

VODAFONE COMMENTS ON RSPG OPINION ON THE INTRODUCTION OF MULTIMEDIA SERVICES IN PARTICULAR IN THE FREQUENCY BANDS ALLOCATED TO THE BROADCASTING SERVICES

Vodafone welcomes the opportunity to make brief comments on the draft Opinion. The Opinion is right to highlight the VHF, UHF and L Band frequencies as being important candidate bands for multimedia services. The L Band appears to have received less attention than it merits in the past

UHF/VHF Bands

The outcome of RRC 06 will clearly be critical for the future development of the UHF and VHF bands, and we await this with interest. Vodafone welcomes attempts by administrations to secure greater flexibility for these frequencies.

At this stage it is important that the UHF and VHF Bands are explicitly included within the ambit of the WAPECS framework and that flexible licensing arrangements are developed to overlay existing licences. The UHF bands in particular represent one of the very few remaining 'spectrum frontiers' below 2GHz, with excellent propagation characteristics and sufficient frequencies for wide-area cellular networks. The European mobile industry needs to have the opportunity to access spectrum at lower frequencies and thereby reverse the trend of consigning each generation of mobile platform to ever higher frequencies with ever less attractive coverage economics. Rights to refarm existing GSM bands at 900MHz and 1800 MHz to UMTS is a necessary first and immediate step in this process (albeit one on which Europe has yet to make adequate progress). The opportunity to pursue UHF and other frequencies should also be available in the longer term.

We have yet to obtain sufficient clarity about digital switchover plans across Member States at this stage to determine how much spectrum can be reserved for 'multi-media services'. We see considerable merit in some co-ordinated reservation of spectrum being available on a pan-European basis on similar timescales, as the Commissioner herself seems to envisage¹. How this is done may be influenced by proposals arising from the Commission's review of the EU Regulatory Framework, due to be published later this month.

¹ *'Television is going mobile – and needs a pan-European policy approach'*, Commissioner Reding, speech 06/157

L Band

We welcome the Opinion's focus on the L Band. We see near term opportunities for pan-European multimedia services in this Band, which appears underexploited by existing users in many Member States. We very much welcome the RSPG's willingness to revisit the Maastricht Special Arrangement to secure greater flexibility of use within these bands. In doing so, the opportunity should also be taken to include this band within the WAPECS framework.

The RSPG will know that some regulators are already pursuing actions on L Band on a unilateral basis. OFCOM proposes to allow any technology within existing Maastricht allotment plan whilst pursuing cross-border co-ordination issues on a bi-lateral basis. This raises concerns for Vodafone and we believe a more co-ordinated pan-EU approach would be preferable. The RSPG's interest in undertaking a fundamental review is welcome.

Other bands

In Vodafone's view the '3G extension' and other mobile bands should be included within the WAPECs environment and allow for multimedia services to be deployed on a technology and service neutral basis. We recognize that satellite services may require greater regional or global co-ordination and the MSS 2GHz bands are currently the subject of separate consideration by the Commission and ECC.

In our view the most urgent priority for Member States and the Commission should be the removal of existing constraints which inhibit the deployment of multimedia services within the existing GSM Bands. No reference is made to this in the Opinion, and we suggest this is corrected in the final version.

In the case of existing GSM bands, there is a clear case not for review but for the retirement of the GSM Directive. We note from recent RSC minutes that the Commission proposes to come forward with a Communication to determine what should replace the Directive but we see no reason to introduce anything to 'replace' current constraints other than also to plan to incorporate these bands within the WAPECs framework (although further progress on WAPECS should not inhibit liberalization of the GSM bands in the meantime).

Overall, Vodafone envisages that the removal of the Directive and measures to liberalise the GSM Bands at 900 and 1800 MHz should be the immediate priority of the Member States, to be followed by L Band reform in the next 1-3 years and, in the slightly longer term, UHF spectrum release. Taken together, these actions would offer the best opportunity for European mobile operators to fully utilize available spectrum resources for the development of multimedia services.

