



Will COVID-19 collapse *telecoms*?

The Portuguese government took exceptional measures in order to prevent the integrity of key services from being interrupted, as the networks are currently under a great deal of pressure.

It is estimated that about one billion people are under voluntary confinement in their homes in order to halt the spread of the current pandemic, which explains the significant increase in the amount of data moving across fixed and mobile networks when combined with services like Netflix, HBO, Prime Video, Instagram, Facebook and Youtube and practices such as telecommuting and homeschooling.

Netflix was invited by the EU to reduce its streaming quality in Europe, a public call that Netflix attended to, but others such as YouTube, Apple TV+, Amazon Prime and Disney Plus are also committing to tone down the image quality of their streaming applications in order to free up bandwidth space.

The Portuguese government, in its turn, has set out temporary and exceptional measures regarding the telecommunications sector in order to prevent a network overload. According to Decree Law 10-D/2020, *telcos* must ensure the provision of the following services, which are deemed key telecommunications services:

- Ininterrupt voice chat and text messaging under fixed and mobile networks;
- Ininterrupt access to the emergency services, including geolocation and ininterrupt availability for public warnings to be sent to the population;
- Sufficient data under fixed and mobile network that ensure access to a set of essential services, such as email, search engines, news, homebanking, financial and insurance services, both in fixed and mobile broadband; and
- Analog and digital television signal.

These services must be provided to priority clients such as healthcare providers included in the national health service, security forces and Home Affairs, both in continental territory and Madeira and Açores.

In view of ensuring these services, *telcos* may take exceptional measures regarding network and traffic management, prioritizing voice chat and text messaging traffic, while limiting video streaming, online gaming or other categories of data transfer, provided that limitations are only to ensure the integrity and safety of the networks.

Network repairing is also going to be a priority, since compliance with obligations usually applicable to the telecommunications sector will be simplified and/or suspended.

The new legal framework is already in force and will be until the measures for the prevention, containment, mitigation and treatment of the pandemic are waived by the national public health authority.

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