



EUROPEAN COMMISSION
Impact Assessment Board

Brussels,
D(2014)

Opinion

Title **DG CONNECT - Impact Assessment on the harmonisation of radio spectrum bands for wireless audio Programme Making and Special Events equipment**

(Resubmitted draft version of 1 April 2014)*

(A) Context

Wireless microphones and associated applications for programme making and special events (PMSE) are essential for the production of programmes like news coverage as well as the performance and documentation of social and cultural events such as theatrical performances. At present, there is no minimum amount of spectrum guaranteed to be available for these applications at EU level. Wireless audio PMSE equipment predominantly use the spectrum left unused in some areas by the licenced user in the 490-862 MHz range. The amount of such available spectrum is declining, while at the same time wireless audio PMSE needs are growing. Member States address these needs at national or local level by making spectrum available for wireless audio PMSE use on a case-by-case basis. Most Member States are voluntarily following the European Radiocommunications Committee Recommendation to make some spectrum available within a variety of broader tuning ranges. This IA supports an initiative to guarantee an adequate amount of spectrum for the needs of wireless audio PMSE while strengthening the single market for PMSE equipment and use.

(B) Overall opinion: POSITIVE

The problem definition should be further improved by more clearly differentiating between drivers and problems and by better assessing the relevance of the cross-border dimension of the problems. The presentation of the options needs to be clarified and streamlined, avoiding overlaps with other sections. The assessment of the impacts should better justify the relative effectiveness of the retained option, given the challenges posed by the higher degree of flexibility left to Member States for the single market.

(C) Main recommendations for improvements

(1) Further sharpen the problem definition. While the revised text is more informative, it needs to be further improved in some respects. First, the report should more clearly indicate the magnitude of the identified cross-border challenges (problem 4) assessing their relative significance for both users (poor mobility of equipment) and equipment manufacturers (unexploited economies of scale). For the latter, the report

* Note that this opinion concerns a draft impact assessment report which may differ from the one adopted
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could make a better use upfront of the data in section 4.5 on retail prices for more/less sophisticated equipment. Secondly, the scope of the proposal should be clarified immediately in an introductory section (rather than in section 4.1 when describing the problem). Finally, the report should more clearly distinguish between problems and their underlying drivers. In the case of interferences, the problem and its drivers seem to be inverted in Table 2. Similarly, the lack of EU-wide common frequencies (problem 4) appears to be a driver rather than the problem, while the fragmented market for wireless audio PMSE equipment (leading to untapped economies of scale and barriers to equipment mobility) would seem to be the problem. The text should also be further streamlined to avoid repetitions between the context and problem sections. Consideration could also be given to merging context section 3.2.2 (Changing access conditions) into section 4.1 (Insufficient availability of spectrum) and 4.6 (baseline scenario).

(2) Improve the presentation of the options. The presentation of the options should be further clarified, focussing on their content and on how stakeholders' views influenced them. Analytical elements should be moved to the impact assessment sections and overlaps with previous sections (e.g. the baseline scenario description) avoided.

(3) Further strengthen the assessment of impacts. In view of the degree of flexibility left to Member States, the report should more convincingly assess the relative effectiveness of the preferred option in strengthening the single market for wireless audio PMSE equipment and, thus, in achieving the identified economies of scale. In this context, the report should also explain why manufacturers' estimated savings are the same under options 3 and 3.1 even if Member States have a greater leeway in choosing tuning ranges under the latter. Finally, the report should better describe how the planned actions could affect other spectrum users.

Some more technical comments have been transmitted directly to the author DG and are expected to be incorporated in the final version of the impact assessment report.

(D) Procedure and presentation

The report needs to avoid repetitions (e.g. with regard to CEPT and JRC expertise). The monitoring table should be revised to include indicators linked to the operational, rather than the specific, objectives (e.g. the costs of equipment). Finally, the executive summary should respect the 10-page limit and include a section on monitoring and evaluation.

(E) IAB scrutiny process

Reference number	2012/CNECT/012
External expertise used	No
Date of IAB meeting	Written procedure An earlier version of this report was submitted to the IAB in January 2014, for which the Board issued an opinion on 7 February 2014.