



FUNDACION ESPAÑOLA DE USUARIOS DE MEDIOS AUDIOVISUALES

Fundación Aprender a Mirar Response to Draft RSPG Opinion on a long-term strategy on the future use of the UHF band [470-790 MHz] in the European Union

January 2015

Executive summary

- 1.1 The Fundación Aprender a Mirar (Fundación Aprender a Mirar) is an independent non-sectarian Foundation under the laws of Spain which objectives are the defence of the Rights of citizens and consumers of audiovisual media, with special focus in childhood and youth, either through Media Literacy and before Broadcasters and Content producers, Political Institutions and Advertisers.
- 1.2 Fundación Aprender a Mirar notes the critical role that the Digital Terrestrial Platform (DTT) platform plays in the delivery of crucial public policy goals in most European countries. We are therefore against spectrum re-allocations that would threaten the viability of the platform and the valuable services it supports.
- 1.3 Fundación Aprender a Mirar is therefore extremely concerned that the 700 MHz band is likely to be re-allocated from DTT to Mobile Telephony (MT) and Wireless Broadband (WBB) uses at the forthcoming WRC-15.
- 1.4 Fundación Aprender a Mirar welcomes the RSPG opinion that the 470 – 694 MHz band should remain available for DTT until at least 2030. We oppose any co-primary allocation of this band to MT/WBB uses at the forthcoming WRC-15 as such a move would undermine the status of DTT and the crucial public value services it supports in Europe.

- 1.5 Fundación Aprender a Mirar is highly sceptical of the mobile data traffic projection claims used to justify calls for more spectrum to be given to MT and WBB, and calls upon national governments and regulatory authorities to scrutinise these projections.
- 1.6 Fundación Aprender a Mirar asks for more transparency and greater efficiency in the use of the spectrum already allocated to the MT/WBB industry, and for concrete evidence about the incremental value of allocating more spectrum to it.
- 1.7 Fundación Aprender a Mirar would welcome further efforts by the MT/WBB industry to use non-UHF bands since these do not threaten critical public policy objectives.
- 1.8 Fundación Aprender a Mirar anticipates that any costs resulting from re-allocations of UHF spectrum will be covered fully by the MT/WBB industry.

RESPONSE:

1 Introduction

- 1.1 The Fundación Aprender a Mirar (Fundación Aprender a Mirar) is an independent non-sectarian Foundation under the laws of Spain which objectives are the defence of the Rights of citizens and consumers of audiovisual media, with special focus in childhood and youth, either through Media Literacy and before Broadcasters and Content producers, Political Institutions and Advertisers.
- 1.2 Fundación Aprender a Mirar welcomes the opportunity to respond to the Draft RSPG Opinion on a long-term strategy on the future use of the UHF band (470-790 MHz) in the European Union and the potential for the re-allocation of all or part of that spectrum to other uses, notably Mobile Telephony (MT) and Wireless Broadband (WBB).

2 Comments on the RSPG opinion

- 2.1 The UHF band is critical for the delivery of Digital Terrestrial Television (DTT) in Europe. More importantly, it is the only band that is suitable for broadcasting. MT and WBB operators can operate on non-UHF frequencies (for instance, on higher bands) to support their services.
- 2.2 Although reliance varies, the DTT platform is considered important in most European countries. Almost half of all households (250 million people) rely on DTT whilst the EBU estimates that live TV viewing will continue to be important

and still account for over 80% of TV consumption in 2020.¹

In many countries (like Greece, Italy and Spain), the DTT platform is dominant. In other countries, despite the presence of other platforms (cable, satellite, Internet), the DTT platform is the only one that provides universal coverage (e.g. Britain and France). In some countries, like Poland, the DTT platform has grown in recent years and competes with subscription-based platforms.

2.3 The DTT platform is therefore important in most European countries and is key in supporting critical public policy goals.

- No other technology can at present deliver public interest television programmes reliably and cost-effectively to large audiences and to wide geographical areas free at the point of access without gatekeepers.

- The DTT platform makes a significant contribution to innovation and competition in television markets.

- Being the key platform for many major broadcasters, the DTT platform supports considerable investment in original content and promotes European cultural diversity.

- It allows national governments and regulatory authorities to impose public service requirements on the basis that the broadcasters use a public resource.

2.4 Fundación Aprender a Mirar wants to see the DTT platform continue to play this highly valuable economic, social and cultural role. We therefore oppose any spectrum re-allocations that threaten the availability and future of DTT and the public interest services it carries.

The DTT operators and its viewers have already incurred significant costs and inconvenience. The spectrum efficiencies that the broadcasting industry has delivered (first, with the switch-over from analogue to digital, then with the release of the 800 MHz band, and more with the likely release of the 700 MHz) seem to feed growing expectations that more spectrum can be released. The DTT industry will have relinquished (if the 700 MHz is included) up to 60% of the spectrum it occupied in the analogue era. Further spectrum efficiencies are possible but each technology transition is incompatible with the previous one, resulting in considerable consumer inconvenience and costs with no benefit. Even more worryingly, if spectrum for DTT continues to shrink, the range of services and choice that the DTT platform will be able to support will diminish. This would be the case in particular in countries like Spain and Italy where the DTT platform currently carries a high number of channels.

¹ EBU (17 July 2014) *EBU Spectrum Fact Sheet*, <http://www3.ebu.ch/files/live/sites/ebu/files/Knowledge/Publication%20Library/Fact%20sheets/ebu-spectrum-fact-sheet.pdf>

A weakened DTT platform will result in powerful gatekeepers and too much market power in the hands of players (e.g. telecommunications operators) who have not been subject to content regulation traditionally thereby putting at risk the significant public policy goals associated with DTT.

2.5 Fundación Aprender a Mirar recognises the legitimate interest of other players, notably MT and WBB operators, to spectrum. We are, however, deeply concentrated at the growing demands on UHF spectrum (as stated, the only band suitable for broadcasting) and the accuracy of the traffic projection claims upon which these demands are based.

2.6 Fundación Aprender a Mirar believes in evidence-based policy and requests that accurate data are made available to facilitate the spectrum policy debate.

- We ask that national governments and regulators scrutinise the mobile data traffic projections.

- We would also welcome greater transparency and evidence of the way the MT and WBB sector is using already allocated spectrum, including the recently repurposed 800 MHz.

- Based on the above, Fundación Aprender a Mirar would like to see studies about the incremental value of further spectrum allocations to the MT/WBB industry. For instance, the likely re-allocation of the 700 MHz band represents a small percentage of the spectrum currently licensed to mobile operators in Europe. What could the MT/WBB industry offer with this and further (as demanded) allocations that would be so exceptional and would far outweigh the economic, social and cultural value that the DTT platform currently offers?

- We would also like to see the obligation to deliver spectrum efficiency to be placed strongly on the MT and WBB industry which requests additional spectrum.

- Fundación Aprender a Mirar would welcome the intensification of efforts to use non-UHF bands since these will be less disruptive to European viewers and will not threaten the valuable public interest services that the DTT platform supports.

2.7 Fundación Aprender a Mirar supports the (wireless) broadband targets in the *Digital Agenda* for Europe. We would encourage a comprehensive study about the need for more spectrum (in particular non-UHF frequencies) in achieving these, and the contribution of more investment in cell towers and fixed (notably backhaul) networks to better and faster Internet connections.

2.8 Fundación Aprender a Mirar calls for caution and is against hurried decisions based on contested data.

2.9 Fundación Aprender a Mirar is therefore extremely concerned that the 700 MHz band is likely to be re-allocated from DTT to Mobile Telephony (MT) and Wireless Broadband (WBB) uses at the forthcoming WRC-15.

2.10 Fundación Aprender a Mirar thinks it is crucial that affected countries ensure that any costs associated with such a re-allocation (and any further re-allocations) are covered in their entirety by the MT and WBB operators, the only ones who stand to benefit from such a move.

2.11 Fundación Aprender a Mirar supports the draft RSPG opinion that the 470 – 694 MHz band should remain available for DTT until at least 2030 in Europe. This long-term strategy is consistent with the EBU response, the Paschal Lamy report of the High Level Group established by the Commission in 2014, and the recent report by the Electronic Communications Committee of the CEPT (report 224).²

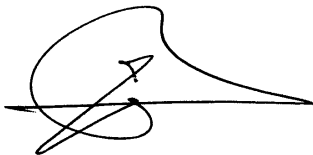
We oppose any co-primary allocation of the 470 – 694 MHz band to MT/WBB uses at the forthcoming WRC-15 as such a move would undermine the status of DTT and the crucial public value services it supports in Europe.

2.12 Fundación Aprender a Mirar would further welcome evidence about the suitability of spectrum in other non-UHF bands for the delivery of fifth generation mobile networks (5G). As the RSPG states in its opinion, this spectrum should be supplied above 6GHz.

END

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Signed on behalf of
The Fundación Aprender a Mirar



José María Guerra Mercadal
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² ECC Report 224 (28 November 2014) *Long Term Vision for the UHF broadcasting band*

<http://www.erodocdb.dk/Docs/doc98/official/pdf/ECCREP224.PDF>