



AIIP comments on Draft RSPG Opinion on the EU-level policy approach to satellite Direct-to-Device connectivity and related Single Market issues - RSPG25-008 FINAL

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Associazione Italiana Internet Provider (“AIIP”) has been established in 1995 and represents more than 60 (sixty) Italian ECN/ECS providers, mainly SMEs and a couple of large ones.

Many of AIIP members are operators which install and deploy Very High-Capacity Networks (“VHCN”), with both fibre (FTTH) and wireless access (FWA) technologies. Over such networks AIIP members provide Ultra-Broadband (“UBB”) electronic communications services to their retail clients, as well as access to their infrastructures (to both to passive and active components), at wholesale terms and conditions, to other operators.

AIIP welcomes the opportunity to comment on the Radio Spectrum Policy Group (hereafter ‘RSPG’) consultation on its Draft Opinion entitled: *“the EU-level policy approach to satellite Direct-to-Device connectivity and related Single Market issues”* – RSPG25-008 FINAL (hereinafter “draft Opinion”).

AIIP appreciates the work done by the RSPG on the mapping of Direct-to-Device satellite connectivity services, as well as on access to national and EU markets. However, AIIP believes that some critical aspects have not been properly investigated; therefore, AIIP provides its contribution to the draft Opinion, covering both the considerations included therein and considerations that are not covered, but considered highly relevant.

1. Integration of Satellite Direct-To-Device Connectivity with IMT

The RSPG refers to the Canadian case, one of the first instances in which a country has regulated access to IMT frequency bands for the provision of direct-to-device (D2D) satellite services. While it may be reasonable to consider the integration of satellite D2D connectivity with IMT networks in regions characterized by low population density—such as Canada, large parts of the United States, Australia, or Indonesia—this approach appears far less relevant, if not outright counterproductive, in areas like most part of Europe. The European context is marked by a

relatively high population density and an already extensive coverage of IMT systems, which are capable of serving users and connected devices efficiently and effectively.

It should further be clarified that, in such high-density regions, the adoption of this model would not only prove inefficient but could also generate significant technical issues. One of these issues is the potential harmful interference between satellite-based D2D services and terrestrial IMT systems due to overlapping frequency use—an issue that would similarly affect the shared use of D2D-IoT SRD frequencies. Managing such coexistence would require complex and inefficient coordination efforts, potentially undermining the quality and reliability of services.

Notably, the RSPG itself acknowledges this challenge, stating that “the introduction of D2D-IMT is currently generally not possible in ECS licenses in EU Member States” (p.4). Nevertheless, despite recognizing these constraints, the RSPG concludes by proposing a form of coordination—possibly on a voluntary basis—between satellite operators and mobile network operators (MNOs) for the use of IMT frequencies for D2D applications.

In the view of AIIP, the above considerations also apply to the potential shared use of D2D-IoT SRD frequencies.

Furthermore, such an approach risks undermining the substantial investments made by MNOs in developing their own network infrastructures, both in terms of physical assets (e.g. BTS, base transceiver stations, and equipment) and the significant sums paid to obtain exclusive rights to use specific frequency bands.

2. Equal treatment

AIIP regrets that the draft Opinion does not include any policy position, even at a general principle level, on the issues regarding: security (including lawful intercept, sovereignty, national security, privacy), cybersecurity, resilience, emergency communications and in general compliance with the licence conditions and regulatory obligations for D2D satellite service providers deriving from using the IMT spectrum. AIIP stresses the need that satellite direct-to-device services, where used as equivalent to IMT services, should meet exactly the same security,



cybersecurity, resilience and compliance standards (including emergency communications) as terrestrial networks, in order to avoid any detrimental impact on consumers and businesses. Therefore, AIIP invites RSPG to include in the final text of the Opinion a principle of equal treatment, applicable to all types of satellite (D2D and broadband) services that are equivalent to ECS services based on the use of terrestrial spectrum for all issues, including security, cybersecurity, resilience and compliance.

3. Competition issue

We stress the urgent need to beware of granting co-usage of IMT frequencies to Mobile Satellite Services (MSS) in the European region, as this could represent a Trojan horse in favour of U.S.-backed satellite operators— namely Starlink —which are heavily financed by the U.S. government for both satellite launches and manufacturing. These operators would compete directly with European Mobile Network Operators (MNOs) for the same user base, thereby dramatically and unlawfully distorting competition in the EU market.

While the draft Opinion correctly identifies competition as a key concern, it fails to provide any concrete indication of how the RSPG — or European institutions more broadly — intend to address the significant risk posed by the entry of powerful global players such as Starlink and Amazon Kuiper into the European electronic communications services market. The regulatory framework must ensure that fair competition is maintained and that dominant foreign undertakings do not extend their influence in ways that undermine the internal market. It should be emphasized that the global direct-to-device (D2D) satellite communications market is already highly concentrated, with certain companies enjoying substantial public financing and consequently achieving strong network effects that terrestrial providers cannot match.

Therefore, AIIP strongly urge the RSPG to include in its final report a detailed and specific analysis of the competition concerns raised in the overview section—currently absent from the main opinion—and to clarify the actions it intends to take or recommend. These should address key areas such as harmonisation rules, licensing, and authorization frameworks, to ensure that the entry of hyperscalers into the European D2D and broadband connectivity markets does not



distort competition or jeopardize the development of a fair and balanced digital ecosystem in Europe.

4. Regulatory body in charge

Should a decision be taken in the future to allow the sharing of certain frequency bands between satellite services and IMT, it is of paramount importance that the responsibility for assessing any potential infringement of the applicable rules governing such shared usage be entrusted to the European Commission. Unlike the RSPG—which appears to have assumed this role without a formal mandate—the European Commission is the institution legally empowered and institutionally best placed to define and implement the industrial policy objectives of the European Union. According to AIIP, entrusting this competence to the Commission would ensure both consistency with the Union’s broader strategic goals and the necessary oversight to safeguard fair and undistorted competition within the internal market.

AIIP remains at full disposal to further discuss the above concerns and contribute to the development of a balanced and competitive EU satellite policy framework.

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Should you need any clarification on the above contribution, please do not hesitate to contact us at presidenza@aiip.it, segre@aiip.it and andrea.valli@vallimancuso.it

Kindest regards,

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