming.

on the regulatory authorities in the future to soften the principle of net neutrality to such an extent that the imposition of network charges becomes possible.

vzbv believes that introducing network fees for CAPs could favour companies that are in a position to pay ISPs in order to reach end users. This would inevitably discriminate against companies, especially smaller ones and start-ups, unable or unwilling to pay. For end users, this means less choice and ultimately poorer quality. The introduction of an arbitration mechanism would allow large telecom operators to exploit termination monopolies to force payments from other actors, distorting competition at the expense of smaller operators, and undermine the rights of consumers to use the Internet freely, as guaranteed by EU net neutrality rules.[40] It would also further raise market entry barriers for start-ups and European SMEs.[41]

Even under the current strict rules, operators try to find ways to secretly introduce network fees and circumvent the existing rules. For example, vzbv assumes that Deutsche Telekom is creating artificial bottlenecks at access points to its network.[42] Financially strong services that pay Telekom would get through quickly and work perfectly. Services that cannot afford this would be slowed down and often load slowly or not at all. This would mean Telekom decides which services customers can use without issues. vzbv filed a pending complaint with the Federal Network Agency based on a violation of net neutrality.[43]

Furthermore, also Deutsche Telekom offers a paid additional option called „5G+ Gaming“[44]. This option enables improved and smooth use of the mobile internet through the application of so-called network slicing technology. However, this improved usage only applies to games on the Sora Stream platform and only on certain smartphones. vzbv considers this offer to be another violation of the net neutrality principle. In a similar case the European Court of Justice decided, that Vodaphone violated the net neutrality principle by offering a zero-rating-product with its „Vodaphone-Pass“.[45]

Similar practices are already tested now by the telecommunications operators and might become legal under the proposed new rules after the introduction of the DNA. They all call the principle of net neutrality into question or violate it. vzbv therefore calls on the European Commission to keep its word to fully preserve the Open Internet Regulation including the net neutrality principle and for a clear commitment to upholding those principles in the future.

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[40] Epicenter.works, GFF, vzbv, Prof. Dr. Barbara van Schewick: Beschwerde gegen die Deutsche Telekom wegen Verletzung der Netzneutralität im Namen von Telekom-Kunden [Complaint against Deutsche Telekom for violating net neutrality on behalf of Deutsche Telekom customers], https://epicenter.works/fileadmin/user_upload/Beschwerde_Telekom_Netzneutralitaet_Zusammenschaltung.pdf, 2025.

[41] WIK: Competitive conditions on transit and peering markets, 2022.

[42] Netzbremse: Deutsche Telekom is throttling the internet. Let’s do something about it!,https://netzbremse.de/en/, 02/07/2025.

[43] Epicenter.works, Gesellschaft für Freiheitsrechte, verbraucherzentrale Bundesverband (vzbv), Prof. Dr. Babara van Schewick: Beschwerde gegen die Deutsche Telekom wegen Verletzung der Netzneutralität im Namen von Telekom-Kunden, April 2025, https://epicenter.works/fileadmin/user_upload/Beschwerde_Telekom_Netzneutralitaet_Zusammenschaltung.pdf, 02/07/2025.

[44] Deutsche Telekom: 5G+ Gaming, https://www.telekom.de/optionsuebersicht/mobilfunk/5gplus-gaming, 02/07/2025.

[45] Court of Justice of the European Union: judgement of 09 September 2021, C-5/20, ECLI:EU:C:2021:676.

POSITION

There has been no evidence of a market failure to justify the introduction of a dispute resolution mechanism for the interconnection market. Normal legal avenues provide already for sufficient means to address disputes between commercial operators.

vzbv fears that the introduction of the dispute resolution mechanism is a first step towards the legalisation of network fees.

Network fees could potentially undermine net neutrality and thus put consumers' free and open access to the internet at risk.

vzbv calls on the European Commission to clearly commit to upholding the Open Internet Regulation and the net neutrality principle.

IV. ACCESS POLICY

The European Commission describes a departure from the ex-ante regulation principle for the telecommunications market as one of the possible options. vzbv strongly opposes this idea. Ex-ante regulatory intervention has been broadly successful to combat negative consequences of prior existing monopolies and to foster competition.[46] Even today, the recommendations on relevant markets for the telecommunications sector are still necessary to ensure sustainable competition. The structure of the German telecommunications market shows this clearly. Deutsche Telekom has significant market power in Germany with a total market share of 45 percent.[47] Competitors ask to keep up the recommendations for relevant markets to allow the Federal Network Agency to prevent a further increase in market power.[48]

The recommendations for relevant markets allows National Regulatory Authorities (NRA) to introduce ex-ante regulation that is necessary to ensure sufficient competition.[49] It enables the authorities to prevent an abuse of power if individual companies have significant market power. It also enables NRAs to monitor compliance with specific requirements. Regulatory intervention through so-called symmetric regulation under Art. 61(3) is subsidiary to the regulation of undertakings with significant market power, as the introduction of access obligations is just optional whereas NRAs are required to review all markets, which are included in the relevant market recommendation. Access obligations under the current provision do not apply to all operators in general but rather typically to a single operator which is a monopolist on fibre in a given area. Changes to these rules would therefore favour operators with significant market power but not their competitors.

[46] European Commission: White Paper - How to master Europe's digital infrastructure needs?, 2024, p.32.

[47] Bundesnetzagentur: Jahresbericht Telekommunikation 2024 [annual report telecommunications 2024], 2025, p. 7.

[48] ANGA/BREKO/VATM: Märkte Empfehlung – Die Empfehlung bleibt unverzichtbar für einen funktionierenden Markt [Markets Recommendation - The recommendation remains indispensable for a functioning market], 2025, https://www.vatm.de/wp-content/uploads/2025/06/Verbaendeschreiben_EU-Maerkteempfehlung_ANGA-BREKO-VATM_DE.pdf, 26/06/2025.

[49] Bundesnetzagentur: Marktdefinitionen und –analysen [Market definition and analyses], https://www.bundesnetzagentur.de/DE/Beschlusskammern/BK01/BK1_71_Markt/BK1_Markt.html, 26/06/2025.

There are concerns that withdrawing the market recommendations would practically squeeze out Deutsche Telekom's competitors from the German market.[50] Less competition means less diverse offers and choice for end users. Eventually, it would also lead to higher end user prices and poorer service quality.

The same applies to the option of dividing the market into smaller units, for example regionally. In this case, there would be regions in which Deutsche Telekom's competitors would have to grant it symmetrical access as if they had significant market power. This could also further consolidate Deutsche Telekom's market power.

Competition law alone is not yet enough to maintain broad competition. Ex-post control by courts often takes years and in the meantime leads to uncertainty and a lack of planning certainty, which can already drive competitors out of the market, constitute an entry barrier and is to the detriment of consumer welfare. Especially now, in the middle of the copper switch-off period. Strategic behaviour of operators with significant market power could further weaken competition in this crucial period.[51]

POSITION

vzbv strongly supports maintaining the ex-ante regulatory system. This is the only way to ensure sustainable competition for all market players as well as an efficient fibre rollout.

Competition law is not yet enough to maintain broad competition on the European telecommunications market. Operators with significant market power could use the crucial period of the transition from copper cables to fibre to gain even more market share and to force out smaller market actors.

V. UNIVERSAL SERVICES

The scope of the Universal Service obligation must be maintained. Particularly in the current transition process to fibre optic technology, it is important that an availability obligation remains an explicit legal requirement. This is the only way to ensure that no one is excluded from digital social participation, especially for vulnerable consumers and in rural areas. In 2024, about 6.5 percent of German private households still had no internet connection.[52] There were about 38.6 million broadband connections in Germany at the end of 2024.[53] Of these, around 0.8 million connections were below the threshold for the minimum speed for universal services in Germany at that time.[54] The following section further explains why there is still a need for a strong universal service.

[50] ANGA/BREKO/VATM: Märkte Empfehlung – Die Empfehlung bleibt unverzichtbar für einen funktionierenden Markt [Markets Recommendation - The recommendation remains indispensable for a functioning market], 2025, https://www.vatm.de/wp-content/uploads/2025/06/Verbaendeschreiben_EU-Maerkteempfehlung_ANGA-BREKO-VATM_DE.pdf, 26/06/2025.

[51] European Commission: White Paper - How to master Europe's digital infrastructure needs?, 2024, p. 32.

[52] Statistisches Bundesamt: Statistischer Bericht: Informations- und Kommunikationstechnologien privater Haushalte (Mikrozensus-Unterstichprobe-IKT) [Statistical report: Information and communication technologies of private households (microcensus sub-sample ICT)], 2024, https://www.destatis.de/DE/Themen/Gesellschaft-Umwelt/Einkommen-Konsum-Lebensbedingungen/IT-Nutzung/Publikationen/Downloads-IT-Nutzung/statistischer-bericht-ikt-privater-haushalte-2150400247005.xlsx?__blob=publicationFile&v=4, table 12231-01, 24/06/2025.

[53] Bundesnetzagentur: Jahresbericht Telekommunikation 2024 [annual report telecommunications 2024], 2025, p. 15.

[54] Ibid.

In theory, consumers have had an individual legal right to internet access since the 2021 amendment to the German Telecommunications Act. This became enforceable for consumers when the Telecommunications Minimum Supply Ordinance (TKMV), set out by the Federal Network Agency (BNetzA), came into force in June 2022. The minimum quality requirements for internet access are defined in the TKMV.[55] The requirement currently refers to bandwidths of at least 15 Mbps for download speed, 5,0 Mbps for upload speed and a latency of 150 milliseconds.[56]

The principles for determining affordable prices were set by the BNetzA after a public consultation.[57] The calculation of affordable prices is based on standard market prices.[58]

In order to receive an internet access through Universal Services, citizens have to register an undersupply with the Federal Network Agency.[59] The Federal Network Agency then has to confirm this undersupply, for which they are using different methods. It is important to know that the right to an internet access is technological neutral, which means it can be achieved via landline, satellite or mobile. The BNetzA therefore has to check all technical possibilities and determine if there is an undersupply. There are cases where the BNetzA will check the bandwidth on-site, through technical analysis, contacting providers, overviews for broadband availability etc. If they determine an undersupply, providers can voluntarily provide an adequate internet access. If no provider is willing, the BNetzA can oblige telecom operators to provide an internet access. In 2024 alone, the BNetzA received 1564 complaints from citizens regarding their undersupply with internet.[60] On the basis of these complaints, the authority determined an undersupply in 16 cases but only ordered four operators to provide access.[61] Many consumers complain that the procedure for determining an undersupply is time-consuming and complicated. The chances of success are very low.

The still existing gap of no or inadequate internet access is alarming. Some of the citizens without internet access may decide to do so voluntarily, but there are also other reasons. Some citizens cannot afford an internet connection; others live in a rural area where connection to the network is difficult for practical reasons. These problems will continue to exist even after the switch from copper to fibre optic lines. As part of the national discussion on fibre optic expansion, a deviation from the target of 100 percent nationwide expansion is already being discussed.[62] This shows, that the use of the Internet as an essential means of social participation is and remains not only a question of affordability, but also one of availability.

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[55] Bundesnetzagentur: Recht auf Versorgung mit Telekommunikationsdiensten [Right to be supplied with telecommunications services], https://www.bundesnetzagentur.de/DE/Fachthemen/Telekommunikation/Grundversorgung/start.html, 23/06/2025.

[56] Verordnung über die Mindestanforderungen für das Recht auf Versorgung mit Telekommunikationsdiensten (TKMV): https://www.gesetze-im-internet.de/tkmv/BJNR088000022.html, 23/06/2025.

[57] Bundesnetzagentur: Grundsätze über die Ermittlung erschwinglicher Preise, https://www.bundesnetzagentur.de/DE/Fachthemen/Telekommunikation/Grundversorgung/start.html, 23/06/2025.

[58] Ibid, p. 4.

[59] Bundesnetzagentur: Recht auf Versorgung mit Telekommunikationsdiensten, https://www.bundesnetzagentur.de/DE/Vportal/TK/InternetTelefon/Versorgung/start.html, 23/06/2025.

[60] Bundesnetzagentur: Jahresbericht Telekommunikation 2024 [annual report telecommunications], 2025, p. 65.

[61] Ibid, p. 67.

[62] BREKO DigiTalk „Neue Regierung, neues Tempo? Wie die Glasfaserwende gelingen kann“ on 24th June 2025.

POSITION

Access to universal services must be simple, fast and efficient for citizens.

The process for determining an undersupply and imposing obligations by the National Regulator must be simplified, so that citizens can actually enforce their right to universal services.

The use of the Internet as an essential means of social and economic participation is and remains not only a question of affordability, but also one of availability.

VI. COPPER SWITCH OFF

The European Commission suggests a switch-off for large parts of the copper networks in the EU by 2028. By 2030, the networks shall be completely converted from copper to fibre optics.[63] For the German market, the realisation of this date is uncertain. By the end of 2024, only about 40 percent of German private households had a FTTH/B connection (Fibre to the Home/Building).[64]

One in two (48 percent) German consumers report problems, especially delays, during the fibre optic rollout.[65] The German Parliament recently adopted a draft law, which reduces bureaucratic hurdles and is expected to speed up the fibre rollout.[66]

However, this speed-up must not come at the expense of the end users. It must be ensured that no copper cable is taken off the net before a reliable new fibre infrastructure is rolled out and functioning. Consumers must be incentivised to switch voluntarily to fibre networks. Forced migration to the new infrastructure must be prevented. Internet access must remain affordable for all consumers. From a consumer perspective, it is to be feared that the operators take the process of the network migration as a chance to sell significantly more expensive internet contracts. It can be observed that many providers only offer high-capacity, but also significantly more expensive, fibre contracts. Affordable tariffs at conditions comparable to the previous internet contracts are often not available. Instead, many fibre-optic tariffs only start with significantly higher bandwidths than current standard copper tariffs with 100 Mbps to 250 Mbps for around 25 to 30 euros per month.[67]

Other internet providers lure new customers into contracts with high bandwidths with low prices at the beginning, which then become significantly more expensive after 3, 6 or 12 months. Many of the offers advertise tariffs with 1000 Mbps or more, which are unnecessary for normal private households today. Average private households need

[63] European Commission: White Paper - How to master Europe's digital infrastructure needs?, 2024, p. 31.

[64] Breitbandatlas: Daten zur Breitbandverfügbarkeit in Deutschland aus dem Breitbandatlas [Data on broadband availability in Germany from the broadband atlas], December 2024, https://data.bundesnetzagentur.de/Bundesnetzagentur/GIGA/DE/Breitbandatlas/Downloads/bba_12_2024.xlsx, 24/06/2025.

[65] Verivox: Glasfaser-Monitor 2024: Die Hälfte der Deutschen möchte nie mehr zurück zu Kabel oder DSL [Half of Germans never want to switch back to cable or DSL], 2024, https://www.verivox.de/internet/nachrichten/glasfaser-monitor-2024-die-haelfte-der-deutschen-moechte-nie-mehr-zurueck-zu-kabel-oder-dsl-1120954/?msockid=3d78fe03f3db66103047ebfcf21b670c, 24/06/2025.

[66] Deutscher Bundestag: Bundestag ändert das Telekommunikationsgesetz [Bundestag amends the Telecommunications Act], https://www.bundestag.de/dokumente/textarchiv/2025/kw26-de-telekommunikationsgesetz-1084808, 27/06/2025.

[67] Focus online: DSL Vergleich Juli 2025 [DSL comparison July 2025], https://tarife.focus.de/dsl-vertrag/, 02/07/2025; internetanbieter.eu: https://www.internetanbieter.eu/deutschland-vergleich/, 02/07/2025.

bandwidths of 50 to 100 Mbps; multi-person households with high consumption get by with 250 Mbps.[68] No normal household currently has a consumption above this. Nevertheless, internet providers promote such bandwidths and sometimes even label them as a 'recommendation'[69].

Figure 1: Fibre optic tariffs of three large German providers

	Deutsche Telekom[70]	**Vodaphone**[71]	**1&1**[72]
Lowest option	**300 Mbps** First 3 months: 19,95 euro From the 4th month onwards: 49,95 euro	**100 Mbps** First 9 months: 19,99 euro From the 10th month onwards: 44,99 euro	**50 Mbps** First 12 months: 9,99 euro From the 13th month onwards: 42,99 euro
Middle option	**600 Mbps** First 3 months: 19,95 euro From the 4th month onwards: 59,95 euro	**500 Mbps** First 9 months: 19,99 euro From the 10th month onwards: 54,99 euro	**250 Mbps** First 12 months: 9,99 euro From the 13th month onwards: 54,99 euro
Highest option	**1000 Mbps** First 3 months: 19,95 euro From the 4th month onwards: 69,95 euro	**1000 Mbps** First 9 months: 19,99 euro From the 10th month onwards: 79,99 euro	**1000 Mbps** First 6 months: 9,99 euro From the 7th month onwards: 69,99 euro

Many end users do not currently need high-performance internet contracts in the gigabit range, meaning that the new contracts do not have a noticeable added value for

[68] Finanztip, Internetgeschwindigkeit: So viel Mbit brauchst du wirklich [Internet speed: This is how much Mbps you really need], 2024, https://www.finanztip.de/daily/internetgeschwindigkeit-so-viel-mbit-brauchst-du-wirklich/, 02/07/2025.

[69] Deutsche Telekom: Magenta Zuhause, DSL-Tarife, Deutsche Telekom, Glasfaser 300, 300 Mbit/s, https://www.telekom.de/netz/glasfaser?ActiveTabID=glasfaser-tarife&wt_mc=ii_sososoxx_navi-glasfaser-tarife-und-produkte-glasfaser-tarife, 02/07/2025.

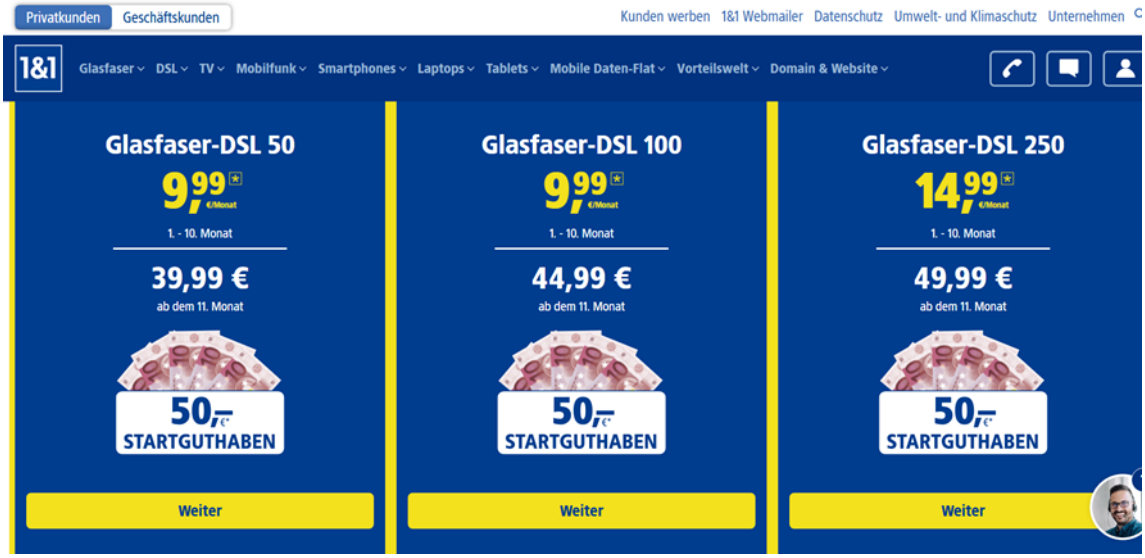
[70] Deutsche Telekom: Die Glasfaser-Tarife für Ihr Zuhause [fibre tariffs for your home], https://www.telekom.de/netz/glasfaser?ActiveTabID=glasfaser-tarife&wt_mc=ii_sososoxx_navi-glasfaser-tarife-und-produkte-glasfaser-tarife, 02/07/2025.

[71] Vodaphone: Glasfaser-Tarife mit bis zu 1.000 Mbit/s [fibre tariffs with up to 1,000 Mbps], https://www.vodafone.de/privat/internet/glasfaser.html?product=FIB-BSA-IP-100, 02/07/2025.

[72] 1&1: Alle 1&1 Glasfaser-Tarife jetzt ab 9,99 EUR in den ersten Monaten [all fibre tariffs from 9.99 euros for the first few months], https://unternehmen.1und1.de/produkt-news/2023/alle-11-glasfaser-tarife-jetzt-ab-999-eur-in-den-ersten-monaten/#:~:text=Mit%201%261%20Glasfaser%2050%20surfen%20Kunden%20mit%20bis,ersten%2012%20Monaten%2C%20danach%20f%C3%BCr%2042%2C99%20Euro%20monatlich., 02/07/2025.

them. Many private users are unlikely to realise the potential benefits of the new high-performance networks for at least a few more years, when their applications have also become significantly more data-intensive. This is why many consumers are not willing to pay more for the new contracts. They often refuse to switch to fibre even if the infrastructure is already in place.

Consumer scepticism about switching to fibre optics is reinforced by the providers' non-transparent advertising offers. To highlight just one example: one operator promotes some tariffs with the term “fibre optic-DSL”. The operator advertises as follows: “With fibre-optic DSL connections, the fibre-optic cable extends to the distribution box on the pavement. From there, your house or flat is supplied with DSL using the new vectoring technology. This enables speeds of up to 250 Mbps. […] As soon as a direct fibre optic connection is available at your place of residence, you can easily upgrade your connection without any switching fees.”[73] For many consumers, it may not be clear which technology will actually provide them with internet access. The mention of fibre optics in the tariff name gives the impression that this modern technology is used for the supply. In reality, however, it is a classic DSL tariff with the option of upgrading to fibre optics as soon as it becomes available.



[73] 1&1:1&1 Glasfaser-DSL [fibre-optic-DSL], https://dsl.1und1.de/flow/dsl/vcheck-first/dsl-verfuegbarkeit-ergebnis, 02/07/2025.

Mit 1&1 Glasfaser-DSL genießen Sie Highspeed-Internet im ausgezeichneten Netz von 1&1. Es sind in der Regel keine baulichen Maßnahmen erforderlich, somit erfolgt die Schaltung Ihres Glasfaser-DSL-Anschlusses in kürzester Zeit. Sobald ein 1&1 Glasfaser-Direktanschluss an Ihrem Wohnsitz verfügbar ist, können Sie Ihren Anschluss ohne Wechselgebühren ganz einfach upgraden.

Source: 1&1: 1&1 Glasfaser-DSL, https://dsl.1und1.de/flow/dsl/vcheck-first/dsl-verfuegbarkeit-ergebnis, 02/07/2025.

Internet users are also increasingly unsettled by reports that DSL shutdowns are imminent and may lead to problems with the Internet supply.[74] This creates fears and the impression that there is a threat of gaps in supply, probably prompting some people to take out overpriced contracts without much thought. In order to achieve a high level of take-up among end users of fibre optic technology, a transparent changeover process is required, accompanied by broad-based, reliable information campaigns.

> “Forced migration” as well as the loss of internet access must be prevented.
>
> Internet access must remain affordable. The switch to fibre optics must not lead to inappropriate price increases for consumers. This must also be ensured in the long-term, not just during the migration period.
>
> When the copper network is switched off, an offer should be made for fibre-based tariffs with corresponding prices that consumers payed before the migration.
>
> The conversion from DSL to fibre optic technology must be transparent for consumers and accompanied by clear and reliable information campaigns.

[74] Merkur.de: Internet-Aus für Millionen: DSL-Abschaltung betrifft jeden vierten Deutschen-auch Sie? [Internet outage for millions: DSL switch-off affects one in four Germans-including you?], June 2025, https://www.merkur.de/verbraucher/internet-aus-fuer-millionen-dsl-abschaltung-betrifft-jeden-vierten-deutschen-auch-sie-93748972.html, 02/07/2025; RTL, DSL-Abschaltung 2025 in Deutschland! Darauf müsst ihr bei der Glasfaser-Umstellung achten [DSL switch-off 2025 in Germany! What you need to watch out for during the fibre optic switchover], Mai 2025, https://www.rtl.de/ratgeber/digitales/dsl-abschaltung-2025-in-deutschland-darauf-muesst-ihr-bei-der-glasfaser-umstellung-achten-id4361908.html, 02/07/2025.