



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR COMMUNICATIONS NETWORKS, CONTENT AND  
TECHNOLOGY

The Director-General

Brussels, 10 January 2023  
CNECT.B.1/SL

Mr Thomas Lohninger  
Executive Director  
EPICENTER.WORKS



Dear Mr Lohninger,

Thank you for your letter of 13 December 2022 to President von der Leyen and the college of Commissioners, in which you expressed your concern about the Commission's alleged plans for requiring content providers to pay a fee to telecommunication operators. President von der Leyen has asked me to reply to you on her behalf as well as on behalf of Executive Vice President Vestager and Commissioner Breton.

You had previously raised your concerns about the 'Sending-Party-Network-Pays' (SPNP) model earlier last year. As indicated in the reply Executive Vice President Vestager and Commissioner Breton sent you in December 2022, the reflections by the Commission on the 'fair share' debate are still ongoing. That means that the Commission currently neither has "plans for a network fee", requiring content providers to pay a fee to telecommunication operators, nor has the Commission proposed a model of SPNP.

Currently the Commission is preparing a broad consultation on the future of the electronic communications sector and its infrastructure. The consultation will primarily seek the views of stakeholders on which infrastructure Europe needs to achieve the Digital Decade and how to mobilise the investments required to roll out such infrastructure. It is in this context that we will look at the question how contributions to infrastructure deployment can most effectively ensure the benefit of the overall digital transformation. We plan to launch the consultation in Q1 2023. We look forward to reading your reply and those of the co-signing organisations.

Based on the outcome of the consultation, the Commission will consider the most appropriate initiatives to foster its vision for the future of the electronic communications sector and to implement the principle enshrined in the 'European Declaration on Digital

Rights and Principles for the Digital Decade', signed on 15 December 2022 by the European Parliament, the Council and the European Commission, and according to which all market players benefiting from the digital transformation should make a fair and proportionate contribution to public goods, services and infrastructure, for the benefit of all Europeans.

Finally, let me reiterate an important point: the Commission is strongly committed to protecting a neutral and open internet. This fundamental principle was also included in the 'European Declaration on Digital Rights and Principles for the Digital Decade'. The consultation outlined above will not put this into question.

Yours faithfully,

Roberto Viola