

abertis telecom RESPONSE TO THE PUBLIC CONSULTATION ON THE DRAFT RSPG OPINION ON "EU SPECTRUM POLICY IMPLICATIONS OF THE DIGITAL DIVIDEND"

abertis telecom, the leading broadcasting network operator in Spain, welcomes the opportunity to express its views on the draft RSPG Opinion on EU Spectrum Policy Implications of the Digital Dividend, a question which it considers fundamental for the success of Digital Terrestrial Television and the future of digital broadcasting services as a whole in the UE.

1. Definition of digital dividend

According to the RSPG, the digital dividend is to be understood as the spectrum made available over and above that required to accommodate the existing analogue television services in a digital form, in VHF and UHF bands.

abertis telecom can agree with this definition provided that:

- mobile television is fully considered as a broadcasting service;
- it is made clear that, following the reassignment of frequencies to broadcasting services, the digital dividend may be exhausted or almost exhausted. On this matter, abertis telecom wishes to recall the opinion it has expressed in its response to the WAPECS consultation concerning broadcasting spectrum: if any spectrum is still available after the switchover, one has to bear in mind that other broadcasting value added services such as mobile TV, high definition services and portable broadcasting will be implemented.

In this respect, abertis telecom fully subscribes the approach of those Member States who have indicated their preference for using the digital dividend for enhancing the broadcasting service after switchover (see point 4.1. of the RSPG draft Opinion).

2. Frequency band 470-862 MHz:

2.1. The RSPG considers that there would be EU-wide benefits to the use of **the digital dividend by broadcasting services** (4.10). It deems that CEPT should urgently undertake studies of the two possible approaches which are feasible within the current international regulatory framework and identify the best solution: either to make available one or two layers per country for "high field strength downlink services", in the absence of significant re-planning activities; or to identify at EU level a common, but not dedicated, sub-band of the UHF band for the above-mentioned services.

abertis telecom assumes that the “high field strength downlink services” referred to by the RSPG, for which CEPT should identify available layers in each country, are **mobile television services**. On this assumption, our company fully agrees with the RSPG that CEPT should urgently undertake studies in order to identify the best way to make layers available in the UE for mobile television services, while avoiding the need for significant replanning. abertis telecom wishes to insist on the need to avoid re-planning as far as possible, since it would convey possible changes in the current broadcasting conditions and delays in the switchover to digital broadcasting.

2.2. On the other hand, the RSPG considers that there may be EU-wide benefits to the use of **the digital dividend by fixed/mobile applications** in a harmonised sub-band of the UHF band. It proposes to seek an additional allocation to the fixed/mobile service in the entire UHF band and initiate at the same time studies within the CEPT tending towards a non-mandatory decision and the setting up of harmonised conditions for the use of fixed/mobile applications, which would be endorsed at UIT level at WRC-10.

abertis telecom considers this proposal as very problematic for the following reasons:

- First of all, as already stated above in paragraph 1, meeting broadcasting requirements in the UHF band probably implies that there will be no spectrum left for other services in that band.
- In case some spectrum would remain available, abertis telecom considers that it could be used by electronic communications services which would not entail any risk of creating interferences and would not require any re-planning of the UHF band. But, as acknowledged by the RSPG, a sub-band dedicated to mobile applications in the UHF band would create holes and therefore require significant re-planning activities. Moreover, according to the RSPG, the identification of a sub-band for fixed/mobile applications, including uplinks, may require a UIT Conference in order to re-plan the use of the remaining part of the UHF band allocated to broadcasting only. The RSPG itself seems to be aware of the problems posed by this approach which should be carefully assessed, together with other less costly alternatives, although less efficient.

abertis telecom cannot support the idea of a global review of the remaining part of the UHF band dedicated to broadcasting, since it would be a costly, time consuming process which would jeopardise broadcasting services in Europe by modifying the current operating conditions. In addition, re-planning activities would involve delays which would impede speeding up switchover and even prevent its implementation within the timeframe which has been targeted at European level.

On the other hand, bilateral/multi-lateral coordination which is considered by the RSPG as a possible alternative to a UIT Conference would not constitute a valid solution, since it can lead to a very lengthy process which provides no guarantee of reaching efficient and uniform results at EU level.

As far as the use of more advanced television coding systems, such as MPEG-4, is concerned, abertis telecom considers that it would effectively be very useful to introduce them in order to achieve a more efficient use of spectrum which would enable the delivery of a greater number of higher quality broadcasting services (such as High Definition TV).