



## EUROPEAN COMMISSION

Directorate-General for Communications Networks, Content and Technology

Electronic Communications Networks and Services

**Radio Spectrum Policy Group**

**RSPG Secretariat**

Brussels, 21 November 2017

**RSPG17-038 FINAL**

## **RADIO SPECTRUM POLICY GROUP**

### **16<sup>th</sup> Progress Report of the RSPG Working Group on cross-border coordination**

## 16<sup>th</sup> Progress Report of the RSPG Working Group on cross-border coordination

The Working Group has held one meeting, 5<sup>th</sup> October in Budapest, at the kind invitation of the NMHH. The report of this meeting is attached in annex.

### TV and FM interference around Italy

With regard to TV interference, Malta, France and Slovenia indicated that there is no remaining interference. After the meeting, Croatia indicated that although the harmful interference situation towards Croatia is much better as a result of the switch off process in Italy there are still remaining TV interference cases from Italy, which will be discussed at the following RSPG good offices meetings.

With regard to FM interference, the group noted the letter from Vice-President A. Ansip and the response from the Italian Undersecretary of State A. Giacomelli and concluded again that, in spite of the effort from the Italian administration to address some specific FM interference cases, solving the FM interference situation would require:

- The development of an FM broadcasting plan for Italy respecting the cross-border agreements with neighbouring countries
- Sufficient legal power for the ministry to enforce such plan

### Review of the progress in cross-border negotiation for the 700 MHz band

The EU decision on the 700 MHz band obliges **all EU Member States to sign formal and binding cross-border coordination agreements** (ie, not mere declaration of principles nor gentlemen's agreements) with concerned administrations regarding cross-border coordination for TV migration below 694 MHz **before 31<sup>st</sup> December**. It is understood that failing to do this may result in an EU infringement procedure.

The Working Group has considered the responses to the third questionnaire *on cross-border coordination issues regarding 700 MHz spectrum clearance and migration of broadcasting service below 694 MHz*, as well as information provided by regional coordination cluster representatives as well as individual Member states.

**All 28 EU Member States have responded to the third questionnaire**, three of them indicating no evolution from the previous responses (DE, BE, LU). Five non EU countries have responded (MK, NO, TU, RS, ME). The results of the questionnaire are summarized in a separate powerpoint document.

According to the information received, **all regional group and all individual EU Member states are expecting that it would be feasible to finally sign the cross-border agreement before 31<sup>st</sup> December**, so that there is **no formal request to apply the good offices at this stage**.

It has been agreed to modify the questionnaire to gather the necessary information to address the cases where the cross-border coordination agreements will not be signed before the 31<sup>st</sup> December, taking into account that there may be specific cases:

- Cases where there is no plan for cross-border agreement signature although the technical difficulty is limited (eg. FR-DE)
- Cases where the distance between countries is such that the cross-border agreement has limited impact (e.g. NL-DK, LT-DK, MT-EL)
- Cases where the negotiation with a country outside EU may impact the plan between EU countries (e.g. MT-IT with Tunisia)

Several administrations have **written officially to the European Commission to request EU assistance for negotiation with third countries**: Cyprus (vs Turkey), Italy (vs Algeria and Albania) and further request is expected regarding Russian Federation, Tunisia and Libya.

The Good Offices Working Group is wishing **to reissue the questionnaire for responses before 10<sup>th</sup> January**. The questionnaire has been modified to enable the good offices to be in a position:

- to address the cases where the agreements have not been signed between EU countries,
- to identify potential transition issues relating to significant timing discrepancy for allowing the use of the 700 MHz band for mobile service between neighbouring countries.

### **Next meeting**

A meeting is planned on 16<sup>th</sup> January in Maisons-Alfort (France).

**REPORT**  
**RSPG WORKING GROUP**  
**« GOOD OFFICES »**  
**BUDAPEST, 5<sup>th</sup> October 2017**

**1. Opening of the meeting**

Mr. Mindaugas Zilinskas and Mr. Eric Fournier opened the meeting and welcomed the participants. They stressed that the “good offices” is now in a critical time: the deadline for signing the cross-border agreement within EU is 31<sup>st</sup> December 2017, and the group will need to be in a position at the next meeting to address cases where agreement has not been reached.

Ms. Emilia Ulelay welcomed the participants in the NMHH office and wished for fruitful discussions and a pleasant stay in Budapest.

**2. Situation on interference around Italy**

**a. Any remaining issues for TV bands**

MT, FR and SI confirm that there is no remaining interference situation in the TV band. IT indicates that this should be also the case regarding HR.

The issues relating to use by Italian transmitters of channels which are part of neighbouring countries rights is discussed and will be solved in the course of the discussion regarding the new TV plan below 694 MHz.

**b. FM band**

The letter from Vice-President A. Ansip and the response from the Undersecretary of State A. Giacomelli was briefly discussed. IT indicated that there are not yet the conditions which, according to the current law, would trigger the development of an FM plan (ie, sufficient T-DAB penetration).

ITU is also organizing discussions (next meeting : 11, 12, 13 October) between Italy and neighbouring countries. RRB (doc.RRB/17-3/2) concluded that Italy has the legal obligation to comply with the GE-84 Broadcasting Agreement and the Radio Regulations and to cease interference on channels used by neighbouring countries in conformity with this Agreement and the RR.

Some case by case discussions are carried out between IT and SI/HR to try to reduce the interference in channels which are considered as the most critical for SI/HR. It consists on defining new “project” for the interfering transmitter.

IT indicated that some measures have also been taken to reduce the FM interference to MT. Measurement from MT have shown a reduction in the interference in some channels but the interference is still high in some other channels. MT will continue to monitor the situation.

France is pointing out that a FM interference situation discussed one year ago is still waiting for the solution to be implemented. It is understood that such solution (changing to another site) can take time but FR insisted that it is difficult, expansive and time consuming to solve these interference cases from Italy. IT will consult internally to understand when the planned solution will be implemented and will report back to France.

The “good offices” group concluded again that solving the FM interference situation would require:

- The development of an FM broadcasting plan for Italy respecting the cross-border agreements with neighbouring countries
- Sufficient legal power for the ministry to enforce such plan

**c. interference in the 800 MHz band**

MT also noted that they still have interference from Italian mobile networks in the 800 MHz band above the threshold defined in relevant ECC Recommendations. IT will discuss with the operators to ensure compliance with these thresholds and report back to MT.

**2. Situations in regional cluster groups**

**WEDDIP**

Most of the agreements have been signed.

There are still discussions ongoing between GB and BE, GB and FR on technical details. Meetings are planned and agreements are expected to be signed before the end of the year.

There are agreements not yet signed between DE and BE, DE and FR.

FR mentioned that they are worrying about the risk not to sign before the end of the year with DE in absence of response to the demand from France to have a bilateral meeting and due to remaining technical issues.

There is no information about the ongoing discussion between BE and NL.

**NEDDIF**

It is expected that all agreement among EU countries will be signed before the end of the year, including for the cases still under discussions: LT-PL, PL-SK, LT-LV.

The most critical issue is the negotiation with Russian Federation and Belarus.

Although discussions on the broadcasting plan is progressing well, with, for example signed agreements between FI and Russian Federation or between PL and Belarus, the date for migration TV out of the 700 MHz band in these two countries is yet unclear. Belarus should take its decision in the first half of 2018. For Russian Federation, there is no precise information.

The continuing use of TV in the 700 MHz in these countries may endanger the rollout of mobile networks in the neighbouring countries due to interference from DTT to base stations.

LT also mentioned the specific case of the Kaliningrad area where Russian Federation is requesting specific protection of channel 43 for reasons probability related to special government usage.

**SEDDIF and BSDDIF**

The progress in this critical area has been significant since June. Allotment plans are almost finalized and there are still discussions on negotiated assignment parameters.

The group continue to discuss the issue of transition period, local requirements and ITU notification. The previous issue between HU and RO has been solved.

The framework agreement regarding the accepted channel allocation plans is expected to be signed at the next SEDDIF meeting in October or at the subsequent one,

probably in December. Bilateral agreements regarding the assignments parameters are also expected to be signed before the end of the year.

One uncertainty is relating to the lack of progress with Albania and to the timing of releasing the 700 MHz band for countries outside EU.

**Situation around Italy (including Adriatic and west Mediterranean)**

The progress has also been significant since June and Italy expects to sign all necessary agreements with EU countries before the end of the year. Italy recently signed with Spain, Slovenia, Croatia, Montenegro and Greece. Italy also completed the coordination with France and Vatican City State.

Italy has called for EU assistance with regards to Albania and Algeria. It is also noted that, although there are ongoing discussion with Tunisia with the objective of signing before the end of the year, the progress between IT/MT and Tunisia is very limited and may require EU assistance at a latter point of time. Any delay may have also an impact on the plan between IT and MT. A meeting with Libya is planned before the end of this month but EU assistance could be needed if this meeting has to be postponed similarly to previous planned meetings.

**3. Review of the responses to the questionnaire on the 700 MHz band**

In light of the above information, all necessary cross-border coordination agreement between EU countries is expected to be signed before the end of the year. Particular attention could be paid to:

- Cases where there is no plan for cross-border agreement signature although the technical difficulty is limited (e.g. FR-DE)
- Cases where the distance between countries is such that the cross-border agreement has limited impact (e.g. NL-DK, LT-DK, MT-EL)
- Cases where the negotiation with a country outside EU may impact the plan between EU countries (e.g. MT-IT with Tunisia)

Therefore, no formal request for good offices applications is expected. However, the meeting decided to modify the questionnaire in order to be in a position to address any case where necessary cross-border coordination agreement between EU countries would not be signed

Concerning countries outside EU, assistance from EU have already been requested by Cyprus (vs Turkey), by Italy (vs Algeria and Albania). It is expected that further request may be issued regarding Russian Federation (from PL, LT, LV, ...) and also, depending on the progress, regarding Tunisia and Libya.

The meeting also discussed the lack of information regarding the date of start of migration. HU explained the reason why there are able to define the date of end of migration but not the start of the migration which will also depend on the new tender about the future broadcasting operator.

For the end of migration, the meeting considered the case of PT and SK which do not have final date because of TV licensing duration and the case of LV and CY which are not wishing to define them until there more information about cross-border negotiation with countries outside EU (Russian Federation and Turkey respectively).

It was also clarified that the response to Q1 is intrinsically related to the obligation for drawing up a national roadmap before 30<sup>th</sup> June 2018 and the questionnaire will be modified accordingly.

The meeting addressed the issue of transition plan in case of discrepancy between neighbouring countries about the timing for allowing the use of 700 MHz for mobile. This case may happen between two EU countries (eg, IT-FR) or with a country outside EU (eg, EE-Russian Federation). It was considered necessary to investigate better these issues through a new question in the questionnaire.

It was noted that an update to the results of the questionnaire (maps) will be needed to take into account important new information received during the meeting. The meeting decided that a revised version will be circulated to the RSPG list for giving to administrations the possibility to correct the information before end of October.

#### **4. 4<sup>th</sup> questionnaire**

The 4<sup>th</sup> questionnaire was reviewed in light of the above and two questions regarding the case of missing cross-border agreement between EU countries and the case where a transition plan would be necessary were added.

It was decided to ask RSPG Plenary meeting for reissuing the questionnaire immediately after the RSPG meeting, for response before the 10<sup>th</sup> January.

#### **5. Report to the next RSPG meeting and next meeting**

The Chairmen will present to RSPG the main conclusions of this good offices meeting, as well as the updated results of the 3<sup>rd</sup> questionnaire and the draft 4<sup>th</sup> release of the questionnaire.

The next meeting will be held in ANFR, Maisons-Alfort (France), on 16<sup>th</sup> January.

#### **6. Close of the meeting**

The Chairmen and all the participants warmly thanked Emilia Ulelay for the nice invitation and all the facilities provided during the meeting.