

Swisscom and Energie Wasser Bern conclude new fibre-optic agreement in Berne

Following intensive negotiations, Energie Wasser Bern and Swisscom have reached an accord on amendments to the partnership agreement for fibre-optic expansion in the city of Berne. The amendments were required in the wake of the negative report from the Competition Commission (ComCo). Certain clauses in the agreement have been removed and/or amended, meaning that the expansion of Berne's fibre-optic network can now proceed rapidly and without delay.

Energie Wasser Bern and Swisscom moved significantly closer together in the course of the follow-up negotiations, allowing them to make substantial amendments to the agreement in a very short space of time and push ahead with the construction of Berne's fibre-optic network. The clauses on both investment protection and layer 1 exclusivity were completely removed. Both partners are now able to offer passive, unlit fibre-optic cable. In removing these two clauses, both partners have complied with the key requirements of the ComCo Secretariat.

The mechanism for compensation payments was also clarified; it will kick in at the earliest once basic connection has been completed. Swisscom and Energie Wasser Bern are investing more than CHF 170 million in fibre-optic expansion in Berne. Around one-third of households in Berne will already have access to the fibre-optic network by the end of the year.

Both partners reviewed the agreement in the wake of the report published last September by the Secretariat of the Competition Commission on the partnership agreements. The review was necessary because the Secretariat's final report raised questions over key elements of the partnership model. The negotiations between Swisscom and other municipal partners are still ongoing.

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