

Press release

CIVIL ENGINEERING

Conditions governing access to the civil engineering infrastructures of the Paris Nord 2 urban planning association: Arcep grants certain Hub One requests for provisional measures

Paris, 8 July 2025

The Arcep Body responsible for settling disputes, legal proceedings and investigations (RDPI) has ruled on the requests for provisional measures submitted by the firm, Hub One, as part of a dispute over the technical and financial conditions governing access to the civil engineering infrastructures of the Paris Nord 2 (AFU) urban planning association. It has granted the Hub One request to maintain the optical fibre cables that have already been deployed on the AFU civil engineering infrastructures until the substantive decision from Arcep is issued. The Authority also granted the Hub One request to maintain the street cabinets on AFU property until its substantive decision has been issued. Arcep nevertheless rejected the other requests as they did not require an urgent response.

On 14 May 2024, AFU, the manager of civil engineering infrastructures located in the Paris Nord 2 business park, notified Hub One of the cancellation of a framework agreement that was signed on 20 May 2022, with a one-year notice, and of the application agreements authorising Hub One to access its infrastructures. This cancellation included a request for the removal, by 15 May 2025, of the fibre optic cables installed by Hub One since 1 January 2022, and of the street cabinets that Hub One installed on AFU land holdings in 2017 and 2018.

Arcep concluded that the Hub One fibre optic cables were being used to serve business customers and to relay traffic to customers responsible for public airport services, such that **their removal would be detrimental to the continuity of Hub One networks' operation and the services that it provides to its customers.**

Moreover, the Authority ascertained that the street cabinets that Hub One installed on AFU property enable the operator to provide electronic communications services in a secure fashion to several of its customers. Having also ascertained that the alternative solutions suggested by AFU could not be implemented within a short time frame, the Authority concluded that **removing the street cabinets at the end of the framework agreement's notice period would run the risk of disrupting the continuity of Hub One networks' operation and the services that it provides to its customers.**

Arcep nevertheless dismissed the other requests from Hub One as they did not meet the condition of urgency.

Reminder of the legal framework governing access to third parties' civil engineering hosting infrastructures

To facilitate optical fibre deployments and reduce their cost, the French Postal and Electronic Communications Code (CPCE)¹ stipulates that the managers of hosting infrastructures must grant reasonable requests for access to those infrastructures from an open public broadband network operator. This article specifies in particular that access must be provided under fair and reasonable conditions, including with respect to pricing. This request for access can only be refused if that refusal is based on objective, transparent and proportionate criteria, such as the infrastructures' technical capacity to host the open public broadband network's elements.

The CPCE² also stipulates that the operator of an open public broadband network shall have access to information on the hosting infrastructures to which it may request access, such as location and layout³. This operator can request that the manager of the hosting infrastructure provide it with this information.

¹ CPCE Article L. 34-8-2-1 transposing Directive No. 2014/61/EU

² Article L. 34-8-2-2, also transposing Directive No. 2014/61/EU

³ Pursuant to CPCE Article L.34-8-2-1



Le collège de l'Arcep est l'organe de décision.

Il est composé de **7 membres** nommés par les présidents de la République, de l'Assemblée nationale et du Sénat.

LA FORMATION PLÉNIÈRE

délibère sur l'ensemble des décisions et avis, à l'exception des décisions pour lesquelles la loi a expressément prévu que l'une ou l'autre des autres formations de l'Autorité était compétente.



La formation de règlement des différends, de poursuite et d'instruction (RDPI)

4 membres dont la présidente



Statue sur les décisions en matière d'enquête et de règlement des différends ainsi que sur les décisions ayant trait à l'exercice des poursuites et de l'instruction.



La formation restreinte (dite « de sanction »)

3 membres



Délibère sur les décisions de sanction et de non-sanction. Elle comprend les 3 membres du collège les plus récemment nommés.

Associated document:

- [Arcep Decision No. 2025-1145-RDPI of 12 June 2025 ruling on a request for provisional measures submitted by the firm Hub One, as part of a dispute with the Paris Nord 2 urban planning association](#)

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 electronic communications, postal and press distribution networks in France.