

COMMENTS ON RADIO SPECTRUM POLICY GROUP'S CONSULTATION ON ITS "WORK PROGRAMME FOR 2022 AND BEYOND "

23 December 2021

Radio Spectrum Policy Group (RSPG) has identified some Work Items (WI) for its "Work Programme for 2022 and beyond". Prior to the approval of its final version at its plenary meeting on 9 February 2022, RSPG has decided to submit these WIs for public consultation until 6 January 2022.

In this regard, **televisión abierta** would like to make some comments.

- **Strategy on the future use of the 470-694 MHz frequency band beyond 2030**

The timetable set out in the consultation draft is the following one:

- Draft Opinion for public consultation: November 2022
- Final Opinion: February 2023

Article 4 of Decision 2017/899 on the use of the 470-790 MHz frequency band in the Union states that:

Member States shall ensure availability at least until 2030 of the 470-694 MHz ('sub-700 MHz') frequency band for the terrestrial provision of broadcasting services, including free television, and for use by wireless audio PMSE on the basis of national needs, while taking into account the principle of technological neutrality (...).

Regarding national needs, DTT in Spain is by far the largest platform for free-to-air TV broadcasting. According to the latest available audience data, referring November 2021, a 72.4% of total television consumption in Spain (linear and non-linear) is via DTT.

On the other hand, there is no technically and economically viable alternative in the medium and long term to replace this platform while maintaining, at least, equivalent conditions for citizens in terms of coverage, free access and gratuity. DTT, as a service of

general interest with a vocation of universal coverage, is the only realistic long-term alternative for the distribution of linear TV content in Spain.

Moreover, despite the excellent situation of infrastructure deployment in Spain, and broadband penetration in homes and businesses, Internet is not as inclusive as DTT. Broadband is not expected to be deployed in many rural areas and the older segment of population do not use it. In fact, there is a double gap. 100 Mbps (or higher speed) broadband has a population coverage of 88%¹ and TDT coverage is higher than a 98%. On the other hand, more than the 25% of the population aged between 65-74 do not use Internet, according to the latest data from the National Institute of Statistics².

Spain, according to Digital Economy and Society Index (DESI), is the third country in EU regarding connectivity. However, it is one of EU countries with the highest DTT consumption. This shows that a very high availability of broadband does not necessarily lead to a drastic reduction in DTT consumption. We understand that the role of regulators is to ensure a regulatory framework that favours freedom of choice and promotes both plurality and competition, without restricting or reducing them.

Given the guaranteed availability of sub-700 MHz band for DTT until at least 2030 and due to the high relevance of DTT in Spain in the long term in any foreseeable scenario, **televisión abierta does not consider appropriate to rush to determine the strategy on the future of this band at least seven years in advance and, above all, before knowing the resolutions to be adopted with respect to item 1.5 of the WRC-23 agenda, where it is considered not to change the current situation.**

Therefore, **televisión abierta considers that this WI must be removed from the RSPG work plan, given that in the terms proposed it generates a scenario of legal uncertainty that would generate market distortions and alterations in the WRC-23 agenda discussions, questioning the agreements reached within the EU. Alternatively, should such a debate be necessary at a later stage, in accordance with Article 7 of the UHF Decision, it should be a broad societal debate that should go far beyond technical spectrum issues and should consider the social, economic and cultural relevance of the use of the UHF band for our democratic societies as a whole.**

¹ Source: Broadband coverage in Spain in 2020. Ministry of Economic Affairs and Digital Transformation. <https://avancedigital.mineco.gob.es/banda-ancha/cobertura/Documents/Cobertura-BA-2020.pdf?csf=1&e=IVCXmu>

² Source: Survey on Equipment and Use of Information and Communication Technologies in Households. INE http://www.ine.es/dyngs/INEbase/es/operacion.htm?c=Estadistica_C&cid=1254736176741&menu=ultiDatos&idp=1254735976608

- **WRC-23**

Given the implementation of DTT in Spain, the provision of the public broadcasting service considered as essential in DTT and the lack of equivalent alternatives for its replacement in the long term, *televisión abierta's* position with respect to item 1.5 of the WRC-23 agenda is based on the defence of the legal certainty in the maintenance of the DTT service provision in the UHF band and therefore of "No Change".

Considering the occupation and intensive use of 470-694 MHz band in Spain for DTT, we understand that a co-primary allocation for DTT and IMT would prevent the coexistence of services and could pushing DTT out, as it happened before in the 700 and 800 MHz bands and where such a co-primary allocation exists.

In the discussions on WRC-23, a recurrent argument for a possible co-primary allocation as a result of WRC-23 agenda item 1.5 is to increase flexibility for Member States. However, technical studies and experience show that this would result in the opposite situation, as the current flexibility would be reduced by having to choose between one service and the other because they are incompatible with each other. Today, the use of UHF band is an example of flexibility and sharing, two objectives of spectrum management. A switch to the Mobile service would mean the disappearance of this ecosystem without any demonstrable incremental benefit³.

There are many frequency bands where 5G can be developed and pending to be assigned at WRC-23. Mobile networks operators do not need sub-700 MHz frequencies in Spain. This approach could put DTT at risk.

Moreover, DTT licences regulated by public authorities of democratic institutions guarantee compliance with a many essential regulations for linear television that, until today, are not guaranteed by any other technological platform operated by third parties for the distribution of linear TV over IP.

DTT, as a service of general interest, which includes the provision of the public audiovisual service, with free and open access, without discrimination of citizens for social or geographical reasons, is today undisputedly, and in the medium and long term, the main platform for the distribution of audiovisual content, information, opinion and entertainment. This is essential in our democratic societies.

On the other hand, broadcasting remains by far the largest platform for massive live broadcasting of major events and essential for providing information to the citizens in case of emergency.

³ There are no known independent references or studies that assess the incremental impact of allocating the sub-700MHz band (or any part of it) to the mobile service.



In addition, the recent study carried out by Carnstone on Low Carbon TV delivery Project (LoCaT) shows that broadcasting content via DTT is much more efficient in terms of electricity consumption compared to IP distribution. This is extrapolable in the long term and in those cases where DTT penetration is very low. In this sense, a future scenario in which distribution of linear content would be via DTT and on-demand content via IP would help in the fight against climate change.

Any RSPG Opinion regarding WRC-23 cannot ignore Spanish reality and, above all, cannot support decisions that prevent **televisión abierta providing its public linear television service, so that all citizens can have access to this service in equal or even better conditions (e.g. UHD content) in the short term.**

In view of the above, Open TV requests the consideration of a permanent primary allocation for DTT in the band 470-694 MHz and therefore proposes a "No Change" for agenda item 1.5 of WRC-23.

About **televisión abierta**

televisión abierta is a group formed by the main Spanish Digital Terrestrial Television stakeholders, reflecting a global and plural momentum of all those who contribute to universal, free and open access television.