DIGITALEUROPE response to RSPG consultation on the update of the RSPG Work Programme

Brussels, 18 December 2015

DIGITALEUROPE commends the work carried out by the RSPG to consider a work programme for 2016 and beyond and notes with interest the five work items that are proposed as the focus of the RSPG work over the next few years.

1. General considerations and collaboration with RSPG

DIGITALEUROPE would like to thank the RSPG for the opportunity to comment on its proposed work programme for 2016 and beyond. Exchanges between the RSPG and the industry are beneficial to both parties. Exchanges enable us – the industry – to align our efforts on policy priorities. We also believe that exchanges would benefit RSPG by providing European regulators with a better understanding of the challenges and constraints that the industry is facing. **DIGITALEUROPE calls RSPG to consider the possibility of closer, more transparent cooperation with the industry, in a similar manner to the very efficient and fruitful collaboration between industry and regulators in CEPT, from the initial phases up to the final stage of public consultations.** Such reform could be adopted immediately or may be one element of the RSPG work programme, in order to define the modalities of such collaboration.

From a manufacturers' perspective, groups such as RSPG, COCOM and BEREC are not satisfactorily transparent and their decisions are adopted without sufficient involvement of industry. Improved transparency and industry involvement in setting harmonized conditions are a prerequisite to ensure that the rules adopted would trigger investment and innovation. Such conditions should be the result of an intensive dialogue between industry and administrations. Processes as those of CEPT, where industry and administrations can discuss in extenso before administrations adopt a position, are much more appropriate and lead to better quality results in the benefit of the entire stakeholders' ecosystem.

2. Flexibility in the UHF band

DIGITALEUROPE agrees with RSPG that it is too early to assess the effect of the current research projects on the ability of 5G networks to enable efficient delivery of broadcast services in UHF band. Furthermore, the ITU WRC 15 did not identify the 470-694 MHz band as one of the band that will be studied for 5G during the WRC 19. While such replacement of the terrestrial TV infrastructure is not topical in the upcoming years, there is a need for flexibility in the 470-694 MHz band, as highlighted by the RSPG itself in its opinion on a long-term strategy on the future use of the UHF band (470-790 MHz) in the European Union:

The approach the RSPG has chosen is one of flexibility and certainty. Certainty should be provided for those Member States using this band for broadcasting. On the other hand flexibility could be afforded to Member States to introduce different services in the band 470-694 MHz, if compatible with broadcasting needs in the relevant Member State, while ensuring no constraint to other Member States using this band for broadcasting in order to maintain the potential cross-border coordination problems to a minimum.

This option was also supported by the Lamy Report on results of the work of the high level group on the future use of the UHF band (470-790 MHZ), which stated:

In this regard, my recommendation to the Commission for the "flexibility option" is to study EU-harmonized scenarios allowing co-existence of traditional broadcasting services in the 470-694 MHz band with other downlink-only (i.e. unidirectional) electronic communications services, in cases where there is no or declining demand for DTT at national level. Such scenarios should guarantee continued access to spectrum for terrestrial broadcasting as the primary user, subject to national demand. This calls for timely study, adoption and dissemination of an EU harmonized approach to supplemental downlink and its co-existence with terrestrial broadcasting services in order to preserve the specificities of the European audiovisual model and at the same time open the door to innovation and new services.

Following the WRC-15, now that clarity has been achieved for the utilization of the 470-694 MHz band in the period until at least 2023, it is time to open studies on the practical introduction of flexibility in the band. Such studies may include regulatory, technical and economic considerations and can trigger positive collaboration between mobile and broadcast sectors as well as pave the way to practical experiments which are required to identify win-win convergence scenarios for both sectors. The utilization of the band will be reviewed at global level during WRC-23, at which stage Europe needs to have a fully developed strategy for the long term evolution of the band.

DIGITALEUROPE urges RSPG to study flexibility in the 470-694 MHz band as a work item for its work programme 2016.

DIGITALEUROPE has released several reports on the flexibility option, demonstrating its commitment and readiness to contribute to future studies:

1. [Flexibility in UHF: Regulatory Options (October 2015)](#)
2. [DIGITALEUROPE White paper on supplemental downlink in the UHF band](#) (December 2014)
3. [DIGITALEUROPE Vision on the long-term future of the UHF spectrum](#) (September 2014)

3. Work items already considered in the draft work programme

<u>Telecommunication Framework Review:</u> DIGITALEUROPE has developed a full response to the detailed consultation on this topic. In addition DIGITALEUROPE believes that the currently concluding RSPP has been successful in bringing new harmonized radio spectrum to the European market for mobile broadband applications. Therefore DIGITALEUROPE fully supports the RSPG plan to take account of the Telecom Review and specifically requests the RSPG to build upon the success of the RSPP as a template for driving future spectrum management in Europe.

<u>Next Generation Wireless (5G):</u> DIGITALEUROPE is fully aligned with the RSPG in recognizing the opportunities for Europe in next generation networks and has already expressed opinions on the spectrum related developments in two published papers. Therefore DIGITALEUROPE fully supports the RSPG drive to continue its efforts to contribute actively to the development of Europe's spectrum policy strategy regarding 5G. DIGITALEUROPE believes that the scope of the RSPG activities are entirely correct and is pleased to see the focus on prioritizing bands for Europe and for global harmonization. DIGITALEUROPE believes the RSPG (and the Commission) should start to work urgently with their partners (e.g. CEPT) on these topics.

DIGITALEUROPE has released the following reports on 5G spectrum:

1. [DIGITALEUROPE vision on spectrum needs for 5G](#) (October 2014)
2. [DIGITALEUROPE White Paper on 5G](#) (August 2015)

Internet of Things (IoT): DIGITALEUROPE absolutely agrees that this will be an important area for radio communications growth over the next years and that it has the potential to address the needs and developments across many sectors from health care to energy and transport. DIGITALEUROPE believes that the diverse nature and requirements of the future IoT and M2M scenarios will require careful consideration of the future spectrum needs in order not to limit growth and innovation in this area.

WRC-19 Preparation: DIGITALEUROPE understands that the next WRC will be crucial to the development particularly of next generation wireless and 5G. Having common policies in this area will help build a strong position for Europe in the run up and at the conference.

DIGITALEUROPE sees the three previous items as closely linked. WRC-19 will need to identify sufficient spectrum for 5G which is intended to address the needs of various vertical sectors and applications including Internet of Things.

"Good Offices": DIGITALEUROPE understands that cross border coordination influences the release of spectrum in some areas for new services and therefore the roll out of mobile broadband for all European consumers. Therefore DIGITALEUROPE supports this element of the work programme which will no doubt remain important as new frequency bands are opened across Europe.

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ABOUT DIGITALEUROPE

DIGITALEUROPE represents the digital technology industry in Europe. Our members include some of the world's largest IT, telecoms and consumer electronics companies and national associations from every part of Europe. DIGITALEUROPE wants European businesses and citizens to benefit fully from digital technologies and for Europe to grow, attract and sustain the world's best digital technology companies.

DIGITALEUROPE ensures industry participation in the development and implementation of EU policies. DIGITALEUROPE's members include 59 corporate members and 35 national trade associations from across Europe. Our website provides further information on our recent news and activities: http://www.digitaleurope.org

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