

**Polish Chamber of Information Technology and Telecommunications position
on draft RSPG opinion on the EU-level policy approach to satellite
Direct-to-Device connectivity and related Single Market issues**

We appreciate the efforts of the Radio Spectrum Policy Group (RSPG) in addressing the EU-level policy approach to satellite Direct-to-Device (D2D) connectivity. This opinion may be crucial for shaping the future of satellite services and their integration with existing terrestrial networks.

The introduction of satellite D2D services presents significant challenges that must be carefully managed. **We are particularly concerned about the potential risks associated with D2D-IMT services, which operate in frequency bands already allocated for terrestrial mobile communications.** The absence of harmonized technical conditions for these services could lead to fragmentation and threats of harmful interference, especially in cross-border contexts, negatively impacting consumers and operators. Therefore, granting CEPT the mandate to *develop harmonized technical conditions for D2D-IMT satellite operations in ECS harmonized bands, while addressing the protection of ECS networks and other radio services from D2D satellite operations*, is indeed crucial.

Some countries have moved forward with D2D regulation, but many are awaiting the results of WRC-27. We believe that pre-empting WRC-27 may be possible, but it is not without risks for Europe, a continent made up of several countries within a limited geographical area. While PIIT supports CEPT studies to enhance the international picture on coexistence between D2D and other services, turning such studies into legislation ahead of WRC-27 may not be beneficial and **should be done using conservative assumptions, to ensure protection of terrestrial services and prevent future disruption** – any change to the parameters of coexistence to make them more stringent after WRC27 may be costly to the market and thus to consumers and enterprises using the service. Thus, any conditions defined or applied within EU (e.g. for trials or possible bilateral agreements) before WRC-27 should use conservative assumptions.

We urge RSPG to underline the utmost need to **prioritize the development of harmonized technical conditions for D2D-IMT satellite operations that ensure the protection of existing mobile electronic communications services (ECS) networks from potential interference.** It is essential that any satellite services do not compromise the reliability and quality of terrestrial networks. Interference in rural and remote areas would be especially harmful, as coverage in these regions is already limited. We emphasize the **supplemental nature of satellite mobile services**, which should not be viewed as a replacement for terrestrial mobile services. Instead, they should complement existing networks, particularly in areas where terrestrial coverage is insufficient or temporarily unavailable.

The draft opinion suggests that based on future revised *ECS harmonisation decisions and in order to protect ECS networks from D2D satellite operations in relevant ECS bands, Member States can under national legislation amend or vary ECS licences in order to enable D2D-IMT services if deemed relevant from a national perspective.* We stress **the need for extreme caution regarding any amendments to existing ECS licenses to accommodate D2D-IMT services.** It is essential that these changes do not adversely affect the rights of current license holders or undermine the operational integrity of existing terrestrial services. The introduction of D2D-IMT must be carefully managed to ensure that the **interests of existing operators and consumers are fully protected.** Additionally, **any provision for D2D services should always require cooperation and agreement with the terrestrial ECS license holder.**

Agreement with MNO should be a prerequisite for providing satellite D2D service in IMT spectrum:

1. Regulators should allow D2D to be provided under MNO licences on a secondary basis (must protect IMT networks in accordance with the Radio Regulations).
2. SNO must obtain agreement from MNO to use their licensed spectrum in the licensed area.
3. Interference issues in interim frameworks (ahead of WRC-27) include adjacent band and adjacent area.
4. Decisions by WRC-27 may lead to a review of any local regulation decided beforehand. New MSS allocations must protect IMT identification (in accordance with the Radio Regulations).

As such, we emphasize our concerns above about pre-empting the outcome of WRC-27 and suggest that any use of CEPT studies is kept highly flexible until global agreements are reached in two years' time.

We also consider it as important to ensure compliance to the common requirements and have clear procedures when identifying non-compliance, and thus we support RSPG considerations and recommendations related to this.

We believe RSPG's opinion should clearly recommend D2D-IMT **only being allowed under MNO licences**, based on agreement with the MNO holding the licence.