



MCA Decision on Extension to Consultation Period for MCA Market Analysis of Wholesale Physical and Virtual Infrastructure Access in Malta

Document Reference - MCA-C/kc/23-4940

The Malta Communications Authority (MCA) has considered the feedback it received regarding its proposal to extend the consultation period for the document titled "*MCA analysis of the market for the provision of wholesale physical and virtual infrastructure access in Malta*¹" (referred to as the 'WPVIA consultation') published on April 28, 2023.

This decision comes in response to a request from one operator to extend the current six-week consultation period by an additional month. This operator provided reasons for seeking this extension. This same operator reiterated its request for an extension in its feedback to the MCA notification. Another operator also submitted feedback, arguing that the consultation period should not go beyond June 16, 2023, as specified in the MCA's WPVIA consultation.

The MCA is dedicated to ensuring that all stakeholders have sufficient opportunity to participate in the consultation process. Therefore, the decision has been made to extend the consultation period for the WPVIA by one month. Although the MCA has taken note of the concerns of one operator with regard to the extension, the MCA believes that the one-month extension will not affect the Authority's ability to reach a final decision on the WPVIA market by the end of this year. In this respect, the MCA is aware of the European Commission's "No upload" period for Art. 32 notifications² during the summer (June 19 to July 30, 2023) and winter (November 20, 2023, to January 1, 2024). Thus, closing the WPVIA consultation by July 14, 2023, will still allow the MCA to notify the EU Commission with its draft decision in October or November 2023. Any future MCA decision will depend on the outcome of the WPVIA consultation and remains subject to the European Commission's endorsement.

¹ Link to MCA Consultation: <https://www.mca.org.mt/consultations-decisions/mca-analysis-market-provision-wholesale-physical-and-virtual-infrastructure>

² In accordance with Article 32 of the European Electronic Communications Code (EECC). Link: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018L1972>