

DIRECTORATE-GENERAL FOR COMMUNICATIONS NETWORKS, CONTENT AND

Digital Decade and Connectivity Radio Spectrum Policy Group RSPG Secretariat

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RSPG24-008 FINAL

RADIO SPECTRUM POLICY GROUP

Work Programme for 2024 and beyond

Explanatory note.

The RSPG work programme is intended to provide interested parties and stakeholders with an overview of the activities that the RSPG intends to pursue in the coming two years period (a period coinciding with the two years term of its elected Chair and Deputy Chair).

To this end, the RSPG has, in the past, adopted previous Work Programmes, including that for "2022 and beyond" in February 2020. This resulted in several RSPG Opinions and Reports adopted in 2022 and 2023 (see: Opinions and Reports (europa.eu)).

Some of the work areas in this new work programme are permanent or ongoing activities such as the Peer Review, the Good Offices and the preparation of World Radiocommunication Conferences. This new Work Programme updates these work items while also introducing new areas of work. In accordance with the provisions of the European Electronic Communications Code it should be noted that there could be further requests for an RSPG Opinion from the Commission, the Council or the European Parliament.

Most work items are proposed by the RSPG members themselves, while one – related to the upper 6GHz band – has been requested by the European Commission.

The RSPG is also committed to the principle of transparency and will therefore normally publish all draft Opinions and Reports for public consultation (see article 23 of the RSPG Rules of Procedure).

To this end, this work programme has been subject to a public consultation from 30 October to 15 December 2023. 25 responses were received from various stakeholders and the draft Work Programme has been modified as appropriate to take into account comments and proposals.

Please also note the provisional nature of the dates provided in this work programme for the various deliverables proposed. Dates may vary according to circumstances.

Please also note that once the work programme has been adopted (normally during the first meeting in 2024) the European Commission will decide, after consultation with RSPG members, whether to create RSPG sub groups to facilitate RSPG activities. (See article 14 of the Commission Decision establishing horizontal rules on the creation and operation of Commission expert groups).

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Peer review and Member States cooperation

<u>Rationale</u>

This work item was originally established in 2017 to facilitate peer learning between Member States on spectrum awards and authorisation. According to Article 35 of the European Electronic Communications Code¹, from 21 December 2020 on, this informal process is formalised for draft selection measures that are subject to Article 55 (2) EECC in relation to radio spectrum, which has been harmonised in accordance with Decision No 676/2002/EC in order to enable its use for wireless broadband networks and services. It is normally up to the national authority concerned to decide whether to subject its draft measure to a Peer Review Forum under Article 35 EECC. The RSPG may also exceptionally take the initiative to convene a Peer Review Forum where it considers that any draft measure would significantly prejudice the ability of the national authority to achieve the objectives set in Articles 3, 45, 46 and 47 EECC.

The RSPG holds so called Award Workshops - to distinguish from the Peer Review Forums under the EECC - to share experience and expertise on specific (planned or completed) awards which may refer to non-harmonised frequency bands. In addition, the RSPG holds Stakeholder workshops which serve the exchange of good practices between the interested parties and the RSPG Member States in terms of awards, and other issues, as appropriate, that are in the scope of interest of the RSPG (such as to gather information about national initiatives to combat climate change).

Scope of RSPG activity

With regard to harmonised spectrum, the RSPG uses the formalised processes (Peer Review Forum) according to Article 35 EECC.

In addition, the exchanges based on pre-existing workshops for past and future awards will continue. It is to be noted that this scope of the RSPG work is somewhat larger than anticipated in Article 35 EECC.

The Group can carry out stakeholder workshops that are in the scope of interest of the RSPG and are not covered by other sub-groups.

Planned type of deliverable

- Peer Review Forums according to Article 35 EECC with regard to harmonised spectrum.
- At the request of the concerned national authority: as appropriate, reports and opinions on voluntary Peer Review Forums, Article 35 (7), (9) EECC.
- Annual reports according to Article 35 (8) EECC (published each February), and interim reports as appropriate.
- Informal Award Workshops on upcoming and past awards.
- Stakeholder Workshops on awards and/or other relevant topics, as appropriate.

Time schedule

Throughout the work programme period.

¹ <u>Directive (EU) 2018/1972</u> of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code.

WRC

Rationale:

One of the decisions taken at WRC-23 is the draft Agenda for the next World Radiocommunication Conference (WRC). As a first step, RSPG should start to identify key elements (Agenda Items) of relevance for EU spectrum policy as early as possible in the preparation process for the next WRC (WRC-27), similar to the processes successfully carried out for past WRCs.

A review of the WRC-23 results should provide a follow-up of the "Council Decision on the position to be taken on behalf of the European Union in the International Telecommunication Union World Radiocommunication Conference 2023".

The RSPG should as a second step prepare recommendations for European Union position(s) on items which are of particular importance for EU policies for the RSPG opinion on the WRC-27 in the next Work Programme cycle.

Scope of RSPG activity:

Review and report on the outcome of WRC-23, including the Agenda for the next WRC and identify any issues of relevance for EU spectrum policy.

Prepare an Interim Opinion identifying the main themes of WRC-27 where there is an EU policy in place, taking into account relevant spectrum harmonization measures.

Possibly identify actions for the European Commission in order to provide political support to promote European Union position(s) once adopted in regular meetings between European Commission and non-EU countries and accompany these actions.

Planned type of deliverable:

- Report on the result of the ITU-R World Radiocommunication Conference 2023
- Interim RSPG Opinion on WRC-27.

Time schedule:

Report on the result of the WRC-23: June 2024. Interim Opinion on WRC-27: June 2025.

Anticipated time schedule for the whole Work Item cycle:

Draft Final Opinion: June 2026 Final Opinion: October 2026

The working group could propose a revision of the time schedule according to the progress of the work.

"Good offices" to assist in bilateral negotiations between Member States

Rationale:

The RSPG Good Offices function was originally established in 2012 based on the RSPG Opinion² to assist in bilateral spectrum management negotiations between its members and with third countries. The principle of radio spectrum cooperation among Member States was later enshrined into Article 28 of the EECC³. When Member States have difficulties in cross-border coordination or from harmful interference with another Member State, they may request the RSPG to use its good offices to address it. The Good Offices will investigate the matter and report to the RSPG.

In addition, at the request of a Member State prevented from using harmonised radio spectrum due to such cross-border harmful interference, the RSPG may adopt an opinion recommending a coordinated solution, in accordance with Article 28(3) EECC.

Scope of RSPG activity:

The RSPG will investigate any coordination issues between Member States brought to its attention, including harmful interference issues, and will develop and propose appropriate solutions.

For cases within the scope of Article 28 (3) of the EECC, the RSPG may issue an opinion proposing a coordinated solution. At the request of any affected Member State, the European Commission may, taking utmost account of any opinion of the RSPG, adopt decisions to resolve cross-border harmful interferences.

The RSPG will continue to monitor the delivery of harmonised frequency bands, including the 700 MHz and the 3.6 GHz frequency bands and address the situations where a cross-border coordination agreement has not been reached, including with non-EU countries.

In addition, the Good Offices will continue to provide support to the European Commission in negotiations between Member States and countries outside the EU with relevant enhancements foreseen in the RSPG Opinion⁴ i.e. define, with the relevant Member States and Commission, the work plan, the negotiation targets/objectives, timeline and the actions to carry out in coordination with third countries.

<u>Planned type of deliverable</u>:

- RSPG opinion, where appropriate, in cases covered by Article 28(3) EECC
- RSPG report, as appropriate.

Time schedule:

Throughout the work programme period.

² RSPG Opinion on the process for EU assistance in bilateral negotiations with third countries and between EU countries (RSPG12-409 FINAL).

³ <u>Directive (EU) 2018/1972</u> of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code.

⁴ RSPG Opinion on "The future of the electronic communications sector and its infrastructure" (RSPG23-016 FINAL).

Long-term vision for the upper 6 GHz band

<u>Rationale</u>

The upper 6 GHz band (6425-7125 MHz) is currently subject to competing industry demands – on the one hand for high power licenced mobile use (WBB ECS) and, on the other hand, for low power unlicensed WAS/RLAN use. The incumbent services and applications including those below primary status should be taken into account.

Scope of RSPG activity

This work item should build a long-term vision for the upper 6 GHz band by providing policy recommendations on how to best organise the future use of this band in Europe with the goal to maximise the contribution of this part of spectrum to the achievement of digital connectivity targets for Europe, as laid down in the Digital Decade Policy Programme 2030 (DDPP)⁵. The DDPP highlights the importance of connectivity infrastructure and accordingly sets political targets for 2030, including for the deployment of networks with gigabit speeds. All end users at a fixed location should be covered by a gigabit network up to the network termination point and all populated areas should be covered by a next-generation wireless high-speed network with performance at least equivalent to that of 5G. In the context of technology neutrality, which is a guiding principle for digital connectivity infrastructure of the highest performance, resilience, security and sustainability, all types of communications technologies can contribute to the achievement of gigabit connectivity, including the current and upcoming generations of fibre, satellite, WBB ECS, WAS/RLAN or other future systems, whereby all technologies and transmission systems able to contribute to the achievement of this digital target should be treated equally.

In particular, the following inputs should be taken into account:

- The results of the (ongoing) technical studies in CEPT regarding the upper 6 GHz band:
 - on technical conditions for the operation and coexistence of WBB ECS with incumbent services (in the preparation for WRC-23 and beyond);
 - on technical conditions for the operation and coexistence of WAS/RLANs with existing services;
 - o on the options for shared use of the upper 6 GHz band between WBB ECS and WAS/RLANs;
 - o pursuant to a relevant future Commission mandate to the CEPT;
- The need to ensure continuous operation of WAS/RLANs in the adjacent lower 6 GHz band (5945-6425 MHz) in accordance with the harmonised technical conditions defined in Commission Decision (EU) 2021/1067;
- Any further relevant input from the Commission notably in the context of any final outcome of the co-legislative process on the Radio Spectrum Programme.

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⁵ <u>Decision (EU) 2022/2481</u> of the European Parliament and of the Council.

Planned type of deliverable

RSPG Opinion on long-term vision for the upper 6 GHz band

Time schedule

Draft Opinion for Public consultation: February 2025

Final Opinion: June 2025

6G strategic vision

Rationale:

The RSPG in its Opinion on "The development of 6G and possible implications for spectrum needs and guidance on the rollout of future wireless broadband networks" recognized, that a proactive position is essential for supporting the development and deployment of 6G in Europe. This includes further work by RSPG on early recognition of spectrum needs, so that the initial launch and operation of 6G networks/services can start in 2030. This work contributes to this target by providing strategic guidance on the spectrum component of 6G taking into due consideration further development of 5G prior 2030 including densification of networks, introduction of additional spectrum at national level, initiatives in mmW bands (i.e. 26 GHz, 42 GHz).

Also, this work intends to address the long-term spectrum availability and the implementation strategies for 6G that could be considered taking into account the European influence on the international environment. Furthermore, the RSPG noted the need to assess spectrum requirements for an introduction of 6G in the EU including evaluation of coverage and capacity needs for 6G use cases and usages scenarios. This should respond to capacity/coverage needs, eco-systems including for terminals, timing for making available spectrum, etc. and need for a coordinated and common timing in order to provide availability of harmonized spectrum in Europe taking into account the challenge of launching 6G at a time where most terminals will not be 6G-compatible. RSPG intends to further assess the impacts of technology neutrality within harmonized bands, national mobile operators' strategy on the timing of launch of 6G, taking into account various factors such as competition and market demand, availability of spectrum resources, expiration dates of existing authorizations.

Due to the current trend in 5G, the spectrum needs for local and vertical use may increase. This needs to be taken into account in future 6G spectrum strategies considering also relevant developments/timing of harmonisation in bands recommended for verticals. Non-Terrestrial Networks are becoming part of 5G and expected to be part of 6G. Although the technology neutrality principle applies, EU and national policies have encouraged a coordinated timing for initial deployment of 5G supporting mass market, which might also be considered for 6G launch in the benefit of EU interests.

Scope of RSPG activity:

The RSPG intends to take a proactive position to support European Commission to set an attractive policy framework for the initial launch, development and deployment of 6G in the EU. This work focuses on early recognition of spectrum needs, including evaluating the coverage and capacity needs for 6G use cases and usages scenarios, so that the initial mass market launch and operation of 6G networks/services can start in 2030⁶. This early recognition of spectrum needs should be based on a proper evaluation of coverage and capacity needs for 6G use cases and usages scenarios, also considering Non-Terrestrial and licence exempt use.

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⁶ 2030 is considered as a current target date planned by international standardisation bodies for the availability of 6G specifications.

The RSPG should take into account input from all active stakeholders (research institutes, manufacturers, MNOs, spectrum users' associations, etc.), to develop the Report/Opinion as appropriate. The RSPG work on upper 6 GHz should be considered.

Planned type of deliverable:

- RSPG Report/Opinion as appropriate on 6G strategic vision, including the evaluation coverage and capacity needs for 6G use cases and usages scenarios with initial considerations on the 6G spectrum vision.
- After finalizing the main deliverable, i.e. Report/Opinion as appropriate on 6G strategic vision, RSPG will continue to be engaged in the 6G developments in order to prepare, as soon as deemed appropriate a 6G spectrum roadmap.

Time schedule:

RSPG Workshops with the stakeholders: as appropriate

Draft Report/Opinion as appropriate on 6G strategic vision: November 2024 Final Report/Opinion as appropriate on 6G strategic vision: February 2025

Assessment of future usage of the frequency band 470-694 MHz within the EU

Rationale

The RSPG in its "Opinion on the strategy on the future use of the frequency band 470-694 MHz beyond 2030" (RSPG23-035 FINAL) contributed with a strategic vision for sub-700 MHz spectrum use, exploring the potential of the flexibility defined in Article 4 of Decision (EU) 2017/899 and at the same time the current implementation constraints, and identifying some possible scenarios beyond 2030. It is considered as the background for the report on the usage of sub-700 MHz required by the Decision (EU) 2017/899 of the European Parliament and of the Council of 17 May 2017 on the use of the 470-790 MHz frequency band in the Union.

The RSPG noted that the evolution of UHF band broadcasting reception during the current decade, including factors such as the number of programs, the content format and technological advancements (T2, HEVC, 5G Broadcast) plays an important role in shaping any timeline post 2030. The RSPG considers that any later EU choice or decision on the European legal framework in this band will take due account of the needs of the Member States, respecting the flexibility offered by the ITU Radio Regulations in the use of spectrum.

A notable finding of the Opinion is the recognition of the possibility that in the next decade, 2030-2040, a single scenario may not be applicable to all Member States. In order to continue the work undertaken with the above-mentioned Opinion, the RSPG considers that there is added value in exploring how different scenarios can coexist in EU.

Further, the RSPG recognises the role of the PMSE and the need to preserve sufficient spectrum for PMSE needs, particularly audio-PMSE which make extensive use of the sub-700 MHz band, including for the long-term development.

Scope of RSPG activity:

The RSPG should continue to monitor EU Member States initiatives on the future usage in their frequency band 470-694 MHz.

In consequence, based on its recent Opinion on UHF:

- 1. The RSPG should carry out an assessment of the prospects for the use of the sub-700 MHz band in the decade 2030-2040 by the different Member States, seeking information from relevant institutional stakeholders.
- RSPG should also collect lessons from early initiatives from Member States introducing other
 usages than broadcasting to address audio PMSE long term developments in order to
 preserve sufficient spectrum for audio PMSE needs, taking also into account the transition of
 audio PMSE towards new spectrum efficient technologies.

The RSPG also should gather information from industry stakeholders on expected technological developments in both mobile and broadcasting platforms.

Planned type of deliverable:

• RSPG Report/Opinion as appropriate on the future usage of sub – 700 MHz band in the EU.

Time schedule:

RSPG Questionnaire/workshops as appropriate
Draft Report/Opinion as appropriate for public consultation: June 2025
Final Report/Opinion as appropriate: October 2025

Strategic Spectrum Matters

Rationale

RSPG contributed to the European Commission's targeted consultation on the "2030 Digital Compass" issued on June 22, 2021. In relation to spectrum matters, the RSPG Opinion⁷ elaborated on potential actions relating to spectrum roadmaps and initiatives, spectrum management and support mechanisms for spectrum awards.

Recently, RSPG contributed to the European Commission's broad consultation on "The future of the electronic communications sector and its infrastructure" on some of the issues raised and published in May 2023 a relevant RSPG Opinion⁹.

RSPG sees great value in contributing to these processes supporting EU policies both by emphasising strategic spectrum issues and, when appropriate, recommendations and Opinions on relevant topics.

At this stage, Member States and the European Commission are actively engaged in the implementation of the Digital Decade Policy Programme 2030.

Furthermore, there is ongoing reflection at EU level on the design of the regulatory framework for electronic communications and in that context the European Commission is considering a revision of the radio spectrum policy programme.

RSPG intends to continue to support EU policies and to advise the European Commission as appropriate.

Scope of RSPG activity

The RSPG is ready to advise the European Commission, the Council and the European Parliament as required, on matters within its areas of competence, in order to support EU initiatives supporting the Digital Decade 2030 and other EU Policy/initiatives addressing spectrum.

The RSPG intends to follow the Digital Decade 2030 process, the reflection on a new regulatory policy for electronic communications and other EU Policy/initiatives that may require additional contribution from RSPG which are not already covered by the other work items of its Work Program.

Planned type of deliverable

To be defined, as appropriate and if needed.

<u>Time schedule</u>

Throughout the period of the Work Programme.

⁷ RSPG Opinion on the targeted consultation on the 2030 Digital Compass (RSPG21-037 FINAL).

⁸ https://digital-strategy.ec.europa.eu/en/consultations/future-electronic-communications-sector-and-its-infrastructure

⁹ RSPG Opinion on "The future of the electronic communications sector and its infrastructure" (RSPG23-016 FINAL).