

Orange response to the “Radio Spectrum Policy Group Opinion on the Digital Dividend” consultation

Orange welcomes the opportunity to share some views with the Radio Spectrum Policy Group on the digital dividend use in Europe and the future actions that could be conducted at the European level in order to enhance the attractiveness of the European solution across the Europe and Africa for example.

The definition of the digital dividend as described in the Communication from the European Commission in the 2005 is clearly supported by Orange since the publication of the European Commission Communication on the Digital Dividend¹. According to this definition, it should be concluded that a part of the released spectrum has already been allocated to the enhancement of the broadcasting services (for higher definition, for more television channels or for more coverage).

Some countries indicated that the need for additional, regional, mobile and high definition broadcasting channels limits the digital dividend available for mobile broadband communications but countries that have conducted economic studies² on the benefits of releasing a harmonised 72 MHz digital dividend spectrum between 790-862 MHz for mobile broadband communications, have taken the decision to allocate this 72 MHz band to mobile communications.

Orange suggests that European Commission should encourage Member States that have not conducted these studies to present rationales for not releasing spectrum for mobile communications.

Results of these economic studies are expected as soon as possible in all European Union countries in order to efficiently choose the use of any digital dividend.

The upper part of the digital dividend and in particular the 72 MHz currently being chosen by an increasing number of countries should be rapidly allocated to the mobile services as it is indeed a crucial issue for the development of the mobile broadband communications services.

It should be used for the Electronic Communications Network (ECN) and in particular for IMT as it is the preferred option of nearly all spectrum users. CEPT has considered all possible flexibility options and ECC PT1 has already clearly concluded that the flexibility in the band plans should be avoided. Orange is of the opinion, that the concept of Block Edge Masks (BEM) developed by the CEPT provides already the maximum flexibility in term of band plans and possible technologies.

¹ COMMUNICATION FROM THE COMMISSION TO THE COUNCIL, THE EUROPEAN PARLIAMENT, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS EU “spectrum policy priorities for the digital switchover in the context of the upcoming ITU Regional Radiocommunication Conference 2006 (RRC-06)” in September 2005

² From Spectrum Value Partners “GETTING THE MOST OUT OF THE DIGITAL DIVIDEND Allocating UHF spectrum to maximise the benefits for European society” in March 2008

France Telecom Orange

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The adoption of these minimal technical conditions would obviously not only avoid fragmentation of the market in Europe and increase the economies of scale (then the economical benefits) but also facilitate the required borders coordination.

Recently, OFCOM established in its website³ that the economical benefits for UK to align its digital dividend on the digital dividend of most of the European countries would represent a net benefit of €2-3bn over 20 years.

It is worth noting, when discussing the different options for the frequency arrangements, that Europe would take advantage of its market of 480 million people to avoid developing equipment specific to a particular European country based on different band plan and frequency arrangements.

The FDD preferred harmonised band plan defined by the CEPT should be chosen for the implementation of mobile broadband solutions in Europe as it fulfils the requirements of technology neutrality.

The conclusions from the European Council are key in the achievement of the coordination among Member States and with Countries outside the European Union.

The technical conditions to release the band 790-862 MHz and to use it for mobile communications on a non-mandatory basis have been described. They authorise flexibility in the choice of technologies. There is only a need for guidelines to Administrations to coordinate choices and releases of the spectrum in order to maximise the benefits of the digital dividend for mobile broadband communications in Europe as demonstrated in lots of social and economical studies in the past few months.

We clearly expect a strong involvement from the European Commission to assist the different countries for the borders coordination for countries at the edges of the European Union.

In accordance with the WRC-07 and GE-06 Agreements, Orange welcomes initiatives to find agreements that could help in the optimal use of the spectrum at the borders of individual Member States and at the borders of the European Union based on the outcomes of the CEPT.

In both above cases, it is clear that the CEPT reports, and in particular Report 22, should ease discussions and coordination among European countries but for European Union countries having borders with countries outside CEPT, the situation would be more complex and it is likely that the role from the European Union and especially from the European Commission will become essential.

Indeed, the coordination between countries from EU and those from outside CEPT, is probably the most complicated coordination as technical Reports from CEPT could certainly not be applied. In any case, the GE-06 are still valid. By chance, the broadcasting spectrum in these countries is not as heavily used as it is in CEPT. Nevertheless, the role of the European Union would certainly be crucial.

³ A better Digital Dividend for Britain: http://www.ofcom.org.uk/media/news/2009/02/nr_20090202

The European Union could have a major political role in order to assist European Union countries when negotiating with external countries.

The coordination between countries of the European Union is highly depending on the speed of the analogue to digital broadcasting switch-over. It is clear that the broadcasting situation varies from country to country; sometimes two neighbouring countries have two completely different broadcasting situations but in any case, the date of 2012 for the switch-off of the analogue broadcasting should become mandatory.

2012 should be confirmed as the date for the analogue switch-off across Europe.

Indeed, prior the WRC-07, Spectrum Value Partners published a report concluding that a 4-year delay in the spectrum allocation would cost around €20bn to Europe. Any delay in the implementation of the digital dividend would represent a significant cost for the European Industry and then for the European customers.

It is likely that the cost of clearing the digital dividend will be higher if it is not sufficiently anticipated. Some technologies choices, some planning choices and some regulatory choices have been made that lead to difficulties in term of refarming of the broadcasting band at the national level.

Due to the propagation characteristics of the low frequency bands, and the required distances for coordination, there are obvious requirements to develop deeper coordination at the European level for the release and the use of the digital dividend for mobile broadband in order to reap the full benefits of the digital dividend and to bridge the digital divide as soon as possible.

European Commission could assist CEPT in harmonising and coordinating objectives for the Union in the use of the digital dividend before end of 2009.

Some countries of the European Union did not ask for the inclusion of the 5.316A footnote. The European Union could start discussion in order to favour coordination for the inclusion of neighbouring countries in the footnote.

Despite the absence of a specific Agenda Item for the inclusion of countries from European Union in the footnote, the WRC-11 should use the Agenda Item 1.17 to favour the inclusion of new countries in the footnote

The harmonisation across European Union of the technical and regulatory conditions for the use of the digital dividend would indeed increase the economies of scale and then the benefits of the coordinated approach.