



EUROPEAN COMMISSION

Brussels, 22.4.2013  
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Dear President,

*The Commission would like to thank the Bundesrat for its Opinion on the Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on Promoting the shared use of radio spectrum resources in the internal market {COM(2012) 478 final}.*

*The Commission would like to reassure the Bundesrat that the principle of beneficial sharing opportunities (BSO) is based on the premise that all users may continue to use the relevant frequencies.*

*As regards the Bundesrat's comment that existing and future broadcasting coverage must be protected from disturbances by broadband services and its view that the concept of "socio-economic net benefit" does not take cultural aspects sufficiently into consideration, the Commission considers socio-economic net benefits as an objective criterion for the identification of sharing opportunities. The Commission agrees that advantages for society as a whole, including social, economic and cultural aspects, should be duly taken into account when considering each application.*

*Concerning the emphasis put by the Bundesrat on the exclusive competence of Member States in broadcasting frequencies' attribution, and on the necessity to maintain the exclusive use of specific frequencies by government authorities and organisations with security responsibilities, the Commission would like to clarify that its intention is to create, within the internal market, a regulatory framework promoting innovation in the field of wireless technologies, which make the shared usage of frequencies possible. It would still be up to Member States to decide on how to concretely tap into the potential for more efficiency in the spectrum use.*

*The Commission hopes that these clarifications address the comments and concerns raised by the Bundesrat and looks forward to continuing our political dialogue on the best way to promote spectrum innovation in the EU.*

*Yours faithfully,*

*Maroš Šefčovič  
Vice-President*

*Mr Winfried KRETSCHMANN  
President of the Bundesrat  
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