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BEREC QUESTIONNAIRE TO NATIONAL AUTHORTIES ON SUSTAINABILITY INDICATORS FOR ELECTRONIC COMMUNICATIONS

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BEREC QUESTIONNAIRE TO NATIONAL AUTHORTIES ON SUSTAINABILITY INDICATORS FOR ELECTRONIC COMMUNICATIONS

In its report 'Assessing BEREC's contribution to limiting the impact of the digital sector on the environment' , BEREC underlines the need to identify the relevant indicators to better characterize the environmental impact of ECNs and ECSs, in line with the objectives the European Commission's digital strategy 'Shaping Europe's digital future' and the European Green deal. BEREC also aims to investigate how its expertise on electronic communications could be further used to improve data accuracy on the ICT sector's environmental footprint.

Therefore, BEREC decided to work on the environmental transparency of the telecommunications industry and to map and analyze most relevant indicators to evaluate the environmental footprint of the sector as stated in its Work Program 2022 . BEREC considers that exploring a consistent and sufficiently robust set of indicators is a necessary precondition to help public authorities, economic actors as well as the end-users to make informed decisions.

In this frame, BEREC is opening a call-for-inputs and engaging with stakeholders and other public bodies working on the issue through workshops, bilateral exchanges and questionnaires to feed its analysis and avoid duplicating exiting work.

With this questionnaire, BEREC invites its members, and if relevant and appropriate, other competent authorities [1] to provide information on their potential ongoing and planned activities and work on sustainability indicators.

The information provided will be a contribution of great importance for the BEREC report on sustainability indicators for telecommunications to be published in 2023 as well as for the planning of future work of BEREC in the field. So please be aware before replying to questionnaire that by answering to the questions, you accept that any information provided is likely to be published if not indicated as confidential.

[1] National regulatory authorities members of BEREC are responsible of sending the questionnaire to other competent authorities of their Member States if appropriate.

Identification of the respondent autority

*1. Please enter your name and surname

> As contact persons: Claudi Fauli and Lourdes Ortega

*2. State

> Spain

*3. Contact person/email

> berec-green@cnmc.es

*4. Name of the authority

> CNMC. Comisión Nacional de los Mercados y la Competencia.
> This response includes the contribution of the Ministry of Economics Affairs and
> Digital Transformation.

*5. Are you a member of BEREC?

◉ Yes
○ No

*5.1. Do you want to inform BEREC about measures or actions you may have taken regarding the environmental sustainability of the telecom industry (or more broadly regarding of the ICT sector) and that BEREC is not yet aware of?

◉ Yes
○ No
○ N/A

5.1 Please specify

> The CNMC has adopted measures in its last market analysis revision in order to
> facilitate the transition from copper to optical fibre. According to FTTH
> Council, Spain is the second country of the EU27+UK in terms of FTTH/B Homes
> passed over time: https://www.key4biz.it/wp-content/uploads/2022/05/Market-
> Panorama-2022.pdf (1)
>
> No other specific measures have been taken until now regarding the environmental
> sustainability of the telecom sector. The CNMC is also the authority responsible
> for energy regulation, but in this field it has no initiatives specific to the
> ICT sector.
>
> (1) The switch off dates of the different copper exchanges is published at the
> CNMC website: https://www.cnmc.es/en/ambitos-de-
> actuacion/telecomunicaciones/concrecion-desarrollo-obligaciones

*5.2. Do you foresee future projects to examine environmental sustainability issues in the sector you would like to share?

◉ Yes

○ Not at this stage

5.2 Please specify

It is a priority for the CNMC to comply with their Strategic Plan (2021-2026) and Action Plan (2021-2022), in which sustainability objectives have been included.

The CNMC is currently assessing some measures to adopt in order to limit the environmental impact of the different activities of regulated sectors and to promote the green transition to digitization.

The following actions are being considered:

1)   To collect environmental data from telecom operators.
2)   Promote internal working groups to define guidelines on the ecological transition and digitization in Spain.
3)   To take new measures in relation to the migration to new network´s infrastructure, in particular, to take into account environmental objectives in the next market analysis revision in order to facilitate the switch-off of legacy copper in local exchanges.
4)   To incorporate environmental aspects in the CNMC´s mandatory reports to the legal proposals elaborated by the Government in relation to the telecom sector.
5)   To take into account environmental issues in the CNMC decisions, mainly in disputes proceedings about infrastructure sharing.
6)   Another possibility would be to publish statistical information useful for the consumers in relation to the greenest operators and industry players (CO2 emissions of the different devices, recyclability, energy consumption…).

Questions on data collection and environmental indicators

*5.3. Do you have a legal mandate or any relevant provision to collect environmental data from telecom operators or other digital industry players (i.e. devices manufacturers, digital services, content and application providers, data centers operators…)?

◉ Yes
○ No
○ Don't

5.3 Please specify the legal mandate and the conditions of implementation

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There is not a specific mandate in the General Telecommunications Act (2)
neither in the European Electronic Communications Code to allow the ANRs (and
therefore, the CNMC) request for environmental data to operators.

However, according to the European Electronic Communications Code (article 20),
the General Telecommunications Act  provides (article 9) that the CNMC can
request for information regarding their products and services to the operators
and other industry players, within CNMC's scope of action, in order to satisfy
statistical or analytical needs and for the drawing up of industry tracking
reports. The CNMC can also request for information to these agents to check
compliance with the conditions set for providing services or operating
electronic communications networks.

According to this article, the Ministry of Economics Affairs and Digital
Transformation may also, in their sphere of competence, request for the
provision of environmental data to telecom operators.
Therefore, in Spain, there are legal basis to collect environmental data from
telecom operators by the authorities in charge of the application of the General
Telecommunications Act provisions.

(2) General Telecommunications Act 11/2022, of 28 June:
https://www.boe.es/buscar/doc.php?id=BOE-A-2022-10757
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*5.4. Do you collect information and data on the environmental impacts and performance of electronic communications, or with a wider perspective on the ICT sector

- ◉ Yes
- ◯ No

5.4 Please specify

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For the preparation of the 2021 DESI report, the main operators were required by
the CNMC to provide the indicators they used to measure energy consumption in
electronic communications networks.
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*5.4.1. What is the precise scope of your environmental data collection in the digital sector?

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As we have said above, the CNMC could collect environmental data in order to
satisfy statistical or analytical needs and for the drawing up of industry
tracking reports. The CNMC can also check compliance with the conditions set for
providing services or operating electronic communications networks.
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5.4 Please specify

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Until now, the CNMC have only collected these data in order to answer questions
related to the 2021 DESI report.
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*5.4.2. What type of sustainability indicators do you collect? (Ex: GHG emissions, energy consumption, resource use, energy efficiency, recyclability, use of renewable

energy…)

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The main indicators mentioned were:

1) Electricity consumption per data unit (kWh/GB), which reflects the efficiency
of new technologies.
2) Global CO2 emissions, to measure the impact of renewable energies.
3) Consumption per user (Wh/user), to measure the relationship between the
higher energy consumption derived from higher demand in comparison to the energy
efficiency of new technologies and
4) PUE (Power Usage Effectiveness), ratio between the total consumption of a
data center and the consumption of the telecommunications equipment.
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5.4.3. Do you publish this data?

○ Yes
○ Partly
◉ No

*5.5. Do you collect information and data which could be useful on from an environmental perspective i.e. which inform on a perimeter that could impact electronic communications environmental footprint (for instance: sales volumes, data consumption on mobile or fixed lines, number of sites, devices distribution/usage, etc)?

◉ Yes
○ No
○ Don't know

5.5 Please specify

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Some information is available in CNMC periodical reports.

Periodically CNMC publishes the results of a survey addressed to end users which
contain information on consumption patterns. Its aim is to gather information
about the availability of services and equipment, consumption and spending
patterns and also about habits and perceptions of residential consumers.

Additionally, once a year CNMC publishes its Sectorial Economic Report of
Telecommunications and Audiovisual where the most prominent figures in the
telecommunications and audiovisual sector are presented.

The information is available at CNMCData portal: http://data.cnmc.es/
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*5.6. Are you aware of any other public authorities in your Member State which are collecting environmental data or assessing the environmental impact/performance of electronic communications, or eventually with a wider perspective on the digital sector?

◉ Yes
○ No
○ Don't know

5.6 Please specify the name of the authority and the nature of the task/project (ad hoc or recurrent study, relevant publication and link…).

As we have indicated previously, in Spain, according to the General Telecommunications Act, the Ministry of Economics Affairs and Digital Transformation has also competences related to electronic communications networks and services.

However, the Ministry has not adopted any actions/projects/tasks in relation to the environmental impact of the ICT sector. Accordingly, no specific environmental data have been collected. However, the Ministry collects data from operators such as the location of the network sites, including fixed and mobile. Operators also share peak speed and technology that could be useful in reporting the environmental impact of each speed or technology reported.

Also, any telecom operator network which has been subsidised by public funds is obliged to comply with DNSH principle along with environmental principles (among others) according to the Regulation (EU) 2021/241 establishing the Recovery and Resilience Facility, and Regulation (EU) 2020/852 on the establishment of a framework to facilitate sustainable investment. So, in the case of networks financed by public funds they must follow every environmental aspect present in the mentioned legislation.

5.7. In your view, how to foster environmental transparency in the telecom sector, or more largely in the ICT industry, and increase comparability of figures among economic players?

The CNMC considers that it is of crucial importance that ANRs may use common indicators and a unique methodology in order to measure the impact of the telecom sector on the environment. Guidelines on common data and methodology adopted by BEREC would help to compare the figures among economic players.

ANRs could also contribute to this transparency publishing the data obtained by industry players in their websites and public reports, allowing consumers to choose the best green option for them.

Regarding the data collected by the Ministry, it could be positive to identify brands and type of devices installed by operators in the sites in order to calculate or estimate energy consumption.

5.8. Please indicate any comment you may have or document you would like to share to BEREC regarding sustainability of telecommunications and IT products and services

Taking into account the importance of digitization in order to get the
objectives laid down in the European Green Deal and in the "EU Fit for 55"
package, the CNMC and the Ministry point out that the enabling effects of the
ICT sector should be considered in order to measure the positive contributions
of this sector to the environment, i.e. reduction in energy consumption
(teleworking, e-learning, telemedicine, etc.).

It might be also interesting to share the Recovery, Transformation and
Resilience Plan for the Spanish Economy:
https://portal.mineco.gob.es/RecursosArticulo/mineco/ministerio/ficheros/210122_
RecoveryPlan.pdf

Almost every initiative being carried out today in Spain is based on the Spanish
Recovery, Transformation and Resilience Plan, which includes environmental
references such as The National Integrated Energy and Climate Plan, submitted to
the European Commission in May 2020. This Plan provides the guiding framework
for this investment and reform program for a fair environmental transition that
develops the strategic capabilities of the green economy. So, every public
authority in Spain is following the guidance of the Plan, and taking into
account environmental issues.

Please upload your file

Thank you for your time and valuable input !

Contact

pm@berec.europa.eu