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RADIO SPECTRUM POLICY GROUP

**11th Progress Report of the RSPG Working Group
on cross-border coordination**

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The Working Group has held one meeting during the RSCOM meeting (9th December 2015).

The Working Group is focusing on the cross-border coordination and interference issues between Italy and its neighbouring countries.

During the RSPG meeting in October 2015, the WG reported a new delay on the implementation of the Decreto-Legge n°145, a compensation scheme for regional DTT broadcasters to switch-off the stations which are interfering neighboring countries. This new delay was resulting from a request from the Ministry to AGCOM to investigate the possibility to modify the planning characteristics used in the AGCOM Plan published on 25th June.

As a conclusion of the RSPG meeting, the **RSPG Deputy Chair “requested Italy to do its utmost to commit to a definitive transition roadmap and submit the roadmap to the RSPG no later than January 2016”**.

Italy finally decided not to modify the planning characteristics used by AGCOM and **the procedure for the release of interfering channels**, ie the implementation of the Decreto Legge, **was started on 2nd November 2015**, with the following time schedule:

- One month for broadcasters to present their requests
- 15-30 days for the ministry of economic development to proceed with the analysis and publish the results.
- Three months for broadcasters to switch-off the interfering transmissions,

As a consequence, the implementation of the compensation scheme will be effective, in terms of ceasing interference, in April 2016.

The WG meeting in December 2015 reviewed the situation and possible risks of additional delay, e.g. due to legal procedures.

The Italian administration confirmed the 21 January 2016 that the list of the operators and channels that will be switched-off would be published by the end of January for 4 regions, including Sicily (considered as a priority), and that the publication will be available for all regions by the end of February 2016. Italy confirmed that the **full planned implementation should be effective before the end of April 2016.**

The Italian administration confirmed the 9 February 2016 the publication for the regions of Sicily and Lombardy. Italy still confirmed that the **full planned implementation should be effective before the end of April 2016.**

The same day, the result for the Tuscany region was published and on 11 February the result for the Ligurian region.

The next WG meeting, during the RSPG lunch time, will review the situation, in particular to check that the deadline of end of April 2016 for ceasing interference can be met.

In any case, the WG remains in a position to report on the effect of this full implementation at the RSPG meeting in June 2016. This may be an opportunity for a status report on the application of the good offices for cross-border coordination.

Further information on the work of the group, including about the situation for channel 43, which will be used by Malta to replace the channel used for TV in the 800 MHz band, and about specific TV and FM interference situation around Italy is available in the report of the WG meeting of December 2015 in annex.

Next meeting

Ad-hoc meeting of the RSPG WG on cross-border coordination will be organized during the RSPG meeting, lunch time, on 24th February.

ANNEX

**REPORT FROM THE AD-HOC MEETING
OF THE RSPG WG ON CROSS BORDER COORDINATION
9th December 2015**

1. Report from Italy on the implementation of Decreto Legge n°145

On 4th November, Italy informed the group that the procedure for the release of interfering channels, ie the implementation of the Decreto Legge, started on 2nd November 2015 with the following time schedule:

- One month for broadcasters to present their requests
- 15-30 days for the ministry of economic development to proceed with the analysis and publish the results.
- Three months for broadcasters to switch-off the interfering transmissions

Therefore, it is expected that the results of the implementation of the compensation scheme will be effective in April 2016.

In today's meeting, Italy provided a preliminary analysis of the requests presented by broadcasters. There are 74 requests for the application of the compensation scheme while there are 76 channels to be switched off. In addition, some requests may not correspond to regional coverage and the situation is to be analyzed region per region, since some may have excess of request while other could have a lack of request. According to this preliminary analysis, there are only three regions (Liguria, Toscana and Lombardia) where there is a clear excess of request.

Action point: Italy to provide a more detailed analysis next week

The law has empowered the ministry to switch-off some channels in case there is no sufficient voluntary request for compensation.

The decision on the application of the compensation scheme, the relocation of some channels and the switch-off of some transmissions will follow the same time schedule: decision in the beginning of January, with 3 months for broadcasters to apply the decision. Therefore, a lack of request has normally no impact on the process of ceasing interference to neighbouring countries.

The Commission asked whether switch-off would correspond to an expropriation and whether the Italian law requests in this case some specific inquiry which could result in additional delays.

The Italian representatives explained that the switch-off does not really correspond to an expropriation since in the original law (decreto legge 145 of 2003) it is foreseen that the Ministry would proceed to switch off the (illegal) transmitters.

Action point: Italy to confirm next week that the case of mandatory switch-off will not result in additional delay

2. Report from Malta on channel 43

Malta reported to the group that the conditions imposed by Tunisia on the use by Malta of TV channel 43 were accepted. In this regard the electronic notice file to register this channel in Malta's name in the GE06 was finalized and submitted to the ITU on 6 November 2015.

The interference on channel 43 is still present.

One valid application has been filed for the compensation scheme in Sicily in relation to regional coverage, Italy will use it to free up channel 43 in order to secure it and will treat this channel with priority.

Action point: Italy will also confirm to the Commission in the beginning of January the official deadline for ceasing interference on channel 43.

3. TV interference from Italy to neighbouring countries

Malta reported to the group that interference is still present, including the interference on channel 38.

Italy indicated that their local office made several measurements along the south Sicily coast showing no Italian signals in the south of Sicily on channel 38. Some measurements from Lampedusa were showing signal only from Malta (for a multiplex which includes some Italian programs) and Tunisia (one DVB-T, one analogue TV).

Regarding channel 37, France reported that, according to the information from Italy, the technical characteristics seem to be the same than those in 2012. The ERP has even been increased by 3 dB and there is no evidence that the antenna has been changed to provide more attenuation in the direction of Corse.

Italy responded that the antenna had been changed in July 2014 with much more severe restrictions in the direction of France.

Regarding channel 34, Italy is currently discussing with the interfering broadcasters in Liguria a new project to protect France.

Action point: Italy to exchange with France about such new projects before it is accepted.

The meeting noted that the interference to Slovenia on channel 22 will normally be solved by the application of the Decreto Legge.

4. FM Interference

Italy indicated that there is discussion inside the Ministry about the need for a new law which will ensure the development of a plan in the FM band which will ensure the protection of neighbouring administrations, since, as they explained, the plan envisaged in the current law is triggered by sufficient T-DAB penetration and coverage, which are still very low and far from such trigger. The development of the plan would only be part of the whole process.

The Commission stated that they were concerned with the current interference and considering making contact with the Italian government with a view to the development of such a plan.

Next meeting

Ad-hoc meeting of the RSPG WG on cross-border coordination will be organized during the RSPG meeting, lunch time, on 24th February.