



Press release

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Consultation on reduction rules for mobile-network internet access

Klaus Müller: "Key elements open up discussion on the planned rules for the right of reduction in the mobile sector"

The Bundesnetzagentur has today launched a consultation on the key elements for the reduction rules for mobile-network internet access.

"With these key elements, we are starting the discussion on the planned rules for the right to reduce the fees paid for mobile-network internet access. Our aim is that by the end of this process, we will be able to help consumers so they can assert their rights in the mobile sector as well," said Klaus Müller, President of the Bundesnetzagentur.

Bundesnetzagentur key elements

The key elements provide more details on the legal rules for reduction for mobile internet access. It is much more complicated to prove reduced performance in a mobile network than in a fixed one because the performance is not provided at a fixed location. The decisive factor is how capable the providers' networks are in individual regions.

The Bundesnetzagentur therefore plans to base the determination of a deviation from the contractually agreed performance warranting reduction on different deductions. The Bundesnetzagentur considers that the possible deduction could be 75% for urban areas, 85% for semi-urban areas and 90% for rural areas. While those figures may sound high, most retail customers still get high transmission rates even with such deductions, given the maximum speeds of several hundred megabits per second often set out in their contracts.

The Bundesnetzagentur takes the view that the proof needed for a reduction should be based on 30 measurements, as in the fixed network. However, the

Bundesnetzagentur
Tulpenfeld 4
53113 Bonn

[bundesnetzagentur.de](https://www.bundesnetzagentur.de)
twitter.com/bnetza

Press contact person
Fiete Wulff
Head of Press and Public
Relations

Tel. +49 228 14 – 9921
pressestelle@bnetza.de



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mobile measurements should be spread out over five calendar days with six measurements per day.

The aim is to produce a draft administrative order for the reduction rules for mobile-network internet access on the basis of the consulted key elements and to discuss it with the market. At the same time, the Bundesnetzagentur will work on a mobile measuring tool for the proof of performance.

Requirements for the right of reduction

New consumer rights came into effect in the Telecommunications Act (TKG) on 1 December 2021. These give consumers the right to reduce the contractually agreed fee for their internet access or to terminate their contract without notice. Consumers have recourse to these options in the case of substantial, continuous or regularly repeated discrepancies in speed between the actual performance of the internet access services and the performance cited by the provider. They have to supply proof using a monitoring mechanism provided by the Bundesnetzagentur.

The Bundesnetzagentur already published an administrative order on the reduction rules for fixed-network internet access on the basis of the new legislation in December 2021. The provisions of the administrative order went into effect on 13 December 2021. The adjusted measuring tool was provided for the proof of performance procedure on the same day.

Deadline for comments

All stakeholders are invited to submit written comments on the key elements. The key elements plus additional information on the procedure are available on the Bundesnetzagentur website at <http://www.bundesnetzagentur.de/breitbandgeschwindigkeiten>.

Comments may be submitted until 30 September 2022.



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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).