

Response To RSPG Consultation On The Draft Opinion “On The Introduction of Multimedia Services in Particular in the Frequency Bands Allocated to the Broadcasting Services”

1. Background:

Europa-Max Participations S.A. (Europa-Max) is a Luxembourg based company which plans the development of an innovative satellite digital multi-media broadcast (S-DMB) satellite for Europe and is pleased to contribute to RSPG’s public consultation on its draft Opinion “*On the Introduction of Multimedia Services in Particular in the Frequency Bands Allocated to the Broadcasting Services*”, published on the 15th of May, 2006.

2. Proposal:

Europa-Max fully supports the intention of the draft RSPG to support the development of multimedia services across Europe through appropriate identification of certain frequency bands for use by both terrestrial platforms and satellite platforms (with complementary ground components).

Europa-Max, as member of SAP REG, supports in particular the separate SAP REG response with regard to the identification of the Mobile Satellite Service (MSS) bands 1980 – 2010 / 2170 – 2200 MHz (the 2 GHz MSS bands) and Broadcasting Satellite Service (Sound) (BSS(S)S) bands at 1467.5 – 1492 MHz (the L-band BSS(S) bands) for the accommodation of satellite multimedia services.

Europa-Max also proposes that certain other MSS frequency bands in the 1-3 GHz range, in particular the 1518 – 1525 MHz band and 1670 – 1675 MHz band (and preferably also the 1525 – 1559 MHz and 1626.5 -1660.5 MHz bands), should also be identified in the pending RSPG Opinion for accommodation of satellite multimedia services in Europe for the following reasons:

- a) MSS spectrum is suitable for accommodation of satellite multimedia services, as is recognised in the draft RSPG Opinion through the identification of the 2 GHz MSS bands for such use and noting also that the current EU regulatory framework recognises the increased convergence between telecommunications and broadcasting networks and services;
- b) The identification of the 1.5 / 1.6 GHz MSS bands for accommodation of satellite multimedia services on a similar basis to the 2 GHz MSS bands would enable other interested satellite operators to develop similar satellite multi-media services and would enhance the scope for meaningful *competition* across the EU in the satellite sector with for example other proposed 2 GHz MSS-band or 1.4 GHz BSS band satellite multimedia service systems;
- c) The adoption of the CEPT Maastricht T-DAB Plan for the 1452 – 1479.5 MHz and the designation of spectrum at CEPT level in the 2500- 2690 MHz bands to terrestrial UMTS has led to a significant reduction by 52.5 MHz in the overall availability of spectrum for broadcasting satellite services and mobile satellite services in CEPT in the 1-3 GHz range. However, CEPT has also taken pro-active actions to designate via an ECC Decision the frequency bands 1518 – 1525 MHz and 1670 – 1675 MHz to MSS (see ECC/DEC(04)09). This spectrum is well suited for the accommodation of inter-alia satellite delivered multimedia services, subject to frequency coordination and national authorisation in EU countries. The CEPT ECC also in general supported the objective of taking appropriate steps to facilitate the development of innovative MSS systems in MSS spectrum not only in the 2 GHz MSS bands but also in the above new ITU WRC-03 allocated 1.5 / 1.6 GHz MSS bands.
- d) The identification of the above 1.5 / 1.6 GHz MSS bands for satellite multimedia services within the scope of the RSPG Opinion may also facilitate the achievement of an overall balance in competing and often conflicting requirements for access to spectrum by terrestrial and satellite platforms in the 1-3 GHz range for provision of such multimedia services.

Detailed Proposals For Amendment To The Draft RSPG Opinion

In consideration of the above, Europa-Max cordially submits the following proposals for amendment to the draft RSPG Opinion. A new section 3.3bis, a modification to Table 1 and a modification to 4.8 are proposed (see red text below). These proposals are supplemental to those submitted by SAP REG.

3.3bis 1.5 / 1.6 GHz MSS Band (L-band MSS)

The frequency bands allocated to the Mobile Satellite Service (MSS) at 1518 – 1525 MHz and 1670 – 1675 MHz (as well as potentially 1525 – 1559 MHz and 1626.5 – 1660.5 MHz) are also suitable for the accommodation of satellite-delivered multimedia services. The use of these MSS bands for provision of such services, as with any other frequency band, would be subject to frequency coordination and national authorisation. The frequency bands at 1518 – 1525 MHz and 1670 – 1675 MHz were designated in 2004 by CEPT for MSS use through ECC Decision ECC/DEC(04)09. The identification of the above 1.5/1.6 GHz MSS frequency bands for satellite multimedia services would also enhance competition across the EU within the satellite sector for provision of these services.

Table 1 – Spectrum options

Frequency Band	Advantage	Timing of availability	Rules and constraints	Europe-wide availability of common spectrum	Possible action
1452-1492 MHz (L-Band)	Availability. Significant spectrum amount	Early – unused in most countries	Maastricht Arrangement limits to T-DAB (or systems within that mask). Some licensed T-DAB use but very limited. ITU satellite allocation and existing filings in the band 1467- 1492 MHz. CEPT ECC/DEC/(03)02 decision for satellite use in the band 1479.5- 1492 MHz	High	Confirm mask approach Review possibility of accommodating wider-band technologies within Maastricht framework or consider more radical review
2 GHz MSS (1980- 2010 . 2170 – 22200 MHz)	Significant spectrum amount		CEPT ECC/DEC/(97)03 Decision on MSS	High	Retain flexibility in current discussions
1.5 / .16 GHz MSS (1518 – 1525 MHz / 1670 – 1675 MHz)	<u>Fairly significant spectrum amount.</u>	From 2007 onwards according to relevant ECC Decision.	CEPT ECC./DEC/(04)09 Decision on MSS	<u>Medium (in near term) Potentially high (in longer term)</u>	Further CEPT or EU level action should be <u>considered.</u>

- 4.8** The RSPG considers that several actions could be considered at European level in order to facilitate the introduction of multimedia services, in a manner consistent with the objectives identified above and with the principles of the WAPECS Opinion. These actions would enable administrations to issue new licenses in a similar timeframe under a coherent authorisation regime to enable economies of scale, minimizing the applicable constraints, taking into account the expected revised television without frontiers directive.
- In the 1452 – 1479.5 MHz band, the Maastricht Special Arrangement seems unduly restrictive and should therefore be reviewed urgently to ensure that other technologies and services are not unduly precluded from use of the band.
 - In bands 174 – 230 MHz and 470 – 862 MHz, a minimum amount of [7-8] MHz should be made available to allow the provision of multimedia services, as requested by market conditions and permitted by analogue switch-off
 - In the bands 1479.5 – 1492 MHz, 1518 – 1525 MHz, 1670 – 1675 MHz, 1980 – 2010 MHz and 2170 – 2200 MHz, the existing international framework and the work achieved or in progress at CEPT and EU level could enable the deployment of satellite-delivered pan-European multimedia services. Further work should be done on how to implement a framework allowing the development of such satellite-based platforms.