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Date: 4. September 2009

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COMMENTS

on the European Commission consultation document “Transforming the digital dividend opportunity into social benefits and economic growth in Europe” 10 July 2009

Introduction

Forum Mobilkommunikation (FMK; Forum Mobile Communication) is a non profit organisation representing the Austrian mobile network operators, the mobile phone and mobile infrastructure industry as well as the Association of the Austrian Electrical and Electronics Industries.

FMK welcomes the opportunity to contribute to the public consultation on the digital dividend and to comment on the document and the planned EU roadmap.

We strongly support the intention by the Commission to meet the growing demand for radio spectrum and wireless services by allocating the 800 MHz band to wireless communication.

We affirm that economies of scale and other internal market benefits will only be achieved if Europe takes concrete steps toward a common approach.

We agree that early access to the digital dividend for wireless communications plays a significant role regarding the target set by the Economic Recovery Plan.

We appreciate an overall EU Roadmap to achieve a common approach as soon as possible.

Comments in detail

3.2 An EU roadmap as a practical way forward

We strongly support the idea of a shared “EU roadmap” with a focus on further increasing the size and quality of the digital dividend, especially beyond the 790 – 862 MHz band. We believe that a high degree of consistency between the member states is important to achieve economies of scale and benefits for the customers within EU. Therefore the roadmap should be as mandatory as possible and should include a time limit for the allocation of the freed frequency bands.

The transition period should be as short as possible because exceptions for example for eastern Member States would most likely result in high interference in the above-mentioned band for countries like Austria but also Germany and make this band unserviceable in most parts of the country. In return Member States should be supported in implementing mobile broadband (see 4.6.)

3.4 Endorsement of the roadmap by the European Parliament and Council

We welcome the intention to achieve the endorsement of EU roadmap by European Parliament and the Council to carry sufficient political weight to produce its full effect.

3.5 Need for moving ahead immediately with two urgent actions

We strongly support the intention of the Commission to immediately moving ahead with the two identified urgent actions: analogue switch-off by 2012 and opening of the 800 MHz band. Especially with regard to the situation in Austria but also in Germany the analogue switch-off in the neighbouring countries is essential to convince authorities to open the 800 MHz band.

4.1. Improving consumers' experience by ensuring high quality standards for terrestrial digital television receivers in Europe

a. Improving consumers' experience by ensuring high quality standards for terrestrial digital television receivers in Europe

We fully support this priority action to set a minimum compression standard on all DTT receivers. Since older standards are often inefficient they waste valuable spectrum resources. Co-existence of different standards and backward compatibility with older standards should however be included in the requirement.

b. Setting standards for the ability of digital TV receivers to resist interference.

We support this action in order to reduce any interference between radio frequency equipment. Since there are already harmonized EU standards in force regarding electromagnetic compatibility (EMC) interference of equipment emitting radio frequency should not be a problem as long as the equipment is built to meet these EU standards.

4.2. Increasing the size of the digital dividend through further spectrum efficiency gains

a. Promoting collaboration between Member States to share future broadcasting network deployment plans (e.g. migration to MPEG-4 or DVB-T2).

We urgently support this initiative since Austria is strongly effected by cross border analogue TV-signals in the 800 MHz band. A common approach and closer collaboration between Member States could foster plans by neighbouring countries to upgrade their broadcasting networks.

c. Supporting research into "frequency agile" mobile communications systems.

Assuming "frequency agile" is similar to "cognitive radio" we are concerned that this development is only in a very early stage and should therefore not compromise any development within EU. Any plans by the Commission to fund research on this issue are however welcomed.

4.3. Making the 800 MHz band¹⁸ available for low/medium power electronic communications networks, under harmonised technical conditions, following the principle of technology and service neutrality.

We agree that opening of the 790-862 MHz band for wireless broadband services is the most pragmatic way forward to optimise the impact of the digital dividend. We also agree that EU harmonisation would allow greater economies of scale and ensure that there is no fragmentation between Member States regarding the technical conditions of use. Additionally harmonisation will minimise interference and allows more efficient spectrum use.

We encourage, however, the Commission to specify a final implementation date in the technical harmonisation measure besides requesting the Member states to implement the measure as soon as possible.

We support the suggestion by the Commission to provide technical parameters for co-ordination between Member States using different approaches and time frames in order to limit technical interferences in the transition period. We also support the intention of Member States being requested to show commitment to the digital dividend policy at international level by adhering to footnote 5.316 of the ITU Radio Regulations. Those Member States should apply for inclusion in footnote 5.316 at WRC-11.

4.5. Ensuring the continuity and further development of wireless microphone applications and other secondary uses of the UHF spectrum

We support the objective to determine the best strategy to ensure a "migration path" for current secondary users of the UHF spectrum and that CEPT be included since CEPT/ECC is already working to make alternative spectrum available for such services. A promising solution seems to be to allocate spectrum in the band around 1,5 GHz and between 1,785 and 1,8 GHz. We are of the view that a harmonized approach on this issue would be helpful.

4.6. More effective cross-border coordination with non-EU countries

We strongly support this idea and encourage the Commission and CEPT to examine this domain as early as possible. Especially eastern Member States should be supported in implementing mobile broadband services in the digital dividend spectrum.

4.7. Addressing future challenges

We agree with the view that due to the evolving nature of the digital dividend issue we face a dynamic process. It is essential to take into account current and future developments in both broadcasting and wireless technology and use. Regarding plurality of the media and information the use of internet and wireless devices is indispensable now and in the future. Already now it is foreseeable that more spectrum is needed to satisfy the permanently increasing number of wireless users and applications. Therefore and in order to minimize the risk of a spectrum bottleneck it is suggested that the Commission takes steps to open access to more spectrum below 1 GHz, especially directly below 790 MHz.

We welcome the introduction of a mechanism to monitor external developments affecting the roadmap for the digital dividend and a regularly report to the European Parliament and Council to include changes in forecasts for spectrum demand and identify any future need for making further spectrum available on a co-ordinated basis.

5.1. Accelerating analogue switch-off by 2012

We strongly support the plan by the Commission that Member States which have not yet completed the digital switchover are requested to reaffirm their commitment to the EU target date for the effective switch-off of analogue TV broadcasting by 1 January 2012, and to complete all required preparatory measures necessary in 2011 at the latest in order to meet this deadline. For Austria this seems to be essential in order to convince the government to adopt footnote 5.316 of the ITU Radio Regulations and prepare the allocation process for the digital dividend.

5.2. Taking steps towards the opening of the 800 MHz band for electronic communications services by adopting harmonised technical conditions of use in Europe

We fully support the plan by the Commission to submit to the Radio Spectrum Committee a draft decision on the technical harmonisation of the 790-862 MHz band for regulatory opinion in autumn 2009 and to recommend to Member States to refrain from any regulatory action regarding the use of the 800 MHz band that would contradict, or complicate the application of, the technical harmonisation measure being planned at EU level.

We urge that the final adoption of the decision by the Commission will not be later than February 2010 to give Member States the chance to rely and act upon this decision and start the allocation process for the digital dividend as soon as possible in order to start reaping the full benefits of the digital dividend in Europe no later than January 2012.