



Österreichische Rundfunksender
Austrian Broadcasting Services

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ORS/P-W/ho

ORS comments on the Public consultation on the RSPG Opinion in preparation for the Radio Spectrum Policy Programme

ORS welcomes the opportunity to submit comments on the draft RSPG Opinion on the Radio Spectrum Policy Programme (RSPP).

This contribution focuses on those issues that are significant for ORS as a terrestrial broadcast-network-operator, i.e. paragraphs 8, 10, 12-14, 23, 25-31.

Introduction

- Digital Terrestrial Television (DTT) is an important asset for ensuring **media diversity and cross-platform competition**.
- DTT is the **technologically most stable and most consumer-friendly broadcast-platform**, offering all citizens affordable access to information. It is also the only platform that **offers local and regional distribution of content at reasonable costs for the broadcasters**.
- Any political decision concerning the future use of spectrum should be grounded on a **thorough economical assessment** and **has to take into consideration the non-economical interest of the EU and its citizens**, based on cultural values and democratic cohesion.
- Terrestrial broadcast-network-operators have made **substantial investments** in digitalisation of their networks in order **to gain bandwidth for the future development on the DTT-platform** in order to meet the increasing demand for new DTT services. Any regulatory approach allocating to broadcasting platforms only the spectrum required to support existing services in a fully digital environment, including current public service obligations, would prevent the broadcasting industry to develop and meet the growing consumer demands and as a result seriously **distort platform competition**.

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I. Comments

Contribution to the EU2020 vision

8. It is the Opinion of the RSPG that one of the key objectives of EU spectrum policy is to enhance the quality of life of European citizens. This may be achieved through establishing strong links between spectrum policy and other EU sectoral policy objectives and furthermore through promoting enabling technologies and applications (e.g. broadband, cognitive radio technologies, digital broadcasting, telemedicine, navigation systems, safety, m-payment etc.) as well as promoting competition in commercial markets.

The EU spectrum policy needs has to take account of cultural and media policy, social policy and economic policy; it should not favour one over the other.

10. The RSPG believes that increasing economies of scope and scale is also necessary at EU level through enhanced coordination and harmonisation, as appropriate. The utilization of the digital dividend shall be a key objective.

In many European countries DTT is the only way to guarantee **universal access** to TV content for fixed, mobile and portable devices. It is the platform with the lowest costs for the consumers and offers the greatest flexibility of reception (fixed, portable and mobile).


Moreover it is the only feasible way for broadcasters to deliver regional content. Transmission of **regional content** over satellite is not affordable for most broadcasters. In Austria, as in many other European countries, the penetration of cable networks is focussed on urban areas, which creates an obstacle for the distribution of regional content in rural areas.

Innovation in broadcasting technology and services is further accelerating with HDTV, mobile TV, 3D etc. Further development of DTT cannot take place unless adequate frequency resources are made available. A **sufficient amount of spectrum, including the digital dividend, must therefore be available for broadcasting** to accommodate the evolving needs of terrestrial broadcasting.

12. The 800 MHz band in particular, which, on the basis of the previous RSPG Opinion should be subject to EU-wide coordinated approach based on the guiding principles of service and technology neutrality and harmonised standards, is ideal for extending coverage and improving in-building penetration. The RSPG therefore invites the European Parliament and the Council to consider that coordinated availability of the 800 MHz band for ECS other than broadcasting should be achieved in all the EU Member States by 2015.

Any final decisions concerning spectrum allocation have to be taken at **national level**, since there are certain specifics in each country that have to be observed. The spectrum management strategy has to take all necessary measures to minimize harmful interference.

In case of migration of the existing DTT services to the spectrum below 790 MHz the Member States have to implement feasible strategies to ensure continuation of the existing DTT services with a minimum disruption for the viewers. The specific national circumstances in each Member State have to be taken into account and no mandatory target date should be imposed. **The costs of the migration shall not be borne by the previous users of this band.**



13. The RSPG believes that, with a view to release more "new" spectrum, the European Commission should take into account an analysis of market and technology trends to identify developing and potential future significant uses of spectrum. The process should also identify possible target frequency bands, including frequency bands currently used by the public and commercial sectors, to promote intelligent sharing and compatibility solutions with other commercial or public sector services and to duly consider whether certain frequency bands will need to be made available. In such cases the consequences for existing and effected services should be thoroughly analyzed.

ORS would like to draw the attention of RSPG to its acknowledgement, that "bands below 800MHz, i.e., 174-230 MHz and 470-790 MHz, the digital dividend will be used mainly for the development of new enhanced broadcasting services which will also bring significant benefits to society in terms of the value to industry and consumers¹".

Any analysis related to the release of "new spectrum" should **exclude any further reallocation of the UHF band.**

14. Such analysis shall have as its primary objective the continued promotion of efficient spectrum use. Regulatory and non-regulatory tools may also be applied in order to achieve this objective. Incentives, setting of fees and other tools, should aim at facilitating the introduction of new and innovative technologies and applications. These measures may also create opportunities for different spectrum usage (e.g. improved transmission and deployment schemes for broadcasting and intelligent spectrum sharing such as use of cognitive solutions, etc.).

Efficient use of spectrum has to be demanded from all spectrum users equally. Like all technologies broadcasting technology is developing and consequently results in more efficient transmission-standards. When considering introduction of new technologies, e.g. cognitive radio; a careful overall assessment of consequences has to precede any decision.

Spectrum governance in the EU

23. The RSPG acknowledges that avoiding and controlling interference is key to effective spectrum management. The cumulative impact of the increasing volume and density of wireless devices and applications combined with the diversity of spectrum use challenges the current approaches to interference management. These should be examined and reassessed; such an examination should include, inter alia, consideration of receiver characteristics. Where communications systems and devices are becoming more tolerant of interference, more sophisticated negotiated interference agreements are possible in adjacent areas. In order to cope with the challenges of increasing demands for access to spectrum and to exploit the full benefits of technological development, flexible regional and bilateral agreements within the EU that allow maximum usage of frequency spectrum should be facilitated.

National administrations have to take appropriate measures to avoid harmful interference by applying necessary technical and regulatory measures. These measures should facilitate long-term co-existence between services that share the same spectrum or operate in adjacent frequency bands. Increased interference would result in substantial economical damage for the broadcast business.

External relations (paragraphs 25-30)

Frequency coordination between neighbouring countries is currently being carried out **by national authorities on a bilateral or multilateral basis**. The affected stakeholders are consulted beforehand and usually participate in the international coordination meetings. Over decades it has been proven that this is the **most effective way** of achieving a well-balanced spectrum usage.

¹ Radio Spectrum Policy Group Opinion on the Digital Dividend, September 18th 2009, page 2.

Spectrum policy objectives (paragraph 31)

Based on the considerations above, the RSPG is of the Opinion that the following high-priority spectrum policy objectives should form an essential part of the RSPP.

- Identify EU level policies that have a spectrum dimension and assess how to facilitate the achievement of such policies.
- Ensure that sufficient spectrum for coverage and capacity purposes is allocated within the EU so that all citizens could have access to ubiquitous high-speed broadband.
- Achieve coordinated availability of the 800 MHz band for ECS other than broadcasting in all the EU Member States by 2015.
- Identify developing and potential future significant uses of spectrum taking into account market and technology trends.
- Take all actions to designate more 'new' spectrum and liberalise, where possible, currently used spectrum under service and technology neutral regimes (i.e. WAPECS).
- Make more spectrum available under a collective use model in order to facilitate rapid access to spectrum, promote innovation and competition.
- Create appropriate regulatory mechanisms to foster more efficient use of spectrum, both for the commercial and public sector.
- Develop a spectrum policy approach for intelligent spectrum sharing which should, inter alia, promote the use of cognitive technologies, and enable the use of spectrum that is currently unused.
- Ensure that competent national authorities, the European Commission, CEPT and ETSI work towards the same objectives, enhancing collaboration and cooperation to reach those objectives, and clearly defining their respective roles and responsibilities.
- Ensure that European spectrum interests and policy objectives are promoted in all relevant EU and international fora and discussed with non-EU countries and other regions.

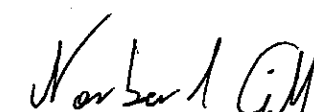
Further goals of the Radio Spectrum Policy Programme should be to:

- Take into account different local, regional and national specifics as well as the different time-tables of the Members States for digitalisation of the terrestrial platform;
- Preserve the coverage integrity of the existing terrestrial broadcasting networks, including the protection from interference created by the new mobile networks in the 800 MHz band;
- Make sure that a sufficient amount of spectrum is available to accommodate the evolving needs of terrestrial broadcasting.

Sincerely yours,

Österreichische Rundfunksender GmbH & Co KG


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