

**Telecom Italia response to the
public consultations on the
draft RSPG Opinion
on the Radio Spectrum Policy Programme**

30th April 2010

Introduction

Telecom Italia welcomes the decision of RSPG to submit to public consultation its opinion on the European Commission's RSPP.

We completely agree with the RSPG that the RSPP should reflect a longer term and forward-looking approach and envisage perspectives beyond 2015 as well provide guidance up to 2020 by at least including the tools to assess the need for spectrum resources in the long term and the "roadmap" to be followed for the allocation of spectrum in the EU beyond 2015.

As the spectrum required for wireless use in the next 10 years is dramatically increasing, RSPP should be continuously monitored including an assessment of progress at midterm, also envisaging public consultation and stakeholder workshops.

The RSPP should also address the harmonisation conditions for the transition phase towards market-based mechanisms at European level.

To this end it is essential that the reinforced regulatory tools, e.g. foreseen in the NRF as the key drivers for any new way for spectrum management, are implemented in a harmonised manner in all Member States.

European Commission Public Consultation/Call for Input in preparation for the Radio Spectrum Policy Programme

The main points of Telecom Italia's response to the call for input in preparation for the RSPP launched by the Commission are the following:

- Telecom Italia agrees with the proposal of the European Commission to outline the guiding principles and to establish the key objectives to be applied even in **a more extended environment of the spectrum exploitation**. In this manner, common conditions, co-ordination and co-operation across the EU will be agreed among the Member States from the very beginning of the development process of the Programme.
- Telecom Italia will support any policy supporting the diffusion of wireless broadband based services, with a role for strong coordination at European level. Consequently, in the short term, Telecom Italia deems that the RSPP ought to be consistent with the European Roadmap regarding the **Digital Dividend**.
- In the medium - long term, RSPP should require a harmonised and consistent spectrum allocation over time to wireless services, in line with the objectives of Digital Agenda and EU 2020 Strategy, in order to contribute with the objectives of total diffusion of broadband access based services.
- More generally, the Programme should promote
 - the development of methods at EU level in order to constantly monitor the spectrum use, at least in the more interesting bands for mobile broadband (e.g., lower than 4 GHz), in order to reallocate these bands for ECN use which will actually exploit their maximum benefit;
 - the assessment of the level and effectiveness of spectrum usage stemming from the allocation of frequencies to different technologies/applications, in order to be sure that spectrum resources be efficiently exploited.
- With reference to further actions the EC should take in order to ensure the complete transition to low/medium power use of the 790-862 MHz band, we believe that both the European technical and normative Bodies and National Regulatory Authorities issued various decisions about that. These decisions, even if would allow the benefits of the digital dividend spectrum and the conditions for releasing the 790–862 MHz frequency band for mobile and wireless communication services, co-ordinating broadcasting and mobile services, are still to be fully realised in Europe. For this reason, we are of the opinion that the assignment of the external Digital Dividend spectrum should follow a co-ordinated plan to ensure the contextual introduction of wireless broadband services based on 800 MHz band in all European countries, exploiting the opportunities of scale and scope economies. Consequently, it is crucial that the RSPP include **a mandatory deadline** for Member States to which the co-ordinated roadmap issued by the EC should be anchored.
- EU should facilitate the expansion of broadband infrastructure in underserved communities through

a set of interrelated policies. Wireless technologies can help complementing the fixed broadband coverage gaps if spectrum in low bands like the digital dividend is available also in rural areas and spectrum for radio backhauling is made available in sufficient quantity

- Regarding the policy of Re-farming, we believe that any re-farming process should be anticipated by a detailed feasibility and sustainability analysis, under European coordination, including a set of investment safeguard provisions. However, these analyses should be timely carried out in order to avoid inefficient delays in the implementation of spectrum service and technology neutrality principles in member States.
- Telecom Italia also believes that the RSPG is the best environment in which to outline the policy path of the evolution of spectrum resource applications.
- Finally, in order to ensure that the RSPG reflect the position of the European Union as a whole, and in order to enable the European Commission and RSPG to promptly process an implementation report, the Member States should periodically deliver a thorough implementation report. On the basis of the institutional implementation report, the RSPG should be periodically reviewed, following consultation with the industry and other interested parties.

Contribution to the EU2020 vision

Telecom Italia agrees with the RSPG regarding to the importance of EU spectrum policy to enhance the quality of life of European citizens by promoting enabling technologies and applications (e.g. broadband, digital broadcasting, telemedicine, navigation systems, safety, m-payment etc.) as well as promoting competition in commercial markets.

Telecom Italia has always pursued the development of wireless broadband services and, consequently, has always contributed to the European initiatives and policies aimed at creating an efficient and effective spectrum regulatory environment (Radio Spectrum Decision, Wireless Access Policy for Electronic Communications Services –WAPECS-, coordinated introduction of a third-generation mobile and wireless communications system –UMTS- in the Community, GSM Directive).

TI believes that ICT can considerably contribute to European recovery from the current downturn and to Europe's longer term objectives of sustainable and smart growth. In addition, the digital single market can cross borders which until now it was not possible to overcome.

Of course, these important social and economic opportunities should be balanced with effective and sustainable evolution of wireless access networks to improve public services integrity, quality and reliability in service provision through spectrum use.

In this context, Telecom Italia completely supports the project of a resource-efficient Europe (Europe 2020 Strategy), with the transition to a more effective economy in terms of resource allocation and reduction of carbon and greenhouse emissions, reducing the needs for imported and not replicable resources and promoting the development of a green industrial growth

Spectrum governance in the EU

In our opinion, the RSPG has to outline a clear and strong policy approach to exploit current and future technological developments to use the spectrum for the benefit of European citizens and business. The spectrum should be allocated to the most efficient services, i.e. the more supportive services in terms of social and economic growth.

Spectrum efficiency should be a goal for all systems using radio frequencies, bearing of course in mind that possible efficiency definition must be different among spectrum used for non-critical communications systems and purposes which may not have a commercial spectrum-based alternative to fulfil their mission.

The Electronic Communication Service market should be allowed to move towards a more economically viable and commercially attractive spectrum usage models, thanks to the new principles introduced by the new European Regulatory Framework.

External relations

Telecom Italia confirms the interest for the assistance provided by the Commission to Member States in their negotiations with non-EU countries on a bilateral or multilateral basis. Telecom Italia shall sustain any further action in this domain to improve the international spectrum coordination and with a view to adopting a common position at the forthcoming WRC-12.

It is important an early identification, in the WRC preparation process, of the related policy objectives and associated priorities, in order to facilitate political involvement in the decisions at the earliest possible stage.

Therefore, we support the RSPG proposal to develop and adopt an opinion, if needed, for each WRC theme. At the same time, it could be beneficial to activate an adoption process of the WRC resolutions at EU level in order to improve the coordination among Member States in incorporating the decisions in their Frequency National Plans.

Nevertheless, in addressing policy issues related to WRC agenda and providing guidance on strategic objectives, a multi-annual spectrum policy programmes should take into account peculiarities at national level, in particular safeguarding investments, especially when deciding on flexible allocations of spectrum resources.

Finally, we agree that the EU and CEPT should give more emphasis on WRC decisions which facilitate co-ordination at EU borders.

Spectrum policy objectives

Telecom Italia is of the opinion that a proactive role of the European Commission in this fundamental area is essential, with the main policy goals of coordinating and harmonising the use of radio spectrum in Member States. The Commission legislative proposals to the European Parliament and the Council, establishing the RSPG, are of the utmost importance in order to achieve an effective European internal market and to promote innovation and growth.

The RSPG is an essential tool to address the spectrum allocation to emerging services, both in the short and in the long term (that is up to 2020).

Currently, in member States, spectrum is managed in a rather differentiated manner.

Consequently, the RSPG should also address the harmonisation conditions for the transition phase towards market-based mechanisms for spectrum allocation at European level.

In conclusion, Telecom Italia agrees with the policy objectives stated by the RSPG, underlining that:

- In the short term, the RSPG has to include a reference deadline to release the Digital Dividend and to assign the 800MHz spectrum in compliance with the new European Framework, as a divergence of spectrum regulation in national patterns may hamper the European internal market and distort competition among European players providing the same services. To this regard, we consider reasonable the proposed date of 2015, even if it should be considered a “no trespassing limit”, beyond which several of the opportunities associated with the Digital Dividend would be lost.
- In the longer term, the RSPG should provide guidance up to 2020 by at least including the tools to assess the need for spectrum resources in the long term and the “roadmap” to be followed for the allocation of spectrum in the EU beyond 2015. In this framework, we point out that there exists an urgent need to allocate an increasing amount of spectrum to wireless broadband services; this approach would be fully consistent with the one recently adopted by the USA (see The National Broadband Plan). In addition, we share the view by the GSMA pointing out the need of remarkable amount of spectrum over the next years in order to boost mobile broadband throughout Europe (up to 1000MHz according to GSMA evaluations).
Furthermore, as the legislative tools introduced by the RSPG have to drive in all Member States the harmonised implementation of the new regulatory approach, Telecom Italia deems that the Programme is the ideal environment in which the designation of new spectrum and the introduction of service and technology neutrality principles should be dealt.
- Regarding the collective use of spectrum and the cognitive technologies, Telecom Italia considers that new technological applications should be deployed only when spectrum sharing among different services and technologies is consistent with existing and future services integrity requirements.