



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR COMMUNICATIONS NETWORKS, CONTENT AND
TECHNOLOGY

Connectivity

Radio Spectrum Policy Group
RSPG Secretariat

Brussels, 23 November 2022

RSPG22-031 FINAL

RADIO SPECTRUM POLICY GROUP

Progress Report of the RSPG Sub-Group

on “Good offices” to assist in bilateral negotiations between Member States

Progress Report of the RSPG Sub-Group on “Good offices” to assist in bilateral negotiations between Member States

The “Good offices” Sub-Group (SG) held one meeting since the 58th meeting of the Radio Spectrum Policy Group. The detailed report of this meeting, which was held virtually on the 18th October, is being provided at Annex 1. An executive summary of the key discussion points is being provided below.

1. Implementation of the Croatia/Italy coordinated solution (article 28 opinion)

Key points

- Italy confirmed that in line with its national UHF roadmap, all digital terrestrial television transmissions migrated to the sub-700 MHz band.
- Croatia confirmed that no interference is being experienced by their mobile network operators on the 700 MHz band.
- Some limited Italian harmful interference affecting Croatian television stations is still present, predominantly on channels 22 and 31. The presence of additional television interference on Croatian channels 21, 27, 28, 29 and 37 was also reported. Italy will be investigating these cases.

Italy confirmed that pursuant to its national UHF roadmap, their digital terrestrial television stations migrated to the sub-700 MHz band and therefore the 700 MHz band is free from any television transmissions.

It was confirmed that Croatian 700 MHz mobile networks were free from any Italian harmful interference. However, Croatia reported that some TV interference was still present, primarily on channel 22 (interference level up to 55 dB μ V/m) and on channel 31 (interference level up to 54 dB μ V/m) with identification of program “Video Tolentino”. Other interference cases were also reported on channels 21, 27, 28, 29 and 37 which cases may be coming from outside the coordination zone. Italy committed to investigate these reports.

Slovenia and Malta confirmed that they do not have issues with Italian television interference.

The meeting congratulated the Italian administration for their efforts in resolving the long-standing problem of television interference.

2. Review of other interference cases around Italy

a) *VHF band III – DAB interference*

Key points

- Discussions are still ongoing between the countries of the Adriatic and Ionian region on the finalisation of the DAB agreement.
- Cross-border coordination problems between Albania and North Macedonia in relation to the use of some channels are affecting the partitioning of the DAB frequency plan for the Adriatic and Ionian countries. The European Commission offered to assist in this matter.
- Slovenia is currently not in a position to sign the agreement for the Adriatic and Ionian region once it is finalised, due to Italy's objection to its requests to coordinate new stations under the GE84 agreement as well as to Italy's ignoring its GE84 obligations whilst benefiting from the rights provided by the GE84.
- On 27 July 2022, the Italian communications authority (AGCOM) published a provisional plan for DAB which respects the frequency coordination agreements signed with Italian neighbouring countries. The intent is to align the national plan with the DAB agreement for the Adriatic and Ionian region once it is finalised.
- Cross-border problems between Albania and North Macedonia in relation to the use of some channels is affecting the partitioning of the DAB frequency plan for the Adriatic and Ionian countries.
- Croatia is still experiencing DAB interference on frequency blocks 12A, 12B, 12C and 12D. The interference problem on 10A seems resolved since the Italian broadcaster has migrated to 10D.

Discussions are still ongoing between the countries of the Adriatic and Ionian region on the draft text of the DAB agreement. Some important elements still need to be defined, including on the partitioning of the channels. It was decided to include a list of previously assigned channels and discussions are also focusing on the technical characteristics of these assignments. The procedure on how to treat assignments located outside the coordination zone is also under discussion.

It was indicated that cross-border problems between Albania and North Macedonia in relation to the use of some channels were affecting the partitioning of the DAB frequency plan for the Adriatic and Ionian countries. The European Commission offered its availability to assist in this matter.

Italy reported that on the 27th July 2022 the Italian communications authority (AGCOM) published a provisional plan for DAB. This plan will be aligned with the agreement for the Adriatic and Ionian region once this is finalised. The frequency arrangement outlined in the Italian plan for their regions neighbouring other countries respects the frequency coordination agreements signed with these other countries.

Slovenia is still not in a position to sign the Adriatic and Ionian agreement once this is finalised in view of Italy's objections to Slovenia's requests to coordinate new stations under the GE84 agreement as well as to Italy's ignoring its GE84 obligations whilst benefiting from the rights provided by the GE84. The SG encouraged the parties to continue dialogue in order to resolve the pending bilateral issues.

It was highlighted that all the Adriatic and Ionian countries are cognisant of the benefits that the agreement will bring to the region since it will enhance the efficient and effective use of radio spectrum, contribute towards the avoidance of future harmful DAB interference as well as the resolution of existing harmful interference problems, particularly for the FM band.

Italy reiterated its willingness to use the DAB agreement as one of the solutions towards resolving FM interferences and acknowledged that other solutions were possible which required the necessary political clearance in order to be considered further. The SG noted the success story of the UHF band and considered that the lessons learnt from this process may be adopted towards resolving FM interferences.

As regards to the specific cases of DAB interference, Croatia did not report improvements to the interference situation and frequency blocks 12A, 12B, 12C and 12D are still interfered. Italy however confirmed that the Italian station transmitting on 10A from Perugia was switched-off and the switching-on of frequency block 10D (from Perugia) is still pending. The SG has once again invited Italy to find solutions towards the resolution of the pending DAB interference cases on 12A, 12B, 12C and 12D in a timely manner.

b) FM band

Key points

- The national working group mandated to address problems associated with the FM band pursuant to article 50 of Decreto Legislativo 208/2021 started to define the first lines of action to be taken. The process to assess the regulatory framework commenced, leading to identifying a more feasible use of the frequency resources. The FM interference problems will be addressed as a general approach.
- Italy observed that the objectives of this work are long-term, but solutions need to be found to improve the general situation and it was hopeful to provide timelines at the next RSPG 'Good offices' meeting.
- Following productive bilateral discussions, agreement was reached between France and Italy on the carriage of a 3-day measurement campaign in November 2022 in relation to the FM interference case in Bonifacio. France provided the details of the measurement framework to Italy for their consideration prior to the holding of additional discussions.
- No improvements to the interference situation were observed by Croatia. Subsequent to a measurements campaign, Croatia submitted more than 900 Appendix 10 harmful interference reports to Italy.

Italy provided updates on the application of article 50 of Decreto Legislativo 208/2021 which addresses FM cross-border interference. The national working group mandated to address problems associated with the FM band started its work and the first lines of actions to be taken are being defined. In line with what is stated at law, a general approach to the FM problem will be taken. The working group started analysing the current regulatory framework to for example determine how authorisations are issued and how authorisations may be modified in a manner to avoiding litigation. An assessment leading to identify a more feasible use of the frequency resources is also being undertaken. The working group is also taking into account considerations being made by broadcasters to save on energy costs. Italy was hopeful to provide an action plan with timelines at the next RSPG ‘Good offices’ meeting.

As regards the FM interference problem between France and Italy in Bonifacio, the parties agreed to carry out a 3-day measurement campaign in November with the aim to assess whether the change of frequency from 88.3 MHz to 88.4 MHz by France will be affecting the FM services of the Italian public broadcaster (RAI) in Sardinia, at San Teodoro and Sassari. The details of the measurement framework had to be agreed prior to commencement of the said measurements.

Croatia reported on the results of their measurement campaign which confirmed no changes to the FM harmful interference situation. As a result, more than 900 RR Appendix 10 harmful interference reports were submitted to Italy. Croatia expressed its disappointment that no interference cases could be resolved and stressed that this interference is causing economic, social and cultural damage to the country.

The implementation of short-term solutions will be considered by Italy, despite challenges in view of the current Italian regulations. Changes to the transmit power or radiation pattern or switching-off of the interfering station to address a specific priority case of harmful interference could only be considered if the authorisation permits and the prospect for the administration to enforce such measures are possible.

Malta did not observe any improvements to the FM harmful interference problems.

The SG renewed its appeal to Italy to implement short-term solutions addressing the long outstanding FM harmful interference problems and highlighted on the importance of sustainability and the use of energy and spectrum efficient solutions such as DAB.

3. Cross border negotiations for the 700 MHz band with non-EU countries

- Lithuania confirmed that it issued licenses in the 700 MHz band and that 5G operations in this band commenced despite not finalising the relevant frequency coordination agreement with the Russian Federation. Belarus has switched-off its broadcasting stations in the band and the relevant confirmations were submitted to Lithuania.

- Italy reported that on 1 July 2022, their mobile network operators commenced operations in the 700 MHz band and in the Puglia region a considerable number of mobile base stations experienced harmful interference caused by the television broadcasting services of Albania. This is attributed to the fact that Albania was still making use of the 700 MHz band for television broadcasting. The representative of the European Commission offered to assist Italy and to explore whether Albania may expedite the migration process of its broadcasting stations operating in the 700 MHz band.
- The European Commission representative updated the SG with the latest situation on the regional spectrum agreement. It was reported that Armenia, Azerbaijan, Georgia, Moldova and Belarus are prepared to sign the text of the agreement rapidly. It is noted that the signature of Belarus is an outstanding issue amongst the Eastern partnership countries and that discussions are ongoing regarding Ukraine's being a signatory to the agreement following the normalisation of the situation. In addition, as regards the use of the 700 MHz band in Ukraine, the release of the band has been delayed towards end 2023 due to Russia's aggression against Ukraine.

4. C band coordination

Lithuania announced that licenses were issued in the band and operators already commenced operations despite the lack of frequency coordination agreement with the Russian Federation. In general, fixed 5G services are being provided with mobile 5G services available in some parts of Lithuania. Belarus's framework is in line with that of the EU and therefore no difficulties are present in the East part of the country.

5. Any other business

Lithuania informed the meeting that it submitted an updated questionnaire on the 700 MHz band. It highlighted that a frequency allocation of 10 MHz band has been reserved for PPDR.

6. Date of next meeting

The next Sub-Group meeting of the 'Good offices' is planned to be held virtually on the 13th January 2023.

ANNEX 1

REPORT

RSPG SUB-GROUP

“Good offices” to assist in bilateral negotiations between Member States

Web-meeting, 18th October 2022

The draft agenda of the meeting was presented and amended by Lithuania to include a new item under ‘Any other business’ concerning the response to the questionnaire on the 700 MHz band.

7. Implementation of the Croatia/Italy coordinated solution (article 28 opinion)

Italy provided an overview of the activities it has undertaken pursuant to its national roadmap to migrate digital terrestrial television transmissions to the sub-700 MHz band and confirmed that Italian television stations in the 700 MHz frequency band ceased transmissions on 22 June 2022.

Croatia thanked Italy for their efforts to significantly reduce interference and confirmed that Croatian mobile networks in the 700 MHz frequency band operate without Italian interference. However, Croatia reported that some TV channels were still experiencing a high interference level, primarily on channel 22 (interference level up to 55 dB μ V/m) and on channel 31 (interference level up to 54 dB μ V/m) with identification of program “Video Tolentino”. Additional interference on TV channels 21, 27, 28, 29 and 37 was reported which may be coming from outside the coordination zone. The relevant field strength measurement reports were sent to the Italian administration recently.

Italy confirmed that such signal levels on channels 21, 27, 28, 29 and 37 could be caused by stations transmitting from outside the coordination zone. Concerning the claimed harmful interference on channels 22 and 31 Italy committed to examine the interference reports and to contact their corresponding local offices in order to solve this issue. Italy informed that “Video Tolentino” is a local station transmitting from the Marche and Abruzzo regions.

Slovenia and Malta confirmed that they do not have issues with Italian television interference.

The meeting congratulated the Italian administration for finally solving such a long-standing problem, more than 25 years of television interference. The European Commission representative also expressed its appreciation to the Italian administration.

8. Review of other interference cases around Italy

VHF band III – DAB interference

Italy reported that the Adriatic and Ionian countries are still discussing the text of the DAB agreement. Some important elements still need to be defined, including on the partitioning of the channels. It was decided to include a list of previously assigned channels and discussions are also focusing on the technical characteristics of these assignments. The procedure on how to treat assignments located outside the coordination zone is also under discussion. In this context it was observed that the coordination zone reflects that used for the Geneva 2006 agreement, and there are instances where broadcasting stations located outside this zone are affecting neighbouring countries. The Adriatic and Ionian group needs to decide on whether such instances should be addressed on a case-by-case basis or else adopt a general approach and introduce constraints to assignments (including future assignments) falling outside the coordination zone.

Italy informed the sub-group that Slovenia was currently not in a position to sign the Adriatic and Ionian agreement for DAB and that it will be considering signing only if provisions are included to compel Italy to respect all international agreements in relation to FM sound broadcasting services. Italy considers Slovenia's demand as not acceptable since it sees the signature of the DAB agreement as a means to having a definitive DAB plan for the Adriatic and Ionian region. Italy stated that the agreement will be one of the tools that may be used to work effectively on the FM interference problems and the inclusion of the said provisions will be weakening the agreement itself and hinder possibilities to resolve FM interference problems.

As regards the national DAB plan for Italy, it was confirmed that this was published by AGCOM on the 27th July 2022 as a provisional plan. Italy clarified that the requirement to publish a national plan stemmed from Italian law adopted in 2019 and a provisional plan was adopted in order to allow for the alignment of the plan with the DAB agreement for the Adriatic and Ionian region, once this is finalised. The frequency arrangement for the Italian regions neighbouring other countries respects the frequency coordination agreements signed with these other countries.

Italy made reference to cross-border problems between Albania and North Macedonia in relation to the use of some channels which will affect the partitioning of the DAB frequency plan for the Adriatic and Ionian countries. The EC representative informed the Sub-Group on discussions taking place with Albania and North Macedonia in relation to EU accession and offered his availability to assist. The concerned parties were invited to provide the relevant information to the EC.

The Adriatic and Ionian group is expected to continue its discussions on the DAB agreement towards end November 2022.

Slovenia commented on the information provided by Italy and confirmed that a number of open issues are still under discussion within the Adriatic and Ionian group. In this regard it expressed its discontent that the draft agreement does not include a strong commitment on Italy for the migration of interfering FM stations to DAB. Slovenia highlighted the main reasons preventing

their signature of the agreement, namely (i) Italy's objection to Slovenia's requests to coordinate new stations under the GE84 agreement; and (ii) Italy's ignoring its GE84 obligations whilst benefiting from the rights provided by the GE84. Regarding (i), Slovenia explained that its request to coordinate stations located in the West side of the country were objected by Italy. It expects that Italy considers its position and confirmed its willingness to continue discussions having the intent to identifying technical solutions. It was clarified that this specific issue was already discussed bilaterally and remained pending.

Italy confirmed that it will be replying to Slovenia on the GE84 coordination request where it will be confirming its position as already stated in their bilateral meeting. In reaction to the reservations expressed by Slovenia in relation to the signing of the DAB agreement, Italy reiterated that its efforts towards resolving UHF interferences demonstrate Italy's willingness to respect international agreements and hence emphasised the importance of finalising the DAB agreement for the Adriatic and Ionian region. Italy confirmed statements made in previous Sub-Group meetings that the DAB plan will not be the only tool to resolving FM interferences.

Italy has also clarified that it is not systematically objecting to Slovenia's coordination requests, and that its objections are based on the need to protect its stations registered under the GE84 agreement. A rational and balanced solution needs to be found in order to meet the requirements of both parties.

Slovenia has once again reiterated its willingness to discuss technical parameters and identify a common approach in order to address Italy's objections.

Croatia expressed its views on the matter and stated that great progress was so far made on the technical elements of the draft DAB agreement. All parties are cognisant of the benefits that the agreement will bring to the region since it will enhance the efficient and effective use of radio spectrum, contribute towards the avoidance of future harmful DAB interference as well as the resolution of existing harmful interference problems, particularly for the FM band. A more solid commitment from Italy is desirable as regards the migration of the interfering FM stations to DAB with associated timeframes.

Italy reiterated its willingness to use the DAB agreement as one of the solutions towards resolving FM interferences. Nonetheless, this cannot be explicitly included in the agreement as an obligation put on Italy since such an obligation will not be in line with Italian law. The Italian law primarily states that an improvement to the use of the FM band is dependent on the development of the DAB market. Therefore, if as a result of the DAB agreement the Italian market will be improved, migration of FM stations to a DAB platform will take place. Other solutions are available, but the necessary political clearance needs to be obtained in order to be considered further.

Slovenia considered that the approach used for the UHF band was successful and Italy is now complying with international law. It suggested to consider using the same approach also for the FM band, namely (i) to force migration from FM to DAB wherever possible, (ii) to offer financial compensations in order to release FM frequencies, and (iii) to define timelines when the migration process should be mandatory. This will facilitate Italy's efforts towards

developing a new FM plan and coordinating with neighbouring countries, prior to issuing new licenses.

In conclusion, the Sub-Group noted the success story of the UHF band and considered that the lessons learnt from this process may be adopted towards resolving FM interferences.

As regards to the specific cases of DAB interference, Croatia did not report improvements to the interference situation. Interference on frequency blocks 12A, 12B, 12C and 12D with measured field strength levels ranging from 50 to 71 dB μ V/m was still present. Italy was requested to provide information on the state-of-play of its DAB station which had to be migrated from 10A to 10D.

In response Italy confirmed that the station transmitting on 10A from Perugia was switched-off and the switching-on of frequency block 10D (from Perugia) is still pending. No new information was provided on the status of the other interferences affecting channel 12.

The Sub-Group has once again invited Italy to find solutions towards the resolution of the pending DAB interference cases on 12A, 12B, 12C and 12D in a timely manner.

FM band

Italy provided updates on the application of article 50 of Decreto Legislativo 208/2021 which addresses FM cross-border interference. Political developments have reflected on the pace of the activities of the national working group (composed of MISE and AGCOM) mandated to address problems associated with the FM band. Nonetheless, activities started to define the first lines of actions to be taken. In line with what is stated at law, a general approach to the problem will be taken and hence interference cases will not be addressed on a case-by-case basis due to a possible domino effect on broadcasters. The working group started analysing the current regulatory framework to for example determine how authorisations are issued and how authorisations may be modified in a manner to avoiding litigation. An assessment leading to identify a more feasible use of the frequency resources is also being undertaken. The possible outcome of this process will be including some of the suggestions made by Slovenia in a previous discussion (i.e. voluntary migration from FM to DAB and compensation scheme). Italy observed that the objectives of this work are long-term, but solutions need to be found to improve the general situation. Italy was hopeful to provide timelines at the next RSPG 'Good offices' meeting. Italy emphasised that the outcomes of the working group will be in the form of a plan listing the activities that need to be undertaken.

The Sub-Group welcomed this update and looks forward to receiving additional information on Italy's plan of actions with timelines at the next meeting.

France provided information on the pending case of FM interference in Bonifacio. It was reported that fruitful discussions were held between France and Italy in mid-September where agreement was reached on the carriage of a 3-day measurement campaign commencing on the 14th November 2022. The campaign will assess whether the change of frequency from 88.3 MHz to 88.4 MHz by France will be affecting the FM services of the Italian public

broadcaster (RAI) in Sardinia, at San Teodoro and Sassari. France provided the details of the measurement framework to Italy for their approval prior to the holding of additional bilateral discussions on the 2nd November. Italy confirmed the receipt of France's proposal and committed to send some revisions to the measurement framework in advance of the said bilateral meeting.

Croatia reported on the results of their measurement campaign which confirmed no changes to the FM harmful interference situation. As a result, more than 900 RR Appendix 10 harmful interference reports were submitted to Italy. Croatia expressed its disappointment that no interference cases could be resolved by Italy despite discussions on interference problems commenced several years ago. It stressed that this interference is causing economic, social and cultural damage to the country. Although it understood Italy's approach on how the FM interferences are planned to be solved, Croatia stressed on the importance of having short-term solutions in order to improving the situation even since Italy was not able to resolve any of the priority FM interferences.

In response, Italy reiterated that the implementation of short-term solutions will be considered, despite challenges in view of the current Italian regulations. Italy explained that a change in the transmit power or radiation pattern or switching-off of the interfering station to address a specific priority case of harmful interference could only be considered if the authorisation permits and the prospect for the administration to enforce such measures are positive. Italy reiterated on the importance of the assessment that will be done to analyse their authorisation regime for FM services. Italy recognised the importance of having short-term solutions in order to keep up Italy's credibility in this field, but no guarantees were provided on whether such an approach will be taken. It also remarked on the importance for broadcasters to save on energy costs and this will be considered by the Italian working group. Italy was hopeful to provide additional information on whether short-term measures will be considered at the next Sub-Group meeting.

Malta informed the Sub-Group that recent monitoring activities did not observe any improvements to the FM harmful interference problems.

In conclusion the Sub-Group renewed its appeal to Italy to implement short-term solutions addressing the long outstanding FM harmful interference problems. It was also stressed on the importance of sustainability and the use of energy and spectrum efficient solutions such as DAB.

9. Cross border negotiations for the 700 MHz band with non-EU countries

Lithuania confirmed that it issued licenses in the 700 MHz band and that 5G operations in this band commenced despite not finalising the relevant frequency coordination agreement with the Russian Federation. Belarus has switched-off its broadcasting stations in the band and the relevant confirmations were submitted to Lithuania. Lithuania noted that the band is being used intensively with 1,100 base stations already in operation.

Italy reported that on 1 July 2022, their mobile network operators commenced operations in the 700 MHz band and in the Puglia region a considerable number of mobile base stations experienced harmful interference caused by the television broadcasting services of Albania. This is attributed to the fact that Albania was still making use of the 700 MHz band for television broadcasting. In this regard Italy contacted the Albanian administration and was informed that a new UHF plan was formalised, but the migration plan was still under development. The representative of the European Commission offered to assist Italy and to explore whether Albania may expedite the migration process of its broadcasting stations operating in the 700 MHz band. Italy will be providing additional information to the European Commission on this case.

The European Commission representative updated the Sub-Group with the latest situation on the regional spectrum agreement. It was reported that Armenia, Azerbaijan, Georgia, Moldova and Belarus are prepared to sign the text of the agreement rapidly. It is noted that the signature of Belarus is an outstanding issue amongst the Eastern partnership countries and that discussions are ongoing regarding Ukraine's being a signatory to the agreement following the normalisation of the situation. In addition, as regards the use of the 700 MHz band in Ukraine, the release of the band has been delayed towards end 2023 due to Russia's aggression against Ukraine.

10. C band coordination

Lithuania announced that licenses were issued in the band and operators already commenced operations despite the lack of frequency coordination agreement with the Russian Federation. In general, fixed 5G services are being provided with mobile 5G services available in some parts of Lithuania. Belarus's framework is in line with that of the EU and therefore no difficulties are present in the East part of the country.

11. Any other business

Lithuania informed the meeting that it submitted an updated questionnaire on the 700 MHz band. It highlighted that a frequency allocation of 10 MHz band has been reserved for PPDR.

12. Date of next meeting

The next Sub-Group meeting of the 'Good offices' is planned to be held virtually on the 13th January 2023 (9:30-12:30 hrs.).

List of participants

No. of participants: 18

Country	Organisation
Austria	Austrian Federal Ministry of Finance
Austria	Austrian Regulatory Authority for Broadcasting and Telecommunications (RTR)
Croatia	Croatian Regulatory Authority for Network Industries (HAKOM)
France	National Frequency Agency (ANFR)
France	French Regulatory Authority for Electronic Communications, Postal and Print media distribution (ARCEP)
Greece	Hellenic Telecommunications & Post Commission (EETT)
Hungary	National Media and Infocommunications Authority (NMHH)
Italy	Ministry of Economic Development
Italy	Italian Communications Regulatory Authority (AGCOM)
Lithuania	Communications Regulatory Authority of the Republic of Lithuania
Malta	Malta Communications Authority (MCA)
Slovenia	Agency for Communication Networks and Services of the Republic of Slovenia (AKOS)
Sweden	Swedish Post and Telecom Authority (PTS)
-	European Commission