



EUROPEAN COMMISSION
Information Society and Media Directorate-General
Electronic Communications Policy
Radio Spectrum Policy

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DG INFSO/B4/RSPG Secretariat

RSPG08-225

PROGRESS REPORT TO RSPG#16 4 JUNE 2008

**REQUEST BY THE EUROPEAN COMMISSION
TO THE RADIO SPECTRUM POLICY GROUP FOR AN OPINION ON**

BEST PRACTICES REGARDING THE USE OF SPECTRUM BY SOME PUBLIC SECTORS

1. PROGRESS REPORT

A second meeting of the RSPG Working Group on Public Use of Spectrum (PUS) was held in Brussels on 31 March 2008. The purpose of the meeting was to build on discussions from the first Working Group meeting (held in January 2008) and on the outcome of the February 2008 RSPG meeting. The main issues discussed at this Working Group meeting included:

(i) Collection of Information

The meeting reviewed the collection of information by the Study Consultants.

It was noted that 17 Member States are included in the interview list. However, the Working Group had previously expressed the view that information should be collected from all 27 Member States. It was agreed that the Commission would inform the Member States which are not included in this list about the interviews (and the interview guidelines document) that if they are interested to take part they could contact the Study Consultants to make the necessary arrangements. The Study Consultants agreed to incorporate any additional responses they receive in their report.

Furthermore, the meeting concluded that the interview guidelines prepared by the Study Consultants covered almost all topics previously identified by the Working Group. The Study Consultants agreed to draft some additional questions in order to address the few topics that were not covered by their interview guidelines (e.g. ex-post reviews).

(ii) Public Consultation

The Working Group discussed whether there is a need for a public consultation before finalizing the Opinion. It was agreed that at this point in time, a public consultation is not foreseen to be necessary, but this issue could be re-evaluated at a later stage, when the text of the draft Opinion becomes more stable.

(iii) Emergency Services

The meeting expressed some concerns because emergency services are not represented in the Working Group. It was agreed that relevant Groups would be identified and invited to participate in the Working Group. It was also noted that the spectrum used by emergency services is only a very small percentage of the overall spectrum used by public sector bodies.

(iv) Structure of the Opinion

The meeting considered a preliminary first draft document showing the views expressed in the first meeting of the Working Group as well the structure of the Opinion. The document was further developed (Annex¹) to incorporate the views that were expressed at the meeting as well as various contributions from members of the Working Group that were provided after the meeting.

¹ The annex is for internal purpose only (as work in progress).

2. ISSUES RAISED AND NEXT STEPS

The Study Consultants informed the meeting that they had already started collecting information by conducting interviews in selected Member States and by desk research and agreed to provide the Working Group with an interim report showing their analysis of all the information collected by the middle of June 2008.

The Study Consultants' interim report will be considered by the Working Group in its third meeting, which was scheduled on the 3rd of July 2008 in Cyprus. The fourth meeting of the Working Group will be held on the 30th of September 2008 in Brussels, to give the opportunity to the members of the Group to attend the second workshop that will be organized by the Study Consultants on the 1st of October 2008.

The Working Group would welcome the views of the RSPG on the following issues:

- (i) It was suggested that one way of determining the “right amount of spectrum” needed by public bodies is for Governments, where appropriate, to define safety standards that they must meet so that these public bodies can make decisions as to how much spectrum they need to fulfil the requirements placed on them. In some cases it may not be acceptable to tolerate any failures (e.g. air safety). Such a general statement may neither inspire public confidence nor be acceptable by the public. Therefore, we need to identify cases where defining safety standards is appropriate and acceptable.
- (ii) It was suggested that in assessing the value of spectrum, one could weigh the quantified costs and benefits when considering alternative usages. However, the benefits from public use of spectrum can be difficult to quantify as they may relate to the society as a whole.
- (iii) In discussing market mechanisms, it was argued that public sector bodies routinely acquire and dispose of assets through the market and there seems no reason in principle why they should not normally do so with spectrum. On this issue, the view that market mechanism should not apply in all cases, but only in cases where commercial market forces apply to a sector was also expressed.

The Working Group would also welcome any feedback from the RSPG on this report of the second meeting, on the preliminary draft Opinion (Annex²) and any views concerning further work.

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Rapporteur

² The annex is for internal purpose only (as work in progress).