June 10, 2026

EUTC |Position paper for public consultation on Digital Networks Act

1. Statement of Interest

The European Utilities Telecom Council (EUTC) welcomes the European Commission's proposal for the Digital Networks Act (DNA), recognising it as a pivotal initiative to strengthen the Digital Single Market and Europe's digital competitiveness.

EUTC considers the DNA a key legislative opportunity to reinforce Europe's strategic autonomy in digital infrastructure and ensure a future-proof regulatory framework for critical connectivity systems.

EUTC represents utilities operating critical infrastructure across Europe, including energy, water, and essential service providers. These organisations rely on highly secure, resilient, and high-performance telecommunications networks to ensure the continuous operation of essential services for citizens, industry, and public authorities. Telecommunications systems are therefore integral to operational continuity, safety, and system integrity across essential services.

As Europe undergoes a profound transition towards a highly digitalised, decentralised, and net-zero energy system, telecommunications infrastructure is increasingly a strategic and mission-critical asset, central to service continuity, economic stability, societal resilience, and European digital sovereignty. This reflects the growing interdependence between energy and digital systems, where disruption in one domain can cascade across the wider infrastructure ecosystem.

The DNA therefore represents a strategic opportunity to ensure that the regulatory framework fully reflects the connectivity requirements of critical infrastructure operators, which are not adequately captured in the current regulatory landscape. It should move beyond a traditional sectoral approach and recognise connectivity as a foundational enabler of Europe's industrial transformation, green transition, and strategic autonomy.

2. Strategic observations on Critical Infrastructure and Connectivity

EUTC strongly endorses the Commission's decision to explicitly acknowledge electronic communications networks as essential pillars safeguarding the overarching resilience of the Union's society and economy. For utilities, telecommunications infrastructure represents far more than a mere commercial service; it is a mission-critical operational asset required to manage electricity, gas, and water grids safely and reliably. Recent high-profile physical and cybersecurity incidents across Europe have dramatically underscored that threats to digital backbone

European Utilities Telecom Council AISBL | Avenue Marnix 30 Bte14, 1000 Brussels, Belgium
| info@eutc.org| BE 0759718747|Transparency Register No: 743143938227-72

infrastructure are no longer hypothetical, but constitute active, escalating risks to European digital sovereignty.

Connectivity networks are fundamental to economic security, societal resilience, and European strategic autonomy.

Utilities operate both as:

- Users of telecommunications services; and
- Operators of mission-critical communication networks supporting SCADA systems, smart grids, renewable integration, emergency operations, and cross-border energy infrastructure.

Public electronic communications networks alone cannot guarantee the levels of **availability, determinism, and security** required for critical infrastructure operations.

Moreover, the resilience of these systems depends on a robust European supply chain for fibre, passive infrastructure, and active components, which must be considered as part of the Union's broader resilience planning. In this context, ensuring the resilience of electronic communications infrastructure requires a holistic approach that goes beyond network deployment alone, encompassing the security and availability of the full value chain, including secure sourcing of critical components, reduced dependency on external suppliers, and strengthened European industrial capacity. This is essential to safeguard Europe's digital sovereignty and to ensure that critical infrastructure operators can rely on stable, secure, and predictable connectivity under all operating conditions.

3. Harmonising security rules

While EUTC consistently advocates for stringent security and resilience standards, the introduction of expansive, sector-specific telecommunications resilience provisions within the DNA risks engendering counterproductive legal overlaps. With the recent implementation of the NIS2 Directive and the Critical Entities Resilience (CER) Directive, horizontal European frameworks governing the security of critical infrastructure are already firmly established. Additionally, reintroducing parallel reporting, auditing, and certification mandates under a sector-specific telecom framework would inevitably generate unnecessary administrative complexity, thereby diverting finite technical resources away from proactive defense measures. Any resilience requirements introduced by the DNA must remain fully coherent with existing horizontal legislation. This alignment will ensure a precise division of labor that respects the operational boundaries of utilities, an assessment strongly validated by the Body of European Regulators for Electronic Communications (BEREC) in its high-level warning regarding the cumulative burdens and layers of complexity placed on network providers.

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4. Excluding private operational networks

EUTC expresses profound concern regarding any regulatory expansion that might inadvertently extend the scope of telecom-specific obligations to private production and operational networks. Operational telecommunications networks managed by utilities for self-provision remain structurally, functionally, and economically distinct from public electronic communications networks. These private networks do not offer commercial connectivity to third parties, do not control public end-user termination access, and present absolutely none of the market-power or consumer-protection concerns that traditionally justify sector-specific intervention. Furthermore, because utility networks exist solely to monitor, automate, and protect critical energy and water flows, subjecting them to public telecom rules would be fundamentally disproportionate and administratively punitive. Therefore, the final text of the DNA must explicitly clarify that private networks operated exclusively for utility self-provision are strictly excluded from the scope of public telecommunications regulations.

5. Coordinated spectrum for grid modernisation

The successful digitalisation of the European energy grid relies upon secure, interference-free wireless connectivity capable of orchestrating vast networks of smart meters, automated substations, and industrial Internet of Things (IoT) devices. EUTC welcomes the DNA's focus on long-term spectrum planning, the shift toward effectively unlimited license durations, and enhanced predictability for infrastructure investment. Nevertheless, spectrum policy must consistently uphold the principles of technological neutrality and operational safety. Additionally, while innovative spectrum sharing can maximise spectral efficiency, co-legislators must ensure that sharing mechanisms do not exacerbate administrative burdens or undermine the commercial viability and service quality of mission-critical communication links. Coordinated spectrum assignments and extended license protections remain essential levers for unlocking the capital-intensive investments required for grid modernisation. Furthermore, the rise of space-based connectivity services, which enable utilities to extend their dedicated 5G networks beyond terrestrial limits through satellite systems like UNIVITY, highlights the need for a streamlined, non-disruptive satellite authorisation framework that aligns seamlessly with international ITU-R standards. EUTC also highlights the importance of ensuring priority communications capabilities for critical infrastructure operators during network congestion or crisis situations, in line with their role in maintaining essential services.

A) Spectrum allocation and harmonisation for private networks

Access to spectrum is a fundamental enabler for utilities to deploy private LTE/5G networks that support secure, resilient, and mission-critical operations.

EUTC notes that:

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- Fragmented spectrum policies across Member States hinder the deployment of high-quality and scalable private networks
- Inconsistent licensing frameworks across the EU constrain investment and slow down adoption

Predictable regulatory and spectrum frameworks are also essential to enable long-term investment certainty and support Europe's industrial competitiveness in the digital and energy transition. EUTC therefore recommends:

a) Dedicated or prioritised spectrum access for critical infrastructure

- Availability of reserved, protected, or locally assignable spectrum for utilities
- Recognition of utilities as strategic users of spectrum, given their essential service role

b) A harmonised EU framework for private network spectrum

- Consistent and technology-neutral licensing models across Member States
- Support for local licensing, shared spectrum access, and priority-based usage mechanisms

c) Predictability and long-term visibility in spectrum availability

- Systematic inclusion of critical infrastructure requirements in EU spectrum roadmaps
- Long-term regulatory certainty to enable investment planning and infrastructure deployment

These measures are essential to ensure a coherent, pan-European approach to industrial and utility connectivity.

B) Support for private and non-public networks

EUTC underlines that utilities operate private, non-public communication networks that are essential for:

- Operational safety
- Cybersecurity and resilience
- Continuity of essential services

However, the current regulatory framework remains predominantly designed around public telecom operators, leaving limited recognition of the specific needs of critical infrastructure networks. EUTC therefore recommends that the DNA:

- Explicitly recognise private industrial networks as a core pillar of the European connectivity ecosystem
- Establish a proportionate and enabling regulatory framework that:
- Simplifies deployment and operational requirements
- Reduces administrative and licensing barriers
- Ensures interoperability with public networks where appropriate

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6. Streamlining reporting obligations

A core objective of the DNA must be the systemic reduction of unnecessary red tape and overregulation. Utility operators currently face an unprecedented volume of duplicative information requests from a fragmented landscape of national and European regulatory bodies. The introduction of new, parallel reporting mandates for sustainability data collection or granular geographical deployment surveys directly contradicts the Commission's stated commitment to slashing reporting obligations. Moreover, since utilities are already legally bound by comprehensive, audited horizontal transparency frameworks, most notably the Corporate Sustainability Reporting Directive (CSRD) and the European Sustainability Reporting Standards (ESRS), adding sector-specific reporting layers under National Regulatory Authorities (NRAs) or BEREC would severely violate the "once-only" principle. Data gathering under the DNA must be limited to elements demonstrably vital for core regulatory decisions to prevent the institutionalization of an inflationary monitoring bureaucracy. Any new reporting obligations under the DNA should strictly comply with the principles of proportionality and Better Regulation, ensuring that data collection is necessary, targeted, and not duplicative of existing EU frameworks.

7. Conclusion

EUTC welcomes the ambition of the DNA to modernise Europe's connectivity framework. The DNA represents a transformative milestone to harmonise the European digital single market and foster a secure, high-speed connectivity ecosystem.

To fully achieve its objectives and effectively catalyse Europe's industrial competitiveness and green transition, the final regulation should recognise and integrate the specific requirements of critical infrastructure operators, including access to spectrum, resilience guarantees, and support for private networks. In this context, it is essential to avoid legislative duplication, regulatory overreach, and inappropriate scope extension.

A clear distinction should be maintained between horizontal cybersecurity frameworks and sector-specific telecom rules, while private utility networks should be explicitly shielded from public market obligations. In addition, predictable and long-term spectrum access must be guaranteed to ensure the uninterrupted continuity of critical utility operations across Europe. The DNA should strike a balanced approach between market integration objectives and the operational realities of Europe's critical infrastructure operators, ensuring both innovation and systemic resilience.

EUTC remains committed to supporting the European Commission, European Parliament, and Council in ensuring that the final legislative framework delivers a resilient, secure, and future-proof connectivity ecosystem for Europe.

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