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RADIO SPECTRUM POLICY GROUP

6th Progress Report of the RSPG Working Group on cross-border coordination

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The Working Group has held two meetings during the RPSG meeting (19th February) and RSCOM meeting (19th March), for all cases except Belgium-German case.

The report of the last meeting of the group is attached in Annex. The summarized situation is as follows:

- 1) Italy-Malta:
 - The channels used by Italian national MUX have remained free of interference, except for a short interference situation on channel 38 which has been solved by the Italian local monitoring service.
 - There is still interference at various level on the three channels used by Italian regional MUX. A new decreto-legge (23 dicembre 2013, n°145) provides incentive for operators causing harmful interference to switch off, with a total funding of 20 M€. Italian administration considers that this will enable to solve all cross-border interference issues. Italian administration has currently started the implementation procedure and the switch-off of the interfering channels is expected by October 2014.
 - Channel 43, agreed as a replacement for channel 66, is currently under international coordination procedure by Malta, which expect to solve the remaining difficulty in due course with Libya and Tunisia. Malta is considering the launch of the authorization procedure for the 800 MHz before June 2014, in accordance with its derogation, but is particularly concerned by the fact that this replacement channel is not yet free of interference.
- 2) Italy-France: Italy has started new transmission from Monte Serra on French coordinated channel (34) which is explicitly forbidden by Italian law (allegato 2-423-11 CONS). France has asked RSPG “good offices” to address urgently the situation. Some other cases of interference are under discussing and Italy indicated they will be solved through the application of decreto-legge 23 dicembre 2013, n°145 (ie, September 2014),
- 3) Italy-Slovenia: The same decreto-legge is expected by the Italian administration to provide the legal solution to switch off the transmission affecting Slovenian channels. In addition, Slovenia raised the issue of the auction launched by Italy for 3 additional national MUX, including in channels used by neighbouring administrations. Italy was requested to coordinate stations and to obtain an agreement from the concerned countries before authorizing sites so as to have confidence about the absence of international interference from these 3 new layers.
- 4) Germany-Belgium: the blocking issue (ie what will be the coordinated situation in the band 470-790 MHz after 2017) is not yet solved. Both administrations agreed that the discussion should continue on a bilateral basis, taking into account the wider context of the 700 MHz. It has to be noted that this coordination issue has no impact on the release of the 800 MHz for mobile

service in both countries. Therefore, the “good offices” is proposed to cease on this case.

Next meeting

Ad-hoc meeting of the RSPG WG on cross-border coordination is planned during lunch time of this RSPG meeting.

ANNEX
**REPORT FROM THE AD-HOC MEETINGS
 OF THE RSPG WG ON CROSS BORDER COORDINATION
 19th MARCH 2014**

1. Review of actions on VHF/UHF broadcasting band interference from Italy to Malta:

The new plan for local broadcaster in Sicily has been finally adopted by AGCOM and published (Decision 91/14/CONS).

Italian administration explained the procedure foreseen by decreto-legge 23 dicembre 2013, n°145, now converted into law on the 21st of February 2014 with modifications, aimed to include into the procedure also channels involved in EU Pilot cases, such as channel 43 in Sicily.

The implementation schedule of the new law can be reasonably indicated in a **timeframe extending up to the summer**. It requires several steps:

- The Ministry to identify the whole relevant cases (interferences and EU Pilot): by the end of March.
- AGCOM to revise accordingly the plan for local networks, removing the concerned channels from the list of those available in each region for local networks: by the end of May (because it requires to follow a transparent procedure through consultation of stakeholders).
- The Ministry to issue the notices for the release of frequencies on voluntary basis allowing a reasonable time.
- The Ministry to issue the regional lists resulting from the notices for voluntary release.
- The Ministry to collect expressions of interest from broadcasters operating on the frequencies to be released.
- The Ministry to reassign the frequencies after the voluntary/coercive release, by the end of September 2014.
- Actual switch-off of concerned frequencies during October 2014.
- The concerned actual networks to conform to the dictates of the new assignments, in any case within the deadline of 2014 year end (laid down by the law).

The above plan will cover the interference with France, Slovenia, Malta, Switzerland and Croatia and the EU pilot cases, with the same time schedule.

The meeting reviewed the situation for all channels:

Channels used by Italian national MUX (38, 56, 58, 60)

Italy carried out investigation on the interference on channel 38 which appeared at the beginning of February. Local monitoring service identified that this channel had been

switched on, without authorization, by the broadcaster “CANALE 10”; therefore the local office has issued the order to switch-off this channel.

The results of field strength measurements from Malta show that channel 38, and also channels 56, 58, 60, are not anymore interfered.

Channels used by Italian regional MUX

Malta reported the last measurement results on interference caused by Italian stations:

- Channel 28 and 45: Malta is not in a position to report any improvements to the interference situation on these channels since the interference has remained within the same levels reported at last meeting.
- Channel 31: The interference situation on this channel has improved since no Italian transmission has been captured since 20 February 2014.

Italy reported that as for Channel 28, it seems that the originally involved local broadcaster is now compliant with the test point. The local office is, therefore, investigating about the source of the interference. As far as channel 31 and 45 are concerned, the Ministry local office has foreseen for the 19th of March an on-site visit in order to assess the situation.

Action point Malta: to continue measurements and inform the group at its next meeting

New rights of Malta on channel 43 (in replacement of channel 66)

Status of the frequency coordination process for television channel 43:

Malta reported the progress in the coordination with countries (GE-06 procedure)

In December 2013 Malta has launched the GE06 process to coordinate its television transmissions on channel 43. The countries which were considered affected are: Italy, Greece, Libya and Tunisia. Countries were also requested to grant the necessary approval for Malta to use the 800 MHz band as per the technical parameters of Commission Decision 2010/267/EU.

So far frequency coordination agreement has been granted by Italy and Greece.

Malta has held several bilateral discussions (by phone) with officials from the Libyan ministry of communications on its request. On 17 March, Malta was informed that the Libyan authorities were still considering the matter and that a response should be sent from their side in short order.

In addition it seems that Libya is planning to make available the 800 MHz band for mobile services. Through the discussion, Malta assured the Libyan authorities that the grant of the necessary agreement to Malta for channel 43 will serve to migrate Malta's current "high power" broadcasting transmissions from channel 66 to channel 43, thereby beneficial to any potential harmful interference caused by broadcasting to mobile services in the 800 MHz band.

As to the process with Tunisia, on 13 March 2014 Malta has received the formal objection on the use by Malta of television channel 43. Maltese Embassy in Tunis has formally requested a meeting to discuss the matter. Tunisia has informed that they are planning to provide wireless broadband services in the UHF band after WRC-15 and are in the process of updating their GE06 plan entries.

The negative response from Tunis is likely to be related to their intention to use 700 MHz and to other coordination request coming from Italy. They may wish to have a more complete picture of the situation, including possible needs from their side, before accepting new rights in neighbouring countries.

The meeting discussed possibility of a trilateral meeting (Tunisia/Malta/Italy) which will facilitate this discussion and a rapid outcome for channel 43.

The meeting considered that it would be useful to have a participation from EC so as to justify the "special" status of channel 43 and its priority.

Italy accepted that conclusion on channel 43 should have the highest priority. Other coordination discussions could be subject to further meetings.

Action point Malta: Malta to organize such trilateral meeting with participation of EC

Action point Malta: to send a formal request from Malta to EC for participation

Deadline for availability of channel 43

Considering the time for implementation of the procedure of the decreto-legge, it appears that Italy will only be able to vacate channel 43 on the south of Sicily for September. However, Italy stressed that with this new legal enforcement solution, they have the legal tool to ensure a successful result in September 2014.

Having due regard to this situation, Malta will consider the possibility to launch the authorization procedure, subject to market demand, in accordance with their derogation (ie, before June) with availability of the spectrum before the end of 2014. COM insisted on the importance for IT to stick to the deadlines in order to allow MT to fulfil its obligations under the RSPP.

2. Review of actions on VHF/UHF broadcasting band interference from Italy to France:

In response to a question raised by Italy at the previous meeting, France indicated that interference on channel 37 is coming from the site “venti di pedona”.

Italian administration informed France about the last progress:

Channel 43 : the broadcasters Rai (Sardegna), Canale 10 (Toscana), Telenord (Liguria) have reduced the power level towards France territories sector. The peripheral office of Genova visited the station of Telenord (Monte Bignone) the 17th-2-14 and reported: the broadcaster is operating with only 2 panel in direction 160° with the aim to cover SanRemo; Côte Azur has more than 200° of bearing from Bignone. It is using two antennas put beside with the goal to reduce the antenna pattern on the horizontal plane. The antenna is tilted of 10° degree, the power of the transmitters is 40 Watt.

Channel 45 : Tvr Teleitalia (Toscana) has reduced its power level. From the 22nd-1-14 the broadcaster is transmitting from antenna of national broadcaster (Timb) with about 22 dB of reduction respect to the original situation.

Channel 37 : The 5th-3-14, the Ministry charged its peripheral office and the broadcaster to try a solution with the aim to protect France

After implementation of the procedure of the decreto-legge (ie, September 2014), the remaining interference should be solved.

Action Point Italy (Ch 43, 45): to ensure switching off the interfering stations with a timeframe coherent with the implementation of decree 145/13.

Action Point Italy (Ch.37): Italy to ensure that channel 37 will be used in compliance with the constraints issued by AGCOM and to send these constraints to French administration.

3. Slovenia-Italy cross-border issue

Italy informed that an order from the Administrative Judge prevents the Ministry to actually switch-off it immediately the interfering station on channel 22. The solution to this problem will be found through the full implementation of the new law, above indicated.

Action Point Italy(Ch 22, 27, 34, 35 and 39): to ensure switching off the local interfering stations with a timeframe coherent with the implementation of decree 145/13.

The meeting also discussed the recent auction launched by Italy for 3 additional MUX. Slovenia, together with Croatia and France, complained about the absence of

coordination, while some of the channels used by these 3 additional layers may interfere with their broadcasting service (VHF/UHF).

Italy clarified that for each layer, theoretical networks have been simulated with interference potential not exceeding (in UHF band) field strength levels of more than 24 to 30 dB μ V/m on test points in neighbouring countries (only test points with sufficient population have been considered). Broadcasters will have to ensure that they will not exceed this interference potential.

Even after the licences have been issued, the Italian ministry will have to authorize individual stations. If these stations are not complying with the interference potential of the theoretical network, they will not be authorized. A clause in the authorization specifies that frequencies cannot be used before they are coordinated.

Slovenia, Croatia, and France requested that Italy successfully coordinate the stations and obtain an agreement from the concerned countries before authorizing sites so as to have confidence about the absence of interference from these 3 new layers.

In this respect, Italy drew the attention of the meeting to Art. 14 of the auction¹.

Action Point Italy: to start coordination process, on bilateral basis, as soon as the licensees propose assignments for implementation of the theoretical network. In the meantime, Italy will explain to neighbouring administrations the envelope of protection in neighbouring territories which is defined through the Agcom constraints.

Italy will stop or postpone licensing of the sites until agreement with the concerned countries is obtained, taking into account the Agcom constraints. It is expected that coordination process will start in spring or during the first part of the summer time.

4. Belgium-Germany cross-border issue

The chairman informed the group that Belgium has agreed to provide Germany with a draft on a binding declaration on the legal certainty for operation of broadcasting networks beyond 2017. Discussions will continue on such declaration which may provide a solution for signing the agreement.

Action Point Belgium and Germany: to inform the meeting about the outcome of this bilateral discussion

1

http://www.sviluppoeconomico.gov.it/?option=com_content&view=article&idmenu=804&idarea2=0§ionid=1&andor=AND&andorcat=AND&idarea3=0&partebasType=4&MvediT=1&showMenu=1&showCat=1&idarea1=0&idareaCalendario1=0&idarea4=0&showArchiveNewsBotton=1&id=2030109&viewType=0

Next meeting

Ad-hoc meetings of the RSPG WG on cross-border coordination will be organized during the RSPG meeting on 12th June 2014, lunch time.

It will address all cases.

IT and MT will keep the Chairman and Commission informed on any progress by 16 May.