



Warsaw, 29 April 2022

**PRESIDENT
OF THE OFFICE OF ELECTRONIC COMMUNICATIONS**

Jacek Oko, PhD

DR.WORK.609.5.2020.61

European Commission

**Body of European Regulators for
Electronic Communications**

**National Regulatory Authorities
of Member States**

Dear all,

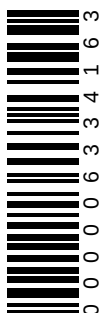
according to the procedure specified in Article 32 (3) of Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code, Article 18 of the Telecommunications Act of 16 July 2004 (Official Journal form 2021 item 576), the **President of the Office of Electronic Communications** (President of UKE) shall notify the European Commission, Body of European Regulators for Electronic Communications (BEREC) and national regulatory authorities in other Member States of the European Union of a draft decision regarding:

the calculation of the cost of capital for legacy infrastructure and fiber to the home infrastructure on basis of „Commission Notice of 6 November 2019 on the calculation of the cost of capital for legacy infrastructure in the context of the Commission's review of national notifications in the EU electronic communications sector”; „Report BEREC of 10 June 2021 on WACC parameter calculations according to the European Commission's WACC Notice” (Report BEREC 2021) and Commission Recommendation of 20 September 2010 on regulated access to Next Generation Access Networks (NGA).

The Decision of the President of UKE currently presented for notification changes the decision from 11 of June 2021 (presented for notification in April 2021 and accepted by the European Commission). The current draft Decision of the President of UKE, includes parameters' value from Report BEREC 2021.

The summary of a draft decision is included in the attached **Standard notification form**.

In addition, the President of UKE would like to inform you that, national consultations were not required.



This notification includes:

1. Standard notification form (English version);
2. Draft decision of the President of UKE on the calculation of the cost of capital for legacy infrastructure and fiber to the home infrastructure (Polish version) changing the decision from 11 of June 2021 (presented for notification in April 2021 and accepted by the European Commission).

Yours sincerely,
President
of the Office of Electronic Communications

Jacek Oko