

26th March 2021

Public Consultation on the Draft RSPG Opinion on a Radio Spectrum Policy Programme (RSPP)

15 February 2021 -> 26 March 2021

Confindustria Radio Televisioni welcomes the opportunity to comment the Draft RSPG Opinion on a Radio Spectrum Policy Programme (RSPP).

About Confindustria Radio Televisioni

Confindustria Radio Televisioni (CRTV) is the association of Italian radio and television broadcasters.

Established in June 2013, CRTV among its members includes Italian major national broadcasters: Discovery Italy, Elemedia (GEDI), Giglio Group, GM24, La7, Mediaset, Persidera, Prima TV, QVC Italy, Radio Italia, CN Media, RAI Radiotelevisione Italiana, Gruppo 24Ore, RDS - Radio Dimensione Suono, Rete Blu, RTL 102,500 Hit Radio, Tivù, ViacomCBS Networks Italy. Major local TV and radio broadcasters are represented in CRTV through the Association of Local Televisions and the Association of Local Radios FRT. Aggregated members include satellite operator Eutelsat Italy and DNG-Digital News Gathering.

All major categories of the broadcasting industry are represented in CRTV: public and private broadcasters, national and local broadcasters as well as platform and network operators. The sector has overall revenue of about 9,8 billion euros and a workforce of approximately 90,000 employees, of which about 30,000 direct (CRTV estimates).

CRTV's goal is to represent the broadcasting industry as a whole at institutional, legislative and contractual level. In this last regard, CRTV signs the national collective labour agreement for the employees of private radio and television companies with trade unions SLC CGIL, CISL and FISTEL UILCOM.

CRTV is member of Auditel, is associated at IAP (Institute of Advertising Self-Regulation), Association of European Radios (AER) and Eurovisioni. CRTV also has representatives within the following bodies: Comitato Media e Minori (Media and Children Committee, MISE), Comitato Consultivo Permanente per il Diritto d'Autore (Permanent Consultative Committee for Copyright, MIBAC), Comitato per lo Sviluppo dell'Offerta Legale delle Opere Digitali (Committee for the Development and Protection of Legal offer of Digital Works, AGCOM). CRTV participates at the Working Group on the proposal of Regulation on the Digital Single Market created within the Department of European Policy (Prime Minister office) .



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CRTV collaborates on a regular basis with all relevant ministries, institutions and regulators at national and European Union level, and with international organizations and institutions. CRTV's goal is to guarantee and **promote the growth of radio and TV industry based on fair competition, equal access and respect of users' rights.**

Comments on section:

2. Strategic Spectrum issues

2.2 Licensing and Spectrum Awards

"In addition to nationwide licenses and in order to respond to demand for local licenses, the RSPG identifies the following licensing regimes for local networks:

- *There is a need to remain flexible and to enable different network solutions and topologies. Local networks could be provided by mobile operators, third-parties or directly by the local users themselves. The response to demand for local spectrum can be met through spectrum leasing (voluntary/mandatory), by dedicated spectrum allocations for local networks and/or by third party operated local networks.*
- *Another option is the use of unlicensed spectrum where possible."*

(page 3)

Broadcasters and other PMSE users have a long track record of deploying and operating their own wireless network which can be local and permanent, but also temporary (i.e. from a few hours to several days) and / or nomadic (i.e. for touring performances). It is important to ensure timely and flexible access to adequate spectrum for such applications in the future, including for private networks based on new wireless technologies.

With reference to the option of using unlicensed spectrum CRTV suggests to identifying the portions of the unlicensed spectrum within the 694-960 MHz band with particular reference to those already identified for the Supplementary Down Link.

Comments on section:

3. Spectrum needs and supporting EU vision/policies

"The RSPG considered a policy target of making available at least 12 GHz of spectrum below 100 GHz (including already EU-harmonised spectrum) to promote innovative wireless services, including next generation mobile and wireless access systems (such as Wi-Fi). With initiatives well underway, there is in fact already more than 12 GHz of harmonised spectrum available for wireless services and no need to define any quantitative target in RSPP to respond to EU policies:



- *RSPG confirms the need for inclusion of policy objectives supporting the development of innovative wireless services based on generic description rather than quantitative.*
- *In addition, as has been done recently for 5G, the RSPG can develop long-term spectrum availability plans including needs for harmonisation initiatives for key EU policy areas upon request.”*

(page 5)

More than 12 GHz of harmonized spectrum is already available for wireless services, therefore, as stated in the draft RSPP, CRTV agrees that there is no need to define any quantitative target in RSPP to meet EU policies. More spectrum can be made available for new wireless services by further improvement of the harmonization of adjacent frequency bands which have been identified for IMT services at different time.

Comments on section:

3.4. Broadcasting and PMSE

- *“The RSPG is of the view that the future of broadcasting and PMSE in regard of the UHF Band 470-694 MHz shall not be subject of a new RSPP (see also section 6.6)*
- *The UHF 470-960 MHz band is on the agenda for the upcoming WRC23 conference and RSPG intends to provide a recommendation to the EC on an EU position accordingly in its opinion towards WRC23. The current Council and European Parliament Decision⁶ is providing legal certainty until 2030 to terrestrial broadcasting including conditioned national flexibility”*

(page 7)

Confindustria Radio Televisioni believes that the transition of audio-visual media services to new technologies can be one of the main drivers for European digitization only if it is able to preserve the terrestrial platform accessibility and its prevalent, free and widespread presence in the households, also in consideration of the value of the contents that are conveyed on it.

The experience of the pandemic and the lock down have confirmed the central role of this platform for the protection of pluralism and for the performance of a service of pre-eminent general interest, constitutionally recognized, with a constant supply of information, qualified and verified and a cultural and entertainment programming equally fundamental to the social function of extending civic sense and social cohesion.

The audio-visual sector - meaning the television sector and the industry that revolves around it - which operates mainly on the terrestrial platform in many European countries, represents the national and European cultural production, made up of original contents that have their own identity and are not homologated to model alien to European culture.

On-line distribution is not alternative but complementary to broadcasting which must evolve to accompany users in this transformation. Broadcast technology in its most advanced version - DVB-T2 - is efficient, ecological and the least expensive for the diffusion of contents to large number of people simultaneously and in real time. Broadcast systems are the most respectful of users' privacy and constraints on electromagnetic emissions.

With this in mind, Confindustria Radio Televisioni suggests to explicitly refer to broadcasting as an EU strategic sector supporting long term the exclusively PRIMARY use of sub-700 MHz band for broadcasting in the next WRC-23 Conference, recognizing its social, economic and cultural role for European citizens.

The European audio-visual industry needs to be given long-term certainty and room for innovation. It is essential to maintain the accessibility of universal distribution to Europeans of local, diverse and plural free content that educates, informs and entertains. The terrestrial platform must compete with other distribution platforms.

Any formal support at ITU level to the flexible use of the portion of sub-700 band should be avoided, as it would effectively make it impossible for broadcasters to provide their services to the population. As it is known, the latest WRCs results has confirmed that co-primary attribution to broadcasting and mobile services (IMT) has led to the release of bandwidth by broadcasters.

More than 90% of Italian population accesses TV through digital terrestrial platform (Report ITU-R BT.2301-2 "National field reports on the introduction of IMT in the bands with co-primary allocation to the broadcasting and the mobile services" - https://www.itu.int/dms_pub/itu-r/opb/rep/R-REP-BT.2301-2-2016-PDF-E.pdf or latest version) and it is thus essential that the spectrum currently available to broadcasters is maintained.

In Italy, digital terrestrial platform is far from being dismissed and in 2022, with 700 band release, **frequencies right of use will be renewed for 10 years, guaranteeing the availability of the digital terrestrial platform at least until 2032.**

Therefore, RSPP should explicitly support long term use of UHF 470-694 MHz on a primary basis for broadcaster until at least 2030, as it is stated in Decision (EU) 2017/899.

Therefore, Confindustria Radio Televisioni asks for an European Common Position of No Change for the WRC23 Agend Item 1.5.

The Draft Opinion section 3.4 should explicitly support legal certainty until "at least 2030" to terrestrial broadcasting.