



The EU telecoms regulators' response to COVID-19

Most regulatory authorities opted for limited market intervention. In Portugal, however, public intervention was significant, especially when compared with countries more affected by COVID-19.

When the COVID-19 pandemic started, several European regulatory authorities took measures aimed at mitigating issues arising from the effects of social distancing and mandatory confinement. After the declaration of the state of emergency in Portugal, for example, we saw a sharp increase in data volume and a significant change in the profile of data transfers, a trend that stabilized during the current month (see data in respect with April and data in respect with May).

For a better understanding the EU regulators' market intervention, we analyzed data gathered by Cullen International, comprising a sample of 20 countries, including Germany, Austria, Belgium, Croatia, Denmark, Spain, Finland, France, Greece, Ireland, Italy, Luxembourg, Norway, Poland, the Netherlands, Portugal, the Czech Republic, the United Kingdom, Romania and Switzerland. Intervention was grouped in five different areas: (i) data volume management, (ii) portability, (iii) spectrum, (iv) wholesale prices and (v) other.

Our first conclusion is that, in 40% of the counties (of Belgium, Croatia, Finland, Luxembourg, the Netherlands, and Switzerland), regulators intervened in only one area. In 30% of the sample, there was no intervention. In the remaining countries, Denmark intervened in two, Spain, France, Ireland and Italy intervened in three areas, and the Portuguese regulator worked in four areas.

Interestingly enough, it seems there is no correlation between the intensity of regulatory intervention and the impact of the pandemic in each jurisdiction, which leads to the conclusion that, apparently, different risk awareness lead to different predisposition to intervene.

Measures taken by regulators in telecommunications networks ranged from restrictions to *streaming* services and suspension of functionalities and/or services (if they required the presence of workers on site), to the suspension of the right of cancellation of contracts. At regulator-operators level, measures varied from the suspension of obligations and licensing procedures to the collection of fees. In addition to these, there have also been some cases of interventions in wholesale prices.

Public intervention in Portugal proved to be the most intense, and in addition to the suspension of administrative procedures (see [here](#) the situation of the auction 5G), it focused on data volume management, consumer protection and portability, either directly or indirectly through public awareness campaigns in order to avoid overloading the network infrastructure.

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