



Telefónica Group response to consultation on draft RSPG Opinion on the Process for EU Assistance in Bilateral Negotiations

Telefónica would like to thank the Radio Spectrum Policy Group (RSPG) for giving stakeholders the opportunity to comment on their draft Opinion on the Process for EU Assistance in Bilateral Negotiations with third countries and between EU countries.

Telefónica considers the multi-annual Radio Spectrum Policy Programme (RSPP) to be one of the most important elements of the European Institutions' Work Programme in recent years. We are pleased to see that the RSPG has prepared a detailed draft Opinion on Bilateral Assistance in advance of the final adoption of the RSPP. Article 10.2 of the final text proposal for a Decision of the European Parliament and of the Council establishing the RSPP requires the Union to assist, upon request, "Member States with legal, political and technical support to resolve spectrum coordination issues with Union neighbouring countries, including candidate and acceding countries, in such a way that the Member States concerned can respect their obligations under Union law".

The RSPP proposal also includes further work on addressing the digital divide, such as increasing the availability and harmonised use of the Digital Dividend for mobile services, which we continue to support, since:

- There are significant economies of scale to be reached when frequency bands with at least a regional applicability are deployed for mass electronic communications services; and
- The 800MHz band is one of the most important bands to have been identified for mobile use in Europe in recent years.

In the context of bilateral negotiations Telefónica notes that it is particularly important to ensure assistance is given where there are problems regarding 800MHz cross-border co-ordination in the case that one country plans to retain DVB-T or other services for a long period of time. However, there may be a need for action to be taken with regard to other spectrum bands too. It is also important that negotiations are undertaken in a timely manner, which may require some progress to be made by the RSPG between meetings.

Telefónica agrees with the RSPG recommended process for how the "good offices" of the RSPG should be used to advise the EC and assist in bilateral negotiations with third countries.