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#### 'I' ITEM NOTE

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)
No. Cion doc.:	6845/23 + ADD 1, ADD 2, ADD 3, ADD 4, ADD 5
Subject:	Proposal for a Regulation of the European Parliament and of the Council on measures to reduce the cost of deploying gigabit electronic communications networks and repealing Directive 2014/61/EU (Gigabit Infrastructure Act) - Optional consultation of the Committee of the Regions <sup>1</sup>

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1. On 23 February 2023 the Commission submitted to the Council the Proposal for a Regulation of the European Parliament and of the Council on measures to reduce the cost of deploying gigabit electronic communications networks and repealing Directive 2014/61/EU (Gigabit Infrastructure Act) <sup>2</sup>.
2. The proposal is based on Article 114 of the Treaty on the Functioning of the European Union (TFEU). This is the same legal base as it was for the Broadband Cost Reduction Directive, which this proposal repeals. The use of Article 114 is justified by the current proposal's aim to further harmonise the EU's electronic communications markets and improve the conditions for the establishment and functioning of the internal market.

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<sup>1</sup> The sole purpose of this note is to decide on the consultation of another institution/body and not on the substance.

<sup>2</sup> Doc. 6845/23

3. This legal base provides for the European Parliament and for the Council to act in accordance with the ordinary legislative procedure and after consulting the Economic and Social Committee. Thus, in principle, the Opinion of the Committee of the Regions is not required. However, taking into account the subject matter of the proposal and its possible impacts on local governments, municipalities or public and private entities also on sub-national level, it would appear appropriate to also consult the Committee of the Regions on the present Proposal.
  4. The Permanent Representatives Committee is therefore invited to decide, in accordance with Article 19(7)(h) of the Council's Rules of Procedure, to consult the Committee of the Regions on the above Proposal and to request it to give its opinion as soon as possible.
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