

ANNEX 2

Official explanatory memorandum - EIS file 25-0862/01

Relevant passages from the explanatory memorandum to the Regulation, with unofficial English working translations.

Official EIS file: <https://eelnoud.valitsus.ee/main/mount/docList/58bb944c-d226-4b36-9985-f008623759b7>

The extracts below are reproduced from the explanatory memorandum accompanying the Regulation. Only passages directly relevant to the issues raised in the submission are included here. The Estonian original is authoritative.

ERDF budget and target

Original Estonian

Määruse alusel antavat toetust rahastatakse Euroopa Regionaalarengufondist 45 miljoni euroga. Selle summaga on eesmärk luua liitumisvõimalus vähemalt 10 000 aadressiobjektile, sh nii eluruumide kui ka ettevõtjate kasutatavatele aadressidele.

Unofficial working English translation

Aid under the Regulation is financed from the European Regional Development Fund in the amount of EUR 45 million. The objective is to create a connection possibility for at least 10,000 address objects, including both residential addresses and addresses used by undertakings.

GBER Article 52 and exemption from prior notification

Original Estonian

Toetusmeetme raames antav toetus on riigiabi ELi toimimise lepingu artikli 107 lõike 3 tähenduses. Eelnõu lähtub üldise grupierandi määrusest ja lairibavõrkude suunistest. Üldise grupierandi määruse artikli 52 alusel on lairiba-püsivõrgu kasutuselevõtmiseks antav abi aluslepingu artikli 107 lõike 3 kohaselt siseturuga kokkusobiv ja vabastatud aluslepingu artikli 108 lõike 3 kohasest teavitamiskohustusest, kui on täidetud üldise grupierandi määruse artiklis 52 ja I peatükis sätestatud tingimused.

Unofficial working English translation

Aid granted under the measure constitutes State aid within the meaning of Article 107(3) TFEU. The draft is based on the General Block Exemption Regulation and the Broadband Guidelines. Under Article 52 GBER, aid for the deployment of fixed broadband networks is compatible with the internal market pursuant to Article 107(3) TFEU and exempt from the notification requirement under Article 108(3) TFEU if the conditions laid down in Article 52 and Chapter I of the GBER are fulfilled.

Wireless spectrum condition stated in the explanatory memorandum

Original Estonian

Selleks, et tagada nõutava kvaliteediga teenust, peavad raadiolahendusega võrgud kasutama lõppkasutajaga ühendamiseks sagedusloaga sagedusi, kuna ainult operaatori ainukasutuses olevad sagedused tagavad operaatorile võimaluse tagada oma võrgus kindel kvaliteet ilma häireteta. Vastavalt ... „Eesti raadiosagedusplaani“ § 2 lõikele 3 peab tegemist olema primaarse kasutusrežiimiga, kuna ainult seda raadioseadet kaitstakse teise raadioseadme põhjustatud häirete eest. Lisaks on olemas ka sekundaarne kasutusrežiim, aga seda ei kaitsta teise raadioseadme põhjustatud häirete eest ...

Unofficial working English translation

In order to ensure service of the required quality, networks using a radio solution must use frequencies subject to a frequency authorisation for the connection to the end user, because only frequencies for the exclusive use of the operator enable the operator to ensure a defined quality in its network without interference. According to the Estonian Radio Frequency Allocation Plan, the use regime must be primary because only radio equipment operating under the primary regime is protected against interference caused by other radio equipment. A secondary use regime also exists, but it is not protected against interference caused by other radio equipment ...