



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR COMMUNICATIONS NETWORKS, CONTENT AND TECHNOLOGY

Connectivity
Radio Spectrum Policy Group
RSPG Secretariat

Brussels, 7 June 2022

RSPG22-015 FINAL

RADIO SPECTRUM POLICY GROUP

Progress Report of the RSPG Sub-Group

on “Good offices” to assist in bilateral negotiations between Member States

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**Progress Report of the RSPG Sub-Group on
“Good offices” to assist in bilateral negotiations between Member States**

The Good offices Sub-Group (SG) held two web-meetings since the 57th meeting of the Radio Spectrum Policy Group (RSPG). One meeting was held on the 23rd March and the other on the 19th May 2022. The detailed reports of these meetings are at Annex 2 and Annex 3 respectively.

The information included in the following sections provides a summary of the discussions and the state-of-play on the various cross-border coordination issues being considered by the SG.

As regards the cross-border issues in the UHF band, the SG would like to thank Italy for their efforts, which resulted in a significant improvement to the harmful interference situation in the band.

1. Implementation of the Croatia/Italy coordinated solution defined in the RSPG opinion

Italy presented their progress on the implementation of the RSPG Opinion on the application of EECC Article 28(3) in relation to cross-border interference problems in the UHF band.

a) Interference from Italian TV stations operating in the 700 MHz band, which will be authorized for use by mobile operators in Croatia in July 2021

State-of-play:

- Italian television stations are no longer making use of channels 50-53 (700 MHz mobile uplink band) and channels 54 and 56.
- Italian transmissions on channels 55 and 57 will be switched-off by end June.
- Croatian providers of mobile electronic communications services in the 700 MHz band are no longer experiencing harmful interference from Italian television transmissions.
- The coordinated solution as per RSPG Opinion 21-029 has been fully implemented.

Italy confirmed that the process of migrating the Italian digital terrestrial television (DTT) from the 700 MHz band was progressing as per the national roadmap for the UHF band. It confirmed that the migration process has been completed for the North of Italy and the Adriatic areas. As a result, Italian television stations are no longer making use of channels 50-53 (mobile uplink band) and channels 54 and 56. Channels 55 and 57 are still used for television transmissions but these will be switched-off by 30 June 2022, at the latest.

As a result of the Italian migration process, Croatia confirmed that its operators of electronic communications networks in the 700 MHz band are no longer experiencing in-band harmful interference.

Similarly, the interference problems which were experienced by Slovenian mobile network operators have also been completely resolved.

b) Coordinated solution for interference from Italian TV stations to Croatian TV channels

State-of-play:

- Significant improvement to the harmful interference situation in the sub-700 MHz band.
- Croatian television channels 23, 28, 33, 34, 35, 43 are no longer interfered, and therefore for these channels, the associated coordinated solution as per RSPG Opinion 21-029 has been fully implemented.
- Some isolated cases of television interference are still present on channels 21, 22, 27, 29, 31, 39, 41 and 45.
- Some isolated Italian television transmissions were still received in Croatia on channels 50, 52, 55 and 57.
- Italy will be carrying out the necessary verifications to determine the source of the interfering transmissions.

Italy confirmed that for the sub-700 MHz band, at least for North Italy and the Adriatic region, DTT stations are operating in accordance with Italy's international rights.

Croatia confirmed that the harmful interference situation in the sub-700 MHz band has improved significantly, but some isolated cases of television harmful interference cases remain and requested Italy to perform the necessary verifications. The full details of these interferences were provided by Croatia, and a summary of which is being provided below:

- Channels 21, 41, 45: 34-37 dB μ V/m measured in the Istria region
- Channel 22: 64 dB μ V/m (possibly a transmission from the Marche region)
- Channel 27: 50 dB μ V/m (possibly a transmission from the direction of San Marino)
- Channels 27, 29, 39: 45-49 dB μ V/m measured from the central part of Croatia
- Channel 31: 53 dB μ V/m (mux identification: Video Tolentino, so possibly a transmission from the Marche region where this station is located)
- Channels 55-57: 55-85 dB μ V/m

Italy clarified that in accordance with the UHF agreement for the Adriatic region, Italy has the right to make use of 14 television channels and noted that these channels are not the same across its entire national territory. This could lead to situations where Croatia could be receiving broadcasts transmitted from areas falling outside the coordination area. Nonetheless, it did not exclude the possibility that unauthorised stations were in operation.

Croatia had a different opinion and considered that the TV stations making use of channels 22, 27 and 31 were established within the coordination zone.

Italy committed to investigate the cases reported by Croatia.

2. **Other cross-border coordination issues for the UHF band**

State-of-play:

- Slovenia complained about DTT interference on channels 49 and 57. Italian DTT transmissions making use of these channels and any other channels in the 700 MHz band will be switched-off by 30 June 2022.
- Slovenia and Italy intend to use channel 49 for PPDR use.
- Italy switched-off an authorised DTT transmission on channel 31 operating from an area where the DTT migration process has been fully completed.
- In Italy, regional (local) DTT stations still use the MPEG-2 standard whilst the national stations have migrated to MPEG-4. DVB-T2 is foreseen during 2023.
- Italy committed to respond to a request submitted by Slovenia in March, to coordinate DTT allotments located outside the coordination zone.
- France and Malta confirmed that they do not experience any DTT interference.

Slovenia complained on Italy's high-power transmissions on channel 57 and requested for a power reduction in order to improve the situation. Slovenia was also receiving interference on channel 49. This channel is designated for PPDR use after 2025.

Italy confirmed that the Italian DTT transmissions on these channels will be switched-off by 30 June 2022, at the latest. Regarding channel 49, Italy informed the SG that this channel has also been planned to be used for PPDR and therefore there will be no compatibility issues with Slovenia.

Slovenia observed that Italy was still using its TV channel 31 and requested Italy to clarify the status of the migration process from DVB-T to DVB-T2.

Regarding channel 31, Italy identified an authorised station which was switched-off. As to the question concerning the transition to DVB-T2, Italy intends to introduce DVB-T2 in 2023 (the exact timeframe still needs to be defined). In Italy, only national stations have migrated to MPEG-4; regional (local) broadcasters are still using the MPEG-2 standard.

During the latest SG meeting, Slovenia enquired with Italy on the status of a request submitted in March 2022, seeking frequency coordination agreement in the sub-700 MHz band for television transmissions. This request consists of allotments located outside the coordination zone and pursuant to the UHF Adriatic Agreement, Slovenia has the right to use all channels outside this zone without any constraints with respect to Italy. Italy committed to provide a reply in a short time and considered that as long as the request was in line with the UHF Adriatic Agreement, there was no reason to object.

3. Review of other interference cases around Italy

a) *DAB in VHF Band III*

State-of-play:

- The development of the DAB agreement for the Adriatic and Ionian region is currently at a standstill due to issues raised by Slovenia and since it was not possible to accommodate requests made by Albania and Bosnia and Herzegovina. However, discussions will continue on the 27th May 2022.
- Slovenia's reasons for not signing the agreement are generally attributed to a mistrust in Italy.
- The Italian NRA, AGCOM, decided to proceed with the development of Italy's national DAB plan taking into account the agreements entered into with Austria, France, Malta, Monaco, Switzerland and the Vatican City. These agreements offer an improvement to the use of radio spectrum. For the border areas not covered by a coordination agreement, AGCOM will base the national plan on Italy's Geneva 2006 (GE06) recorded entries.
- A DAB agreement for the region provides the opportunity to increase the number of frequency resources in the coordination zone.
- Italy confirmed that DAB is one of the options being considered for resolving some of the FM interference problems. Limiting the number of frequency resources in the border areas due to the non-adoption of the DAB agreement for the Adriatic and Ionian region will jeopardise the further consideration of this option by Italy.
- The DAB interference present in Slovenia on frequency block 12C has been resolved following Italy's migration of the interfering station to frequency block 7C.
- As regards the DAB interference problems reported by Croatia, Italy needs to confirm whether the Italian operator has migrated its transmissions from frequency block 10A to 10D. The other reports of DAB interference remain pending.

The SG considered the progress made in relation to the development of the DAB agreement for the Adriatic and Ionian region. It was noted that the outcome of the last meeting of the Adriatic and Ionian group held on the 14th April was not satisfactory mainly for two reasons: (i) Slovenia was not prepared to sign the agreement due to specific reasons, and (ii) it was not possible to accommodate requests made by Albania and Bosnia and Herzegovina.

The Italian NRA, AGCOM, in consideration of the completion of the 700 MHz refarming process with the simultaneous release of the VHF band III, decided to proceed with the preparation of the national DAB plan. The plan will be based on the frequencies that Italy can use in the relevant coordination areas pursuant to the agreements signed with Austria, France, Malta, Monaco, Switzerland and the Vatican City. It was noted that these agreements offer an improvement to the usable frequency resources. In the coordination areas where there is not an international coordination agreement, the frequencies assigned to Italy by the GE06 plan will be used.

This plan needs to be finalised around summer 2022 and it will be difficult to modify the plan once it is being implemented.

Slovenia provided the reasons in relation to its reservations concerning signing the DAB Adriatic and Ionian agreement:

- Slovenia fears that Italy will not respect the DAB agreement for the region.
- Italy does not respect the Radio Regulations and as a result various harmful interference problems are present.
- Italy makes use of several rights under the Geneva 1984 (GE84) Agreement despite the fact that it has not ratified it. Hence Italy was benefiting from the rights offered by the GE84 without respecting its obligations.
- The non-adherence by Italy with international regulations is considered as Italy being unable to respect the DAB agreement.

Italy confirmed that it has no intention not to respect any agreement and expressed its disagreement to Slovenia's statement of mistrust. Italy added that having an efficient national DAB plan may provide an opportunity to address the FM cross-border interference and this may no longer be considered if the DAB Adriatic-Ionian agreement is not concluded.

Croatia was of the view that significant progress was made as regards the DAB agreement for the region and finalising it was desirable. The aim is to achieve better frequency distribution which would increase the number of DAB layers for Italy, resolve present Italian interferences and ensure operation for all countries in the Adriatic and Ionian region without any undue interference. It however shared the concerns expressed by Slovenia as regards the FM band. In the context of the GE06, Croatia expected Italy to apply the GE06 frequency coordination procedures and to resolve the present interference cases.

Italy acknowledged that the FM band is congested and a wide set of instruments need to be considered to resolve the cross-border interference problems. Italy confirmed its willingness to consider using DAB as a remedy to resolve certain FM interference problems.

With reference to the pending interference case with Slovenia on frequency block 12C, it was confirmed that Italy migrated the interfering station to frequency block 7C and as a result this interference may be considered as resolved.

As regards the DAB interference problems reported by Croatia on frequency blocks 10A, 12A, 12B, 12C and 12D, one of the agreed solutions was for Italy to migrate its transmissions from frequency block 10A to 10D. Italy noted that the relevant project for this migration to 10D was approved and it will be verifying whether the migration process has taken place. No developments were reported for the other pending interference cases.

The SG encouraged the parties to reach a compromise in order to finalise and subsequently sign the DAB agreement for the Adriatic and Ionian region. The SG has also encouraged Italy to retain the option to use the DAB plan as a tool to resolve certain FM interferences.

b) FM band

State-of-play:

- No improvements to the harmful interference situation were reported by Croatia, France, Malta and Slovenia.
- Italy was still in the process of establishing a national working group on the application of article 50 of Decreto Legislativo 208/2021, a law which includes provisions aimed to eliminating FM interference situations.
- Italy, with the cooperation of neighbouring countries, would like to undertake a feasibility study (optimisation exercise) with the aim to finding solutions satisfactory to all sides. Italy considers that this study will be beneficial to the participating countries since it may lead to an optimisation of the FM network configuration as well as to identify any redundant stations.
- Italy acknowledged that the FM band is congested, and it will be evaluating options on how to reduce the number of actual stations (e.g. through compensation schemes, migration to DAB, etc.). It would like to successfully register its stations under the GE84 agreement.
- Slovenia and Croatia expressed their reservations to the body of work being considered by Italy, but expressed their willingness to cooperate, however, once agreement is reached on certain principles.
- France interference problem in Bonifacio is still present. It was agreed to carry out a joint measurement campaign around late June/beginning of July in Sardinia to determine whether a new FM frequency may be used by France in Monte Corbu. Italy committed to submit a measurement plan to France so that the measurements can be undertaken.

- The European Commission expressed concerns in relation to Italy's requirement for compliance with international and European law, and underlined that FM is a tool for the dissemination of culture. Each Member State should have the possibility to fully develop its services without interference.

Italy provided updates on the application of article 50 of Decreto Legislativo 208/2021 which addresses FM cross-border interference. A national working group composed of members from the Ministry responsible for communications (MISE) and AGCOM was being set-up. The terms of reference of this working group focuses on the elimination/mitigation of cross-border interference, the efficient use of radio spectrum, the need to protect investments and the promotion of innovation. The working group is expected to review the relevant regulations to determine to what extent they are aligned with international legal frameworks, and to carry out an assessment of the current situation followed by a rationalisation exercise. The need to stimulate innovation will also be addressed. On this basis the working group needs to find short-, medium- and long-term solutions, even solutions of a temporary nature.

Italy intends to initiate dialogue with the neighbouring countries by requesting for cooperation with the aim of finding solutions satisfactory to all sides. Italy would like to collect the broadcasting requirements of neighbouring countries and identify constraints and to subsequently develop an optimisation algorithm in order to determine whether a better distribution or re-organisation of frequencies is possible. On this basis, Italy is considering undertaking a feasibility study for a specific area with the objective of trying to identify new frequencies which could in the future be coordinated for use by Italy, thereby avoiding risks of interference. Italy suggested that the area to be considered for this study should initially include Friuli Venezia Giulia for Italy and the Western side of Slovenia but also Istria in Croatia.

Italy clarified that for this study it intends to take into account its FM stations which are currently in operation. An assessment of the consistency of the networks and their configuration will lead to identify networks could have some redundancy. Any extra redundancy can be reduced in order to use the frequency resource more efficiently. Italy will also be evaluating the possibility of reducing the number of actual stations (e.g. through compensation schemes, migration to DAB, etc.) and emphasised that it cannot switch-off all stations which are not GE84 registered. It recognised that the stations of the neighbouring countries are GE84 registered and it was desirable for Italy to find usable frequency resources where to accommodate at least some of their stations currently in operation and to subsequently register them in the GE84. It emphasised that it is trying to find solutions particularly in the bordering areas. If these usable frequency resources are also identified for use by another country and a GE84 coordination process is launched by that country, Italy will reduce the possibility of coordinating a new frequency.

Italy also stated that the feasibility study will also be beneficial to the participating countries since it may lead to an optimisation of the FM network configuration as well as to identify any redundant stations.

Slovenia considered the objectives of the feasibility study as being very hard to achieve and suggested to split the problem as follows:

- Accommodation of new frequencies by applying Article 4 of the GE84.
- Resolution of current interferences by applying the direction provided to Italy by the 76th meeting of the Radio Regulations Board (November 2017) where Italy was invited to apply the provisions of the ITU Constitution and Convention and of the Radio Regulations and to cease causing harmful interference to neighbouring countries.

Slovenia made itself available to cooperate with Italy on this process once a common understanding of the rules and basic principles are agreed to.

Croatia shared the same concerns expressed by Slovenia and considered Italy's compliance with the Radio Regulations and the GE84 as a priority in addressing the various cases of FM interference which have been present for decades.

Regarding France's interference problem in Bonifacio it was agreed to carry out a joint measurement campaign in Sardinia to determine whether a new FM frequency may be used in Monte Corbu. Italy committed to propose a plan for the measurement with dates in short order, by end June or the beginning of July

The EC representative appreciated the efforts made by Italy towards resolving the 700 MHz interference problems. However, regarding the FM band, it has concerns especially in relation to the requirement to comply with international and European law. The EC underlined the importance of national and regional diversity of culture. FM broadcasting is a tool for the dissemination of culture and each Member State should have the possibility to fully develop its services without interference.

The SG acknowledged that Italy's approach towards resolving FM interferences was in part difficult to achieve and will take a considerable amount of time to implement. In the circumstances it was once again stressed on the importance to find short-term solutions, even temporary ones, addressing the priority cases of interference. The importance of having some short-term solutions has been stressed for quite some time and it is desirable to see some tangible results.

4. Updated information was provided on several EU borders:

Updated information was provided on the status of cross-border coordination activities with third countries:

- Belarus: All issues have been resolved.

- Albania: Intends to release the 700 MHz band for IMT. Discussions are taking place with Croatia to ensure that the broadcasting stations of Croatia are not affected. Croatia reported that is experiencing interference from Albania on channel 21.
- Libya: Intends to use the 700 MHz band for IMT and that the band was currently free from any television broadcasting transmissions.
- Regional Spectrum Agreement between the Eastern Partnership (EaP) countries: The EC reported that in March 2022, further editorial amendments were received to the draft agreement and these were accepted by some EaP countries, but the reply from the other EaP countries was still pending. It was noted that under the current climate it was difficult to predict the signature/entry into force of this agreement.

The European Commission noted that the process to review the applications of Georgia, Moldova and Ukraine for EU membership has started and the respective services were looking into their applications including from a telecommunications perspective and any radio spectrum related aspects.

5. C band

The SG updated the map of the Frame Structures within the EU to take into account new information provided by Lithuania and Hungary.

- Lithuania: Opted to apply Frame A of ECC/Rec(20)03.
- Hungary:
 - Until 31st March 2024, Frame B of ECC/Rec(20)03 will be applied by holders providing 5G services to ensure a synchronised operation with the operator providing 4G (LTE) services.
 - After 31st March 2024, Frame A of ECC/Rec(20)03 will be applied.

An updated map of the selected Frame Structure within the EU is at Annex 1.

The Frame Structure information for some EU Member States is marked as ‘undecided’. These Member States (i.e. AT, BG, CY, CZ, IE, PT, RO, SK) are kindly requested to inform the SG once they decide on the Frame Structure to be applied in their country.

6. Any other business

The RSPG received a letter submitted by an Italian law firm on behalf of a group of Italian networks concerning litigation cases between Italian and Slovenian broadcasters on the use of FM radio spectrum. Through this letter it is being claimed that Slovenian stations are interfering with Italian stations.

The RSPG's stance on the matter is that the RSPG and its good offices deal with cross-border coordination difficulties and harmful interference between Member States and therefore it will not be involved in litigation cases or requests submitted by operators. The RSPG Chairman responded to this letter.

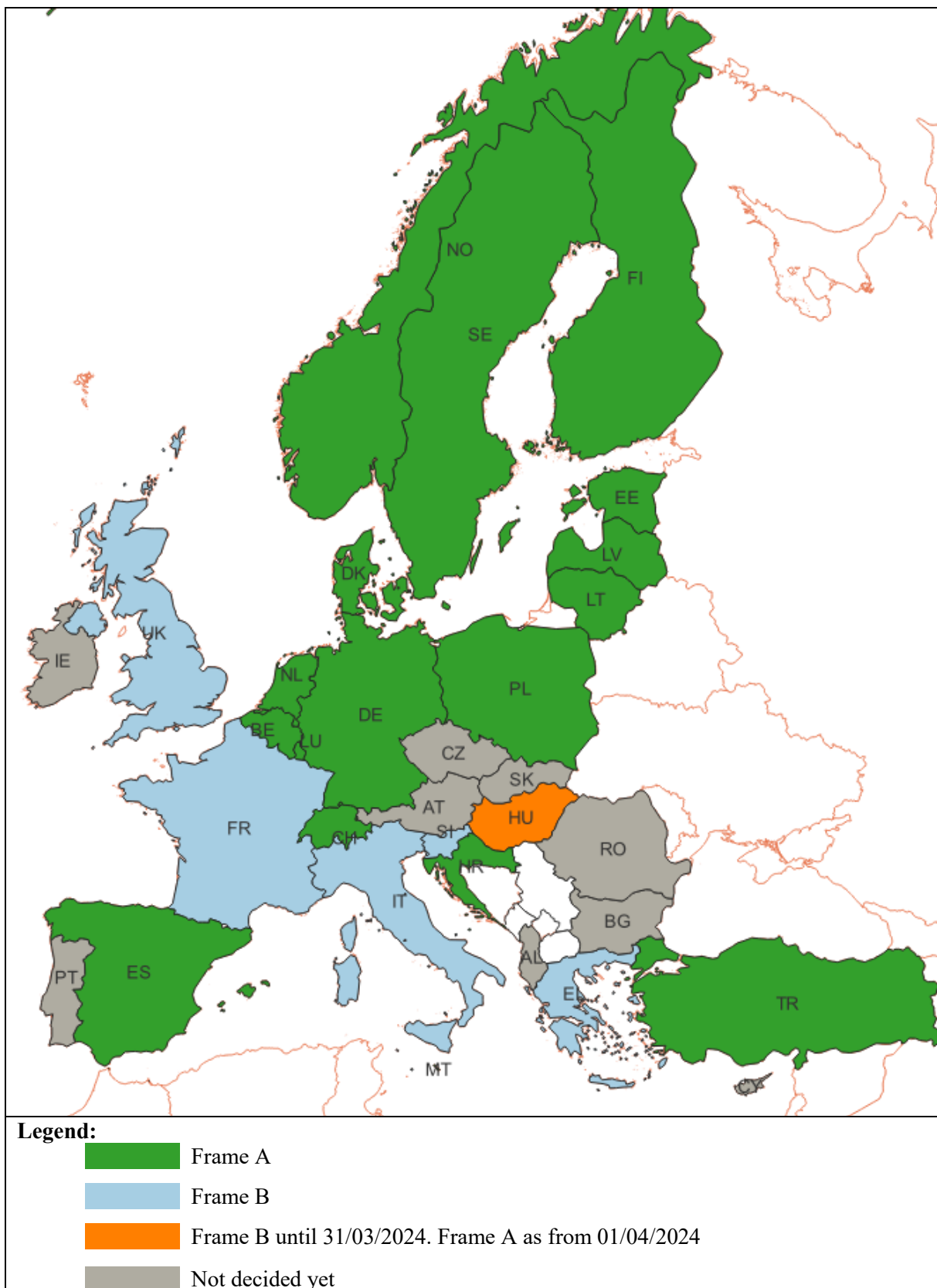
No discussion took place on this point.

7. Date of next meeting

The next SG meeting is planned as a web-meeting on the 18th October 2022.

ANNEX 1

Frame Structure according to ECC/Rec(20)03



ANNEX 2

REPORT

RSPG SUB-GROUP

“Good offices” to assist in bilateral negotiations between Member States

Web-meeting, 23rd March 2022

The draft agenda of the meeting was presented and amended to consider a letter received by the RSPG from an Italian legal firm on behalf of a group of Italian networks, in relation to claimed interference problems in the FM band.

The meeting was also updated with the terms of reference of the Sub-Group, as approved by the 58th RSPG plenary meeting held on the 9th February 2022 and as subsequently published in document RSPG22-006.

1. Implementation of the Croatia/Italy coordinated solution (article 28 opinion)

Italy provided an overview of the activities it has undertaken pursuant to its national roadmap to migrate digital terrestrial television transmissions to the sub-700 MHz band. With reference to their reframing schedule as shown in Figure 1, Italy confirmed that the migration process in Areas 1a, 2 and 3 has been completed and as a result TV channels 50 to 53 are now clear from any Italian television transmissions. In addition, any television transmissions in these areas are in accordance with Italy’s international rights.



Figure 1 - Italian DTT reframing schedule

The Sub-Group was informed that the refarming process was currently taking place in Area 4, specifically in the Marche region, followed by the Abruzzo and Molise regions and then Puglia and Basilicata regions. For the latter regions, Italy's plan gives priority to the coastal areas located opposite to Croatia and this process is expected to be completed by the 19th April.

Italy noted that this schedule has anticipated the migration by one month when compared to the schedule included in its original roadmap. Italy also plans to switch-off its transmissions (national switch-off) of channel 56 on the 1st April 2022. In concluding its presentation Italy stressed that the relevant actions of the RSPG Opinion should be implemented by the 19th April 2022.

The meeting noted this positive development and thanked Italy for the efforts made to eliminate the interference.

Croatia noted an improvement to the interference situation in the Northern part of the country. Some lower level of Italian interference coming from a southerly direction on channels 23, 28, 29, 34, 39 and 43 was still measured but this was associated with the fact that the refarming process in Area 4 was still underway.

Slovenia confirmed an improvement to the interference situation. Specifically, Slovenia reported that the interference experienced by their mobile network operators, including that on channel 54 (i.e. IoT operator) was completely resolved. However, Slovenia made reference to Italy's high-power transmissions on channel 57 and requested for a power reduction in the order of 10 dB in order to improve the situation. Slovenia also asked for information on Italy's plans on the use of channel 49, since this channel was designated for PPDR use in Slovenia after 2025. Currently, this channel was receiving high level interference from Italy.

Further to the above Slovenia noted that Italy was still using TV channels assigned to Slovenia and requested Italy to clarify the status of the migration process from DVB-T to DVB-T2. Slovenia made specific reference to TV channel 31.^{1,2}

Italy requested clarifications on the channels referred to by Slovenia, since at the present stage of the refarming process (Areas 2 and 3 completed, Area 4 in progress) there are no broadcasters making use of any channel assigned to Slovenia in the sub-700 MHz band.

As regards to the Italian stations using unauthorised TV channels, Italy was not in a position to comment on the specific cases but emphasised that such channels will be switched-off by end June 2022. In relation to Italy's plans on the use of channel 49, a reply could not be provided during the meeting, but Italy committed to investigate and provide the necessary information directly to Slovenia.³

¹ Additional information provided by Italy after the meeting: After verification of the refarming progress, as of 31/3/2022, there is no Italian broadcaster operating on TV channel 31.

² Additional information provided by Slovenia after the meeting: TVM multiplex was identified on channel 31 containing programs Canale 6, Canale 6 (Provvisorio), TVM HEVC TEST, TVM HD and Canale 6 HD.

³ Additional information provided by Italy after the meeting: Channel 49 is a channel assigned to Italy in the GE06 Plan. Since it is included in the 700 MHz band release operations, transmissions will cease by June 2022. For

As to the question concerning the transition to DVB-T2, Italy stated that they have to find a balance between more efficient use of radio spectrum and the penetration rate of TV sets capable of receiving DVB-T2 signals. The introduction of DVB-T2 is foreseen to take place in 2023 and a decision needs to be made on the exact timeframe. The migration to DVB-T2 was supported by Italian broadcasters. The meeting was also informed that only national stations have migrated to MPEG-4; regional (local) broadcasters still use the MPEG-2 standard.

Croatia queried on the timing for switching-off TV channel 31 and the upper 700 MHz band channels. Italy could not provide an exact date but committed that these channels will be switched-off by end June 2022. It emphasised that Italy was working to anticipate the completion of the refarming process.⁴

The EC representative informed the Sub-Group that the European Commission services sent a letter to Italy in relation to the interference problems described in the RSPG Opinion (RSPG21-029) as well as those affecting the provision of FM sound broadcasting services. Italy confirmed the receipt of this letter. This was noted by the Sub-Group.

2. Review of other interference cases around Italy

VHF band III (DAB)

The meeting considered the progress being made in relation to the DAB agreement for the Adriatic and Ionian region. Italy provided an overview of the key developments since the last Sub-Group meeting. Specifically, it was noted that the DAB frequency allocation plan has been established and the text of the agreement reviewed. However, some potential incompatibilities with Albania, Montenegro and North Macedonia, as well as with Bosnia and Herzegovina remain to be solved. The concerned countries still need to agree on the simulation models to be adopted and the list of test points. Italy noted that an issue has been raised by Slovenia but this was expected to be discussed bilaterally in a meeting to be held on the 29th March 2022. The Adriatic and Ionian countries will convene to continue their discussions on the 14th April 2022. Italy expressed confidence that the DAB agreement will be finalised by mid-2022.

Slovenia noted that it was willing to sign the agreement following clarification of some fundamental points, in particular in relation to the application of ITU rules and to the fact that Italy has objected to its notifications without giving any valid justifications. Slovenia confirmed its availability to address these issues with Italy on the 29th March 2022.

the future, Italy also plans to allocate it to PPDR and therefore there will be no compatibility issue with Slovenia's planned usage after 2025.

⁴ Additional information provided by Italy after the meeting: In the 700 MHz band, only channels 55 (falling in the guard band between uplink and downlink) and 57 are still used and will be switched off by 30th June 2022.

With reference to the pending interference case with Slovenia on frequency block 12C, as a temporary measure, Italy confirmed that it will be migrating its transmissions to frequency block 7C. Italy is in the process of revising the frequency authorisation and therefore a complete resolution to this problem is expected to take place in the short-term.

As regards interference problems to the DAB services of Croatia on frequency blocks 10A, 12A, 12B, 12C and 12D, Croatia did not report any improvements to the interference situation. The action item resulting from the previous meeting in relation to the implementation of a temporary measure to migrate Italy's transmissions from frequency block 10A to 10D is therefore still pending. In the circumstances Italy will be addressing this point prior to the next meeting of the Sub-Group.

Croatia was pleased to note that the interference situation on channel 11A, 11D and 10C, which channels are licensed for use by a commercial DAB operator was stable and would like to see, in the short-term, a resolution to the other reported interference problems. Croatia emphasised that these interferences were hindering the development of DAB services in Croatia and this situation is not desirable.

In conclusion, the Sub-Group has once again appealed that pending the adoption of the DAB agreement as aforesaid, Italy should adopt measures, even temporary ones, leading to the complete resolution of the pending DAB interference cases.

FM band

The Sub-Group requested Italy to provide any relevant updates on the application of article 50 of Decreto Legislativo 208/2021 which addresses FM cross-border interference. Italy stated that a national working group composed of members from the Ministry responsible for communications (MISE) and the Authority for Communication (AGCOM) was set up to address problems associated with the FM band, in accordance with the provisions of the Decreto Legislativo. Initial discussions served to prepare the terms of reference of this group which will focus on the elimination/mitigation of cross-border interference, the efficient use of radio spectrum, the need to protect investments and the promotion of innovation. In this regard the working group is expected to review the relevant regulations to determine to what extent they are aligned with international legal frameworks, and to carry out an assessment of the current situation followed by a rationalisation exercise. The need to stimulate innovation will also be addressed. On this basis the working group needs to find short-, medium- and long-term solutions, even solutions of a temporary nature.

Following questions from the Sub-Group, Italy stated that no timeframes have so far been established in relation to the work which will be undertaken by the Working Group. However, it was envisaged that different timeframes will be established for each work area. As regards the Sub-Group's proposed solution to Italy to reserve some capacity in the DAB plan to accommodating certain FM programmes causing cross-border interference, Italy stated that the relation between DAB and FM was not foreseen at law.

Italy however remarked that it is aware on the need to reduce the overcrowding of the FM band and that measures must be taken in this regard.

Slovenia, whilst emphasising on the importance that the DAB plan should aim to resolve FM interference problems which have been present for decades, considered that the fundamental goal of the Italian working group should not be to mitigate the interference problems but to completely eliminate them. This view was supported by Croatia and France. In addition, France expected that this will not result in a paper exercise but will be implemented effectively. France offered its willingness to assist Italy in finding solutions.

It was observed that the report of the Sub-Group meeting held on the 14th January 2021 and the 27th progress report of the Sub-Group to the 55th RSPG Plenary meeting (document reference RSPG21-028) included possible options on how Italy could resolve the reported long-lasting interference problems in the FM band.

Following this discussion, reference was made to the actions resulting from the previous Sub-Group meeting held on the 18th January 2022, where in particular, Italy expressed the intent to make progress on the reported priority cases and that it will be providing an update at this meeting.

In response, Italy stated that no action has been taken as regards the resolution of the FM interference problems affecting Croatia, Slovenia and Malta and in the interim its efforts focused on the Italian Working Group. Nonetheless, it committed in finding long-term and short-term solutions.

This lack of action by Italy was not welcomed by the affected countries even in view of the fact that Italy was not in a position to commit on a date by when any of the FM interference problems will be resolved. It was emphasised on the need to identify short-term solutions addressing the longstanding interference problems.

As regards the FM interference problems between France and Italy, it was confirmed that a measurement campaign will be taking place in Sardinia, to determine whether Radio Nostalige transmitting from Monte Corbu on 88.4 MHz will be impacting Italy. The Italian broadcaster agreed with the requirement to undertake measurements and now both countries will be discussing the approach on how the measurements will be carried out. Once agreement is reached on this point, the parties will establish a date for the measurement campaign. France remarked that listeners from Bonifacio are still suffering from Italian interference and expect that some power reduction by Italy will be necessary.

3. Updated information was provided on several EU borders

Updated information was provided on the status of cross-border coordination activities with third countries:

- Belarus: All issues have been resolved.

- North Africa: Malta reported that it will be meeting with Tunisia on the 30th March to discuss FM related matters.

The EC representative also provided updated information on the status of the Regional Spectrum Agreement between the Eastern Partnership (EaP) countries. It was reported that in March 2022, further editorial amendments were received which were accepted by some EaP countries, whereas the reply from the other EaP countries was still pending. It was noted that under the current climate it was difficult to predict the signature/entry into force of this agreement.

4. C band

Lithuania reported that on the basis of ECC/Rec(20)03 it opted to use Frame A for the synchronisation of its 5G networks. It also informed the Sub-Group that it launched a coordination procedure with the Russian Federation pursuant to RR footnote 5.340A. Lithuania plans to undertake an auction procedure for the 3.4-3.8 GHz band in the coming months.

Hungary also provided updated information on the frame structure for synchronisation for 5G networks operating in the 3.4-3.8 GHz band. Holders of rights of use of radio spectrum in this band were required to agree, within a specific time period, on common synchronisation parameters. In Q4.2021, agreement was reached by the operators as follows:

- Until 31st March 2024, Frame B of ECC/Rec(20)03 will be applied by holders providing 5G services to ensure a synchronised operation with the operator providing 4G (LTE) services. This frame structure ensures compatibility between 5G and 4G networks.
- After 31st March 2024, Frame A of ECC/Rec(20)03 will be applied.

Hungary noted that the agreement reached by the operators not only improves the efficient use of radio spectrum nationally, but will facilitate the conclusion of future cross-border agreements with neighbouring countries based on ECC/Rec(15)01, providing more efficient spectrum use also in the border areas.

An updated map of the selected Frame Structure within the EU is at Annex 1.

5. Any other business

The co-chairs reported that the RSPG received a letter submitted by an Italian law firm on behalf of a group of Italian networks concerning litigation cases between Italian and Slovenian broadcasters on the use of FM radio spectrum. Through this letter it is being claimed that Slovenian stations are interfering with Italian stations.

The RSPG's stance on the matter is that the RSPG and its good offices deal with cross-border coordination difficulties and harmful interference between Member States and therefore it will

not be involved in litigation cases or requests submitted by operators. The RSPG Chairman will be responding to this legal firm.

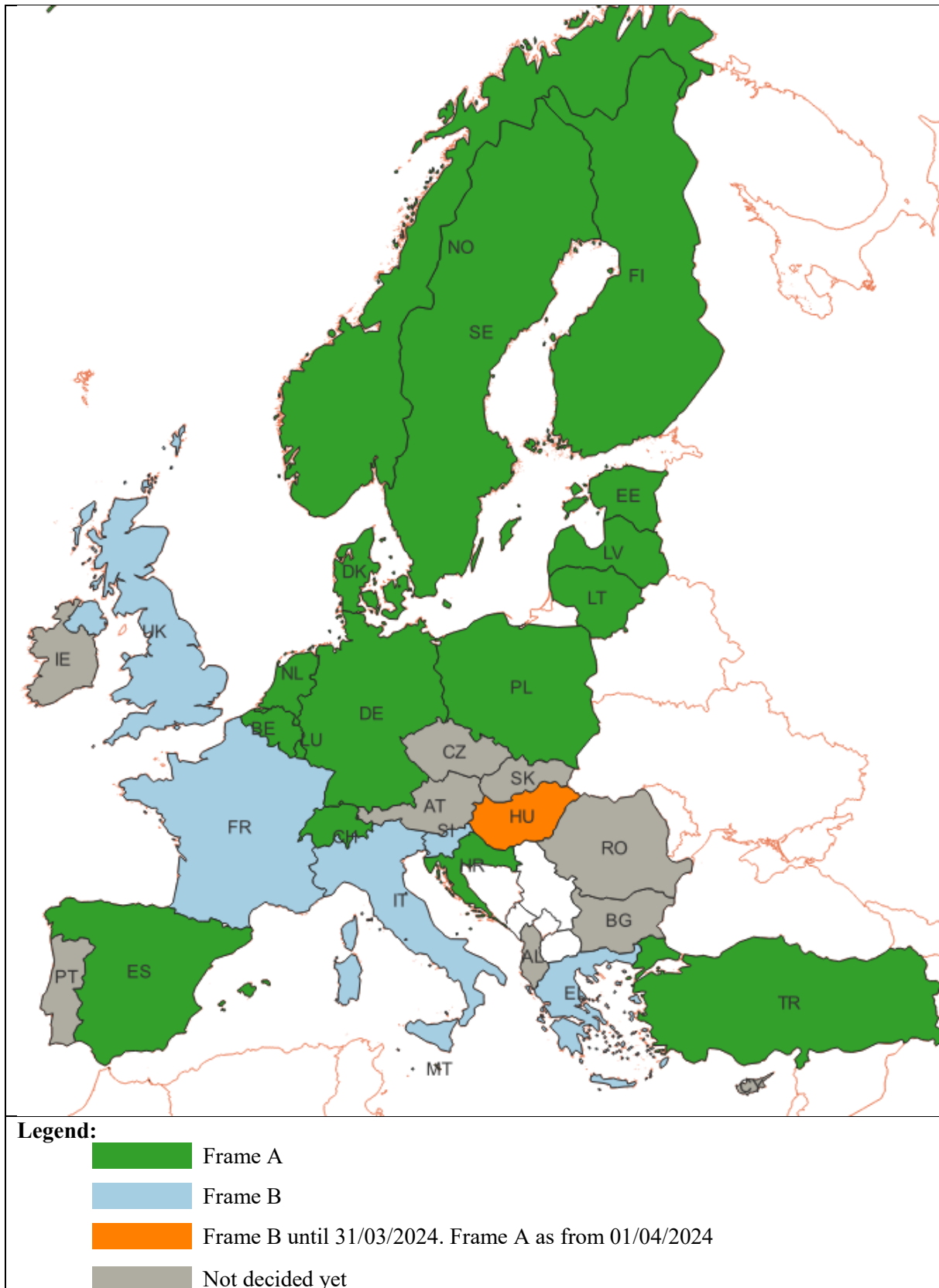
No discussion took place on this point.

6. Date of next meeting

The next Sub-Group meeting of the Good offices is planned to be held virtually on the 19th May 2022 (9:30-12:30 hrs.).

Annex 1

Frame Structure according to ECC/Rec(20)03



List of participants

No. of participants: 23

Country	Organisation
Austria	Austrian Regulatory Authority for Broadcasting and Telecommunications (RTR)
Austria	Austrian Telecommunications Office
Croatia	Croatian Regulatory Authority for Network Industries (HAKOM)
Cyprus	Department of Electronics Communications (Cyprus)
Finland	Finnish Transport and Communications Regulatory Authority (TRAFICOM)
France	National Frequency Agency (ANFR)
Greece	Hellenic Telecommunications & Post Commission (EETT)
Hungary	National Media and Infocommunications Authority (NMHH)
Italy	Ministry of Economic Development
Italy	Italian Communications Regulatory Authority
Lithuania	Communications Regulatory Authority of the Republic of Lithuania
Malta	Malta Communications Authority (MCA)
Slovenia	Agency for Communication Networks and Services of the Republic of Slovenia (AKOS)
Sweden	Swedish Post and Telecom Authority (PTS)
-	European Commission

ANNEX 3

REPORT

RSPG SUB-GROUP

“Good offices” to assist in bilateral negotiations between Member States

Web-meeting, 19th May 2022

1. Implementation of the Croatia/Italy coordinated solution (article 28 opinion)

Italy provided an update on the implementation of its refarming plan and confirmed that this process has been completed for the North of Italy and the Adriatic areas. As a result, Italian television stations are no longer making use of channels 50-53 (mobile uplink band) and channels 54 and 56. Channels 55 and 57 are still used for television transmissions but these will be switched-off by 30 June 2022, at the latest. Italy confirmed that for the sub-700 MHz band, at least for North Italy and the Adriatic region, television stations are operating in accordance with Italy’s international rights.

Regarding channel 31, Italy stated that it investigated the complaint made by Slovenia at the last Sub-Group meeting and identified an unauthorised station. This station was subsequently switched-off.

Croatia confirmed that the situation has improved significantly and that its 700 MHz mobile electronic communications networks are being operating without any harmful interference difficulties. However, some isolated cases of television harmful interference cases remain and requested Italy to perform the necessary verifications. The full details of the reported TV interference cases are at Annex 1, and a summary of which is being provided below:

- Channels 21, 41, 45: 34-37 dB μ V/m measured in the Istria region
- Channel 22: 64 dB μ V/m (possibly a transmission from the Marche region)
- Channel 27: 50 dB μ V/m (possibly a transmission from the direction of San Marino)
- Channels 27, 29, 39: 45-49 dB μ V/m measured from the central part of Croatia
- Channel 31: 53 dB μ V/m (mux identification: Video Tolentino, so possibly a transmission from the Marche region where this station is located)
- Channels 55-57: 55-85 dB μ V/m

In response, Italy expressed its willingness to investigate these cases. It however clarified that in accordance with the UHF agreement for the Adriatic region, Italy has the right to make use of 14 television channels and noted that these channels are not the same across its entire national territory. This could lead to situations where Croatia could be receiving broadcasts transmitted from areas falling outside the coordination area. Nonetheless, it did not exclude the possibility that additional unauthorised stations were in operation.

Croatia agreed with this possibility but not for all the cases. It considered that the TV stations making use of channels 22, 27 and 31 were established within the coordination zone.

As regards TV interference experienced by Slovenia, Slovenia confirmed that the situation has improved significantly and that only channel 49 was being affected. Italy confirmed that this channel will be switched-off at the latest by end June 2022.

Slovenia enquired with Italy on the status of their request submitted in March 2022, seeking frequency coordination agreement in the sub-700 MHz band for television transmissions. Italy considered that as long as the request was in line with the UHF Adriatic Agreement, there was no reason to object and that the delay in replying was as a result of a 'work overload'. It committed to provide a reply in a short time. Nonetheless, Italy remarked that requests for stations to be established outside the coordination zone will still be examined to identify any potential risks of interference (e.g. due to the high power nature of the transmission). For these cases, the matter could be subject to a separate coordination agreement.

Slovenia expressed its reservations on Italy's remarks concerning stations outside the coordination zone. Slovenia considered that the UHF Adriatic Agreement stipulates that Slovenia can use all channels outside the defined polygon (coordination zone) without any constraints with respect to Italy and their request consists of four allotments located outside the coordination zone.

Croatia shared Slovenia's concerns on the applicability of the UHF Adriatic Agreement for stations located outside the coordination zone.

Italy clarified that in its opinion this agreement is well crafted and that it is fully committed to respect it.

France and Malta confirmed that they do not experience any television interference.

The Sub-Group noted this positive development and thanked Italy for its efforts in reaching such a successful outcome.

2. Review of other interference cases around Italy

VHF band III (DAB)

The meeting considered the progress made in relation to the DAB agreement for the Adriatic and Ionian region since the last Sub-Group meeting. Italy noted that the outcome of the last meeting of the Adriatic and Ionian group held on the 14th April was not satisfactory mainly for two reasons: (i) Slovenia was not prepared to sign the agreement due to specific reasons, and (ii) it was not possible to accommodate requests made by Albania and Bosnia and Herzegovina.

The Sub-Group was informed that the Italian NRA (AGCOM), (whose board meeting was in progress at that moment), due to the approaching expiration date for the refarming of the 700 MHz band with the simultaneous release of the VHF band III, was considering proceeding with the preparation of the national DAB plan that falls under its own competence. Given the situation depicted, the frequencies that Italy can use pursuant to the agreements signed with France, Monaco, Vatican City, Switzerland, Austria and Malta, and that offers an improvement in the usable resources, will be considered in the relevant coordination areas. Whereas in the coordination areas where there is not an international coordination agreement, the frequencies assigned to Italy by the GE06 plan will be used⁵.

Nonetheless, it was indicated that another meeting of the Adriatic and Ionian group was scheduled to take place on the 27th May 2022 and this provides an opportunity to make some progress on the matter.

Slovenia provided the reasons in relation to its reservations concerning signing the DAB Adriatic and Ionian agreement:

- Slovenia fears that Italy will not respect the DAB agreement for the region.
- Italy does not respect the Radio Regulations and as a result various harmful interference problems are present.
- Italy makes use of several rights under the Geneva 1984 (GE84) Agreement despite the fact that it has not ratified it. Hence Italy is benefiting from the rights offered by the GE84 without respecting its obligations.
- The non-adherence by Italy with international regulations is considered as Italy being unable to respect the DAB agreement.

In addition, Slovenia also mentioned that Italy failed to finalise the minutes of a previous frequency coordination meeting.

In response, Italy stated that it has no intention not to respect any agreement and as an example it made reference to its application of the UHF Adriatic Agreement. It expressed its disagreement on Slovenia's mistrust on Italy, as stated above. Italy added that having an efficient national DAB plan may provide an opportunity to address the FM cross-border interference and this may no longer be considered if the DAB Adriatic-Ionian agreement is not successfully concluded in the short-term.

Italy clarified that AGCOM is required to finalise the Italian national DAB plan by around summer 2022 and it will be difficult to modify the plan once it is being implemented.

Croatia was of the view that significant progress was made as regards the DAB agreement for the region and finalising it was desirable. The aim in this regard is to achieve better frequency distribution which would increase the number of DAB layers for Italy, resolve present Italian interferences and ensure operation for all countries in the Adriatic and Ionian region without any undue interference. It however shared the concerns expressed by Slovenia as regards the

⁵ After the meeting Italy confirmed that the AGCOM Board meeting held on 19 May approved the decision to rapidly proceed with the activities for the national DAB plan in VHF-III band, as described above.

FM band. In the context of the GE06, Croatia expected Italy to apply the GE06 frequency coordination procedures and to resolve the present interference cases.

Slovenia requested clarifications on Italy's comment on the relation between the Italian DAB plan and its applicability for resolving FM interferences. Italy responded that the Italian law does not provide for the migration of FM stations to DAB and consequently this possibility cannot be included in the multilateral agreement. Italy acknowledged that the FM band is congested, and a wide set of instruments need to be considered to resolve the cross-border interference problems. Italy confirmed its willingness to consider using DAB as a remedy to resolve certain FM interference problems.

The Sub-Group encouraged the parties to reach a compromise in order to finalise and subsequently sign the DAB agreement for the Adriatic and Ionian region. The Sub-Group has also encouraged Italy to retain the option to use the DAB plan as a tool to resolve certain FM interferences.

With reference to the pending interference case with Slovenia on frequency block 12C, it was confirmed that Italy migrated the interfering station to frequency block 7C and as a result this interference may be considered as resolved.

As regards to the DAB interference problems reported by Croatia on frequency blocks 10A, 12A, 12B, 12C and 12D, one of the agreed solutions was for Italy to migrate its transmissions from frequency block 10A to 10D. Italy noted that the relevant projects for this migration to 10D were approved and it will be verifying whether the migration process has taken place. No developments were reported for the other pending interference cases.

FM band

Italy provided updates on the application of article 50 of Decreto Legislativo 208/2021 which addresses FM cross-border interference. Italy stated that a national working group composed of members from the Ministry responsible for communications (MISE) and AGCOM was being set-up to address problems associated with the FM band. Although the working group still needs to be formally established, work has already commenced where it plans to make an assessment of the current situation (including an assessment of the authorisations), identify better usage scenarios for the frequencies and address the innovation aspect of the service. The working group has already acknowledged that the FM band is congested and a balance needs to be found.

In this regard it is Italy's intent to initiate dialogue with the neighbouring countries by requesting for cooperation with the aim of finding solutions satisfactory to all sides. In this regard Italy would like to collect the broadcasting requirements of neighbouring countries and identify constraints and to subsequently develop an optimisation algorithm in order to determine whether a better distribution or re-organisation of frequencies is possible. The size of the area to be considered will provide more realistic results however this will increase the complexity of the process, especially if more actors are involved. On this basis, Italy is considering undertaking a feasibility study for a specific area with the objective of trying to identify new

frequencies which could in the future be coordinated for use by Italy, thereby avoiding risks of interference. Italy suggested that the area to be considered for this study should initially include Friuli Venezia Giulia for Italy and the Western side of Slovenia but also Istria in Croatia.

Italy clarified that for this study it intends to take into account its FM stations which are currently in operation. An assessment of the consistency of the networks and their configuration will lead to identify networks could have some redundancy. Any extra redundancy can be reduced in order to use the frequency resource more efficiently. Italy will also be evaluating the possibility of reducing the number of actual stations (e.g. through compensation schemes, migration to DAB, etc.) and emphasised that it cannot switch-off all stations which are not GE84 registered. It recognised that the stations of the neighbouring countries are GE84 registered and it was desirable for Italy to find usable frequency resources where to accommodate at least some of their stations currently in operation and to subsequently register them in the GE84. It emphasised that it is trying to find solutions particularly in the bordering areas. If these usable frequency resources are also identified for use by another country and a GE84 coordination process is launched by that country, Italy will reduce the possibility of coordinating a new frequency. Another relevant consideration in the process is energy efficiency and the cost attributed to energy consumption.

Italy also stated that the feasibility study will also be beneficial to the participating countries since it may lead to an optimisation of the FM network configuration as well as to identify any redundant stations.

Slovenia commented on Italy's' proposal which is considered as a replanning exercise for the FM band in the region. Fulfilling the objectives of the feasibility study will be very hard to achieve and therefore it proposed to stick to the current situation and try to accommodate as many stations within the existing spectrum. It suggested to split the problem as follows:

- Accommodation of new frequencies by applying Article 4 of the GE84. In this regard one can only consider existing stations. It noted that when Slovenia tries to accommodate a new station it finds parts of the spectrum that can be used and defines the associated parameters in a manner not to interfere with other stations. It reiterated that currently there is no free spectrum which can be used.
- Resolution of current interferences by applying the direction provided to Italy by the 76th meeting of the Radio Regulations Board (November 2017) where Italy was invited to apply the provisions of the ITU Constitution and Convention and of the Radio Regulations and to cease causing harmful interference to neighbouring countries.

Slovenia made itself available to cooperate with Italy on this process once a common understanding of the rules and basic principles are agreed to.

France remarked that Italy's' project as presented is a long-term one and stressed on the importance to find solutions in relation to the FM interference in Bonifacio as early as possible. It referred to the discussion held at the previous Sub-Group meeting where it was agreed to undertake a measurement campaign with Italy in Sardinia. These measurements will determine

whether a new FM frequency may be used in Monte Corbu. France enquired on when these measurements will be done.

Italy confirmed its willingness to carry out the measurements as agreed, and discussions are taking place with the local offices in Sardinia and the concerned Italian operator. Italy committed to propose a plan for the measurement with dates in short order, by end June or the beginning of July.

Croatia shared the same concerns expressed by Slovenia and considered Italy's compliance with the Radio Regulations and the GE84 was a priority in addressing the various cases of FM interference which have been present for decades. The integrity of stations recorded in the GE84 shall be respected and non-recorded stations should be treated differently. As a first step Italy shall focus its efforts to resolve at least the priority cases of interference. Croatia did not agree with the scope of the Italian feasibility study since their stations were being used in compliance with the GE84. It will be very difficult to find new frequencies when considering that Croatia and Italy have around 800 and 5,000 GE84 recorded stations respectively. In addition, Italy has around 16,000 stations in operation.

The EC representative appreciated the efforts made by Italy towards resolving the 700 MHz interference problems. However, regarding the FM band, it has concerns especially in relation to the requirement to comply with international and European law. The EC underlined the importance of national and regional diversity of culture. FM broadcasting is a tool for the dissemination of culture and each Member State should have the possibility to fully develop its services without interference.

In conclusion on this agenda item, it was acknowledged that Italy's approach towards resolving FM interferences was in part difficult to achieve and will take a considerable amount of time to implement. In the circumstances it was once again stressed on the importance to find short-term solutions, even temporary ones, addressing the priority cases of interference. The importance of having some short-term solutions has been stressed for quite some time and it is desirable to see some tangible results.

3. Cross border negotiations for the 700 MHz band with non-EU countries

Lithuania confirmed that it has no pending frequency coordination issues with Belarus and that Belarus has fully released the 700 MHz band for IMT. Lithuania is already holding an auction to assign the 700 MHz band.

Malta informed the Sub-Group that it held frequency coordination meetings with Tunisia and Libya on the FM band. During the meeting with Libya it was established that Libya intends to use the 700 MHz band for IMT and that the band was currently free from any television broadcasting transmissions.

Croatia noted that it held discussions with Albania on their plans of releasing the 700 MHz band for IMT. Albania's plan included the use of Croatia's channel 21 (used in Dubrovnik) and channels 22, 28 and 45. Albania plans to use these channels from the same region (allotment no. AL005). Croatia did not accept Albania's request to use these channels due to their potential of causing harmful interference, as is already present on channel 21. Discussions with Albania are still ongoing together with Montenegro.

The EC representative stated that there were no major developments with countries bordering the northern and eastern part of the EU since the last Sub-Group meeting. In relation to the EU membership applications of Georgia, Moldova and Ukraine, the process has started and the respective services were looking into their applications including from a telecommunications perspective and any radio spectrum related aspects.

4. C band coordination

Lithuania announced that it has already started auctioning this band for fixed electronic communications services as a primary service and mobile electronic communications services as a secondary service and plans to issue licences in mid-2022.

5. Date of next meeting

The next Sub-Group meeting of the Good offices is planned to be held virtually on the 18th October 2022 (9:30-12:30 hrs.).

Annex 1

Sub-700 MHz television interference reported by Croatia

Channel	Frequency HR, ITA (MHz)	Bearing interference	Interference level (db μ V/m)	Cell ID	Interference - Identification	Date of measurement	GPS (WGS84)	Location of Measurement
21	474	210	34.1	B704		16.05.2022.	013E3736 45N0924	Vrsar
22	482	265	64.0	0		13.5.2022.	015E5554 43N3307	Zečevo
27	522	210	50.2	300F		16.05.2022.	013E5200 44N5644	Pula
27	522	200	47.0	BEB		13.5.2022.	015E5554 43N3307	Zečevo
29	538	205	49.0	12D		13.5.2022.	015E5554 43N3307	Zečevo
31	554.0	230	53.0	0	MUX VIDEOTLENTINO	18.5.2022.	015E5554 43N3308	Zečevo
39	618	170	45.0	1F5		13.5.2022.	015E5554 43N3307	Zečevo
41	634	290	35.8	12D		16.05.2022.	013E3736 45N0924	Vrsar
45	674	310	37.2	12D		16.05.2022.	013E3736 45N0924	Vrsar
50	706	200	50.0	12D		13.5.2022.	015E5554 43N3307	Zečevo
52	722	200	50.0	12D		13.5.2022.	015E5554 43N3307	Zečevo
55	746	270	85.4	13A2		16.05.2022.	013E3850 45N2431	Buje
55	746	210	71.2	2B3C		16.05.2022.	013E5200 44N5644	Pula
55	746	240	75.4	1F5D		16.05.2022.	013E5200 44N5644	Pula
55	746	280	77.4	13A2		16.05.2022.	013E5200 44N5644	Pula
55	746	280	83.4	13A2		16.05.2022.	013E3736 45N0924	Vrsar
55	746	220	77.4	1F5D		16.05.2022.	013E3736 45N0924	Vrsar
55	746	190	60.0	3F32		13.5.2022.	015E5554 43N3307	Zečevo
55	746	180	55.0	3F33		13.5.2022.	015E5554 43N3307	Zečevo

Channel	Frequency HR, ITA (MHz)	Bearing interference	Interference level (db μ V/m)	Cell ID	Interference - Identification	Date of measurement	GPS (WGS84)	Location of Measurement
55	746	205	68.0	32D6		13.5.2022.	015E5554 43N3307	Zečevo
55	746	285	64.0	1F5D		13.5.2022.	015E5554 43N3307	Zečevo
57	762	270/280	80.2	-		16.05.2022.	013E3850 45N2431	Buje
57	762	230	57.2	0		16.05.2022.	013E3736 45N0924	Vrsar
57	762	195	70.0	0		13.5.2022.	015E5554 43N3307	Zečevo
57	762	205	65.0	54B9		13.5.2022.	015E5554 43N3307	Zečevo

List of participants

No. of participants: 16

Country	Organisation
Austria	Austrian Federal Ministry of Agriculture, Regions and Tourism (BMLRT)
Austria	Austrian Regulatory Authority for Broadcasting and Telecommunications (RTR)
Croatia	Croatian Regulatory Authority for Network Industries (HAKOM)
France	National Frequency Agency (ANFR)
Greece	Hellenic Telecommunications & Post Commission (EETT)
Italy	Ministry of Economic Development
Italy	Italian Communications Regulatory Authority (AGCOM)
Lithuania	Communications Regulatory Authority of the Republic of Lithuania
Malta	Malta Communications Authority (MCA)
Slovenia	Agency for Communication Networks and Services of the Republic of Slovenia (AKOS)
-	European Commission