

Press release

FIXED BROADBAND AND SUPERFAST BROADBAND MARKET REGULATION

Regulatory changes for the 2025 to 2029 period: Arcep submits its draft plan to deregulate the market for wholesale central access solutions (“3b”) to the European Commission

Paris, 15 October 2024

After holding a [public consultation on its draft deregulation plan for market “3b”](#) ^[1] and having received the opinion of the Competition Authority, Arcep is submitting its draft decision – which takes input from national market stakeholders into account – to the European Commission to obtain its observations: this is the final stage prior to Arcep’s adoption of its decision.

Based on its analysis of the competition dynamic in market “3b”, Arcep plans to deregulate this market, after a transitional period during which existing remedies will remain in place up to 31 March 2026.

To provide the sector with predictability, the draft decision plans on having a transitional period during which Orange is required to comply with all of the obligations set forth in market analysis decision No. 2020-1447. This includes an obligation to grant all reasonable requests for access under non-discriminatory and transparent conditions, and at cost-based prices in parts of the national territory.

The public consultation and the Competition Authority’s opinion further support the plan to deregulate market “3b”.

Market stakeholders’ contributions to the public consultation that ran from 30 May to 31 July did not lead Arcep to make any substantial changes to the draft decision published for consultation. The input provided did not alter the competition analysis conducted by Arcep, which thus proposes to maintain the direction set forth in the public consultation. In particular, Arcep notes that, compared to previous public consultations on market analysis decisions adopted in 2023, very few stakeholders (only seven) chose to respond. Some of those who did opposed the principle of deregulation, or requested a significantly longer transitional period. Orange, on the contrary, requested a shorter transitional period.

In its Opinion of 16 September 2024, the Competition Authority voiced its support for lifting regulation of market “3b”. It also made several observations, which Arcep has factored into its new draft decision. In particular, the Competition Authority underscored the need to justify the length of the transitional period, which has been included in the new version of the text being notified to the European Commission. It also pointed to the need to maintain monitoring of this market, which Arcep will continue to do, notably through multiple market observatories.

Associated documents

- [Draft Decision on lifting regulation of the market for wholesale central access at a fixed location for mass market products](#)
- [Contributions to the public consultation on plans to lift regulation of the market for wholesale central access at a fixed location for mass market products](#)

Useful reminder:

- [Table of all fixed market regulatory periods to date](#)

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 communications, postal networks and press distribution in France.