

Boulogne-Billancourt, 29th September 2008

Bouygues Telecom response to the public consultation on the draft RSPG Opinion regarding the streamlining of the regulatory environment for the use of spectrum

Bouygues Telecom welcomes the opportunity to respond to the RSPG public consultation on the draft RSPG Opinion regarding the streamlining of the regulatory environment for the use of spectrum.

Bouygues Telecom believes a fair and transparent regulatory framework is the only way to ensure the confidence of stakeholders and the successful deployment of wireless applications.

Bouygues Telecom has examined the proposals from RSPG regarding the principles to streamline the regulatory framework for the use of spectrum and is sharing generally the same views on the need to introduce flexibility in spectrum management while keeping certainty for stakeholders. The definition of long term spectrum usage rights strengthens investments and technology developments by giving certainty that the investments will be paid off. The definition of harmonized spectrum usage, such as European harmonized band plan is therefore, a key factor to achieve this objective:

- It allows to discard paper projects by highlighting the players which are ready to develop, invest and deploy;
- The administrations are able to license more easily spectrum under harmonised technical conditions;
- Manufacturers have the confidence to invest in research and development, and standardization procedures;
- Operators have the confidence to trigger long term investments in infrastructure deployment;
- The users benefit from harmonized and cheaper wireless applications due to the economies of scale.

Bouygues Telecom would like more particularly, to highlight the importance of the following points to support an efficient regulatory framework:

1. *CEPT is the main area where the spectrum usage rights are defined and harmonized for the benefit of spectrum users and stakeholders*

CEPT has proved for several years its regulatory and technical capabilities to define and harmonize in due time the spectrum usage rights in Europe. It is an open and transparent forum in which the administrations and stakeholders such as operators and technology providers are able to contribute. CEPT has also a unique expertise to propose band plans to ensure the most efficient use of spectrum and to sustain market development and users needs.

The CEPT has been successful to provide relevant information to the mandates issued by the European Commission. As seen on the 2.6 GHz channelization issue for mobile service, the deliverables

provided by CEPT and European Commission are not redundant as they have fulfilled two different objectives, respectively defining a European band plan to launch the industrial developments and defining the conditions for administrations wishing to diverge from this band plan.

Moreover, a CEPT decision may be beneficial for the economies of scales and the consumers by potentially enlarging the market to more than 40 countries. As highlighted in the RSPG principles, the nominal procedure would be to adopt the European Commission decision after the final adoption of both CEPT Report and Decision – public consultation included.

2. The spectrum usage conditions such as sharing conditions and mitigations techniques should be defined in CEPT Deliverables and in ETSI Harmonised Standards as well

As seen in the previous section, the technical conditions of spectrum usage are defined in CEPT deliverables (Reports, Recommendations and/or Decisions), most of the time in collaboration with ETSI. These spectrum sharing conditions, such as mitigation techniques, should therefore be identified and detailed in ETSI Harmonised Standards as well as in appropriate CEPT deliverables in order to keep consistency.

The European Commission Decisions may therefore, only insert references to the sharing conditions by pointing the appropriate CEPT deliverables and ETSI Harmonised Standards. This would give enough flexibility to spectrum management by avoiding entering in the full review procedure of European Commission Decisions when sharing conditions or parameters need to be updated.

3. The receiver parameters should be defined in ETSI Harmonised and/or product Standards

In order to define the spectrum usage conditions and to analyze the compatibility issues, it is necessary to assess the receiver characteristics and the maximal interference level. A flexible and efficient use of spectrum is achieved when the minimum protection levels are fulfilled.

Receivers parameters should therefore be considered as an element of the spectrum management framework and be detailed in ETSI Harmonized Standards. ETSI Harmonized Standards for mobile systems, e.g. GSM, WCDMA have already included receivers parameters and have been useful in defining efficient band plans and ensuring a good quality of service.

The UHF DTT receiver's capabilities could be therefore, covered by ETSI Harmonized Standards in order to enhance the spectrum efficiency and services' opportunities in the context of the Digital Dividend, while affording the appropriate protection for TV reception.

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