

24/03/2025

## Reply of ARD to

### *Draft Radio Spectrum Policy Group (RPG) Opinion on the EU-level policy approach to satellite Direct-to-Device connectivity and related Single Market issues*

ARD<sup>1</sup> would like to thank the RSPG for the opportunity to reply on the draft RSPG Opinion on the “*EU-level policy approach to satellite Direct-to-Device connectivity and related Single Market issues*”.

ARD produces and distributes media content every day for millions of viewers and listeners thereby creating public value for society. Three important means for this are the use of geo-stationary broadcast satellite services to reach 42% of German households<sup>2</sup>, mobile Video PMSE<sup>3</sup> for cordless cameras and satellite electronic communications services for media contribution purposes. The continued, improved and undisturbed availability of these wireless applications are of utmost importance for us to fulfil our remit for high quality media production and distribution. In doing so, we create social and cultural values that is essential for social cohesion, fostering cultural and linguistic diversity as well as supporting media freedom and pluralism in Europe. Against the backdrop of the current tense security situation in Europe, we believe this is particularly important.

Already the Radio Spectrum Decision of 2002<sup>4</sup> recognizes that “Radio spectrum policy in the Community should contribute to freedom of expression, including freedom of opinion and freedom to receive and disseminate information and ideas, irrespective of borders, as well as freedom and plurality of the media.” (Recital 3). These principles and aims are reiterated e.g. in the European Electronic Communications Codes (especially in article 4, 45 and 48). The specific role audio-visual media play for society is also the basis of the Audiovisual Media Services Directive. The European Media Freedom Act underlines the essential importance of the media for a functioning democracy and the rule of law. Thus, any development in the field of spectrum policy has to take into account the role of media for society, including its production and its means of distribution.

In view of the high pace of innovation and the large investments in the area of satellite communications services, ARD welcomes the draft RSPG opinion on the topic of satellite direct to device connectivity and single market issues in the European Union to clarify the EU-level policy. The importance of this topic is reflected in the agenda of the upcoming World Radio-communications Conference 2027 (WRC-27) with regard to agenda item 1.12 (Low Data Rate MSS), 1.13 (D2D in IMT-bands) and 1.14 (additional MSS allocations). ARD notes that the RSPG will develop a separate opinion on recommendations to EU positions for WRC-27 agenda items in due time. With this in mind, we would like to provide the following comments on the opinion of the RSPG (cf. chapter 4):

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<sup>1</sup> ARD: Arbeitsgemeinschaft der öffentlich-rechtlichen Rundfunkanstalten in Deutschland

<sup>2</sup> [Video Trends 2023.pdf](#)

<sup>3</sup> PMSE: Programme Making and Special Events

<sup>4</sup> Decision No 676/2002/EC of the European Parliament and of the Council of 7 March 2002 on a regulatory framework for radio spectrum policy in the European Community (Radio Spectrum Decision)

**In chapter 4.1. “D2D-IMT services”** ARD supports the RSPG’s recommendation that the European Commission issues a mandate to CEPT in order to develop harmonised technical conditions for D2D-IMT satellite operations to protect ECS networks and other radio services from D2D satellite operations. ARD uses cordless cameras as a Video PMSE application under the regulatory regime “mobile service” on a primary basis. For ARD the continued operation of Video PMSE in the D2D candidate bands is of great importance. ARD heavily uses cordless cameras for outdoor video shoots. Hence, they are potentially prone to up- and downlink interferences stemming from then ubiquitous D2D smartphones respectively LEO satellites covering large service areas.

Though the available data rates of current D2D-IMT services are relatively low, ARD expects further improvements. As a consequence, costs and efforts for the set-up of media contribution links even in remote, terrestrially unserved areas could decrease significantly. Both, our incumbent radio services and the new D2D-IMT services needs to be used simultaneously without interferences.

**In chapter 4.4. “D2D-IoT-MSS services”** the RSPG proposes national licensing regimes/registries to enable a better identification of satellite operators in each frequency band and to address technical issues. ARD expects a mass deployment of cheap IoT-capable D2D devices for a plethora of applications. Presumably, these devices then abruptly start communicating at short notice and potentially affect incumbent services. Beyond the proposed conformity to a RED-resembling regulation such a registry could help identifying non-conformities and reducing service degradations of the incumbent radio services of ARD.

**In chapter 4.6. “Access to national markets (common requirements)”** the RSPG identifies that implementing common requirements in national authorisations for electronic communications satellite services is crucial. ARD does not operate satellite services on its own but as a significant customer of such services, we strongly welcome national and EU-wide regulatory certainty and the introduction of safeguarding mechanisms in case of non-compliance.

To us, the application of any condition exerted on EU operators needs to be equally applied to non-EU satellite operator entering the EU market. Equal treatment and compliance regulation could, where appropriate, improve the situation. Given the fact that the major electronic communications satellite constellations are in the hand of non-EU operators, we are of the view that the protection of European interests and the compliance of satellite networks with the ITU Radio Regulation is fundamental. In the course of WRC-23, there were striking intentions of LEO satellite network operators to reduce the technical protection criteria of incumbent GEO broadcast communications satellite services to their own benefit.

To be clear, ARD is of the view that new LEO satellite services are of great general value and in particular for media contribution. But at the same time we strive to protect our main distribution path – GEO broadcast satellites – serving millions of households. We are aware of the fact that currently D2D satellite services are operated in the range of 2 GHz and are spectrally well decoupled from satellite internet providers like Starlink etc. applying Ka and Ku bands. Nevertheless, ARD supports the principle of common requirements to protect EU satellite networks of any kind. To this end, we are of the view that any new electronic communications satellite service needs to be compliant with the relevant international coordination agreements and shall not cause harmful interferences to other satellite systems nor to any other station operated in accordance with the ITU Radio Regulations.

**Chapter 4.8 “Radio equipment”:** Finally, ARD supports a regulatory procedure that resemble those of the Radio Equipment Directive (RED) to safeguard legacy satellite receivers from harmful interference from new D2D satellite services.