

*"Working for quality
and diversity in
British broadcasting"*

Founded in 1983 by Jocelyn Hay CBE



**The Old Rectory Business Centre
Springhead Road, Northfleet
Kent, DA11 8HN**

Tel: 01474 338716 email: info@vlv.org.uk
Fax: 01474 325440 web: www.vlv.org.uk

Response from the Voice of the Listener & Viewer to

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

12 January 2015

Response from the Voice of the Listener & Viewer to

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

Executive Summary

- VLV is anxious to preserve the public value of DTT and its Public Services and robustly to protect the UHF spectrum that will remain after the 700 MHz band is re-allocated. We welcome the RSPG opinion that the band 470-694 MHz should remain available for DTT until at least 2030. We would oppose any attempt by the forthcoming World Radio Conference, WRC-15, to allocate this spectrum on a Co-Primary basis because it will undermine DTT in Europe at this time.
- VLV is deeply concerned at the growing demands of Mobile Telephone and Wireless Broadband operators for the Ultra High Frequency (UHF) spectrum currently used by Digital Terrestrial Television (DTT) to be re-allocated to their use. We oppose any such step by WRC-15 but realise that some of that spectrum, the 700 MHz band, will probably be re-allocated.
- We are sceptical of traffic projections claims by the mobile operators that are used to justify re-allocation.
- We would encourage the use of other bands coming available to be considered for mobile telephone (MT) and wireless broadband (WBB) services, since these services do not carry such valuable public services as DTT. But, in addition, mobile operators should be required to make efficient use of their existing spectrum before occupying new bands.
- We expect that all costs to consumers and broadcasters of the consequences of UHF re-allocations will be carried solely by mobile licensees.

1 Information about the VLV

1.1 The Voice of the Listener & Viewer (VLV) is an independent, non-profit-making membership association, free from political, commercial and sectarian affiliations, working for quality and diversity in British broadcasting. VLV represents the interests of listeners and viewers as citizens and consumers across the full range of broadcasting issues. VLV is concerned with the structures, regulation, funding and institutions that underpin the British broadcasting system but also takes note of developments in Europe and the wider world. VLV is a charitable company limited by guarantee.

1.2 For over 30 years VLV has played a unique role within Britain in keeping a citizen's eye on major legislative proposals and action taken by British regulators and broadcasters, enabling the voice of consumers to be heard, independent of the interests of political parties, industry players and other pressure groups. VLV also has an interest and participation in European groups concerned with Public Service Broadcasting.

2 Commentary

2.1 The VLV welcomes the opportunity to respond to the RSPG opinion on the future use of the Ultra High Frequency (UHF) spectrum between 470 and 790 MHz.

2.2 VLV interests are solely focussed on the degree to which spectrum policy affects the well-being of Public Service Broadcasting (PSB) distributed and made available to all citizens free at the point of use. We believe it is vital that PSB services are available in this manner and that they should also be free of the potential editorial interference that might come from non-PSB platform gatekeepers.

2.3 Whilst national governments and their regulatory agencies will decide national policy VLV is fully aware that that policy is informed by and to some degree is dependent upon the wider policy domain of Europe as whole. VLV believes that although the nation states of Europe vary in their use of Digital Terrestrial Television [DTT] in the UHF bands, the principle of PSB is established widely among those nation states and is still a powerful and valuable public asset and a major element of European culture. We are gratified that the survey of European administrations reported in this RSPG document (Annexe 1) suggests that most are supportive of PSB via DTT.

2.4 Our comments address the potential for the re-allocation of all or part of the 470-790 MHz spectrum to other uses, in particular mobile telephone [MT] and wireless broadband [WBB] services. Our main concern is to protect citizens and consumers of broadcasting [radio and television] from spectrum starvation introduced as a consequence of any over-hasty actions by regulatory bodies and governments.

2.5 We recognise the legitimate interests of other service providers, most particularly in the area of MT and WBB services. However, broadcasting in the age of the internet continues to be a robust and, most importantly, cost effective means of delivery that is enjoyed by many millions of European citizens and has opportunities for future innovation and growth (Ref 1). This is true both from the point of view of the broadcasters but also, most importantly for us, from the point of view of citizens and consumers.

2.6 VLV recognises the duty of the communications industry as whole to innovate so that limited amounts of spectrum may be more intensively used. Current DTT technology is state of the art and efficient in the use of UHF spectrum. As a result of Digital Switchover the television service has been able to return the 790-862 MHz band ("800") for use by MT operators using 4G technology based on International Multimedia Telecommunications (IMT) standards e g Long Term Evolution (LTE). This substantial band of 72 MHz, over 18% of the original 392 MHz, is already being exploited by British MT operators.

2.7 We think that the obligation to deliver spectrum efficiency should also be placed firmly on MT and WBB providers to ensure that their ongoing research and innovation delivers more cost-effective use of the spectrum they already have and in bands that are less harmful to public services before settling on any demand for more of the UHF spectrum also suitable for broadcasters. This is both necessary and desirable as a way of matching the 'digital dividend' already delivered by the broadcasters (and TV users) when they carried the considerable costs of switching over from analogue to digital services.

2.8 It is noteworthy that band plans for the mobile technology of choice (Long Term Evolution, LTE) require large duplex guard bands, some as high as 25 MHz. Such waste should not be tolerated and MT and WBB operators and regulators must make good use of this otherwise wasted capacity. One such use could be Programme Making and Special Events [PMSE] which also occupies part of the UHF and is also under threat and is an essential adjunct to the broadcasters' use of spectrum.

2.9 As politicians and government agencies undertake a wider audit of change it may be prudent to note some observations from a European Internet Foundation report of 2014 (Ref 2). The EIF note that:

...the 'old' electronic media, notably television and radio, reach mass audiences with the same information and content, arguably creating an 'informational commons' and thus arguably fostering informed, participative citizenship.

By contrast, in the case of internet provision:

...Individually customised access to and use of information and communications could undermine the societal function and effect.

2.10 VLV is well aware of the debate within Europe around the issue of reallocating the UHF spectrum and has seen ITU Report M.2290 (Ref 3) describing traffic projections for MT/WBB and the robust EBU response to it (Refs 4, 5). VLV considers that these traffic projections that attempt to justify the demand for the 700 MHz band, and particularly the lower bands, are subject to doubt. Nevertheless, as it now stands, in about five to seven years' time DTT will have lost 43 per cent of the UHF spectrum available in the analogue era. This degree of reduction in spectrum capacity could seriously damage the DTT platform and the PSB principle (Ref 6). It is therefore essential to avoid the risk of irreversible decisions being made based on uncertain data.

2.11 We are also aware of the report of the chair, Pascal Lamy, of the High Level Group established by the Commission to examine the issue. We note with concern that the group failed to reach consensus and that the report is the summary and view of the Chair. Whilst we recognise the basis for Lamy's suggestions for possible time scales for spectrum changes we are deeply concerned about their factual basis and would oppose any hasty procedural steps that would compromise DTT.

2.12 In view of the above factors, VLV is therefore gratified that the RSPG has acknowledged and understood the value of DTT in Europe and has recommended in this (draft) opinion that the frequency band 470-694 MHz shall remain available for DTT in the foreseeable future, i.e. until 2030. Our position on this issue has been outlined above and so we welcome the overall statement of principle from RSPG and endorse it and commend it to the Commission. However, we also consider that DTT is likely to continue to need spectrum for the cost-effective delivery of free-to-air public service broadcasting (PSB) beyond 2030.

2.13 RSPG is also of the view 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". We have would oppose this. It has the appearance of a Trojan Horse.

This step implies a Co-Primary status for WBB within the 470-694 MHz band so that nation states that wish to deploy MT/WBB instead of DTT may do so. An inconsistent approach across Europe would not bring the benefits of mobile communications across the region in this band and so the MT/WBB operators (and the Commission) are unlikely to be satisfied with this in the long term, even though the 800 and 700 bands may enable sufficient region wide roaming in the shorter term. The step will also be of concern to consumer electronics manufacturers who may lose markets in those states that choose MT/WBB rather than DTT. Furthermore these manufacturers may choose to make mobile handsets rather than TVs thus driving up receiver prices to viewers.

2.14 To make that decision too early will adversely affect confidence in DTT generally, especially if that decision is based on a flawed traffic forecast (see above), and will also place yet more cost and disruptive burdens on viewers who have not long ago been made to adjust to digital switchover, but in a shorter time scale than is usual. Traditional methods of managing technical change in broadcasting have included attention to backward compatibility of systems and the simultaneous support of old and new, which requires more spectrum not less, in order to give viewers the time to make the necessary changes. This option will no longer be available and so change is more abrupt and is forced as a *fait accompli* upon viewers who have no voice at all in the decision making processes.

2.15 The position of the 694 - 790 MHz band ("700") is far less secure and, despite a lack of unanimous agreement among European administrations, it is likely that WRC-15 will re-allocate this band to MT/WBB use, at least on a Co-Primary basis. Where national administrations like the UK, a nation with a strong DTT presence, choose to re-allocate spectrum, the DTT services presently occupying the band will be forced to move to the 470-694 MHz bands by 2020-22. This represents a further surrender of 96 MHz of bandwidth, a 30% erosion of current DTT capacity.

2.16 The British regulator, as a result of the consultation earlier in 2014 and the trends within Europe and elsewhere, has announced its decision to support the re-allocation of the 700 MHz band to mobile services. This decision was based on a Cost Benefit Analysis (CBA) and the results of responses to the consultation (Ref 6). VLV regrets that decision and the likely follow on decision to be made at WRC-15 to ratify the Radio Regulations changes to permit the re-allocation of spectrum.

2.17 The CBA identified a very considerable cost in the region of £470M (Ref 7) for changing DTT infrastructure but also claimed benefits that exceeded this cost, these benefits based on doubtful and untested traffic projections. A monetarised approach to a system that has value beyond mere cash fails to recognise the considerable cultural and social benefits that PSB services bring to consumers and citizens. We are very concerned that the financial benefits to Government from licensing spectrum to MT and WBB should not outweigh the citizen interest in having PSB free at the point of access.

2.18 VLV strongly believes that none of the costs associated with any spectrum change should be borne by DTT users. It is grossly unfair to place the burden of such a cost on those that have to suffer the consequences of change in which they have no direct interest or benefit. VLV fully expects that ALL costs incurred will be paid by the new mobile operators as part of their licence conditions.

2.19 Digital Europe in its report of 2013 (Ref 8) recognises the value of DTT within Europe but yet decides in its recommendations that the 700 MHz band be re-allocated to mobile broadband. It states:

DIGITAL EUROPE recommends making available the 700 MHz band in addition to the 800 MHz band for Mobile Broadband.....while applying accurate frequency planning and good spectrum engineering practices for DTT.

DIGITAL EUROPE considers essential the following aspects:

- ***There should be no disruption of the existing DTT services to consumers***
- ***Consumers should be appropriately informed***
- *Interference problems should be minimized and solved in the least disturbing way for the consumer in applying the guidelines recently published*
- *Time plans for the transition are developed with the Consumer Electronics Industry*

VLV cannot understand how Digital Europe can suggest that there should be no disruption when it is inevitable that there will be considerable disruption and potential cost during the transition (Refs 6, 7).

Sources and References

- 1 http://www.dtg.org.uk/projects/fitt_report4/FITT_final_report.pdf
- 2 European Internet Foundation [2014] The Digital World in 2030. See URL: www.eifonline.org/digitalworld2030
- 3 International Telecommunications Union [ITU] Report M.2290. See URL: http://www.itu.int/dms_pub/itu-r/opb/rep/R-REP-M.2290-2014-PDF-E.pdf
- 4 EBU Report: <https://tech.ebu.ch/docs/techreports/tr015.pdf>
- 5 EBU Report: https://tech.ebu.ch/docs/techreview/trev_2014-Q1_Mobile-Spectrum.pdf
- 6 OfCom Consultation on 700 MHz:
<http://stakeholders.ofcom.org.uk/binaries/consultations/700MHz/summary/main.pdf>
- 7 Knowledge Transfer Network Document:
<https://connect.innovateuk.org/documents/2849135/3712563/700MHz%20Band%20Plans%20and%20co-existence%20challenges%2030Jun14%20FINAL%20%28SR%29>
- 8 Digital Europe Report:
http://www.digitaleurope.org/DesktopModules/Bring2mind/DMX/Download.aspx?Command=Core_Download&EntryId=522&PortalId=0&TabId=353

12 January 2015

BASIC DETAILS

Consultation title **Response from the Voice of the Listener & Viewer to Draft RSPG Opinion on a long-term strategy on the future use of the UHF band [470-790 MHz] in the European Union**

To (Ofcom contact): to CONNECT RSPG (CNECT-RSPG@ec.europa.eu)

Name of respondents: Dinah Garrett - Sophie Chalk

Representing (self or organisation/s): The Voice of the Listener & Viewer (VLV)

Address (if not received by email): Sophie.chalk@btinternet.com

CONFIDENTIALITY

Please tick below what part of your response you consider is confidential, giving your reasons why

Nothing

☒

Name/contact details/

☐

job title

Whole response

☐

Organisation

Part of the response

☐

If there is no separate annex, which parts?

If you want part of your response, your name or your organisation not to be published, can Ofcom still publish a reference to the contents of your response (including, for any confidential parts, a general summary that does not disclose the specific information or enable you to be identified)?

DECLARATION

I confirm that the correspondence supplied with this cover sheet is a formal consultation response that Ofcom can publish. However, in supplying this response, I understand that Ofcom may need to publish all responses, including those which are marked as confidential, in order to meet legal obligations. If I have sent my response by email, Ofcom can disregard any standard e-mail text about not disclosing email contents and attachments.

Ofcom seeks to publish responses on receipt. If your response is non-confidential (in whole or in part), and you would prefer us to publish your response only once the consultation has ended, please tick here.

Name

Dinah Garrett, Trustee

Signed (if hard copy)

Trustee, Voice of the Listener & Viewer 12 January 2015