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COMMISSION ACTIVITIES RELATED TO RADIO SPECTRUM POLICY

1. PURPOSE OF THIS PAPER

This paper is to report on Commission activities related to radio spectrum policy since the 13th meeting of RSPG on 8 May 2007. The paper includes only activities which have a relevance to RSPG's scope of responsibilities, in particular activities which may influence priorities in the RSPG work programme. Information on the Review of the regulatory framework for electronic communications will be presented under a separate agenda item.

2. HARMONISATION AND TECHNICAL IMPLEMENTATION ACTIVITIES

Since the last RSPG meeting the following initiatives should be noted. They mainly relate to the 20th and 21st meeting of the Radio Spectrum Committee which were held on 13 June 2007 and 4-5 October 2007, respectively, but also to some COCOM activities including its subgroups (e.g. AUTH).

- **Ultra-Wideband (UWB):** The Commission presented an orientation document (RSCOM07-60) on further regulation of ultra-wideband technology, including for mass-market and specific applications. It was agreed that CEPT would provide additional technical specifications concerning GPR/WPR and BMA, as well as a complementary report on on-going work, with the objective to prepare additional steps in RSC.
- **WAPECS:** CEPT has presented an interim report on progress with the WAPECS mandate confirming that work is advancing satisfactorily. While the report indicates that a technology neutral approach is feasible for all the bands covered by the mandate, Member States emphasised that it was premature at this stage to conclude on the list and technical conditions of WAPECS bands. This should await finalisation of all relevant studies by CEPT. A complementary WAPECS Recommendation is being discussed in the Communications Committee

- **Mobile Communications onboard Aircrafts (MCA):** The Commission has proposed to the RSC a revised draft of a Decision for harmonising the technical conditions required by MCA systems to avoid interference with terrestrial mobile systems. Following small additional modifications, a broad consensus emerged on the draft text, which will be subject to a regulatory opinion by RSC as soon as internal Commission procedures are finalised. Following the elaboration by the Communications Committee AUTH sub-group, a complementary Recommendation on MCA authorisation is currently being discussed in the Communications Committee. The text of the decision was considered to be sufficiently stable for publication.
- **SRD:** The Commission presented at RSC 21 a proposed amendment to the SRD Decision 2006/771/EC, based on CEPT work under EC Mandate on the update of the technical annex of the Decision. Following further discussion with CEPT regarding some issues related to a clear and unambiguous legal formulation of technical elements in the draft Decision, this item should be finalised in the next RSC.
- **Automotive short-range radars (SRR):** The second annual report from SARA as foreseen by Decision 2005/50/EC on 24 GHz SRR revealed that the penetration of these devices is far below the critical threshold and therefore that no further action is needed.
- **MSS at 2 GHz:** A proposal (COM(2007) 480 final) for a Decision of the European Parliament and of the Council on the selection and authorisation of systems providing mobile satellite services (MSS) was adopted by the Commission on 22 August 2007. The European Parliament has nominated MEP Hall as rapporteur in the ITRE Committee. The matter is being discussed in Council Working Group. Work is also ongoing within the Communications Committee (COCOM) and its Working Group to develop further details of the MSS selection and authorisation process. The target is to get the EU Decision adopted in March 2008, after which a call for applications would be launched for interested candidate operators, and the final selection of operators to be authorised nationally throughout the EU is planned to be made by the beginning of 2009.
- **Spectrum information:** The Commission Decision 2007/344/EC on harmonised availability of information regarding spectrum use within the Community was adopted on 16 May 2007. The Decision was published in the Official Journal L 129 on 17 May 2007. ,
- **Broadband wireless access (BWA):** the Commission presented at RSC 21 a revised draft of a Commission Decision on the 3.4-3.8 GHz band. Member States broadly supported the draft with some minor amendments. It was agreed that the Decision would be finalised after the internal Commission procedures had been undertaken and the WRC-07 results on this band were available. The text was considered to be sufficiently stable for publication.
- **L-band:** The Commission presented at RSC 21 a revised draft Decision for a technology-neutral opening of the L-band (1.4 GHz). The discussion revealed significant opposition to the proposal, on the basis that this approach was not necessary because the revised Maastricht Special Arrangement provided a sufficient legally binding framework in Europe. The Commission did not agree

with this premise: while the Maastricht Special Arrangement provides the technical parameters required to avoid interference across borders, the Commission Decision would in addition ensure that the frequency band is designated and made available within a certain time framework throughout the European Union, thus giving the mobile multimedia industry clear investment prospects in this band. The Commission is now assessing options for the most appropriate way forward..

- **900/1800 MHz bands:** The Proposal, COM(2007) 367 final, for a Directive of the European Parliament and of the Council repealing Council Directive 87/372/EEC on the frequency bands to be reserved for the coordinated introduction of public pan-European cellular digital land-based mobile communications in the Community was adopted by the Commission on 25 July 2007. The proposal was viewed positively by the Member States in Council, but will first have to be considered by the European Parliament. The EP has not nominated a rapporteur at this stage.

3. STUDY ACTIVITIES

The study on **Radio Interference Regulatory Models in the European Community** by Eurostrategies is expected to be finalised by the end of the year.

A contract for a new study on **Public Sector Use of Radio Spectrum** is expected to be awarded before the end of the year. .

4. OTHER COMMISSION ACTIVITIES

A Commission Communication on **Reaping the full benefits of the digital dividend in Europe: A common approach to the use of the spectrum released by the digital switchover** was adopted on November 13, 2007 (accessible at: http://ec.europa.eu/information_society/policy/ecomms/doc/library/proposals/com_dd_en.pdf). The Communication notes that the dividend can offer substantially more benefits if common frequency bands can be established in EU and that Member States and Commission need to develop a common spectrum plan at EU level.