

Information communicated by the EFTA States regarding State aid granted under the Act referred to in point 1j of Annex XV of the EEA Agreement (Commission Regulation (EU) No 651/2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty) (General Block Exemption Regulation)

PART I

Aid reference	<i>(to be completed by the EFTA Surveillance Authority)</i>	
Member State	Norway	
Member State reference number		
Region	Name of the Region(s) Trøndelag county	Regional aid status¹
Granting authority	Name	Trøndelag county authority
	Postal address	Seilmakergata 2 7725 STEINKJER
	Web address	https://www.trfk.no
Title of the aid measure	County authority aid scheme for the establishment of 4G and 5G mobile networks	
National legal basis (Reference to the relevant national official publication)	https://www.trondelagfylke.no/vare-tjenester/samferdsel/digital-infrastruktur/mobildekning/	
Web link to the full text of the aid measure	https://www.trondelagfylke.no/vare-tjenester/samferdsel/digital-infrastruktur/mobildekning/	
Type of measure	<input checked="" type="checkbox"/> Scheme	
Duration²	<input checked="" type="checkbox"/> Scheme	30/06/2024 to 31/12/2026
Economic sector(s) concerned	<input checked="" type="checkbox"/> All economic sectors eligible to receive aid	

¹ Article 61(3)(a) EEA (status 'A'), Article 61(3)(c) EEA (status 'C'), unassisted areas i.e. areas not eligible for regional aid (status 'N').

² Period during which the granting authority can commit itself to grant the aid.

Type of beneficiary	<input checked="" type="checkbox"/> Large undertakings	
Estimated number of beneficiaries:	<input checked="" type="checkbox"/> under 10 <input type="checkbox"/> from 11 to 50 <input type="checkbox"/> from 51 to 100 <input type="checkbox"/> from 101 to 500 <input type="checkbox"/> from 501 to 1000 <input type="checkbox"/> over 1000	
Budget	Total annual amount of the budget planned under the scheme³	National currency... (full amounts) 50 mil NOK
Aid instrument	<input checked="" type="checkbox"/> Grant/Interest rate subsidy	

³

In case of an aid scheme: Indicate the annual overall amount of the budget planned under the scheme or the estimated tax loss per year for all aid instruments contained in the scheme.

PART II

Please indicate under which provision of the GBER the aid measure is implemented.

Primary Objective		Maximum annual aid amount in national currency (in full amounts)
<input checked="" type="checkbox"/> Aid for 4G and 5G mobile networks (Art. 52a)		50 mil NOK

General Block Exemption Regulation (GBER) – Trøndelag county authority aid scheme for mobile network rollout in Norway

A. Part I: Description of the Trøndelag county authority aid scheme in Norway

A.1 Objective

The main objective of the county aid scheme is to improve the overall mobile reception coverage in Norway. Trøndelag county authority's aim is to ensure an equal offer of high-quality and secure electronic communication services at reasonable prices throughout the region. The county's further aim is for all households and socioeconomic drivers in Norway to have an offer of high-quality mobile reception as soon as possible. The county aid scheme will contribute to the development of 4G/5G-networks in geographical areas where there is no commercial basis for investments. The intervention shall bring a significant improvement (step change) compared to the mobile networks existing or credibly planned to be deployed within the relevant time horizon (three years). The county aid investments when used to provide fixed wireless access (FWA) will be in areas where there is no network able to reliably at peak-time conditions, deliver at least 100 Mbps download speed and shall at least triple the download speed (target speed) compared to existing networks, or credibly planned networks within three years.

In Norway, a detailed mapping of the national broadband coverage is carried out each year by the Norwegian Communications Authority (Nkom) based on data collection from all broadband providers. Nkom will conduct a public consultation to verify the mapping exercise. The information about coverage and available capacity at national and regional levels is published on Nkoms website. Additionally, Trøndelag county will conduct a public consultation to reveal any credibly planned commercial 4G and 5G mobile reception plans within the next three years in the areas designated for the aid scheme.

Trøndelag County Municipality will allocate a pool of funding earmarked for publicly supported mobile network expansion each year. This pool is based on reported needs for improved coverage in the region. Based on the amount of funding available and the mapping of eligible mobile sites in each municipality in Trøndelag, these will be planned and tendered successively throughout the year according to the following criteria:

- Permanent residents without adequate stable mobile coverage
- County roads and municipal roads without adequate stable mobile coverage
- Businesses without adequate stable mobile coverage
- Recreational homes and other prioritized areas without adequate stable mobile coverage

A.2 Securing compliance

- Trøndelag county authority is responsible for the administration of the allocated aid.
- The project owners must confirm to the county that the projects comply - and will continue to comply - with the criteria for the scheme, including GBER requirements. The county will assess the relevant project proposals against the scheme criteria.
- Trøndelag county will enact the following to ensure that all projects commit to the GBER requirements and regulations associated with the county aid scheme:
 - To be eligible for evaluation, each application must adhere to the above requirements and regulations. Projects not in accordance will be rejected.
 - Before receiving state aid, each project must fill out a formal letter of acceptance (acceptance form), which outlines relevant requirements and regulations. The letter must be signed by the administrative head of the applicant.
 - Trøndelag county will publish tenders as described in C.1.3.

A.3 Criteria

- The funds given under the scheme will be in line with the General Block Exemption Regulation.

B. Part II Compatibility of the aid to GBER Chapter 1: Common Provisions

Trøndelag County authority considers the aid for 4G and 5G compatible with the conditions outlined in Chapter 1 in Commission Regulation No. 651/2014 (The General Block Exemption Regulation – GBER), and the annex released 09.03.2023.

The schemes aim is to improve the 4G and 5G coverage in Trøndelag county in areas where there has been no commercial will or aim to build mobile networks. Trøndelag County considers the scheme to be within the scope of the GBER, cf. Article 52a - Aid for 4G and 5G mobile networks.

The annual accumulated grants under the scheme from the counties, the state and the municipalities will not exceed NOK 30 million.

No project proposal with accumulated state aid from government, county, and municipality level above the threshold for aid for 4G and 5G mobile infrastructure projects set in GBER Article 4 paragraph 1 (y), 100 million euros, will be accepted under this scheme, cf. Article 8. The county council will verify this during the review of the project proposals.

The county aid scheme falls under the aid categories in Article 1 No. 1, via Annex 9.3.2023 C (2023) 1712 final, which concerns Article 52a (support for the deployment of 4G and 5G mobile networks) specifically.

The aid will comprise of precisely calculated grants, based on the basis of an open, transparent and non-discriminatory competitive selection process, and therefore the aid is transparent in accordance with Article 5 paragraphs 1 and 2 (a).

In accordance with Article 6 paragraph 1, the aid must have an incentive effect. Before start of work on the projects the proposed aid projects must be sent to the county authority for assessment. Any projects not deemed eligible for an incentive effect will be rejected. The proposed aid projects must contain information in line with Article 6 paragraph 2: Description of the project including its start and end dates, location of the project, list of project costs, type of aid and amount of public funding needed for the project.

The aid will be allocated on the basis of an open, transparent and non-discriminatory competitive selection process. The undertakings name and size will be clear after the competitive selection process is completed.

The eligible costs will be according to Article 52a paragraph 2. The conditions regarding aid intensity and eligible costs are in line with Article 7. In accordance with Article 9, information on all aid measures and the individual aid granted are available on the web page of <https://www.trondelagfylke.no/vare-tjenester/samferdsel/digital-infrastruktur/mobildekning/>

The information shall be available for at least 10 years from the date on which the aid was granted. Individual aid awards of EUR 100.000 or more will be published in the Norwegian State Aid Register <https://data.brreg.no/rofs/eng>.

C. Part III Compatibility of the aid to GBER Chapter 3

C.1 Article 52a

C.1.1 Eligible costs

The eligible costs will be in accordance with GBER Article 52a paragraph 2. The eligible costs will be all cost for the construction, management, and operation of passive and active components of a mobile network. The maximum aid amount for a project will be established on the basis of a competitive selection process in line with paragraph 7 (a). The proposed projects to the county authority shall provide an overview of project costs and the costs to be funded by state aid.

C.1.2 Eligible investments

The following types of investment are eligible under this scheme and in line with paragraph 3:

- Mobile 5G network deployment shall be located in areas where there are no 4G and no 5G mobile networks existing or credibly planned to be deployed within the relevant time horizon.
- Mobile 4G network deployment shall be located in areas where there are no 3G, 4G or 5G mobile networks existing or credibly planned to be deployed within three years.
- These requirements shall be verified by mapping and public consultation in accordance with paragraph 4.

C.1.3 Target Area

The investment will be located in areas where there is no 4G- or 5G-network, and where no such network is credible planned to be developed within three years from the moment of publication of the planned aid measure. Trøndelag county authority will verify this by regional mapping and public consultation. Norway has three mobile network providers, and these will be consulted and presented with the geographic target areas eligible for the support scheme. The public consultation will be made available for at least 30 days.

According to GBER article 52a, paragraph 5, the aided infrastructure shall not be taken into account to meet the coverage obligations of the mobile networks operators that arise out of conditions attached to rights of use of 4G and 5G spectrum.

The mapping will identify the geographic target areas envisaged to be covered under this scheme and take into account all present public and private networks able to reliably meet the set criteria of article 52a, paragraph 3.

In accordance with article 52a, paragraph 11 (a), the mapping of fixed broadband networks existing or credibly planned within three years, will be conducted as follows:

Mapping data of the existing broadband coverage will be made available by Nkom. This is in line with line with GBER Article 52 paragraph 5 (a).

Nkom will carry out a national public consultation on www.nkom.no and www.doffin.no to verify the mapping. Nkom will publish the main characteristics of the state aid scheme and the list of geographic target areas identified in the mapping exercise. The public consultation will invite interested parties to comment on the

measure and to submit substantiated information regarding their networks able to reliably provide the thresholds speeds in paragraph 3 in the target area that are present or credibly planned to be deployed within three years from publication. The public consultation will last at least 30 days. This is in line with GBER Article 52 paragraph 5 (b).

C.1.4 Significant improvement

The aided project shall bring a significant improvement (step change) compared to networks present or credibly planned to be deployed within three years, in accordance with GBER Article 52a, paragraph 6. A step change takes place if, as a result of the subsidized intervention, a significant new investment in the mobile network is undertaken and the subsidized network brings significant new capabilities to the market in terms of mobile service availability, capacity, speeds and competition compared to the existing or credibly planned networks within the relevant time horizon. The intervention shall include more than 50 % investment in broadband infrastructure.

C.1.5 Competitive selection process

The aid will be allocated on the basis of an open, transparent and non-discriminatory competitive selection procedure in line with the principles of public procurement rules, without prejudice to the applicable public rules, based on the most economically advantageous offer. The county will conduct the competitive selection process, and the tenders will be published on the national database for public procurement, Doffin, www.doffin.no. The counties will establish in advance objective, transparent and non-discriminatory qualitative award criteria that must be weighed against the request aid amount. At similar quality conditions the bidder with the lowest amount of aid requested will be awarded the aid. This in accordance with GBER Article 52 paragraph 7 (a).

C.1.6 Wholesale access

According to GBER Article 52a paragraph 8 and 9, the network operator shall offer the widest possible active and passive wholesale access, in accordance to Article 2 point (137, 137a, 137b, 137c and 139), under fair and non-discriminatory conditions.

The widest possible access to be provided over the relevant network shall include, on the basis of the current technological developments, at least the following access products. For mobile reception and fixed wireless networks: access to broadband infrastructure (ducts, poles, masts, towers, access, access to dark fiber, cabinets, and cables) and access to active services. This shall also include access to electricity/power infrastructure to towers/masts.

Active wholesale access shall be granted for at least 10 years from the start of the operation of the network and wholesale access to the broadband infrastructure shall be granted for the lifetime of the elements concerned. The access obligations shall be enforced irrespective of any change in ownership, management, or operation of the network. In order to render the wholesale access effective and to enable the access seekers to provide services, wholesale access shall also be granted to parts of the network that have not been State funded or that may not have been deployed by the aid beneficiary, such as by granting access to active equipment even if only mobile infrastructure is financed.

The operators will be informed about the wholesale access requirements in the competitive selection process, and the project owner will be obliged to reflect those requirements in the contract with the winning bidder.

C.1.7 Wholesale access pricing

The wholesale access price shall be based on one of the following benchmarks and pricing principles:

- (a) the average wholesale prices that are already mutually agreed between operators in this market (commercial colocation pricing);
- (b) the regulated prices already set or approved by the national regulatory authority for the markets and services concerned;

Normally (a) above will be used as pricing regulative between operators. If no agreement is made in accordance with (a), (b) above will be used to settle the matter.

Without prejudice to the competences of the national regulatory authority under the regulatory framework, the national regulatory authority shall be consulted on the wholesale access products, the terms and conditions for access, including on prices, and on disputes related to the application of this Article.

This is in line with GBER Article 52a paragraph 9.

C.1.8 Monitoring and claw-back mechanism

It is considered highly unlikely that the total amount of aid granted for a single project will exceed 10 million EUR. However, for any project with accumulated state aid exceeding 10 million EUR there will be put in place a monitoring and claw-back mechanism in line with GBER article 52a paragraph 10.

C.1.9 Fixed Wireless Access (FWA)

The county aid scheme is primarily put in place to provide improved mobile reception in the targeted areas. However, for eligible households and individuals that do not have access to an already existing network providing speeds of at least 100 Mbps download under peak-time conditions, or credibly planned to be deployed within three years, the network provider may offer fixed wireless access. The supported 4G or 5G fixed wireless access network shall at least triple the download speed compared to the existing or credibly planned networks within three years, according to Article 52(5).

The following criteria must be met for this to be allowed:

- The mapping and public consultation exercise takes into account the fixed broadband networks existing or credibly planned within three years, according to Article 52(5)
 - This is ensured through the yearly national mapping by Nkom under the Article 52 state aid scheme, described in C.1.3.

C.1.10 Separate accounts

In order to ensure that aid remains proportional and does not lead to overcompensation or cross-subsidization of non-aided activities, the county authority will ensure that the aid beneficiary has separate accounts between funds used for the deployment and the operation of the State funded network and other funds at its disposal. This requirement will be informed of in the competitive selection process, and the project owner will be obliged to reflect this requirement in the contract with the winning bidder. This is in line with GBER Article 52a paragraph 12.