August 12th, 2022

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To Radio Spectrum Policy Group

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Position of Telewizja Polska S.A. in the consultations by RADIO SPECTRUM POLICY GROUP regarding the RSPG Draft Opinion on the ITU-R World Radiocommunication Conference 2023 (WRC-23)

Telewizja Polska S.A. (TVP) is a public television broadcaster in Poland, which includes broadcasting of TV channels and complementary services using digital terrestrial television. TVP operates on the basis of the Broadcasting Act of December 29, 1992.

TVP welcomes the opportunity to respond in the consultations on the draft RSPG Opinion on the WRC-23 Agenda. In principlet, the concept presented in the draft Opinion on the ITU-R World Radiocommunication Conference 2023 (WRC-23) is consistent with the position of TVP to the extent the draft Opinion indicates the **necessity of preserving the current allocation of the sub-700 MHz band** (470-694 MHz band) **for digital terrestrial television** (DTT) and wireless production systems (PMSE).

In the opinion of TVP this is essential for the continued existence of digital terrestrial television, which is the most universal, democratic and inclusive distribution system for television channels, easily accessible free of charge to the whole society.

The upcoming World Radiocommunication Conference (WRC-23) will include plans (Agenda Item 1.5) for the future allocation of the sub-700 MHz band. The decision in this regard will determine which services, to what extent, will be able to use it. The conclusions of the 2015 World Radiocommunication Conference are currently being implemented (WRC-15). It decided to allocate the so-called 700 MHz band (694-790 MHz band) for mobile broadband services. As a result, DTT broadcasts are being moved to lower frequency bands. This is a complex process, difficult for broadcasters and entailing social costs related to the need for changes in the way television channels are received and problems for part of the population in accessing television. In Poland, this process of freeing up some bandwidth began in 2020 and came to an end at the end of June 2022. Similarly, in a few years, the findings of WRC-23 will be implemented.

The sub-700 MHz band, which includes frequencies in the 470-694 MHz range, is currently used for digital terrestrial television (DTT), as well as audio wireless systems such as wireless microphones, collectively called Programme Making and Special Events (PMSE). These systems are essential not only for broadcasters, but also in the operations of theaters, concert halls, stadiums, festivals and other professional production of audio or audiovisual content.

The existing regulatory framework at the international and EU level takes these considerations into account and allows for the continued use of the sub-700 MHz band for these needs. As aptly stated in Recital 11 of Decision (EU) 2017/899 of the European Parliament and of the Council of May 17th, 2017 on the use of the 470-790 MHz frequency band in the European Union, *"the DTT and PMSE sectors need (...)* ***long-term regulatory predictability with regard to the availability of sufficient spectrum so that they can safeguard the sustainable provision and development of their services****, in particular for free-to-view television, while ensuring an appropriate environment for investments, so that Union and national audiovisual policy objectives such as social cohesion, media pluralism and cultural diversity are met.*" As part of the DTT network in Poland, new multiplexes are currently being built for broadcasting service. The costs of developing this network are also borne indirectly by broadcasters and investments in this network are highly cost-intensive with a return on investment period lasting at least 10 years.

Meanwhile, in the wake of WRC-23, there are calls, which are a matter of concern for European public broadcasters, including TVP, to introduce *co-primary allocation* of the lower UHF band for broadcasting and mobile broadband services. Such a solution would jeopardize the future of digital terrestrial television. It would also upset the delicate balance of using the sub-700 MHz band for broadcasting and PMSE, which is important for the entire cultural and content production sector. As studies within the ITU and EU (RSPG) and practice indicate, broadcasting and mobile broadband services cannot operate on the same frequencies in the same or similar areas without causing harmful interference to each other. The geographic separation of mobile and broadcast services requires significant distances (according to the EBU - sometimes up to several hundred kilometres), which in European conditions would mean that the use of the UHF band in one country would have effects in neighbouring countries.

As a result, there would be a push of broadcast and PMSE services out of the band below 700MHz (470-694 MHz), which is, after the implementation of the WRC-15 arrangements, the only one dedicated for digital terrestrial television (DTT). In practice, then, the WRC-23 Conference will decide the future of digital terrestrial television across Europe, including Poland.

It should be noted that under the two so-called digital dividends covering first the 800 MHz band (790-862 MHz band) and then, in accordance with the WRC-15 decision, the 700 MHz band (694-790 MHz band), telecommunications operators gained access to significant frequency resources previously used for broadcasting needs. Analyses by the European Commission *(European Commission Digital Economy and Society Index* - DESI, pp. 42-43) indicate that the total harmonized allocation of terrestrial radio frequencies capable of providing wireless mobile telecommunications services is 4340 MHz. Changes in the allocation of bands used for broadcasting (DTT) and PMSE (including, in particular, the 700 MHz band) were justified by the need to develop broadband services in rural areas. This goal can best be achieved

through the development of network infrastructure within already transferred frequency resources, rather than through additional UHF bandwidth. This is illustrated by the situation in Poland, where the proper use of the frequencies transferred for broadband services will take years, including the construction of infrastructure, preparation of new services. In Poland, a tender for the selection of a 700 MHz frequency operator is still being planned. As the Polish media regulator, the National Broadcasting Council (*Krajowa Rada Radiofonii i Telewizji* - KRRiT), illustratively notes: *"... an auction will be announced by the UKE (Office of Electronic Communications), as a result of which telecom operators will be granted frequency reservations in the released bands to enable 5G services. The full availability of Internet access services using this technology will mean the removal of most technological barriers and revolutionary changes in the market.*" (KRRiT, *Information on Basic Problems of Broadcasting in 2021, p* . 90). Moreover, the frequencies obtained under the first digital dividend, distributed in Poland as a result of a tender in 2015 (the so-called 800MHz band) have still not been fully filled by broadband services, while the construction of broadcast networks in Poland and other countries is at very different levels of implementation. In view of the absence of optimal use of the scarce good in the form of frequencies already allocated for broadband services and the absence of the need to allocate additional UHF band for this purpose, there is no sufficient reason to make further changes to the radio spectrum that threaten the existence of DTT.

The RSPG's position here will have important implications both for the arrangements within the European Union for WRC-23 and subsequently for the WRC-23 decisions themselves. The importance of maintaining the allocation of the sub-700 MHz band (470-694 MHz) for digital terrestrial television and the cultural sector speaks in favour of a clear and unambiguous position on the matter.

We would like to emphasize that the continued operation in the long term of digital terrestrial television providing easy universal access to a diverse set of public and private programme services is a matter of great social importance. Other ways of consuming television will remain inaccessible to a portion of the population, especially the elderly and less affluent, causing the risk of exclusion from access to information. Digital terrestrial television is also important from a security point of view, e.g. in terms of information and assistance in situations of natural disasters and other threats. Finally, it performs an important function in terms of social integration. Digital terrestrial TV also carries significant potential for innovation, including hybrid TV, an enhanced resolution standard.

For these reasons, TVP welcomes the RSPG recommendation to the European Commission to ensure that the decision of WRC-23 on the Agenda item 1.5 is compliant with the Decision (EU) 2017/899 providing priority to broadcasting and PMSE usage until at least end 2030.

However, we are concerned about the Note in section 4.3.3 in the draft RSPG Opinion, which states that the same objective could be achieved by a co-primary allocation which should become effective at a later stage (e.g. 31.12.2030).

TVP believes that a later review of technological and market developments relevant to future use of the UHF band will be necessary before taking any decisions regarding the allocation of the 470-694 MHz band, taking into account social aspects.

Therefore, TVP requests the RSPG not to recommend a co-primary allocation to the mobile service in the band 470-694 MHz at WRC-23 under agenda item 1.5.

TVP therefore proposes to amend the note in the current RSPG Opinion as follows:

“The RSPG is of the view that the above outlined recommendation is ensured by No Change at WRC-23, with a possible agenda item for WRC-31. It is further noted that the EU Position on this agenda item should avoid ambiguity.”

On behalf of TVP I kindly request RSPG to include our position on this matter.

Kind regards

Deputy Director of the TVP Distribution Bureau

Sławomir Kurek

Elektronicznie podpisany przez Sławomir Kurek
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