



Brussels, 30 June 2009

## ETNO Comment on the Radio Spectrum Policy Group Opinion on the Digital Dividend

European Commission  
DG Information Society & Media  
**Mr. Dániel Pataki**  
Chairman Radio Spectrum Policy Group

Dear Mr. Pataki,

ETNO welcomes the opportunity to submit comments on the RSPG opinion on the Digital Dividend. The Association thinks that the DD (size range currently from 300 to 350 MHz) is large enough to satisfy the needs of the broadcasting service and the mobile service.

Although recognising the social aspects provided by the public broadcasting service, which can't be easily quantified, it must be highlighted that the private broadcasting service is both - mainly a commercial service as well as a mobile service. Therefore the economic comparison is appropriate.

ETNO is therefore convinced that the allocation of a sub band of the UHF band to the mobile service would provide huge economical benefits to EU Member States. Several studies confirm that this would create an additional value of billions of Euros and thousands of new jobs. Europe can't afford to miss this opportunity in the current economic crisis.

However, the maximum benefit will only be achieved if the allocation is harmonised as much as possible throughout Europe. Harmonisation should be done in a timely manner and as early as possible. If only a few countries would deviate from this harmonised solution, the economical output of the DD would be significantly reduced.

In this context ETNO believes that the whole 790-862 MHz band should be allocated to the mobile service in all European countries. This would allow the achievement of the two following goals:

1. Closure of broadband gaps in rural areas and
2. Improvement of "Network Quality" offered (e. g. indoor coverage) to users in all areas.

ETNO and its member companies are fully prepared to help bridging the digital divide and to close broadband gaps with the digital dividend. However, where national authorities determine that it is appropriate for licences to include coverage obligations, those obligations should be proportionate and take into account operators business case and necessary return on investment.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'MB', with a long horizontal stroke extending to the left.

Michael Bartholomew, Director

Annex: Detailed comments on RSPG Recommendations

## Detailed ETNO comments on RSPG Recommendations – Section 7

ETNO has following more detailed comments to the RSPG recommendations:

1. *The RSPG recommends that the EC should assess the advantages and disadvantages of options for a coordinated non-mandatory EU approach to the availability of the 800 MHz band for ECN and ECS, other than broadcast transmission networks and services, as this is essential in order to determine the appropriate level of coordination between Member States;*

ETNO acknowledges that MS want to take autonomous decisions, but the full benefits of the Digital Dividend would only be achieved with real European harmonisation, i.e. if all EU countries agree on the common allocations for the broadcasting and mobile service. In a first step the band 790-862 MHz should be allocated to the mobile service. Therefore the EC should develop a guideline which encourages the release of the digital dividend while giving freedom to the Member States to cope with their particular constraints.

2. *The RSPG recommends that the EC act on the recommendations contained in this Opinion as quickly as possible and no later than [31 October 2009] in order to minimise EU level uncertainty in the ability of Member States to make available the 800 MHz band in order to promote growth, competition and innovation in the provision of ECN and ECS;*

ETNO supports this recommendation. However, it should be clear that the terms ECN and ECS do not endanger a harmonised allocation to the mobile service.

3. *The RSPG recommends that the EC encourages Member States who are making available the 800 MHz band for new and/or enhanced ECN and ECS to apply WAPECS principles, particularly of service and technology neutrality, recognising that Member States may maintain broadcasting use in all or a portion of the band;*

As outlined above ETNO supports a European harmonised use of the 790-862 MHz band, based on studies and harmonisation options defined by CEPT. This would, of course, be done on a technology neutral basis.

4. *The RSPG recommends that any EU harmonisation of technical elements such as channelling arrangements and common and minimal (least restrictive) technical conditions be based on the outcome of the CEPT work in response to relevant EC mandates;*

ETNO supports this recommendation.

5. *The RSPG recommends that the EC encourages Member States to facilitate cross-border coordination agreements with the aim of enabling those administrations wishing to make available the 800 MHz band for ECN and ECS, other than broadcast transmission networks and services to do so, taking into account technical feasibility and the need for equitable access;*

As outlined above ETNO thinks the EC should develop a guideline favouring the release of the digital dividend. This guideline should include also cross border coordination issues. As such European harmonisation will facilitate cross-border coordination.

6. *The RSPG recommends that the EC supports Member States in renegotiating aspects of the GE06 Plan if necessary with countries outside the EU to allow them to realise and make available the 800 MHz band part of their digital dividend;*

ETNO understands that the EU has an important role in helping with these negotiations. ETNO agrees with this recommendation but is convinced that the GE-06 Plan should be dealt with in a flexible way. There are many cases where the claims of the GE-06 Plan are not completely used in practise or intended to be used in a different way. In addition, administrations would be supported in developing additional possibilities to implement the use of digital dividend through bilateral negotiations.

7. *The RSPG recommends that the EC gives further consideration through a review process to the merits of facilitating EU-wide long term availability of the 800 MHz band for mobile and fixed broadband applications;*

ETNO is of the opinion that whether the allocation is used efficiently or not, could of course be reviewed.

The consideration of a possible extension of digital dividend, based on expected technology evolutions (DVBT2, MPEG4) and new means to distribute video contents should be favoured in the medium to long term.

8. *The RSPG recommends that Member States, acting on a bi/multilateral basis should identify whether there are geographic clusters arising from commonalities between transitional activities and possible access to the 800 MHz band for electronic communications networks and services, noting the need to consider the requirements of countries adjacent to the cluster which may be affected. Such commonalities could facilitate a coordinated approach to timing in releasing their digital dividends and provide more economic and social benefits as a whole.*

The establishment of clusters would only be a sub-optimal solution and would only be necessary if a European harmonisation would not be achieved or only achieved in a very late point in time. ETNO believes that the first priority should be put on achieving real European harmonisation but agrees that geographic clusters should in some cases facilitate evolutions towards a globally harmonised solution.