



## EUROPEAN COMMISSION

Information Society and Media Directorate-General

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

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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 17th meeting of RSPG on 19 November 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:** All the MSS operator candidates which submitted their applications by the deadline were declared as admissible for the selection procedure. During the first phase of the selection process, the technical and commercial ability of the candidates to actually launch their systems in time will be assessed. The first phase is expected to be completed around the end of Q1 2009.

In case of spectrum scarcity (i.e. more spectrum is required by eligible candidates than what is available) the eligible candidates will enter into the second phase of the selection process, where the Commission will assess to what extent the proposed mobile satellite systems of the eligible applicants fulfil the weighted selection criteria defined in the MSS decision adopted by the Council and the European Parliament. The final selection is expected to take place in Q3 2009.

- **2500-2690 MHz frequency band:** The Commission adopted on 13 June 2008 the Decision 2008/477/EC harmonising the 2500-2690 MHz frequency band for terrestrial systems capable of providing electronic communications services in the Community.

This Decision is now in implementation phase. Two requests for derogation have been received (FR & BG). The BG derogation has been adopted by Commission Decision 2009/1/EC. It is expected that besides FR & BG all other MS will implement the Decision.

- **Intelligent Transport Systems:** In November 2008, the Commission received a derogation request by AT regarding the 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). As a result, a derogation Decision should be adopted by the Commission (normally in February 2009).
- **900 MHz and 1800 MHz:** The discussions with Parliament and Council on the modified Commission proposal for the revision of the GSM Directive are ongoing. There are high expectations that this legislative proposal can be adopted in first reading (and therefore before the EP elections in June)
- **Ultra-Wideband (UWB):** Once the draft Decision amending the Commission Decision 2007/131/EC will have been translated in all community languages, the written regulatory procedure for RSC will be launched. This should take place in February 2009.
- **SRD (annual review cycle):** The Commission draft proposal for the second update of SRD Decision 2006/771/EC as amended by EC decision 2008/432/EC, is currently going through the Commission's internal Inter Service Consultation process. The adoption by the Commission of an amending Decision is expected in the first half of 2009.
- **Mobile Communications onboard vessels (MCV):** the final CEPT report pursuant to the EC Mandate is expected by March 2009.
- **Short-Range Radar (SRR):** A public Call for input to collect views of interested stakeholders on the fundamental review has been launched. The Commission will compile the response and forward an analysis of the result of the Call for Input to the RSC in February 2009.

### 3. STUDY ACTIVITIES

The Commission study on the digital dividend by Analysis Mason has nearly completed the data collection work concerning the state of play in the Member States. The study is now concentrating on the preparation of the cycle of consultations (stakeholder's hearings, Member States consultations, etc) that will pave the way to the economic work and the first set of recommendations to the Commission in the second quarter of 2009.

#### **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 reached a political agreement by unanimity at the Telecom Council of 27 November 2008, with the adoption of the Council common position due on 16 February 2009. The Commission adopted its amended legislative proposals on 6 November 2008. A notable new feature, that seems to be supported by all three institutions, and which is relevant for the RSPG, is the proposal for a multi-annual spectrum policy programme. It is expected that this multi-annual programme will require a significant input from the RSPG. The three institutions are now engaged in the second reading phase in view of reaching a final agreement before the recess of the Parliament due to the June elections.

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