



# Press release

Bonn, 17 June 2022

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## Minimum supply requirements promulgated

The Telecommunications Minimum Supply Ordinance (Telekommunikationsmindestversorgungsverordnung, TKMV) was today promulgated and published in the Federal Law Gazette. It defines minimum requirements for the right to be supplied with telecommunications services and entered into force with effect from 1 June 2022.

*"We think this decision is balanced. It's like the minimum wage: most people already get far more bandwidth, but in future no one will be allowed to get less. The decision is a start. The figure will be assessed annually and is likely to rise in the coming years,"* said Klaus Müller, President of the Bundesnetzagentur.

*"We will now deal quickly with those cases in which people still do not have a minimum offer of telecommunications services, such as voice telephony, video telephony or online banking. In such cases we will, where necessary, place obligations on the providers. Wherever possible, we will not use the full extent of the statutory time limits to ensure that the processes are as fast as possible."*

### Provisions of the new Ordinance

Under the German Telecommunications Act (TKG), everyone has the right to be supplied with a minimum offer of voice communications (telephony) and an internet access service for adequate social and economic participation.

The download speed has to be at least 10 megabits per second (mbps) and the upload rate has to be at least 1.7 mbps. Latency, that is the response time, should not be more than 150 milliseconds.

The Bundesnetzagentur will assess these figures each year. According to the statement for the minutes of 10 June 2022 submitted by the German federal government in connection with the Bundesrat vote, there is a will to raise the minimum bandwidth for downloads to at least 15 mbps and the minimum bandwidth for uploads as early as mid-2023.

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### People can invoke their legal right to be supplied

People without access to a minimum offer can turn to the Bundesnetzagentur. The subsequent process is set out in detail in the legislation. As soon as the Bundesnetzagentur identifies an undersupply, it informs the telecommunications providers within two months. The companies then have a month to make a voluntary offer for the minimum supply. If no company does so, the Bundesnetzagentur will, within four months at most, oblige one or more of them to provide the household with a telecommunications connection and offer telecommunications services. The providers subject to this obligation must start to establish the preconditions for the connection no more than three months later. The minimum offer should generally be available within another three months. How long it takes until a connection is available depends, for example, on whether major construction work is necessary.

### No entitlement to a particular technology

The right to be supplied with telecommunications services does not specify which technology the minimum offer has to be provided with. There is no entitlement to connection with a particular technology, such as fibre. The goal is to provide the minimum bandwidth in the main residence or place of business.

### Minimum supply at affordable prices

The minimum supply with telecommunications services is to be offered at an affordable price, which is based on the development of prices for telecommunications services. The development and level of these prices are therefore set and monitored by the Bundesnetzagentur. The Bundesnetzagentur will publish principles on the calculation of affordable prices for telecommunications services and the necessary connection in the near future.

More information on supply may be found in German at [www.bundesnetzagentur.de/versorgungtk](http://www.bundesnetzagentur.de/versorgungtk).



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The Bundesnetzagentur für Elektrizität, Gas, Telekommunikation, Post und Eisenbahnen is an independent higher federal authority with its main office in Bonn and is under the responsibility of the Federal Ministry for Economic Affairs and Climate Action (BMWK). Some of its areas of activity fall under the substantive supervision of the Federal Ministry for Digital and Transport (BMDV).