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DIRECTORATE-GENERAL FOR COMMUNICATIONS NETWORKS, CONTENT AND  
TECHNOLOGY

Connectivity

**Radio Spectrum Policy Group  
RSPG Secretariat**

Brussels, 16 June 2021

**RSPG21-028 FINAL**

## **RADIO SPECTRUM POLICY GROUP**

### **27<sup>th</sup> Progress Report of the RSPG Sub-Group**

#### **on cross-border coordination**

**REPORT**

**RSPG SUB-GROUP**

**« GOOD OFFICES »**

**Web-meeting, 16<sup>th</sup> June 2021**

The Sub-Group has held four web-meeting (18/3, 20/4, 6/5, 25/5) to address the request from Croatia under EECC Art.28. The agenda of the meeting on 6<sup>th</sup> May covered also the other good offices items (C band, other Italian interferences, 700 MHz band at the EU border). The list of participants is attached in annex 1 and the detailed meeting report is attached in annex 3.

**1. Article 28 draft opinion**

The good offices reviewed during 4 meetings (18/3, 20/4, 6/5 and 25/5) the cross-border interference problems between Italy and Croatia in the UHF band in response to the request from Croatia to the RSPG to initiate the procedure foreseen in Article 28 of the European Electronic Communications Code (EECC).

The Italian and the Croatian administrations have been very active in submitting to the good Offices all technical and regulatory elements necessary for a clear description of the situation. The solution established by the working group is mainly in terms of deadlines for solving various interference issues. It relies essentially on the possibility for Italy to implement temporary channels, including Croatian channels when agreed by Croatia, and does not fulfill all Croatian requirements.

Italy clearly stressed during the Good Offices that they cannot commit to such solution which is not in line with the timetable established by the Italian law but that they would make all efforts to meet the corresponding deadlines and improve the situation. Italy has announced that they will provide a statement for the minutes of the next RSPG plenary meeting for clarifying this point.

Italy also proposed after the last Good Offices meeting to replace in section 3 of the opinion “coordinated solution” with “proposed solution” so as to clarify that

1. the final Opinion will present to the EC a "proposed solution" on behalf of the RSPG, representing all the expected results and timing;
2. Italy will try to honour it within the limits of what is realistically possible (i.e. with a "best-effort" approach).

This was not accepted since the working group decided not to have non editorial revision after the meeting. However, this issue will need further discussion during the RSPG Plenary meeting.

**2. C band**

The good offices received a new response on the additional questionnaire from Greece. Greece selected the frame B (LTE compatible). The map of selected frame was updated (see annex 2).

### **3. Interference around Italy in VHF and FM band**

For the details of the interference situation, please refer to the meeting report in annex 3.

**For the VHF band**, the Adriatic and Ionian group will have its next meeting mid-May with the objective to finalize the agreement and to have the signature to take place in summer time. Then, Italy will define its VHF plan using assignments in full conformity with this agreement as well as with the agreements with other neighbouring countries.

**For FM interference**, no progress was made with Croatia and Slovenia even for the priority cases identified by these two countries.

The good offices reviewed the possible way forward to solve the FM interference, as presented at the last meeting:

- Italy to include in its internal law, similarly to the VHF band, that AGCOM should define a plan for the FM band only based on Italian international rights
- Italy, Slovenia and Croatia to negotiate a new agreement in the FM band ensuring an equitable access and on optimization of the capacity for each country
- The Plan will result in some FM broadcasters having to move to the T-DAB platform

This review is detailed in annex 3. **The good offices asked Italy to engage concrete solution (ie, preparing the law, initiating coordination with neighbours) without waiting anymore and to present a roadmap to the next good offices meeting for implementing this medium term solution.**

Malta is currently replanning the FM band and it will be very important in this respect that Italy ensure compliance of their transmitters with agreed characteristics so that interference does not start again.

The co-chairman, Mindaugas Zilinskas, is currently carrying out a review of the various analysis made by Italy and France on possible solutions to the interference from Sardegna to Bonifacio 88.3 MHz and joint measurement have been envisaged.

### **4. Review of the cross-border negotiation with countries outside EU**

- Russian Federation: there is still internal Russian discussion on the 700 MHz without progress. As a consequence, Russia does not define the switch off time of television in 700 MHz in spite of the request from neighbouring countries (Lithuania, Belarus ...)
- Ukraine will switch-off 700 MHz in the end of 2022.
- Balkans: Croatia requested Bosnia and Herzegovina to switch-off remaining analogue transmitters in the 700 MHz band which could interfere them and expects that it will be done in due time (July).

- North Africa: No progress
- Turkey: The EC representative indicated that there is an ongoing activity to ensure the switch off of channel 53 used by Turkish Cypriots, but no conclusion yet.

**Next meeting**

The next meeting is planned as a web-meeting on 20<sup>th</sup> September

## ANNEX 1

## List of Participants

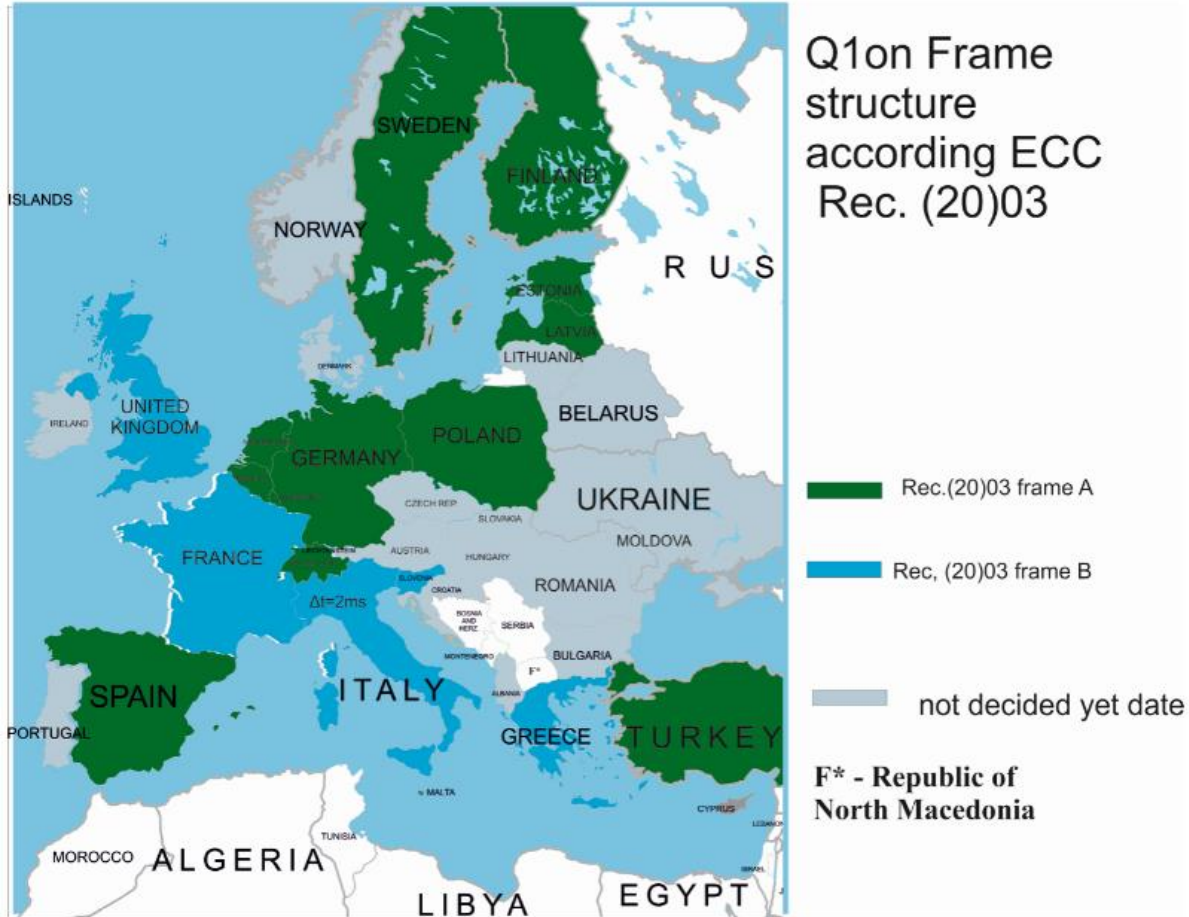
## Meeting 6/5/2021

Name	Country
Ernst Cerny (AT)	Austria
Danijel Vidakovic (HR)	Croatia
Luka Vujevic (HR)	Croatia
Miljenko Pintar	Croatia
Julija Varnaite-Kamstra (CNECT)	EC
Paul Lippens de Cerf (CNECT)	EC
Tom Wikström (FI)	Finland
Eric Fournier (FR)	France
Raphael Le Hegarat (FR)	France
Elena Nanou (EL)	Greece
Emilia Ulelay (HU)	Hungary
Donato Margarella (IT)	Italy
Umberto Mascia (IT)	Italy
Mindaugas Žilinskas (LT)	Lithuania
Adrian Galea (MT)	Malta
Amadeo Vella (MT)	Malta
Igor Funa (SI)	Slovenia
Janja Varsek (SI)	Slovenia
Jeanette Wännström (SE)	Sweden

ANNEX 2

Response to the additional questionnaire on synchronization in the 3.6 GHz band

5G NR Frame structure options in Europe



ANNEX 3

REPORT

RSPG SUB-GROUP

« GOOD OFFICES »

Web-meeting, 6<sup>th</sup> May (all issues) and 25<sup>th</sup> May (Art.28 draft opinion) 2021

**5. Article 28 draft opinion**

The good offices reviewed during 4 meetings (18/3, 20/4, 6/5 and 25/5) the cross-border interference problems between Italy and Croatia in the UHF band in response to the request from Croatia to the RSPG to initiate the procedure foreseen in Article 28 of the European Electronic Communications Code (EECC).

The Italian and the Croatian administrations have been very active in submitting to the good Offices all technical and regulatory elements necessary for a clear description of the situation. The solution established by the working group is mainly in terms of deadlines for solving various interference issues. It relies essentially on the possibility for Italy to implement temporary channels, including Croatian channels when agreed by Croatia, and does not fulfill all Croatian requirements.

Italy clearly stressed during the Good Offices that they cannot commit to such solution which is not in line with the timetable established by the Italian law but that they would make all efforts to meet the corresponding deadlines and improve the situation. Italy has announced that they will provide a statement for the minutes of the next RSPG plenary meeting for clarifying this point.

Italy also proposed after the last Good Offices meeting to replace in section 3 of the opinion “coordinated solution” with “proposed solution” so as to clarify that

1. the final Opinion will present to the EC a "proposed solution" on behalf of the RSPG, representing all the expected results and timing;
2. Italy will try to honour it within the limits of what is realistically possible (i.e. with a "best-effort" approach).

This was not accepted since the working group decided not to have non editorial revision after the meeting. However, this issue will need further discussion during the RSPG Plenary meeting.

**6. Review of the interference cases around Italy**

## UHF

Countries other than Croatia confirmed that they currently do not experience any television interference problems.

## VHF

The Adriatic and Ionian group will have its next meeting mid-May with the objective to finalize the agreement and to have the signature to take place in summer time.

## FM

### Croatia and Slovenia

Croatia reported that there is no progress at all on Biokovo 89.7 MHz and other FM priority case. No proposal was received from Italy.

Italy admitted that, although the priority of Biokovo is fully recognized, there has been no progress, notably due to internal staff changes. They asked for being able to organize discussion with Croatian and Italian broadcasters to facilitate the identification of solutions. Italy clarified that FM licences have no time limit.

Croatia reminded that the good offices already admitted in May 2020 that the only solution is the change of frequency of the two FM co-channel transmitters (Play Capital and Radio Kiss), so that it is up to Italian administration to identify alternative channels.

Italy stressed the difficulty of finding new channels for authorized FM stations, due to overcrowded FM band in Italy, but Italy promised to have a fresh look on this issue to endeavour identifying such channels.

The good offices also suggested that if no alternative channel is found, the programme should be directly moved to the DAB platform for such priority cases.

The medium term solution described at the previous meeting was reminded:

- Italy to include in its internal law, similarly to the VHF band, that AGCOM should define a plan for the FM band only based on Italian international rights
- Italy, Slovenia and Croatia to negotiate a new agreement in the FM band ensuring an interference free operation and an optimization of the capacity for each country under the equitable access principle
- It is understood that the Italian Plan will result in some FM broadcasters having to move to the T-DAB platform in order to resolve harmful interferences from uncoordinated Italian transmitters reported by Croatia and Slovenia

Italy has indicated that, as of January 2020, it is a legal obligation for radio equipment placed on the market to allow the reception of digital audio signals, in order to facilitate the rapid



development of the DAB market. As regards the medium-term solution, AGCOM is bound by current law to create the FM plan only *after* the DAB market has become widespread. However, the ongoing transposition of the AVMS Directive could allow AGCOM to define the FM plan *together with* the DAB plan. On the other hand, Italy stresses that the availability of coordinated frequencies is a necessary condition for creating any FM plan, and therefore this confirms the need to discuss a suitable agreement with neighbouring countries.

Croatia pointed out that Italian new DAB plan should significantly contribute to the solution of harmful interference situation in FM band and expects full Italian commitment in that direction.

The EC representative reminded that Article 45 of the EEC obliges Member states to comply with international agreements, which includes GE84 and Radio Regulations. He also pointed out Article 18 of the EEC does enable Italian administration to amend broadcaster rights for justified reasons and in a proportionate manner. He asked for a concrete plan from Italy.

Slovenia pointed out that the proposed set of actions may be already endangered by the fact that the Italian DAB Mux include many new programmes, not existing on the FM band, which may prevent migration of programmes from FM to DAB.

**The good offices asked Italy to engage concrete solution (ie, preparing the law, initiating coordination with neighbours) without waiting anymore and to present a roadmap to the next good offices meeting for implementing this medium term solution.**

The meeting noted the letter from AKOS responding to the Studio Legale Vaccaro (referring to the judgment 276/2020 of the Gorizia Court concerning the Italian station Porzus 88.6 MHz and the Slovenian station Nanos 88.6 MHz)

#### Malta

With regards to the interference situation between Malta and Italy on the VHF FM band, no new positive developments can be reported. Malta is undertaking a FM re-planning exercise taking into account several parameters including coordination, interference, EMF, needs, etc. Malta noted that it will be very important in this respect that Italy ensure compliance of their transmitters with agreed characteristics so that interference do not start again.

Malta also noted the current optimization of the FM plan carried out by African countries with the ITU assistance, which may impact this area.

#### France

France indicated that the NRJ group received a letter from the municipality asking to deconstruct (or dismantle) the current site which is located in the old city, so there is no option to install a new antenna as requested by Italy. Furthermore, moving the site to "Rue de la Torricella" is not an option as this site cannot host additional broadcast. France concluded that either Italy stops the emission of radio DJ 88.2 MHz, not corresponding to any Italian right and interfering the French right on 88.3 MHz, or accepts the French proposal to assess by a joint measurement campaign the impact of a co-block emission from Monte Corbu transmitters to San Teodoro coverage at 88.4 MHz.

According to French simulations, the interference on 88.4 MHz in Sardinia would remain limited, based on C/I calculation. On the other hand, according to Italian simulations, there will be an impact from the emission from Monte Corbu at 88.4 MHz with respect to RAI transmitter in San Teodoro, registered in GE-84. Analyses of both calculations results are needed.

In response to Italy, France confirmed that the initial emission characteristics were close to those of GE-84, even with lower antenna height.

Italy indicated that they will examine the possibility of joint measurement.

**France is requested to send to the good offices the precise characteristics of the proposed Monte Corbu 88.4 MHz together with interference analysis based on C/I and GE-84 criteria**

The good offices encouraged the joint measurement proposed by France which may enable to identify a solution to this interference case.

#### **7. Cross border negotiations with countries outside EU**

- Russian Federation: there is still internal Russian discussion on the 700 MHz without progress. As a consequence, Russia does not define the switch off time of television in 700 MHz on the request from neighbouring countries (Lithuania, Belarus ...)
- Ukraine: the EC representative informed that Ukraine will switch-off 700 MHz in the end of 2022. In response to a request from Hungary, the EC representative will inform to the group about the legal basis of this date. This is good news and the meeting thanked the EC for this important progress.
- Balkans: Croatia informed that they requested Bosnia and Herzegovina to switch-off remaining analogue transmitters in the 700 MHz band which could interfere them. They expect it will be done in due time (July).
- North Africa: No progress
- Turkey: The EC representative indicated that there is an ongoing activity to ensure the switch off of channel 53 used by Turkish Cypriots, but no conclusion yet.

#### **8. C band**

The good offices received a new response on the additional questionnaire from Greece. Greece selected the frame B (LTE compatible). The map of selected frame was updated and will be attached to the report to RSPG for information.

#### **9. Date of next meeting**

The next RSPG “good offices” meeting is planned as a web-meeting on 20<sup>th</sup> September (9H30-12H30)