



EUROPEAN COMMISSION

Brussels, 11.7.2016
C(2016) 3411 final

Dear President,

The Commission would like to thank the Senato della Repubblica for its Opinion on the proposal for a Decision on the use of the 470-790 MHz frequency band in the Union {COM(2016) 43}.

The Digital Single Market Strategy for Europe provides for a vision of universal, high-quality connectivity for businesses and the public. The proposal for the use of the 470-790 MHz frequency band follows the first proposals made under the Digital Single Market strategy in December 2015 on copyright and digital contracts.

The Commission notes the Senato della Repubblica's concern with regards to the proposed date for a coordinated release of the 700 MHz band in the EU and its proposal to introduce in Article 1 the possibility for Member States to delay, for duly justified reasons, the release of the 700 MHz band for a period of up to two years, as recommended by the Radio Spectrum Policy Group (RSPG).

In that regard, the Commission would like to underline that the allocation of the 700 MHz band to wireless broadband would allow mobile operators to offer higher-speed and higher-quality broadband to consumers in wider areas. It would provide mobile broadband speeds up to 100 Mb/s, in line with the Digital Agenda Europe targets, and allow the EU to catch up with leading world regions in terms of 4G mobile broadband take-up. In addition, it will help bridge the digital divide in Europe and foster a Digital Single Market, both pre-requisites for the EU to move forward with 5G deployment and the innovative applications it would enable. The coordinated designation of the sub-700 MHz band for flexible use which safeguards the provision of audiovisual media services to mass audiences would protect the European audiovisual model and provide legal certainty to broadcasting operators while it would provide the necessary flexibility to accommodate the large variety of national situations in terms of digital terrestrial television (DTT) and wireless broadband demand.

The Commission is pleased that the Senato della Repubblica shares the view that it is necessary to coordinate at EU-level the transition of the 700 MHz from DTT to wireless broadband services. The Commission also welcomes the Senato della Repubblica's view that

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Article 4 would allow Member States to evaluate their specific national situation and introduce downlink only services based on market needs.

The Commission notes the situation of Italy in terms of the usage of the 700 MHz band by DTT services and the limited availability of alternative TV platforms. To this regard, the Commission would like to comment that an upgrade to the DVB-T2 standard would allow the same quantity and quality of audiovisual services while freeing the spectrum resources necessary to meet increasing demand for mobile data traffic. The DVB-T2 standard was adopted by the European Telecommunications Standards Institute (ETSI) in 2009 and is already in use in several Member States. Other TV platforms can also provide similar quality broadcasting services and can provide a free-to-view bouquet of channels.

Since 2015 the 700 MHz band is allocated to both broadcasting and mobile services in the International Telecommunications Union's Radio Regulations, as could already be foreseen after the 2012 World Radio Conference, and is used near-worldwide for wireless broadband services. There are therefore significant gains that can be made, in terms of economies of scale for network equipment and end-user devices, from a timely refarming of the 700 MHz band. The Commission underlines that the draft proposal sets out an obligation of result to be achieved by the Member States by 2020, but leaves open how they achieve it within the national legal system, which leaves flexibility on how to address existing licences and migration costs, including compensation for purchasing new consumer equipment, such as a set-top-box.

Cross-border coordination is indeed necessary to reduce interference issues. The Commission proposal provides for sufficient time to complete the transition and for milestones to ease it, including transition roadmaps to be communicated by each Member State and cross-border coordination agreements to be completed. The proposal is also more flexible with regard to cross-border agreements with third countries. As the Senato della Repubblica points out, some Member States are already advanced in the transition process and the longer it takes for all Member States to complete the transition the more interference there will be between neighbouring countries.

Discussions between the Commission and the co-legislators concerning the proposal are now underway and the Commission remains hopeful that an agreement will be reached in the second half of this year.

The Commission hopes that the clarifications provided in this reply address the concerns raised by the Senato della Repubblica and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

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Member of the Commission*