

**Response from Motorola to the
Draft Radio Spectrum Policy Group (RSPG) regarding its draft opinion on the
Radio Spectrum Policy Programme (RSPP)
Date: April 30, 2010**

General statement:

Motorola would like to thank the RSPG for the opportunity to table some comments to its draft opinion¹ on the forthcoming multiannual Radio Spectrum Policy Programme ahead of its transmittal to the Commission.

This consultation response to the RSPG shall be seen in continuation with our previous response² to the Commission Services on the RSPP proposal.

Numbering of the following paragraphs is in accordance with the RSPG10-323 document.

I. Contribution to the EU2020 vision

8. We agree with the RSPG opinion.

As quality of life undoubtedly also includes living in a safe and secure society we propose in search of additional spectrum that special emphasis should be made on a strong linking between spectrum policy and the very special needs for new and advanced communication tools identified as part of the Public Safety and Emergency sectoral policy objectives.

9. We agree with the RSPG views.

10. We agree with RSPG.

In the effort to highlight the significance of increased economics of scope and scale and to shape and prepare the Digital Dividend for delivering maximum benefits to the Community one should not lose sight of preparing to review other subsections of the UHF band which currently seems to be non-compliant with the provisions of the Single Market.

11. We agree with the RSPG

Whilst we recognize the sensitivity of the subject, it should not be forgotten to follow the development of even more spectrum efficient radio delivery platforms and coding schemes to be potentially deployed in the range 470 – 790 MHz such that the Digital Dividend in the future gradually could be widened and match for instance the size of the 698 – 806 MHz band as currently prepared in APT³, or to extend even beyond this portion of the band.

12. Whilst we fully recognize the difficulty some Member States may face in making the 800 MHz band available for uses other than Broadcasting and that these Services do not change status to Secondary until June 17, 2015 in the ITU-R Radio Regulations for Region 1, we also realize that full benefits from the Digital Dividend cannot be exploited until such time all Member States shut down high power/high tower broadcasting in this band. We therefore take the view, that setting 2015 as the deadline is not aggressive enough. EU should rather aim at 2012 which is more aligned with the state of play in the development of new IMT technology platforms.

¹ RSPG10-323

² http://ec.europa.eu/information_society/policy/ecomm/radio_spectrum/rspp/rspp_pc_rep/responses/0409_motorola.pdf

³ Asia Pacific Telecommunications (APT)

13. We understand that the Commission is planning to take into account “an analysis of market and technology trends” in its effort of finding more “new” spectrum for future services both in the public as well as in the commercial sector. Based on our global experience and up-to-date knowledge in this field we are please to offer our assistance with the provision of data for such an analysis.

14. In the continued promotion of efficient spectrum use we take the view that non-regulatory tools and incentives should take precedence over pure regulation which often blocks innovation and technological progress. It should also be recognized that it may not be possible to apply a single measure of efficiency across all services or spectrum because of very different operations requirements that users may have.

15. We agree with RSPG.

II. Spectrum Governance in the EU

16. We agree with the RSPG opinion

First of all we do appreciate the current level of cooperation with the national Military and NATO authorities in Europe.

As we fully understand, that Military efficiency and responsiveness is highly dependent of access to many different terrestrial and orbital spectrum resources both for tactical as well as non-tactical purposes, and as we further understand that information about military spectrum use sometimes may be classified, we take the view, that reviewing of the management of spectrum including military spectrum in order to take account of best practice for all uses can only be realized in a meaningful way if all necessary information can be laid forth on a need to know basis.

The most prominent example of successful military/civil cooperation is the sharing agreement from 1994 between European NATO ARFA and the CEPT/ERC regarding PPDR use of parts of the band 380 – 400 MHz “subject to national approval” for Narrow Band voice/data services.

We encourage all stakeholders to exploit if a similar crafted agreement for Europe is the way forward for the realization of advanced mobile broadband services for European PPDR response forces.

17. We agree with the RSPG

18. We agree with the RSPG

The facilitation and the development and functioning of the internal market is closely related to a coherent EU spectrum policy. We encourage RSPG going forward to study the entire UHF band to assess if there are subsections where spectrum fragmentation is still in the way of a smooth functioning internal market. We believe that emergency services need more dedicated and harmonized spectrum to enhance their communications and take advantage of the latest technologies to exchange images, videos and data along with voice. Last year the 27 European Police & Justice ministers agreed a Council recommendation on the need for harmonised spectrum for mobile data communication.

We also believe that it is important not to confuse the spectrum for the military and national security with Public Protection Disaster Relief.

19. We agree with the RSPG

20. We agree with the RSPG

21. We agree with the RSPG

We note that industry expertise and input regarding efficiency and evaluating options for providing services will provide valuable information as the RSPG conducts its work.

22. We agree with the RSPG

23. We agree with the RSPG

We take the view that special consideration of receiver characteristics may be relevant in the case of products containing stand alone receivers. However for telecommunication products which are build to harmonized standards (EN's) the standard itself should safeguard a proper functioning of integral receivers.

24. We take the view that product issues of a technical related nature always should find its resolution by way of Industry, more specifically in ETSI.

III. External relations

25. We agree with the RSPG

We support the development and adoption of an RSPG opinion for each WRC, proposing to the European Parliament, the EU Council and the European Commission "Common Policy objectives" for the corresponding conference. This should however be moved forward such that already the work of the CPG and its sub groups can take inspiration from an RSPG "WRC-opinion", which may undergo revisions during the 4 year study period. We find it too late to wait for the CPM-1.

26. We agree with the RSPG

We propose an EU representative always should be present as observer at other selected Regional spectrum meetings.

27. We agree with the RSPG

28. We agree with the RSPG

29. We support the idea of a "third country/inter-regional" conference perhaps half way through a study period in order to gain the understanding of other spectrum related policy objectives.

30. We agree with the RSPG

We note as a prominent example the coordination issue with ARNS for some Member States in the eastern parts of the Community.

IV. Spectrum policy objectives

31. We mostly agree with the RSPG

Bullet#1: With reference to our comment under paragraph 8 we have the understanding that this represents a significant EU Level Policy objective, which belong under bullet #1.

Bullet #3: Due to the fast development of the Digital Dividend shaping up in the Asia Pacific Region we find it too late to aim at 2015 as stated in bullet #3. Year 2012 would be a better target for Europe.

Bullet#5: We note that locations where spectrum congestion is most prevalent and where the need to find more "new" spectrum is most pressing (Metropolitan areas, major cities) is exactly the same places where fiber-to-the-home is most advanced. That coupled with our view that in an ideal world and purely from a spectrum policy point of view, use of wired or fiber solutions, where possible as an alternative, should

be considered as a means free the limited spectrum resources to maintain other policy objectives (e. g. making spectrum available for other services, including for Public Protection and Disaster Relief as a result of reducing the use of spectrum for Broadcasting) should be reviewed.

Bullet#7: We believe that spectrum efficiency should come with innovation and development of new advanced radio technologies for which incentives and encouragements should be applied first and foremost. Regulation should rather foster competition, flexibility and innovation rather than proscribe specific efficiency mandates.

Sincerely

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