



Radio Spectrum Policy Group – Secretariat
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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

DNA Ltd (DNA) welcomes the opportunity to comment on the Draft RSPG Opinion on a long-term strategy on the future use of the UHF band (470-790 MHz) in the European Union. DNA provides network services with both mobile communications and terrestrial broadcast networks, therefore DNA's point of view is converging co-existence of both platforms.

Generally, the RSPG draft opinion considers the topic very thoroughly from DTT broadcasters' point of view but on the other hand it is somewhat superficial and vague from WBB point of view and lacks analysis in two important areas that RSPG should address, namely:

1. Rapidly changing technological and behavioral paradigm shift in AV content viewing. I.e. shift from linear broadcasting content to individually and place and time independently delivered non-linear content that is most pronounced and easily observable in the most developed markets, and
2. Relevance of VHF band III as a platform for DTT. ITU GE06 specifically defines 174-240 MHz band for digital broadcasting. The fact that band III is used for digital audio broadcasting in some EU member states does not exclude it as a widely deployable future solution for DTT even when it co-exists with DAB. RSPG should acknowledge that VHF band III is a valid option for DTT broadcasting services because DTT broadcast infrastructure, TV receivers, in-house cabling and aerials already support band III and all equipment is widely available.

RSPG has a positive approach to the provision of WBB in the 700 MHz band which DNA supports. It is good that RSPG sees that cross-border coordination agreements have to be negotiated by the end of 2017. However, we propose that RSPG is more determined and ambitious to put forward a recommendation to the European Union to set a deadline for making the band available to WBB. Even with constraints arising from cross border frequency coordination problems with third countries the deadline should be firmly set to the end of 2018 and at the very latest with reasoned derogation provision by the end of 2020.

We want to remind RSPG that some member states have already decided to make the shift 700 MHz band to WBB in the beginning of 2017. If EU allows long delays in transition to WBB, the long transition and cross-border coordination issues will result in unnecessary confusion, lack of appropriate end-user devices and terminals due to limited market size, lack of investments in networks due to insufficient investment incentives and inefficient spectrum utilization.

RSPG states opinions:

- *“RSPG recognises that the band 470-694 MHz is mainly used for downstream audiovisual content distribution and recommends that it remains as such for the long term, even beyond 2030;”*



- *"Notwithstanding, the RSPG recommends that Member States should have the flexibility to use the 470-694 MHz band for WBB downlink, provided that such use is compatible with the broadcasting needs in the relevant Member State and does not create a constraint on the operations of DTT in this band, including for neighbouring countries;"*

It is indisputable that downstream AV content is and remains as one the most bandwidth demanding uses of spectrum. However, if and when future leads to decreasing viewing of linear broadcast content and increasing popularity of non-linear AV services, it is evident that the band 470-694 MHz shall eventually be allocated to WBB. Should this happen it would be contradictory to the net neutrality, technology and service neutrality principles to discriminate other important information society services by reserving an immense band of best spectrum solely to AV entertainment. It may be theoretically possible, albeit probably not technically and economically feasible to utilize the entire +200 MHz of available UHF spectrum for WBB downlink. RSPG should acknowledge that WBB services generally require a certain amount of uplink capacity as well. Therefore, we propose that opinions above are removed and replaced by:

- *"Notwithstanding, the RSPG recommends that Member States should have the flexibility to use the 470-694 MHz band for WBB on a co-primary provision, provided that such use is compatible with the broadcasting needs in the relevant Member State and does not create an uncorrectable constraint on the operations of DTT in this band, including for neighbouring countries;"*

RSPG states an opinion:

- *"RSPG recognises the importance of the DTT platform and the need to provide certainty for investments in broadcasting infrastructure. Therefore RSPG recommends that the frequency band 470-694 MHz shall remain available for DTT in the foreseeable future, i.e. 2030."*

RSPG recommendation that the frequency band 470-694 MHz shall remain available for DTT in the foreseeable future, i.e. 2030 is contradictory to RSPG article 3 where fostering access to broadband at a speed of not less than 30 Mbps by 2020 for all Union citizens is a priority. It is a well-known fact that only spectrum below 1 GHz can effectively foster WBB in sparsely populated rural areas. RSPG should acknowledge that it is not possible to foresee and lock the future of the most valuable spectrum for fifteen years in an area where technology and needs of the citizens are evolving in accelerating pace. Instead, we encourage RSPG to have a broad-minded point of view and promote co-primary allocation for WBB as a flexible and future-proof solution that fulfills needs of the EU citizens. Therefore we propose that aforementioned opinion is replaced by:

- RSPG recognises current importance of the DTT platform and the need to provide continuity for EU citizens' needs. Therefore RSPG recommends that the frequency band 470-694 MHz shall remain available for DTT in parallel with co-primary allocation for WBB.

RSPG states an opinion:

- *"RSPG recommends that, when considering any options for the future usage of the frequency band 470-694 MHz, aspects such as the requirements, technological developments, consumer behaviour, the importance of delivering free-to-air television and the various political, social, cultural and economic general interest objectives when this is achieved through the DTT platform, should be taken into account."*

It is good that RSPG considers these aspects. RSPG should, however, acknowledge that all aforementioned aspects apply to WBB also. Furthermore, FTA television is only a part of the



collection of AV services that EU citizens view together with pay TV, on-demand video etc.
Therefore we propose that the opinion is replaced by:

- “RSPG recommends that, when considering any options for the future usage of the frequency band 470-694 MHz, aspects such as the requirements, technological developments, consumer behaviour, the importance of delivering audio visual content and the various political, social, cultural and economic general interest objectives when this is achieved through the DTT and WBB platforms, should be taken into account.”