

Public consultation on the draft RSPG Opinion on “The Introduction of Multimedia Services in particular in the frequency bands allocated to the broadcasting services” – Microsoft Comments

The Radio Spectrum Policy Group has invited all stakeholders to give their written comments and views on the proposed draft RSPG Opinion on “The Introduction of Multimedia Services in particular in the frequency bands allocated to the broadcasting services”.

Microsoft is pleased to submit these brief comments on this very important topic. The switchover to digital broadcasting in UHF Bands IV and V in particular represents a once-in-a-lifetime opportunity to reshape the regulation and use of this very substantial block of prime spectrum for the 21st century and beyond.

Microsoft strongly supports the purpose of the draft RSPG Opinion, i.e. to facilitate the introduction of multimedia services in Europe. The draft opinion rightly identifies the importance of mobile TV technology and the availability of complementary multimedia offerings via IMT-2000. However, the opinion is silent on the equally important development of wireless broadband. Such services are important candidates for use of the digital switchover spectrum dividend (as recognised by Ofcom in its Digital Dividend Review¹) and the opportunity for low-power licence-exempt implementation has profound implications for spectrum policy, spectrum efficiency and service innovation.

The draft opinion helpfully cross-refers to the Commission Communications on Digital Switchover and to the RSPG opinion on Wireless Access Policy for Electronic Communications Services (WAPECS), but does not mention the current major study on legal economic and technical aspects of collective use of spectrum in the European Community², which focuses on the licence-exempt issue.

The RSPG opinion should therefore recognise this work, note that licence-exemption is the preferred policy choice in Europe where it is feasible³, and should recommend studies to evaluate the potential benefits of licence-exempt multimedia services operating in the TV broadcast bands⁴.

For further information contact:

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¹ See <http://www.ofcom.org.uk/radiocomms/ddr/documents/ddroverview/>

² See http://europa.eu.int/information_society/policy/radio_spectrum/presentation/index_en.htm

³ The Authorisation Directive states that “rights of use should not be restricted except where this is unavoidable in view of the scarcity of radio frequencies and the need to ensure the efficient use thereof.” - in other words, licensing is the exception that must be justified by need, not licence-exemption

⁴ The FCC in the US has been studying this issue for some years already, and in 2004 adopted a notice of proposed rulemaking to allow these applications - see http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-04-113A1.pdf