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RADIO SPECTRUM POLICY GROUP

Subject: Chairman's Report of RSPG#28, 6 June 2012

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Brussels, 6 June 2012

Chairman's Report

(1) Introduction to RSPG#28

The **RSPG Chairman, Mr Roberto Viola** (AGCOM, Italy) opened the meeting and noted that the agenda¹ was adopted without amendment.

The European Commission was represented in the morning session by **Mr Ruprecht Niepold**, Advisor to the Director General INFSO, and in the afternoon session by **Ms Megan Richards, acting Deputy Director-General INSFO**.

The **Chairman** thanked the Working Group Rapporteurs for their ongoing work and informed those present that the RSPG was still looking for a Rapporteur for one of the Working Groups. Mr Viola also noted the RSPG had received two letters from stakeholders, which would be forwarded to the corresponding Working Groups for analysis.

(2) Request for an Opinion on strategic challenges facing Europe in addressing the growing spectrum demand for wireless broadband

Mr Jim Connolly (ComReg, Ireland), **Rapporteur** for the Working Group on Wireless Broadband presented the work being undertaken. Two meetings have taken place thus far, with discussions on the scope of the project and on the resources needed to develop the draft Opinion. The Group also considered the possibility of the delivery of a Report alongside the Opinion. The Opinion would focus on advice to the European Commission, while the Report would contain background material. Mr Connolly indicated that two questionnaires would be circulated, a general questionnaire on wireless broadband demand and a more focused questionnaire dealing with the 700MHz band. He concluded by noting the questionnaires would be developed further at the next Working Group meeting in Dublin on 11 July.

The **Commission Representative** expressed satisfaction with the group's work so far and welcomed the idea of having both an Opinion and a Report.

RSPG Members raised questions and comments relating to the need to avoid overlap of work with other Working Groups, ensuring transparency, taking into account underutilisation of spectrum in some of the harmonised bands and putting explicit focus on the 700MHz band.

(3) Request for Report on EU assistance in bilateral coordination

Mr Eric Fournier (ANFR, France), **Rapporteur** for the Working Group presented the draft Request for report. He noted that the obligations regarding the availability of the 800 MHz band as stipulated under Article 6.4 of the RSPG could require coordination and clarified that the work of the group would focus on a mechanism to resolve possible coordination difficulties between Member States, upon specific

¹ Document RSPG12-417. This document, as well as all subsequently quoted RSPG documents, are available on the public RSPG website at http://rspg.ec.europa.eu/ref_doc/index_en.htm

request. Furthermore the group would also provide expertise on cross-border coordination, in the context of the 700MHz band, as elements of a roadmap.

The **Chairman** thanked Mr Fournier for his presentation and recalled the importance of the Working Group. As mentioned in the RSPG Opinion on bilateral assistance in spectrum coordination adopted in February 2012, there existed the possibility to use good offices to facilitate the use and coordination of the 800MHz changeover. Also, the Chairman reminded Members that a letter had been sent to Croatia welcoming them to utilise the good offices, as announced in the February Plenary.

The **Commission Representative** thanked Mr Fournier for the work being carried out and saw the draft RfO as a good basis for the work of the group. He recalled that Article 6.4 of the RSPP indicates in which cases derogations could be considered and encouraged Member States to avoid derogations, *inter alia*, by taking advantage of this Working Group of the RSPG. He announced the intention of the Commission to clarify the process of derogations in conjunction with art. 6.4 of the RSPP in a Commission document to be presented at the next Radio Spectrum Committee meeting on 5 July 2012.

During the discussion, **RSPG Members** spoke of challenges they were facing with the 800MHz changeover, and expressed concerns over the timing of the work. Other Members noted the need to focus on the strategic aspects in this group, and to avoid going into specific issues that normally are addressed in detailed bilateral coordination meetings. Some Members expressed concern over the group starting work on the implication of a re-allocation of the 700MHz band before the results emerge from the Working Group on wireless broadband.

Mr Fournier confirmed that there was no intention to go into the technical details of coordination.

The **Chairman** concluded that there was broad agreement on the substance of the Request for a Report.

(4) Request for a Report on strategic sectoral spectrum needs

The **Rapporteur, Mr Morgan Westring** (PTS, Sweden) introduced the Request for a Report. Mr Westring noted the wide scope of items covered and stressed the importance of following the work being carried out in the ITU and CEPT. Due to the volume of the work being addressed, an interim report was envisioned for February 2013 and a final report planned for November 2013.

The **Commission Representative** welcomed the approach that addressed functional needs and not the needs of specific users, as well as the intention to address spectrum issues across multiple sectors. He briefed the RSPG about the preparations for the European Commission study on the future demand for spectrum, which is planned to begin in September and foresees various stakeholder workshops. He proposed to seek synergy between the group's work and the study results.

The **RSPG** noted the ambitious set of tasks identified by the rapporteur. A few Members noted the importance of providing stakeholders the opportunity to give input in the work of the Group. Other Members expressed concern over the feasibility of completing such a large task in the time frame proposed. Various Members suggested using studies and projects from other parties and groups (including ETSI) on these

subjects to avoid overlap. Finally, it was also agreed that the work should focus on a strategic and policy level instead of on the technical details.

The **Chairman** thanked Sweden for their leadership on this issue and noted support of the RSPG for the Request of Report while recommending streamlining of the work as an important condition to fulfil the task.

(5) Request for an Opinion on the preparation of common policy objectives for WRC-15

The **Rapporteur, Mr Stephen Bond** (Ofcom, UK) introduced the draft Request for Opinion. He presented the proposed timeline for work on the Opinion, with a first draft by February 2013 identifying the main policy areas raised by the WRC-15 agenda and relevant EU interests, to be followed at a later stage by the recommended common policy objectives.

The **RSPG** expressed their support for the work being conducted and offered some suggestions regarding the wording and clarity of the document and policy themes.

The **Chairman** noted the broad convergence on this issue and support for the Request for Opinion.

(6) Request for a Report on furthering efficient interference management

The **Rapporteur, Mr Bernd Weinauge** (BNetzA, Germany), presented the draft request for a Report on furthering efficient interference management. He noted the great deal of development in new products that were being introduced. Member States needed to have procedures that would cope with the new technologies and increased interference risks. One necessary element, also relevant in the context of efficient spectrum use, was to strive towards more interference resistance on the receiver side. It was important to see what could be done at EU level in this respect. Mr Weinauge emphasised the link to the R&TTE Directive and the issue of receiver standards. He hoped to have an interim report completed by the end of 2012.

The **Commission Representative** welcomed the work on the subject on interference management. By identifying MS best practices, a common knowledge base could be created. He agreed that the link to the R&TTE Directive was an important issue to be taken into account and noted that the EMC Directive also comes into play.

The **RSPG Members** welcomed the Request for a Report. The work of the group offered the chance to exchange best practices and examples of interference in their countries. In particular the work on receivers was felt to be important, with reference being made to LTE in the 800 MHz band and its effect of broadcasting receivers. Also, the work of ETSI on this subject should be taken into account.

Mr Weinauge thanked Member States for their comments. He indicated the Group would not be able to deliver on the technical facets (notably as for specifications of non-radio equipment) and calculation of sharing conditions. The task of the Group would be to analyse the procedures being used. Finally, Mr Weinauge agreed that the EMC Directive was also relevant, next to R&TTE Directive.

The **Chairman** noted the broad convergence on this issue and support for the Request for Report.

(7) Request for Opinion on increasing opportunities for shared use of spectrum

The **Commission Representative** presented the draft Request for an Opinion which would focus on the Licensed Shared Access (LSA) as one form of shared use of spectrum. He welcomed the RSPG continuing its earlier work, and noted two tracks progressing in parallel, one from the RSPG and the other through the European Commission Communication that would be issued in mid 2012. He highlighted three main classes of deliverables for the work of the group: 1) to identify best practices on LSA in member States; 2) looking into details of a concept of LSA; and 3) investigating how to promote LSA from the perspective to reap benefits from European perspective.

The RSPG raised questions and concerns on the scope of the request for Opinion. In particular, Members questioned the concept and underlying rationale of the "shared spectrum access rights" (SSAR) referred to in the Request. Also, there was uncertainty to conclude on the scope of the Request since the planned Communication was not yet available. Other Members recalled that licensing was a national competence, and others called for studying additional possibilities of sharing such as geolocation databases.

The **Commission Representative** advised the RSPG that the intention was not to cover the entire issue of shared use, but to concentrate on the LSA concept contained in the RSPG Report on shared use approved in 2011 and the work programme.

The **Chairman** concluded that further discussion and refinement of the Request for Opinion was needed and that the Request should fully consider the objectives of the coming Commission Communication on the matter. Members were asked to send in their comments to the draft Request for Opinion within 2 weeks (20 June).

Presentation on White Spaces by Cambridge trials

Mr William Webb, Chief Technology Officer of Neul, presented the work carried out by Cambridge Trials on white spaces.

RSPG Members raised some questions regarding interference, the need to create a database either on national or regional level, and whether there had been studies whose focus was not exclusively on broadcasting.

(8) Strategic discussion on the 700MHz band

The **Chairman** opened discussion on the 700MHz band and initiated a *tour de table* among Member States, allowing them to express their initial views on the future of the 700MHz band following the WRC-12 decision as well as to explain their strategies for increasing the efficient use of spectrum. This was an informal exchange with no intention to reach conclusions. As input to the discussion the Commission presented an informal paper highlighting in a balanced way some possible technological and market developments and the corresponding scenarios. The discussion touched a number of points that will feed into the Working Groups on Wireless Broadband and bilateral coordination giving some additional guidance to their activity, in particular on the need to thoroughly consider the implications of the WRC-12 decision on the way the spectrum, including the broadcasting bands, is used, and how technological advances can make its use more efficient.

The **Chairman** thanked Member States for their valuable input that will help in setting the lines of the way ahead.

(9) Commission activities related to radio spectrum policy

The Commission reported briefly on the latest developments. This information was also made available to the RSPG in the form of a written report².

(10) Administrative/organisational matters

Following a proposal by the **Chairman**, the **RSPG approved the list of documents** eligible for **public access**.

The **Chairman** reminded Members to provide their comments on the request for opinion on the shared use of spectrum, as well as any issues on the other request for report/opinions, within two weeks time and that any candidate to be Rapporteur of the working group on shared use could send its interest. The above comments will be made available to the RSPG.

The **next RSPG meeting** (RSPG#28) will take place in Brussels on Thursday **8 November 2012**.

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² RSPG12-426