

## RNA – RADIO NAZIONALI ASSOCIATE POSITION PAPER ON THE RADIO SPECTRUM POLICY GROUP PUBLIC CONSULTATION ON WIRELESS ACCESS PLATFORMS FOR ELECTRONIC COMMUNICATIONS SERVICES (WAPECS)

The Association of National Radio Broadcasters (RNA-Radio Nazionali Associate) was founded in 1986 with the aim to promote and sustain the development of private radio broadcasting and especially the national private radio broadcasters. Nowadays RNA is certainly the most representative national association, thanks to the reputation of its associates, who belong to the major Italian media groups (RCS Media Group, L'Espresso, Il Sole 24 Ore, Mondadori), to independent publishers and to religious and political bodies.

The over ten-year long activity of RNA has been oriented towards the complete expression of the enormous potentiality of Italian private broadcasting: quality of the programs, audience share, reliability of the medium, political significance of the broadcasting community and development of the new digital technologies for terrestrial and satellite radio broadcasting.

The activities of RNA include all those initiatives which have been relevant for the radio broadcasting sector, playing a major role as speaker with the institutions, the parliament, the government and the public administration, the social parties and syndicates, and the European Institutions.

RNA is the promoter of the Club DAB Italia, the first Italian consortium for development and testing of the new digital broadcasting technologies for the private sector, which will drive the digitisation of analogue sound broadcasting with its role as network operator.

As stated by the RSPG, the public consultation on WAPECS aims at collecting views in order to prepare an opinion of the Radio Spectrum Policy Group's (RSPG) in response to the European Commission's Request for an Opinion on the spectrum implications of Wireless Access Platforms for Electronic Communications Services (document RSPG04-45 and RSPG04-44).

In order to be able to match market demand to service in today's environment, in which fixed, mobile and broadcast services are all converging, demand for certain services (such as

mobile and Internet) has grown far beyond earlier predictions, and developments in radio technology have led to far more efficient methods of sharing spectrum amongst a wide range of users.

There is need for speedier access to spectrum for individuals and service providers than is possible under traditional methods and, as follows, a request for greater flexibility in the management of spectrum resources for wireless electronic communications, while maintaining harmonisation where necessary.

With these objectives in mind, a working definition of WAPECS has been given by the RSPG: *“Wireless access platforms for electronic communications services (WAPECS) are the platforms used for radio access to electronic communications services, regardless of the bands in which they operate<sup>1</sup>, or the technology they use.”*

Accordingly to this definition different WAPECS platforms can provide mobile, portable, or fixed access, for a range of electronic communications services, using the term “services” in the sense of the Framework Directive 2002/21<sup>2</sup> (e.g., IP access, multimedia, multicasting, interactive broadcasting, datacasting), under one or more frequency allocations (mobile, broadcasting, fixed), deployed via terrestrial and/or satellite platforms using a variety of technologies to seamlessly deliver these applications to users. It is self-evident that WAPECS will play a direct role in the information society development and it is in the interest of the whole affected sector to participate in the outlining of new, more efficient rules.

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<sup>1</sup> Recognising the obligations on Administrations under the ITU Radio Regulations

<sup>2</sup> The Framework Directive defines “electronic communications service” as “a service normally provided for remuneration which consists wholly or mainly in the conveyance of signals on electronic communications networks, including telecommunications services and transmission services in networks used for broadcasting ...” However, the Framework Directive also covers electronic communication networks, which are not limited to commercial use.

*Consultation question 1: Do you agree with this operating definition of WAPECS? Do you consider that the WAPECS concept should include spectrum intended for private, as well as public, applications?*

We agree in general with the operating definition of WAPECS which should nevertheless be wide enough to be flexible. It must be self-evident that, although the concept of the definition is promising, it touches a number of extremely different kind of services. Broadcasting shall be included, but its inclusion must not in any case allow it to be subject to a unified regulation, putting circular services at the same levels as i.e. mobile telephony or similar services.

The WAPECS concept should therefore include spectrum intended for private, as well as public, applications, but broadcasting bands shall always be reserved primarily to broadcasting services. The term “WAPECS” shall be used to signal a move away from narrowly defined applications, for which specific spectrum is reserved as the RSPG proposes, but this broader definition shall not permit in any case to apply to broadcasting services the same rules as to other services, like i.e. telecommunication services.

*Consultation question 2: Do you consider that the term “platform” should be more closely defined? If so, what definition do you propose?*

We consider that term “platform” defined closely enough. A more restrictive definition will limit the scope of the WAPECS concept.

*Consultation Question 3: What, if any, constraints should there be on the provision of services using spectrum primarily in the broadcast domain?*

From a technical point of view all services asking for spectrum in the band 174-240 MHz or in the band 1452-1479 MHz, allocated to digital broadcasting, shall respect the result of RRC-06 or in Europe of the CEPT Maastricht conference. Systems other than DVB and DAB will be able to enter the band provided they don't create more interference or ask for greater protection than the services already included in the digital plan. Any new system must employ internationally agreed technical standards. It must also be self-evident that these frequency bands shall never be allocated to services others than broadcasting.

*Consultation Question 4: What specific rules should be introduced or maintained to safeguard the delivery of Services of General Economic Interest in the future? Is it most appropriate to deal with these issues through the regulation of spectrum, or through other instruments such as competition law or state aid policy?*

Through national regulation of spectrum and licensing regime, both harmonised in international fora.

*Consultation Question 5: How do you think changes in spectrum policy will impact on the requirement for standardisation? What policy will best ensure the timely availability of standards?*

Standardisation is needed to guarantee harmonisation and interference-free conditions. The work within ETSI has proven adequate for market demands while the ITU-R standardisation work has to be improved.

*Consultation question 6: Are there any other challenges that the RSPG should consider?*

Licensing priorities and trading rules have to be taken into consideration.

*Consultation question 7: What is your view on the above-mentioned issues and more specifically on how to achieve the right balance between “minimising and harmonising constraints” presented above?*

The best approach to minimising and harmonising constraints in the use of spectrum may be to adopt a neutral approach to both services and technologies, excluding broadcasting services. These shall be excluded in order to allow the establishment of common European services using common technologies on the same bands, reducing costs and increasing uptake chances for the new digital technologies.

The adherence to defined interference limits has a similar importance. It would facilitate both flexible use of spectrum and single market cohesion, although issues of potential interference would have to be carefully controlled and monitored. The adherence to interference criteria is the most important measure to safeguard service reliability of reception for the consumer/listener.

A totally “laissez-faire” approach could be applied only to some kind of services, like wireless Internet access i.e., which could improve implementation speed and consumer convenience.

*Consultation question 8: Are there any other long term policy goals that the RSPG should consider?*

Licenses have to be issued for a certain period of time to provide for an economic viable situation. Existing broadcasting licences must have the right to run their course and only the broadcasters themselves should be allowed to change them.

*Consultation Question 9: Do you think that these steps form an adequate basis for achievement of the European objectives in this area? Are there any other steps that are required?*

The concept of WAPECS can be used to create a more flexible allocation process. The steps indicated by the RSPG are the main points of a strategy which should include all sectors involved in electronic communications services.

The Radio Spectrum Committee should also, for each of the frequency bands referenced above, report back to the RSPG on technical issues at national level which hinder the development of WAPECS.