

The Changing Global Perspective on Competition Policy on Networks

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Trends Regarding Networks

- U.S.
 - BEAD funding/generational opportunity
 - Spectrum as a critical resource
 - Emergence of 5G and satellite as potential competitors
- Internationally: Shift from coverage to adoption
 - 67% of the world is online (5.4 billion) (ITU)
 - 95% of the world has access to 3G, 90% has access to 4G (ITU)
- Edge providers as the largest builders of undersea cables



Shift of Focus Up the Stack

- State privacy statutes
- EU Digital Markets Act (DMA)
 - Shift from competition law to ex ante regulation
 - Historical lessons from interoperability
- Data localization (increasing enforcement activity)
 - Types: export bans, copy requirements, consent, standards
 - Implications for security, management, use as training data
- Other EU statutes: DSA, AI Act



Emerging Focus Down the Stack

- Open Radio Access Network (O-RAN)
- Chips for AI
 - NVIDIA's 80% share (and export restrictions vis-a-vis China)
 - Dawn raid by French authorities/scrutiny by EU
 - Others playing catchup



Conclusion:
Policy landscape is more
complex and fractured

