

**Question for written answer P-005378/2014
to the Commission**
Rule 117
Adam Bielan (ECR)

Subject: Unequal rules for assigning frequencies in the 800 MHz band in Poland

The way in which the Polish regulator – the Office for Electronic Communications – plans to assign digital dividend frequencies in the 800 MHz band raises important questions because it may lead to a distortion of competition in the Polish telecommunications market. The auction decisions could bring about a situation in which two networks – T-Mobile Poland and Orange Poland (operating with shared infrastructure) – will have a total of 66% of the bandwidth and will use it together in a way that prevents access by the other companies. Neither bidder is hiding the fact that the terms of their cooperation include the joint use of the frequencies assigned to them. Furthermore, it is clear from the Polish Government's expert analyses that it will not be possible to achieve the objectives of the Digital Agenda for Europe under the terms of the auctions planned by the regulator.

1. Has the Commission taken any action, or is it planning to take action, to ensure a uniform approach to assessing the anticompetitive impact of spectrum accumulation by mobile operators who are competing in the retail market but cooperating by sharing infrastructure (particularly when their combined spectrum is larger than that of their competitors), taking into account the specific situation of the individual Member States?
2. Should the auction conditions laid down by the national regulatory authorities for the digital dividend frequencies (in the 800 MHz band), which are crucial for the provision of broadband services based on LTE technology, seek to achieve the objectives of the Digital Agenda for Europe and reduce the amount of public aid from EU funds under the Commission-approved national operational programmes for 2014-2020?