

Draft opinion of RSPG on the implementation of the current RSPP and its
revision to address the next period

Comments of Pearle*-Live Performance Europe

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Introduction

The EC invited stakeholders to submit comments to the RSPG opinion on the implementation of the current RSPP and its revision to address the next period.

The multiannual Radio Spectrum Policy Programme is an important pillar for the guidance to Member States to manage radio spectrum in the respective countries whilst taking into account strategic goals to which they adhered at a European level. This again is also to be considered in the context of the international agreements and standards, such as those recently agreed in November at the World Radio Conference.

Pearle-Live Performance Europe, has actively contributed to consultations, studies and workshops in the past as its members are users of radio spectrum. They include theatres, venues, festivals, production companies, music arenas, and other live performance organisations. It regards both public bodies as well as private organisations in the live performance sector. They are SMEs, sometimes also micro-entreprises. The live performance sector represent an important group within the PMSE community.

Live music and entertainment is a driver for mobile companies and internet platforms to sell their services and devices to consumers. Content, in particular cultural content, is therefore rightfully also identified in the Digital Agenda as a main strategic pillar.

Pearle comment on spectrum sharing

As the draft opinion rightfully observes (p4) : "Due to a more intensive usage of the spectrum by various sectors, it will become more and more difficult to identify frequency bands for exclusive use. As a consequence, spectrum policy and national implementation will have to rely more and more on the shared use of bands."

Pearle comment on how to address future harmonisation needs including for WBB

It has been identified in reports that the demand for wireless services varies between countries and therefore the needs for harmonised spectrum may differ from country to country.

The EU has harmonised a small amount of spectrum for PMSE 823 to 832 MHz and 1785 to 1805 MHz for wireless audio PMSE use through an implementing Decision 243/2012/ EU. The effective potential use for clear and noise-free use is however much less than the 30 MHz made available in the interleaved spectrum due to interference from LTE in the adjacent bands.

However, it has been said on various occasions and it is even recognised in recital 5 of the decision that the daily spectrum needs for professional users is 96 MHz. In this regard it is regretful that the Commission has not taken a maximum approach, but only agreed upon a minimum baseline.

Pearle welcomes the fact that the RSPG intends to propose (p.5 last par.) to address foreseeable needs of all sectors.

Pearle comment on International negotiations

The opinion should be updated in such way that it includes the conclusions of the WRC-15 where there was an agreement to maintain present UHF allocation to broadcasting and audio PMSE.

During the WRC-15 discussions which ended on 27 November, an overwhelming majority of 125 nations expressed their support to maintain the present UHF allocation to broadcasting and PMSE, recognizing their vital role in creating and distributing public service and commercial contents to citizens worldwide, thereby fostering inclusion and pluralism.

Pearle comment on streamlining the Radio Spectrum Inventory

Pearle stresses again that the regulators in the Member States have underresourced information on the use of radio spectrum by the live performance sector, since it concerns not always licensed use, in particular where public bodies in the cultural sector still rely on unlicensed access. This results in a situation that some Member States believe there is only a minimum demand by audio PMSE.

A solution to identify the demand is to consider as a basis the total number of performances given per year in different venues, in theaters and concert halls, at festivals and other events, instead of limiting it to the number of licenses given for audio PMSE use.

Pearle comment on the enhanced role for the RSPG to support EU public policies and their implementation

As is mentioned in the RSPP (art 3) the use of frequencies should reflect the important social, cultural and economic value of spectrum. It should also, inter alia, balance the demand for wireless data traffic and general interest objectives such as cultural diversity and media pluralism.

It is essential that the RSPG, if it seeks an enhanced role to support EU public policies to present more concrete deliverables in relation to social and cultural value of spectrum. At present the primary focus is on the economic value, whilst the social value is interpreted in many different ways. The RSPG could therefore include experts from social partners and from the cultural sector, with the support of respective units from DG Employment and DG Culture in its activities, studies, reports, opinions, (ad hoc) expert groups or advisory committees.

As it is also the EU's objective to mainstream social aspects and culture in other policies, the best way to achieve these goals and to guarantee real mainstreaming is by integrating experts on these matters. Finally a report, including a stock-taking regarding the way in which the general interest objectives are implemented, as mentioned above, should allow to map concrete examples of policy initiatives and impact.

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