

*Press release*

## ANNUAL REPORT

### Arcep publishes the first two volumes of its annual report

Paris, 26 June 2023

Today, Arcep is publishing the first two volumes of its annual report:

- [“Arcep and regulated markets” \(Volume 1\)](#), provides a detailed update on Arcep’s responsibilities, and the actions and decisions carried out in 2022.
- [“Regulation in support of smart territories” \(Volume 2\)](#) is devoted to Arcep’s actions in support of regional connectivity.

The third and final volume of the Arcep annual report, **“The State of the Internet in France,”** will be published on 4 July, and presented at a dedicated press conference.

What were the highlights of Arcep’s work and actions in 2022?

#### **Environmental issues: a full-fledged regulatory chapter for Arcep**

In late 2021, the legislature conferred new powers and responsibilities on Arcep regarding the digital environmental footprint. In particular, the power to collect environmental data from operators has been expanded to include providers of public online communications services, device manufacturers and operating system providers, data centre operators and network equipment suppliers. The collected data will steadily come to enhance the annual “Achieving digital sustainability” survey, whose [second edition was published on 18 April 2023](#).

Arcep’s actions are carried out in tandem with fellow public authorities, notably Arcom through the two authorities’ joint division, and ADEME. Commissioned by the Government, in 2022 Arcep and ADEME published [the first two parts of the study](#) on the assessment methodology and analysis of the digital environmental footprint in France in 2020. [The third and final part of the study](#), providing a forward-looking assessment of the digital environmental footprint in France up to 2030 and 2050, was delivered to the Government on 6 March 2023.

In Volume 1 of the annual report, [a frieze](#) provides a chronological account of the work that Arcep has done on the digital environmental footprint since 2019, and a [snapshot](#) of all of the ongoing initiatives that Arcep is either leading or participating in alongside other institutional actors.

#### **Arcep serving as a driving force at the European and international level**

Arcep is an active member of the European Regulators Group for Postal Services (ERPG) and the Body of European Regulators for Electronic Communications (BEREC), of which Arcep Executive Board member, Emmanuel Gabla, was the Vice-Chair in 2022. The year 2022 was also marked by the French presidency of the Council of the European Union (from January to June). It was during this term that Arcep Chair, Laure de La Raudière, addressed the EU Digital Assembly held in Toulouse in June 2022.

Arcep is also deeply involved in the regulation of digital platforms and data whose framework is evolving, particularly with the adoption in 2022 of the new Digital Markets Act (DMA). Arcep thus helped strengthen the measures proposed by the DMA with the goal of ensuring the regulation’s efficient and effective implementation, through multiple BEREC publications.

## Operator spending remained high in 2022, reaching 14.6 billion euros

Telecom operators and mobile telephone infrastructure operators invested a total 14.6 billion euros (excluding spending on frequencies) in 2022. This marks a 1.8% YoY decrease while still exceeding all pre-2021 annual spending levels. Operators' retail market revenue stood at 36,7 billion euros in 2022, increasing by around 2% for the second year in a row after 10 straight years of decline. During its ["Telconomics" press conference](#) on 25 May, Arcep presented its [annual observatory](#) which gathers all of the key economic data on France's telecoms market, along with the fixed and mobile services price index for 2022.

## Arcep regulating on users' behalf

In 2022, Arcep received more than 44,600 user reports (17% YoY), the vast majority of which concerned the telecoms sector. The most common issues reported concerned the fixed internet – the majority of which pertained to users' dissatisfaction with their fibre access. On 18 April 2023, [Arcep presented the annual scorecard](#) for its customer satisfaction observatory and its ["J'alerte l'Arcep" reporting platform](#).

In addition, to factor in operators' changing needs, the development of new use cases, and provide users with more ample protection, Arcep adopted a Decision that brings changes to the national numbering plan. This Decision increases user protection against the nuisance of spam and telemarketing calls and texts that automated systems are able to make. The Authority has forbidden automated systems from using mobile numbers and most multi-purpose numbers (including the old geographic numbers) as their caller ID.

## Optical fibre: monitoring operators' commitments

Arcep monitors<sup>1</sup> operators' fibre optic rollouts in the least densely populated areas of France that are covered by private initiative (AMII<sup>2</sup> and AMEL<sup>3</sup> areas). Mandated by the Government in November 2021 to audit Orange deployments in AMII areas, on 17 March 2022 Arcep gave notice to Orange to comply with its rollout commitments. Orange appealed this Decision to the Conseil d'Etat, requesting its annulment, in addition to making an application for a priority preliminary ruling on the issue of constitutionality. The Conseil d'Etat decided not to forward the matter of a preliminary ruling on constitutionality, and rejected Orange's appeal of the Arcep Decision.

Additionally, in November 2021 Arcep was called upon to verify Savoie Connectée deployments in AMEL areas in the Savoie, and in March 2022 XpFibre rollouts in AMEL areas in the Nièvre. In 2022, the investigation of these two referrals led the Arcep Body responsible for settling disputes, legal proceedings and investigations (RDPI) to give notice to the concerned operators to comply with their commitments.

## Guaranteeing good quality of service on fixed networks to everyone in France

Fibre to the home (FttH) networks are due to become the new fixed infrastructure of reference in France. Improving the quality of their operation remains a top priority for Arcep, particularly as the majority of subscriptions in the country today are to a fibre plan. Addressing the issues that users have been encountering (line disconnected when a new subscriber is added, dilapidated street cabinets, temporary cut-offs, connection issues...), Arcep continued to work on remedying these problems, notably via the "FttH Operations" working group.

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<sup>1</sup> Pursuant to CPCE Article L. 33-13

<sup>2</sup> "AMII areas": those parts of the country where the Government has issued a call for investment letters of intent (*Zone d'appel à manifestation d'intention d'investissement*)






<sup>3</sup> "AMEL areas": those areas covered by calls for expressions of local interest (*Zone d'appel à manifestation d'engagement local*)

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Following through on the Arcep [action plan published in 2021](#), in late September operators and digital infrastructure sector representatives made commitments in four areas, to the Deputy Minister responsible for the Digital Transition and Telecommunications and to the Arcep Chair: accreditation/seal of approval for technicians working in the field, strengthening on the spot checks of service calls, introduction of photographic records of service calls and the rehabilitation of dilapidated infrastructures. Arcep is responsible for monitoring this plan.

In a parallel event, in autumn 2022 Altitude Infra and XpFibre notified their rehabilitation plans to Arcep for sections of their networks that had been the subject of an unusually high number of user reports. Free Infrastructure notified an action plan in early 2023 for its high-capacity shared access points. Arcep works vigilantly to ensure that these rehabilitation plans are successfully executed, and monitors the evolution of the quality of these networks on an ongoing basis, in concert with the affected operators.

Meanwhile, the copper network continues to serve a large percentage of users in France. Quality of service therefore remains a major issue, particularly in those areas that will not have fibre access any time in the near future: it is vital that operators be able to provide services with a decent level of quality to the homes and businesses that still depend on it.

### **A new round of market analysis being prepared**

Market analysis decisions determine the obligations imposed on the operator that enjoys significant power (SMP) in the relevant market being considered which, in this case, is Orange. These obligations are designed to remedy identified competition imbalances. Preliminary work began in 2022, along with consultations prior to drafting the Decisions that will be adopted in late 2023, and will apply from 2024 to 2028. The goal is to adapt regulation to take account of changes in the sector, not least the switchover from copper to fibre.

### **Arcep overseeing the Orange copper network switchoff**

In late 2019, Orange announced its plans for the technical switchoff of its legacy copper network, which was to take place gradually, starting in 2023 and coming to completion in 2030. Orange has already begun the process through a series of trials, and the announced technical switchoff of a first batch of 162 municipalities, or around 210,000 premises, for January 2025.

Arcep is overseeing this copper switchoff by ensuring that it take place according to a pace and to rules that safeguard users' interests and guarantee satisfactory competition conditions between operators. Dialogue and transparency with local authorities are also crucial to the successful completion of the copper switchoff plan, and Arcep is committed to securing a good partnership with local officials and to the implementation of a governance process that involves all of the stakeholders.

In early 2022, Arcep consulted the sector on the Orange copper switchoff programme as a whole. As mentioned earlier, a review of the regulatory framework for copper switchoff, for 2024-2028, is currently underway, as part of the new market analysis period for fixed networks.

### **Nationwide 4G access and pioneer 5G rollouts: monitoring tools available to everyone**

Operators continued their rollout efforts as part of the New Deal for Mobile: by the end of 2022, 2,179 sites deployed under the targeted coverage scheme were in service for all four operators.

Operators have also continued their 5G deployments. As of 31 December 2022, they had each activated between 4,000 and 5,600+ 5G cell sites in the 3.5 GHz band, well above their obligation to have 3,000 sites in service by the end of 2022.






For the sake of transparency with citizens and elected officials, and to enable everyone to be informed about mobile operators' rollouts and obligations, Arcep makes data and mobile network performance monitoring tools available, and continues to enhance them on a regular basis.

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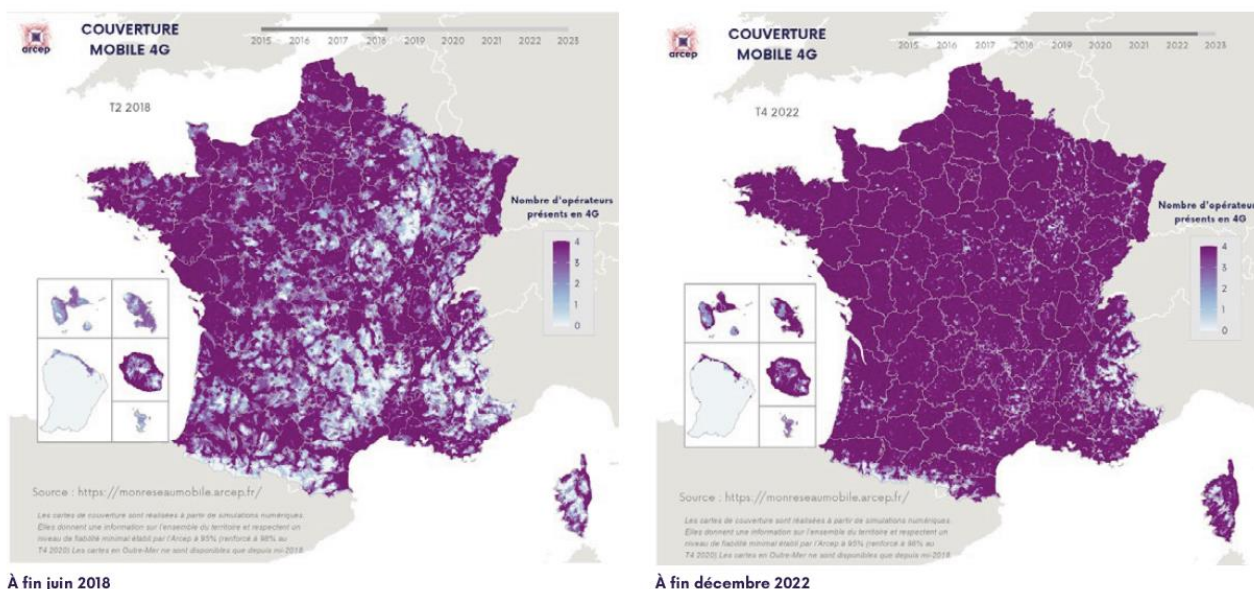
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## Comparison of 4G coverage in Metropolitan France, before and after the New Deal for Mobile

### VISION COMPARÉE DE LA COUVERTURE EN 4G EN FRANCE MÉTROPOLITAINE AVANT ET APRÈS LE NEW DEAL MOBILE



Source : Arcep à partir des données transmises par les opérateurs

## Mobile network sharing: Arcep documents network sharing levels in Metropolitan and Overseas France as of 31 December 2022

Mobile network sharing consists of having several operators share all or a portion of the equipment that makes up their mobile networks. Following the adoption of the “REEN” Act on reducing the digital environmental footprint, on 15 November 2021, Arcep is required to include an account of the level of active and passive telephony infrastructure sharing in France, in its annual report. As of 31 December 2022, 25,377 cell sites<sup>4</sup> were being shared in Metropolitan France (+1,772 YoY, and 46.8% of all sites) – 30.5% of which were shared by all four operators.

### Frequency awards in the overseas territories

On 3 August 2021, the Government launched frequency award procedures in Réunion and in Mayotte. In late May 2022, [Arcep awarded](#) the winning operators licences to use frequencies in the 700 MHz and 3.4 – 3.8 GHz bands in Réunion and in the 700 MHz and 900 MHz bands in Mayotte.

In September 2022, the Government launched frequency award procedures in the 700 MHz and 3.4 – 3.8 GHz bands in Guiana, and in Saint-Barthélemy and Saint-Martin and in the 900 MHz and 2.1 GHz bands in Saint-Barthélemy. The [principal auctions](#) for the assignment of 700 MHz and 3.4 – 3.8 GHz band spectrum in Guiana, and in Saint-Barthélemy and Saint-Martin were held on 18 April and 1 June 2023, respectively.

### Arcep continues the work of regulating press distribution

In 2022, Arcep accredited the company New CCEI as an authorised press distributor.

<sup>4</sup> Masts, rooftops, towers...

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The Authority also issued two opinions on France Messagerie price lists. It took the opportunity to deliver a reminder of its outstanding questions about France Messagerie's financial and economic soundness, and of its concerns that the situation weighed on the firm's ability to ensure the distribution of daily newspapers over the long term.

Lastly, Arcep continued to work with the sector on implementing assortment rules and determining quantities delivered to points of sale, the aim being to give newsagents greater control over the types of publication they receive and thereby minimise unsold copy numbers.

### **Postal sector: Arcep issues an opinion on the new La Poste Universal postal service mail products, launched on 1 January 2023**

The content of mail products that are part of the Universal postal service changed on 1 January 2023. Arcep issued an opinion on these changes to the catalogue of Universal postal service products on 2 June 2022, and an opinion on the pricing of these products for 2023 on 12 July 2022.

Arcep also assessed the net cost of fulfilling the public service mandate in 2021, in accordance with the duty it was entrusted in 2021 following a change in the applicable laws.

### **A three-volume annual report: three facets of Arcep's actions**

In accordance with the Independent Authorities Act (*Loi sur les Autorités administratives indépendantes*, AAI) adopted in January 2017, Arcep is publishing the 2023 edition of its annual report in three volumes:

**[Volume 1 "Arcep and regulated markets"](#) being published today** provides an update on Arcep's responsibilities, and the actions and decisions carried out in 2022. It also details Arcep's European and international activities, which have contributed to the construction of European regulation, and the global outreach of French telecoms regulation.

**[Volume 2 "Regulation in support of connected territories"](#)** is devoted to Arcep's actions in support of regional connectivity. This document is addressed to elected officials, local authority and operator representatives consumer associations and operators.






**[Volume 3 "The State of the Internet in France"](#)** is devoted in particular to the actions taken to monitor compliance with Net neutrality and the use of IPv6 addressing technologies, in accordance with the European Open Internet Regulation and the Independent Authorities Act. It also includes chapters on internet quality of service, ISPs' data interconnection, achieving digital sustainability and regulating digital platforms. It will be published on 4 July.

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L'état d'internet  
en France

### **Associated documents:**

- [Volume 1 of the Annual report: "Arcep and regulated markets" 2023 edition](#)
- [Volume 2 of the Annual report: "Regulation in support of connected territories" 2023 edition](#)
- [Key figures for the telecoms sector, the postal sector and the press distribution sector](#)
- [Arcep milestones in 2022](#)
- [Arcep in the field](#)
- [Achieving digital sustainability: milestones and publications](#)
- [Achieving digital sustainability: snapshot of initiatives that Arcep is leading or involved in](#)
- [Snapshot of fixed connectivity in France in 2022](#)
- [Snapshot of mobile connectivity in France in 2022](#)
- [How good is fixed and mobile connectivity in your area?](#)

### **Arcep at a glance**

The Regulatory Authority for Electronic Communications, Postal Affairs and Print Media Distribution (Arcep), a neutral and expert arbitrator with the status of independent administrative authority (IAA), is the architect and guardian of internet, fixed and mobile telecoms and postal networks in France.

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