

**COMMENTS FROM THE DANISH ADMINISTRATION
WITH REGARD TO THE DRAFT RSPG OPINION
ON STREAMLINING THE REGULATORY ENVIRONMENT FOR THE USE OF SPECTRUM**

In general we consider the current regulatory environment for the use of spectrum to be working quite well. We do not see any major problems in this area. However we recognize that certain procedures can be improved.

Hence we support the general principles and short term recommendations for improvement of the regulatory procedures as listed in section 5.1 – 5.6 and 5.7 - 5.13, including:

- coordinating the activity of TCAM and RSCOM
- that Commission Decision should not be adopted until final adoption of relevant CEPT reports
- that national radio interfaces are based on the model defined by the RIG-2 working group
- that exclusive frequency allocations should be limited.
- that the view of all stake holders should be taken into account.
- that a continuous review of spectrum should take place.
- that spectrum regulation should be limited to the minimum necessary.

With regard to what aspects of the regulatory environment for the use of spectrum should be subject to spectrum regulation or subject to standardization, our view is that detailed technical parameters should only be referenced in one place, preferably in harmonised standards.

We think that spectrum decisions should not specify technical details such as mitigation techniques. As mentioned above these details should be part of standardisation work.

We think there is good consistency between the activities of EC, CEPT and ETSI. The short term recommendations mentioned in section 5.7 – 5.11 addresses some ways to improve the consistency and we support that.

Long term recommendations

With regard to the long term recommendations we recognize that enforcement is part of the spectrum management process. However we are of the view that the current process work fine and we do not see any major problem with the current enforcement procedures. Hence we do not think that the confidence in the current system has been challenged or that there is a need to increase the market surveillance activities.

Therefore we do not see a need for member states to review their enforcement and market surveillance approach and as a consequence we do not support the recommendations of section 5.14.

We also doubt the need of solutions or procedures be identified to increase confidence that the safeguard clause of the R&TTE directive would be applied. As mentioned above we think that the current procedures are adequate. Hence we do not support the conclusion in the first part of section 5.15.

We support the long term recommendations 5.16 and 5.17.