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RADIO SPECTRUM POLICY GROUP

6th and Final Progress Report of the RSPG Working Group on the preparation of Common Policy Objectives for WRC-15

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RSPG on its Meeting #35 (Brussels, 12 November 2014) noted the progress report from the Rapporteur of RSPG Working Group on the preparation of Common Policy Objectives for WRC-15 (RSPG 14-577) and noted the (Draft) RSPG Opinion on Common Policy Objectives for WRC-15 (RSPG14-578) provided by the Working Group.

RSPG members expressed unanimous support of the intermediate report. With regard to the (Draft) Opinion on Common Policy Objectives for WRC-15 some members expressed their view that some improvements are necessary in order to bring it in line with positions already agreed on European level.

RSPG approved the (Draft) Opinion on Common Policy Objectives for WRC-15 document with modifications (RSPG14-578R1) and commenced immediately the process on “Public Consultation”.

The RSPG undertook a public consultation to seek the views from all interested parties on the (Draft) RSPG Opinion on Common Policy Objectives for WRC-15. The consultation was conducted in accordance with Article 5 of the EC Decision 2002/622/EC establishing the Radio Spectrum Policy Group via the RSPG website with a closing date of the 12 January 2015.

The RSPG received 46 responses from stakeholders and administrations on the published (draft) Opinion. Two responses have been declared as “Confidential”. They were not published but open for consideration on the working group level. Three others responses have been provided in different languages (Polish, German) but could also be considered after courtesy translation.

With the objective to analyse the responses and to condense them in more general description the RSPG Working Group (WG) on the preparation of Common Policy Objectives for WRC-15 met at 20th of January 2015 on the kind invitation of the “Ministry for Economics and Energy” (BMWi) in Berlin/Germany.

In general the responses welcomed the identified areas of EU policy through the Agenda items of WRC-15, in particular in those areas where EU policy sets certain priorities, e.g. “Digital Agenda for Europe” or “Single European Sky”.

The Responses concentrated mainly on electronic communication services (Agenda items 1.1, 1.2 and 1.3) and Future WRC Agenda items (Agenda item 10). However, some contributions highlight that at least Agenda item 1.1 and 1.2 are also of significant importance for policy areas other than electronic communication services.

Not surprising was that nearly 80% of the responses focused on the future use of the frequency bands 470 – 694 MHz and 3 400 – 4 200 MHz, which are particularly reflected under Agenda Item 1.1 as well as the frequency band 1427 - 1518 MHz which almost was unanimous supported regarding the position suggested by RSPG.

Responses on Agenda item 1.2 and Agenda item 1.3 also giving main support for the suggested common policy objective by RSPG. However with regard to the implementation of new services in the 700 MHz-band concerns were expressed requesting sufficient consideration of the needs of existing services in adjacent bands.

Many responses focused on Agenda item 10 and the recommendation by RSPG to support a new agenda item on spectrum for 5th generation of mobile services with a focus above 6 GHz.

Aside from responses received with regard to the public consultation additional modifications from the Administration of France, The Netherlands and Germany has been proposed and included in main text.

With regard to the discussion at the last RSPG plenary the working group accepted a proposal to clearly underline the reason why the common policy objectives were established in accordance with the requirements of the principle of sincere cooperation, as pointed out in the RSPP, Art. 10.1 (b), by inserting that, since the RR relates to the right of individual administrations to access spectrum and not to harmonised technical conditions within EU, “the modifications of the RR cannot affect the EU common rules on spectrum”.

This reference to “common rules” is a direct reference to article 3.2 TFEU which would be the basis for the application of RSPP, Art. 10.1 (a) (‘if the subject matter of the international negotiations falls within the competence of the Union, the Union position shall be established in accordance with Union law’, i.e. through a mandate from the Council, art.218 TFEU).

Additional modifications have also been made in terms of the “Elements for a common policy objective” under Agenda item 1.1 where an improvement of the structure should better reflect the priorities of the RSPG in terms of supported frequency bands.

Improvements in some other policy areas simply refer to a better readability or latest developments coming from CEPT or other European institutions.

Proposed course of action

The RSPG Plenary Meeting #36 is invited

1. to note this report from the RSPG Working Group on the preparation of Common Policy Objectives for WRC-15;
2. to approve the amended (Draft) Opinion on Common Policy Objectives for WRC-15;
3. to terminate the mandate of the RSPG Working Group WG by welcoming the completion of the tasks and adopt the document for further consideration.

In remembrance of the preceding chairman of the group, Mr. Steve Bond, the acting chairman of the WG wishes to thank the RSPG and especially all members of the Working Group for their strenuous efforts to develop and complete the task. Special Thanks goes also to the Chairman and Vice-Chairman of RSPG plenary for their kind support during the course.

Rainer Wegner
Chairman