



EUROPEAN COMMISSION

Information Society and Media Directorate-General

Communications Services: Policy and Regulatory Framework
Radio Spectrum Policy Group
RSPG Secretariat

Brussels, 19 February 2008
DG INFSO/B4/RSPG Secretariat

RSPG08-208

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 14th meeting of RSPG on 22 November 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. It also contains a brief update on the Review of the regulatory framework for electronic communications.

2. HARMONISATION AND TECHNICAL IMPLEMENTATION ACTIVITIES

Since the last RSPG meeting the following initiatives should be noted. They mainly relate to the 22nd meeting of the Radio Spectrum Committee which was held on 12-13 December 2007, but also to some COCOM activities including its subgroups (e.g. AUTH).

- **WAPECS:** CEPT presented its draft final report on the WAPECS mandate to RSC 22, confirming preliminary findings that a technology neutral approach is feasible for all the bands covered by the mandate. The report also offers detailed technologically neutral parameters for some of the bands listed in the mandate, notably the 3.4 GHz and the 2.6 GHz band. Member States welcomed the report, although a majority considered that a further consideration of the UHF band is needed, in particular detailed usage parameters. Member States accepted a proposal from the Commission to move forward rapidly with a Decision proposal to harmonise the use of the 2.6 GHz band. Given the advanced state of preparations in certain Member States on licensing conditions in this band, a target date for the clearance of such a Decision was set for April 2008 (RSC 23 meeting).

A complementary WAPECS Recommendation is being presented to the Communications Committee for an advisory opinion on 20 February 2008

- **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.
- **SRD (annual review cycle):** the Commission presented a revised draft Decision amending the SRD Decision 2006/771/EC, based on comments received from Member States after RSC 21 and further discussions with CEPT on the technical parameters. While there was broad support for the Decision, the discussion focussed on the technical conditions for medical implant devices. The Decision received a favourable RSC regulatory opinion by written procedure on 12 February 2008. In line with the provisions of the Decision, a new cycle of the update was also launched at RSC 22, expected to be finalised by the end of 2008.
- **Ultra-Wideband (UWB):** following a Commission request, CEPT presented to RSC 22, a preliminary supplementary report on its activities of relevance to UWB, to be taken into account in the amendment of the existing EC Decision on UWB. CEPT and ETSI also presented additional technical specifications concerning GPR/WPR and BMA, clarifying that these devices are essentially the same but deployed under different licensing regimes. It was agreed to seek to make progress on the UWB dossier at RSC 23.
- **MSS at 2 GHz:** The 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) is being discussed in Council Working Group. The European Parliament, ITRE Committee rapporteur Mrs Hall, will vote on the Decision and associated amendments, in plenary in April. Council will then adopt or further amend the Decision. The Commission will prepare a call for applications to be launched for interested candidate operators,
- **Broadband wireless access (BWA):** the Commission presented a revised draft of a Commission Decision on the 3.4-3.8 GHz band. The approach, which will allow a move forward for the use of the band for fixed, nomadic and mobile applications on a technology neutral basis, was generally supported by Member States. While the text is now generally stable, the discussion in the meeting focused on resolving one outstanding issue: the problems faced by "outer-border Member States" in implementing the decision given their need to coordinate with their non-EU neighbours. A written procedure for the RSC regulatory opinion is foreseen in March 2008, followed by adoption by the Commission.
- **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 is still being considered by the European Parliament. The EP has nominated Mrs Pleguezuelos rapporteur. The Council of Telecoms Ministers and the European Economic and Social Committee have given a positive opinion to the Commission's proposal.

- **Intelligent Transport Systems:** CEPT presented its final report in response to the EC Mandate, containing the technical parameters to allow ITS systems to use the band on a non-exclusive basis while preserving functionality for safety critical functions. The Commission presented a Draft Decision which was broadly supported by Member States. A further reading of the Decision incorporating Member States' comments will take place at RSC 23, with possible adoption of the Decision in mid-2008.
- **Update of the 'ERMES' Decision (2005/928/EC);** on the basis of a CEPT document, and the Commission response, the RSC agreed that the provisions of the Decision on the channelling arrangement for hearing aids in the 169 MHz band should be revised.

3. STUDY ACTIVITIES

The contract for the **Study on Optimising the use of the radio spectrum by the public sector in the European Union** has been awarded in December 2007 to the consortium led by the company wik-Consult GmbH (wik-Consult GmbH, Aegis Ltd, IDATE).

A public workshop will take place on 1st April 2008. The public presentation of the final results of the Study will take place in September or October 2008 in Brussels.

4. OTHER COMMISSION ACTIVITIES

Legislative Progress on the Review of the Regulatory Framework for Electronic Communication Services

This process is still at a stage of presentation of the proposals and the initial substantive discussion.

The European Parliament has assigned the Better Regulation Directive, the one most relevant to the work of the RSPG, to the ITRE Committee. The first exchange of views on the review took place in the Committee on January 29, following a presentation by Mr Colasanti. The ITRE Committee has appointed Mrs Trautmann (PSE, FR) as the Rapporteur.

The Telecoms Council Working Group, has concluded a first "read-through" the articles of the proposals and is at the stage of starting a discussion on the substance. The Slovene Presidency has structured the debate around issue clusters to focus the exchanges of views.