

AER RESPONSE TO THE PUBLIC CONSULTATION ON THE RADIO SPECTRUM POLICY GROUP DRAFT WORK PROGRAMME FOR 2022 AND BEYOND

The Association of European Radios – AER - is the Europe-wide trade body for commercial radio, representing the interests of companies operating over 5,000 commercial radio stations to the EU Institutions. AER promotes the development of commercially-funded radio broadcasting in Europe, by ensuring a fair and sustainable economic framework for radio so it can continue to thrive.

AER welcomes the opportunity to provide comments on the Radio Spectrum Policy Group Draft Work Programme for 2022 and beyond and will provide feedback only on relevant points for commercial radios:

WRC-23

Radio broadcasters play a very strong public value role, providing free-to-air reliable news and curated quality content, making an essential contribution to media quality and pluralism, safeguarding democratic discourse with their journalistic services.

In the event of a disaster or an emergency situation, radio is the first - and often the only remaining - medium for keeping the public informed. The COVID pandemic made it even clearer how important and unique radio broadcasters are in disaster situations to reach and deliver emergency messages to all citizens.

Securing radio spectrum is indispensable to achieve these objectives of ensuring wide coverage as well as widespread availability of and accessibility to commercial radio's content for the entire population.

For this reason, AER supports the position to maintain the existing exclusive primary allocation to broadcasting in the frequency band 470-694 MHz (the so-called 'sub 700 band') with secondary allocation to PMSE without further changes at WRC-23.

AER calls for preserving the sub 700 band and securing it beyond 2030, and at least until 2050, so that commercial broadcasters can continue to provide trusted journalistic content, entertainment and companionship to the EU population.

Furthermore, the reserved 470-694 MHz band for broadcasting and PSME beyond 2030 will enable innovation as this band will be used for the development of 5G for broadcasting, an important distribution perspective for radios which allows a broadcast element in the mobile reception. Thanks to 5G broadcast, radio will be able to continue to provide listeners with access to entertainment programming content and trustworthy information through smartphones, tablets, smart speakers and connected car systems, which, in times of crisis and increasing disinformation, is especially important.

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

The EU UHF Decision¹ foresees, in its article 4, stability of the sub-700 MHz band used by broadcasting organisations and PMSEs “at least until 2030”.

However, the RSPG in its draft Work Programme 2022, challenges the EU UHF Decision stating that, “Building on the 2015 RSPG opinion”, “will investigate the latest development, as underlined in Article 7 of the EU decision 2017/899, relating to the band 470-694 MHz and develop a strategic vision for sub-700 MHz spectrum use beyond 2030” including “A review of the background and recommendations of its first opinion”.

AER believes discussing a review threatens the certainty of the EU UHF Decision that secures access to the sub-700 MHz band for broadcasting services until at least 2030.

Moreover, the regulators have not foreseen the use of the 470-694 MHz band later than 2030, which should be the focus instead. Securing the relevant spectrum range exclusively for radio and TV broadcasting as well as PMSE to be used beyond 2030 should be the priority to ensure commercial radio (and television) will be able to continue serving the population with trusted quality information, entertainment and companionship, as well as granting democratic discourse.

In view of WRC-23, defending the position of the EU UHF Decision is crucial: WRC-23 will be the forum where the decision on the future use of spectrum will be made at international level, involving the review of the broadcasting frequencies 470-694 MHz for their primary and co-primary use, including a potential co-primary mobile-broadcasting allocation, which would mean that other services (i.e. International Mobile Telecommunications (IMT) for broadband Public Protection and Disaster Relief (PPDR) applications) would also be able to operate on a primary basis. It is key that a no change to the existing allocations, keeping broadcasting as the exclusive primary service in 470-694 MHz, with PMSE as secondary service, is ensured beyond 2030.

In conclusion, the results of WRC-23 will have a decisive impact on the future of broadcasting of media services and PMSE services for the production of audio-visual content, news and events in the EU, therefore should be carefully considered.

The loss of the reserved sub 700 band for broadcasters would endanger the sustainability of radio broadcasting and compromise the legal certainty of its broadcaster’s nature.

For this reason, AER finds it imperative to maintain the existing exclusive primary allocation to broadcasting in the frequency band 470-694 MHz (the so-called ‘sub 700 band’) with secondary allocation to PMSE without further changes at WRC-23.

For more information, please contact the AER office aer@aereurope.org.

¹ 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: <https://eur-lex.europa.eu/legal-content/EN/TEXT/HTML/?uri=CELEX:32017D0899&from=en>