



EE Parliamentary briefing: the ECC

Background

The Electronic Communications Code (ECC) governs the rights of operators to access, upgrade and maintain sites, and has been under review since 2011. The Code is over 30 years old and in need of reform to enable investment in mobile network infrastructure to reach further, particularly in rural areas. Once reformed, the Code will provide a modern regulatory system for mobile infrastructure that delivers the best deal for UK customers.

Why it matters

EE wants to drive better connectivity in rural communities so that all citizens can benefit from the internet, businesses can compete fairly, and both can access services that are increasingly online only. A Government commissioned report assessed the economic impact to the UK of a reformed ECC as adding £226.5m to GDP.

In early 2015, operators signed an agreement with the UK Government to deliver 90% geographic coverage to the UK by 2017. Government recognised that many of the areas of the country that need to be covered are extremely remote and reform of the Code was needed to enable this ambitious target to be met.

Specific reforms to the Electronic Communications Code

These key reforms will modernise the code and speed up rollout of mobile services in rural areas:

What?	Why?	How?
Operators need to be able to share sites with one another without facing unreasonable costs.	Reducing the cost of site-sharing will improve competition and choice for consumers.	A retrospective change allowing the right to automatically upgrade.
Operators should have automatic rights to upgrade sites without facing substantially higher costs.	Communities can benefit more quickly from new technologies such as 4G, 80% of which will be delivered this way.	Removing the visual reference to equipment ensures the legislation is technology neutral.
Operators need to access equipment quickly to maintain or repair it.	Immediate access will allow operators to fix issues and restore services more quickly.	Changing the criteria needed to be met to access sites.
A reform of the definition of market value to ensure a fair price based on other uses of the land, ending landlords charging 'ransom rents.'	Analysis for DCMS found that an energy market cost model could boost GDP by £500m per year, create jobs and reduce customer pricing.	Rents can be based on compensating landowners for their loss of land.
A mechanism for resolving disputes quickly by removing the need to resolve them in the County Court.	The longer and more costly a dispute, the longer it takes to fix service for consumers.	Moving disputes to the First or Upper Tribunal Lands Chamber would speed up the process and free up court time.
Prohibition of contracting out.	Without this, landowners would oblige operators to opt out of the Code and remove protections.	Redrafting can make it clear that contracting out is prohibited.

About EE

EE is one of the largest and most advanced digital communications companies in Britain, delivering mobile and fixed communications services to consumers, businesses, government and the wholesale market. EE runs the UK's biggest, fastest and most reliable mobile network, pioneering the UK's first superfast 4G mobile service in October 2012 and was the first European operator to surpass the 10million 4G customer landmark. EE's 2G coverage today reaches 99% of the UK population, it's 3G reaches 98% and it's 4G reaches more than 90%.