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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 16th meeting of RSPG on 4 June 2008. 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 and on ongoing studies.

2. HARMONISATION AND TECHNICAL IMPLEMENTATION ACTIVITIES

Since the last RSPG meeting, the following activities should be noted:

- **MSS at 2 GHz:** on 30 June 2008, Council and Parliament adopted Decision 626/2008/EC on the selection and authorisation of systems providing mobile satellite services (MSS). On 7 August 2008, the Commission issued a public call for applications for interested candidate operators, with a deadline of 7 October 2008. Four applications were received. The Commission expects that the selection procedure can be completed in the first part of 2009.
- **2500-2690 MHz frequency band:** the Commission adopted on 13 June 2008 Decision 2008/477/EC harmonising the 2500-2690 MHz frequency band for terrestrial systems capable of providing electronic communications services in the Community.
- **Intelligent Transport Systems:** Commission Decision 2008/671/EC on the harmonised use of radio spectrum in the 5875 - 5905 MHz frequency band for safety-related applications of Intelligent Transport Systems (ITS) was adopted by the Commission on 5 August 2008.
- **Update of Decision (2005/928/EC) (the former *ERMES* 169 MHz band):** amending Decision 2008/673/EC was adopted by the Commission on 13 August 2008, modifying some technical parameters concerning the channel width for hearing aids and other wireless systems.

- **900 MHz and 1800 MHz:** the Commission has prepared a new proposal for a Directive of the European Parliament and of the Council amending Council Directive 87/372/EEC on the frequency bands to be reserved for the coordinated introduction of public pan-European cellular land-based mobile communications in the Community. This proposal is expected to be formally adopted by the Commission on 18 November 2008, following which it will be sent to the European Parliament and to the Council for consideration. The proposal from the Commission does not repeal but modifies Council Directive 87/372/EC. It opens the 900 MHz band to other technologies, while leaving the technical details to the draft Commission Decision already agreed in the RSC.
- **Ultra-Wideband (UWB):** Further drafts of a Decision amending Commission Decision 2007/131/EC on UWB were discussed at RSC#24 (8-9 July 2008) and RSC#25 (2 October 2008). Following a positive RSC opinion, the adoption by the Commission of this amending measure is expected in the first part of 2009. A further EC mandate on UWB was addressed to CEPT following RSC#24 (the "fourth UWB mandate").
- **SRD (annual review cycle):** the Decision 2008/432/EC amending the SRD Decision 2006/771/EC, was adopted on 23 May 2008, following a favourable RSC regulatory opinion. In line with the provisions of the Commission Decision on short-range devices, a new process of updating the technical annex of the Decision is under way, expected to be finalised by the adoption by the Commission of an amending Decision in early 2009.
- **Mobile Communications onboard vessels (MCV):** an EC mandate to CEPT was adopted at RSC #24 to explore the technical requirements for a harmonised approach on MCV.
- **Short-Range Radar (SRR):** following a positive advisory opinion by the Radio Spectrum Committee, the Commission has issued on 1 November 2008 a new mandate to CEPT on SRR ("2nd SRR mandate"), to undertake inter alia work in support of the fundamental review of Decision 2005/50/EC in the 24 GHz band. As required by this Decision, the fundamental review ought to be completed by end 2009.

3. STUDY ACTIVITIES

The **Commission study on "Optimising the use of the radio spectrum by the public sector in the European Union"** by a consortium led by the company wik-Consult GmbH (wik-Consult GmbH, Aegis Ltd, IDATE) has been finalised, following the public presentation of the final results of the Study on 1 October 2008.

Following a public call for tenders, the Commission's **study on the socio-economic impact of the digital dividend** has been awarded to the consulting firm "Analysys Mason Limited" and has begun work. The study will last for 12 months but most of the main recommendations and socio-economic impact data should be available within 6 to 8 months. The study will also have the task to foster a consensus building activity on how to best go about a common approach in Europe with a view to support the internal market.

4. OTHER COMMISSION ACTIVITIES

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

Since the last RSPG, the institutional process to reform the regulatory framework has continued moving forward. The European Parliament formally adopted its position on the review on 24 September 2008. The Council is expected to follow suit by reaching political agreement at the Telecom Council of 27 November 2008, with the adoption of the Council common position possibly in January 2009. The Commission adopted amended legislative proposals on 6 November 2008. A notable feature that is common to all three institutions is the proposal for a multi-annual spectrum policy programme, which is likely to require a significant input from the RSPG.

Digital dividend policy

Three main developments:

- the Council Conclusions on the digital dividend were adopted at the 12 June 2008 meeting of Telecom Ministers;
- the European Parliament adopted on 24 September 2008 a motion on a common approach to the use of the spectrum released by the digital switchover;
- the launch of the Commission's study mentioned above.
