

## **Eutelsat Group's Response to**

### **RSPG's Draft Opinion on the EU-level policy approach to satellite D2D connectivity & related Single Market issues**

27 March 2025

Eutelsat Group would like to thank the RSPG for the opportunity to provide comments on its Draft Opinion for an EU-level approach to satellite Direct-to-Device connectivity and related Single Market issues<sup>1</sup>. Eutelsat Group's response will focus on RSPG's proposed national market access requirements for electronic communications satellite services in the European Union (EU).

Eutelsat Group was formed in September 2023 through the merger of Eutelsat, a global Geostationary Orbit (GEO) satellite operator, and OneWeb, a Low Earth Orbit (LEO) constellation operator, creating one of the world's most innovative and experienced commercial satellite operators. With a fleet of 35 geostationary satellites and a LEO constellation of over 600 satellites, we provide capacity for broadcasters, media service providers, telecom operators, Internet Service Providers (ISPs), and governmental agencies. Eutelsat Group is the world's first satellite operator with an integrated GEO-LEO infrastructure, supporting video broadcasting, satellite newsgathering, broadband services, data connectivity, aviation, maritime applications, and mission-critical government and NGO communications globally.

- **Access to national and EU markets**

In Section 3 of this Draft Opinion, the RSPG has identified the need for establishing common requirements on the EU-level to be implemented in the EU Member States' national authorization frameworks. Eutelsat Group would like to provide the following comments with regards to RSPG's proposal to define "common requirements on electronic communications satellites services", as well as enforcement mechanisms and processes for Member States to react collectively in addressing cases of non-compliance.

As noted by the RSPG and in compliance with the EECC, various approaches have been implemented in national authorization frameworks applicable to the provision of electronic communications satellite services, ranging from notification or registration of service providers to individual authorizations for the use of the radiofrequency spectrum. Eutelsat Group believes that the current regulatory framework applicable to satellite communications in the EU is quite fragmented, resulting in regulatory barriers to market entry. To achieve a Single EU Market for electronic communications services, including by satellite, Eutelsat Group is of the view that adopting more streamlined authorization processes, such as through the definition of common regulatory conditions and information to be requested by national authorities remains key.<sup>2</sup>

Regarding the requirements proposed by the RSPG in this Draft Opinion, Eutelsat Group supports that adherence to ITU RR is important to ensure interference-free operations and shall be respected by everyone entering the EU national markets. We agree that the adoption of common requirements aimed at aligning authorization conditions would help establish a more coherent and

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<sup>1</sup> RSPG25-008 FINAL

<sup>2</sup> As provided also in Eutelsat's response to the European Commission's Exploratory Consultation on the future of the electronic communications sector and its infrastructure of 2023.

streamlined approach with regards to market entry for satellite communications in Europe. It would further provide for transparency and equal treatment, ultimately ensuring that services providers entering the EU market abide by the same regulatory baseline, thus preventing new entrants from forum shopping. Eutelsat Group further commends the objective to ensure the protection of Member States' and EU satellite networks by reinforcing compliance with ITU RR and coordination obligations.

Therefore, in principle, we welcome the introduction of common requirements for access to national markets in Europe and agree that they would help ensure a level playing field for all market players. However, Eutelsat Group is concerned that such proposals could also bring additional regulatory burdens and administrative complexities to satellite operators and service providers. We would thus like to make the following clarification: it is respectfully submitted that the obligation to ensure compliance of the satellite network with ITU RR, and international coordination agreements can practically only be imposed on the space segment operator and cannot be linked to authorization schemes covering the provision of services offered by third party service providers, other than the satellite network operator.

At this point, it is worth highlighting that satellite operators like Eutelsat Group do not provide services directly to end-users. More specifically, our core Go-To-Market approach is centered around offering satellite capacity through a robust B2B model to local partners, including MNOs, ISPs and telcos. These partners then take on the responsibility of commercializing and delivering the services to both consumers and businesses across the country. Therefore, it is respectfully submitted that in cases where the satellite operator is not a service provider, applying the proposed common requirements would create practical difficulties and could potentially prove impossible to enforce in practice. We kindly urge the RSPG to consider satellite operators' inherent characteristics and business models to avoid implementation challenges when proposing the update of the existing regulatory framework relating to satellite communications services.

We would like to further underline that these requirements shall not result in additional commitments or documentation to be provided to the regulators as proof of compliance *a priori*. Our understanding is that such requirements are not intended as prerequisites for initiating service provisioning. Rather, their purpose should be to serve as a safeguarding mechanism and a legal tool for enforcement ensuring that regulators have the means to apply appropriate corrective actions *ex-post*, in case of non-compliance with such regulations.

Overall, Eutelsat Group is of the view that the adoption of common requirements on the EU-level is a welcome move towards ensuring a level playing field for all satellite service providers wishing to enter the EU Single Market. However, it is crucial to consider the distinct characteristics of satellite services and their business models to ensure a pragmatic and efficient regulatory framework, while avoiding the creation of unnecessary market entry barriers and regulatory complexities.

We hope that our above comments will help establish a workable framework with respect to the authorization of electronic communications satellites services in the EU and remain available to provide further elements for clarification.