



*RSPG – Public consultation*  
*on*  
*Wireless Access Platforms for Electronic Communications Services*  
*WAPECS*

*Submissions by Portugal Telecom S.G.P.S.*



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## Introduction

The existing regulatory framework for spectrum management is the result of a long and complex process that began in 1927 with creation of the CCIR, the technical body of ITU for radio communications, involving world-wide Administrations. International co-operation is of vital importance for radiocommunication services.

In Europe the process is being co-coordinated by CEPT respecting Radio Regulation (RR) and there is no doubt that up to now the work has allowed the functioning of radio services with a low level of harmful interference and development of useful and high quality radio applications.

Portugal Telecom fully agrees with the necessity of a new policy approach in spectrum management domain and with the necessity of a new regulatory environment. While maintaining harmonisation, only the introduction of more flexibility in the conditions of use of spectrum resources can ensure spectrum availability for, and efficient spectrum use by, wireless platforms.

## Answers to Consultation Questions

**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?

**Answer to question 1:** Portugal Telecom considers that the proposed operating definition of WAPECS does not entirely reflect the objective stressed by the European Commission (EC) in its request for adoption of an Opinion on a coordinated EU spectrum policy approach concerning wireless platforms for electronic communications services. Therefore we suggest a similar, but more comprehensive, definition:

*" Wireless access platforms for electronic communications services (WAPECS) are the platforms used for radio access to electronic communications **networks and/or** services, regardless of the bands in which they operate<sup>1</sup>, or the technology they use."*

As stated, spectrum management is a global, comprehensive and complex task that envisages, among others aspects, to ensure compatibility of radiocommunication systems and services.

Portugal Telecom view is that the WAPECS concept should include spectrum intended for private, as well as public, applications.

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

**Answer to question 2:** Considering the objectives of the EC and the answer to question 1, we are of the view that the term "platform" must have a broad sense and, consequently, shall not be more closely defined.

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

**Answer to question 3:** Portugal Telecom considers that, in the broadcast domain, there should be constraints on provision of services if, when and where necessary and to respect rights of licensees and the terms of international agreements.

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

**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?

**Answer to question 4:** In considering the safeguard of “Services of General Economic Interest” Portugal Telecom is of the view that existing rules should be maintained and, if appropriate, adapted to the new reality, namely, all rules and mechanisms to counter undue interference.

Portugal Telecom considers that it is most appropriate to deal with these issues through the regulation of spectrum.

**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?

**Answer to question 5:** Portugal Telecom is of the view that standardisation is one of the key aspects for a commonality approach in spectrum policy among Member States. In Europe, standards development and adoption is a complex and lengthy processes.

New policy must foster availability of open and flexible standards that promotes innovation and convergence. Constraints affecting industries should be carefully evaluated and existing rules should be revised accordingly.

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

**Answer to question 6:** As said in answering question 4, Portugal Telecom considers that transition process must ensure compatibility among systems and services.



Portugal Telecom is, also, of the view that regulatory environment must stimulate all the parties to adhere to changes.

**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?

**Answer to question 7:** Portugal Telecom fully agrees with RSPG view, especially in what concerns defining interference limits and monitoring issues.

Portugal Telecom considers that a way to achieve the right balance between “minimizing and harmonizing constraints” is, with close collaboration and participation of CEPT and ETSI, to adopt:

- A clear regulatory agenda with well defined objectives;
- A phased process of implementation, carefully controlled and monitored;
- Guide Lines to help the definition of harmonized levels of interference and mechanisms to resolve disputes;

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

**Answer to question 8:** In considering long term policy goals, Portugal Telecom is of the view that RSPG should concentrate in harmonization and standardisation issues.

**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?

**Answer to question 9:** Yes, Portugal Telecom considers that the steps mentioned by RSPG form an adequate basis for achievement of the European objectives for WAPECS.

Please refer to W 7.