



## Telefónica Group response to consultation on draft RSPG Opinion on “The Introduction of Multimedia Services in particular in the frequency bands allocated to the broadcasting services”

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### General comments

Telefónica would like to thank the Radio Spectrum Policy Group (RSPG) for giving stakeholders the opportunity to comment on the draft Opinion on how to facilitate the introduction of multimedia services within the European Union, in particular in the frequency bands allocated to the broadcasting services. We consider this to be an important issue, as the deployment of high quality mobile multimedia services could indeed bring significant benefits to consumers on a pan-European basis. To reap the full benefit, Telefónica believes that the RSPG should strive to establish a stable and predictable regulatory framework, in particular with regard to spectrum allocations that are suitable for these innovative services.

Telefónica considers that mobile multimedia services will play a very important part in achieving a ubiquitous Information Society across the European Union, and we are committed to their timely development. Telefónica believes that the role of mobile network operators, amongst the different interested parties within a collaborative environment, is crucial to foster and promote future mobile multimedia services, and we therefore also remain committed to assist the RSPG in its further work on this issue.

The Opinion correctly identifies that “the introduction of multimedia services is an issue that is currently high on the agenda for many”, as evidenced by the recent consultation on the award of available spectrum in L-Band in the UK, by the announcement from the German mobile network operators that they have launched a joint initiative to press ahead with the development of “handset-TV”, by the Regional Radiocommunication Conference in Geneva (RRC-06), which agreed a new digital broadcast Plan (GE-06) for Europe in the frequency bands 174-230MHz and 470-862MHz, and by the establishment of the European Mobile Broadcast Council (EMBC).

Telefónica agrees that one of the key questions relates to the use of the digital dividend for multimedia services, and we look forward to being able to comment further on the development of a European strategy regarding the digital dividend, which we understand the RSPG will continue to work on during the coming months through the development of a complementary Opinion. Telefónica notes that RRC-06 agreed that digital entries in the Plan “may also be notified with characteristics different from those appearing in the Plan, for transmissions in the broadcasting service or in other primary terrestrial services operating in conformity with the Radio Regulations”, and we consider that this offers a reasonable amount of flexibility for European administrations to implement multimedia services, in particular in the 470-862MHz band, using a variety of technologies. However, we also note that the potential consumer benefit will be maximised only through co-ordinated action.

## Spectrum issues

The availability of appropriate spectrum suitable for the rapid and clear development of multimedia services within the European Union is a major issue that needs to be addressed, and we note that the RSPG is considering the constraints, limitations and scope for alleviation of some of these constraints in the Opinion. Telefónica comments on the following, which we believe to be the most important considerations:

- The need for a co-ordinated approach to spectrum allocation for multimedia services.
- The need to give equal opportunities to all potential technological solutions.
- The need to take full account of the variety of spectrum bands that could be used.

A coordinated approach across the European Union regarding spectrum allocations for multimedia services will bring important benefits to consumers and the industry, including services with a pan-European basis, lower financial risk for vendors of infrastructure and handsets, and better economies of scale for operators. In her speech at this year's CeBit trade fair, Commissioner Reding acknowledged that "little will happen without the readiness of Member States, industry and other stakeholders to act jointly with the Commission, by actively helping to develop a European strategy for Mobile TV". We are therefore pleased to be able to contribute to this joint action through the work of the RSPG and EMBC.

There are, currently, a number of different technological solutions, as well as spectrum bands, which are being evaluated and could potentially be used to deploy multimedia services. In keeping with the RSPG Opinion on Wireless Access Policy for Electronic Communication Services (WAPECS), Telefónica agrees that any action taken must not distort the use of spectrum as a whole, should encourage innovation and, as noted above, must strive to maximise benefits across the European Union. We note that the two principal "broadcast" technology bases are Digital Audio Broadcasting (DAB) and Digital Video Broadcasting (DVB), which offer significantly different potential content capabilities due to their fundamentally different channel bandwidths, and we encourage European regulators to seek to allow solutions based on both of these, together with other technologies, to compete equally in as many of the broadcast spectrum bands as possible. In particular, and noting the focus that the RSPG has put on the potential for L-Band (1452-1492MHz) to facilitate the deployment of multimedia services, Telefónica believes that the proposed urgent review of the Maastricht Special Arrangement should ensure that the fullest range of alternative technologies, including DVB-based systems, is able to utilise the "terrestrial" part of the band, from 1452-1479.5MHz, without undue restrictions.

In considering the two options suggested by the RSPG (review within the Maastricht framework or a more radical review) Telefónica believes that further study must be undertaken to identify whether the Maastricht framework is sufficiently flexible to allow the aggregation of differing numbers of T-DAB channels in neighbouring countries, whilst preserving their respective rights of protection. If the existing framework proves to be too limiting, then we would suggest that a more radical review should be undertaken.

In addition to L-Band, Telefónica is particularly interested in further clarification on the future usage of the "digital dividend" across the Member States, noting the significant advantages that the deployment of UHF networks has over L-Band, including better coverage and lower network deployment costs. We support the proposal to make a minimum amount of 8MHz of spectrum available in the UHF band in all Member States, noting that interactive mobile multimedia services will be facilitated only if the spectrum identified is below about 750MHz (due to the need to avoid blocking). Telefónica notes that early decisive action in this sense has the potential to provide legal certainty to market players and to make a real difference in ensuring a rapid introduction of multimedia services.