

ABERTIS TELECOM RESPONSE ON RSPG PUBLIC CONSULTATION ON WAPECS

In view of the interest expressed in the spectrum implications of Wireless Access Platforms for Electronic Communications Services (WAPECS) by the European Commission and the public consultation conducted by the Radio Spectrum Policy Group (RSPG), Abertis Telecom, as the leading broadcasting network operator in Spain, is very pleased to have the opportunity to answer the submitted questions.

As general remarks, Abertis Telecom understands that:

- WAPECS is a too general definition, and it is needed to establish some kind of division in order to implement the concept. Using the term "services" in WAPECS, in the sense of the Framework Directive 2002/21, we understand that there is a WAPEC for each one of the relevant end-user services that are considered (such as TV WAPEC, IP Access WAPEC,...). Therefore, in any case, it only would make sense to refer to WAPEC for SERVICE TYPE N.
- Convergence services will be given through terminals. This means that terminals are the mean of convergence, the platform. Services are mostly provided by means of "natural" technologies, for example : TV terminals providing TV broadcasting (DVB-T/S technology) and return channels (wireless/wireline/cable access technologies), PC providing wireless, wireline, cable access to internet. Thus, the converging platform is the terminal. See figure 1.

A second derived aspect resides in the fact that electronic communication services are mostly suitable to a "natural technology". For instance, DVB is the most suitable technology for TV broadcasting while GSM/GPRS/UMTS technology is the most suitable one for mobile telephony. A mix of it might be technically possible although hardly efficient.

Consequently, future terminal implementations should be able to take advantage of a wide variety of technologies and provide interfaces allowing users to benefit from convergence services. Real time buying of a cinema ticket is an application service that will be offered through different means: TV sets, handhelds, desk phones,... although at the end a secure

transaction to the ticket reservation service center will be established. Mobile telephony will be a matter of interfacing the handheld to the most appropriate technology wherever the user is: being outdoor, inside a hotspot, or at home will probably suit with different wireless access technologies although the platform will always be the handheld.

WAPECS is then not really related to spectrum. Spectrum is already assigned to – roughly - broadcasting, mobile, fixed, defense and security kinds of activities. Most of the assigned frequencies are being used for the rollout of networks. Nevertheless as new technologies are emerging, the use of spectrum should be revisited in the RRC'06-10, also considering that spectrum bands are mostly heavily used and the wide variety of both public and private services deployed.

Summing up, WAPECS is a concept which is not really needed since terminals will force convergence in a natural way.

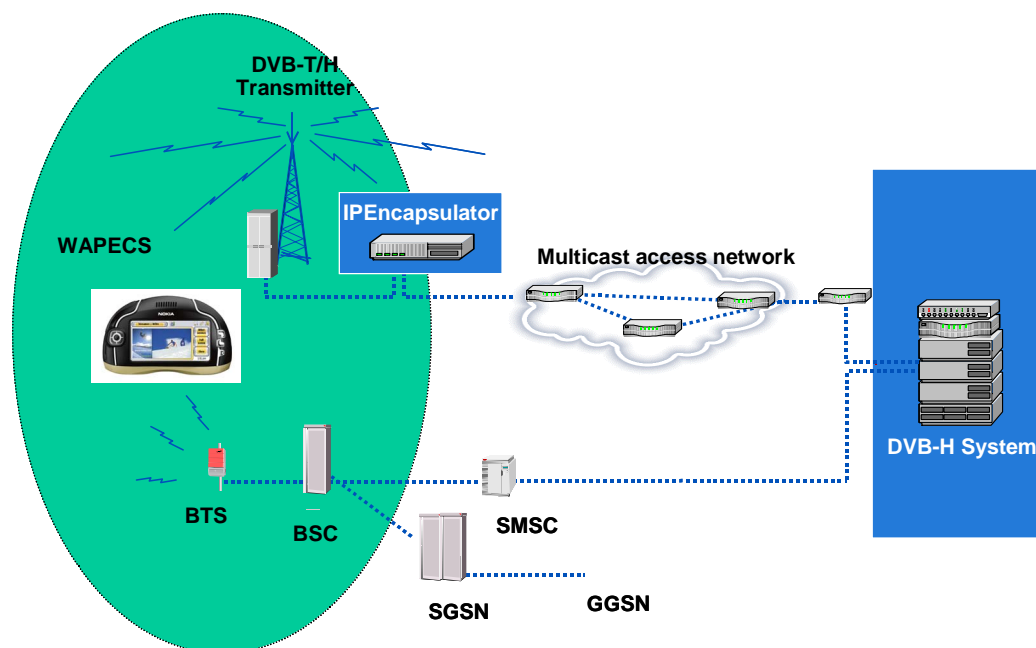


Figure 1: DVB-H is an example where WAPECS have been defined to link DVB and GSM worlds.

- In any case, and assuming that there is a WAPEC for each relevant service, such as TV Broadcast – WAPEC, there are some services that are of general interest, and therefore have to be protected in order to guarantee spectrum availability in the long term.

The fundamental role played by broadcasting, as a public service which guarantees media pluralism and cultural diversity, has been recognised at European level in numerous documents, among which the Amsterdam Protocol or the Communication of the European Commission on the World Radiocommunications Conference (WRC 03), which states that access to radio spectrum should remain available to broadcast services.

Services of General Economic Interest are generally submitted to a series of public service obligations - as can be the obligation of continuity and quality of service - and spectrum availability is a sine-qua-non requirement for broadcasting companies to fulfill these obligations.

QUESTIONS:

- Q1: 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?

According to the above expressed approach, the concept of WAPECS becomes purely technical. A more appropriate definition could be: "Wireless access platforms for electronic communication services (WAPECS) are the low-level protocol interfaces required to link converging services delivered through radio access technologies". WAPECS is more a matter of interfacing technologies than of spectrum.

In any case, we understand that there has to be a WAPEC for each significant service or application, and we understand that at least spectrum used to public services or applications has to be reserved in order to guarantee their availability. In that sense, TV WAPEC would have spectrum reserved for its implementation as it is the case nowadays.

- Q2: Do you consider that the term "platform" should be more closely defined? If so, what definition do you propose?

As already commented, in the broad sense the platform is the terminal on top of which converging services will be given. To give a closer definition, the term platform could be defined as the low-level hardware and software needed to provide interfaces to support converging services.

In any case, again, WAPECS is a too general term, and we have to establish a difference between WAPEC for different significant end-user services or applications.

- Q3: What, if any, constraints should there be on the provision of services using spectrum primarily in the broadcast domain?

In addition to the comments made in the introduction of the present document, it is our belief that wireless broadband access networks should not be rolled-out within the broadcasting band, especially in the UHF part of it. In many countries, including Spain, it may well happen that during the switch-over process, no spectrum will be released since with digitalization the broadcasting concept may evolve, offering new services still one-to-many and therefore considered as broadcasting. High definition services, Mobile TV and Datacasting content will need to be considered as well as services of general interest, that any citizen will have the right to access, as it is the case today for TV programming through broadcasting networks. As already stated in this document, the terminal convergence enabling the reception of broadcasting content over a wireless broadband access terminal is sufficient to secure a digital age socially inclusive.

- Q4: 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?

We believe that by in large the safekeeping of public service broadcasting will be achieved through a mixed model in which both Regulation of spectrum and Competition Law should be applied. Such a scheme should favor Regulation to guarantee sufficient access to such services while Competition Law would permit a sufficient degree of reallocation among such services.

- Q5: 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?

We agree that the definition of WAPECS, in the sense we propose, could help standardizing interfaces, allowing a rapid growth of convergent services.

- Q6: Are there any other challenges that the RSPG should consider?

We consider an assessment should be made on all existing technologies requiring spectrum (for instance DMB, now ETSI standard, is not mentioned in the document) and provide a framework to be used for the following decades. This is an input for the RRC.

- Q7: What is your view on the long-term policy goals mentioned above and more specifically on how to achieve the right balance between "minimising and harmonising constraints" presented under point 9?

Adopting a neutral approach to both services and technologies is positive, as long as a set of limits is established in order not to discriminate or jeopardize plurality or public services in member states. On top of that the wide range of installed services and their growth possibilities should be taken into consideration.

- Q8: Are there any other long-term policy goals that the RSPG should consider?

Regarding broadcasting spectrum, when the digital switch-over is completed and if any spectrum is still available, other broadcasting value added services as mobile TV, high definition services and portable broadcasting will be implemented.

- Q9: 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?

Convergence services are already a reality and a tremendous growth is expected for the coming future. To our mind European objectives should go in the direction of creating a framework for an easier convergence among the wide variety of

technologies. Interfacing of radio, cable, wireline, appliances, handhelds, PCs... will be a must and standards have to be developed. Nevertheless, market and society will decide.