



TO: info-rspg@cec.eu.int

RE: Radio Spectrum Policy Group Work Programme

13 January 2004

The Satellite Action Plan Regulatory Group (SAP REG), representing the satellite industry as one major use of radio spectrum within the Community, is pleased to submit its views on the work programme of the RSPG.

As a general matter, SAP REG views the indicative list to be complete, but recognizes that new issues may develop over the course of the year and trusts that the RSPG will maintain its flexibility to review new items while not over-stretching its resources and meeting time even on the current list.

We also take this opportunity to comment on the concept of “technology neutrality”. It is reasonable to take into account that communications satellite technology uniquely aids in the transmission of signals on a pan-European basis, or that satellite access to spectrum is a uniquely international matter that requires the support of European policymakers. While focusing on all the issues on the RSPG work programme, we request that members not lose sight of this important role of the communications satellite sector. Being neutral with respect to technology does not imply overlooking that there indeed are different technologies and some technological features define both networks and services.

We believe that all Community institutions should take into account that the satellite sector is uniquely pan-European and capable of bringing new service throughout the Community, covering all regions on an equal basis. With the addition of the territories and varying economies of the accession countries, we believe it is even more important for the Community to ensure that the satellite industry remains capable of serving cross-border regions.

SAP REG has selected several of the items on the list as follows for more specific comment in the attachment to this letter, because those particular issues affect the satellite industry most critically.

Yours sincerely

SAP REG
Chairman

SAP REG Comment of selected RSPG Work Programme Items

(1) Radio spectrum for wireless electronic communications access platforms

Analyse the relative needs for different wireless electronic communications access platforms: mobile terrestrial (2G, 3G, beyond 3G, satellite, R-LAN, FWA) and development of a coherent and flexible approach with respect to market and technology developments.

The SAP REG is pleased to see that the satellite sector is recognised as a component of the overall approach towards providing a coherent and flexible approach for wireless electronic communications access platforms. The communications satellite sector provides unique opportunities and early entry for access to new services, as shown by the lead that satellite digital broadcasting has given to European undertakings.

With respect to the scope of this item, minor redrafting might be recommended, as several of the items within the parenthesis, including both satellite, R-LAN and FWA, do not comfortably fit within the category of “mobile terrestrial” as the drafting might otherwise indicate.

(3) Space strategy

Synoptical view of spectrum needs of different activities framed by the Community Space Strategy (Galileo, GMES, satellite communications, see separate entries) spectrum needs and possible harmonisation at Community level, taking the international context into account.

This item is key to the satellite industry. The SAP REG and other associations representing the satellite industry have consistently called for the removal of unnecessary regulatory barriers to use of spectrum by satellite networks and for the harmonization of all licensing and other regulatory structures.

By their very nature, these activities depend on a harmonised approach. Satellite networks serve the entire Community and support pan-European services. Nevertheless, some administrations may not account for the contributions of the satellite industry because those networks are not licensed or based in those particular countries. Thus, it is important for the RSPG to take a high-level view on the possibilities for harmonisation, with an equally high-level view of the international implications of satellite applications.

With regard to the scope of this item, the reference to “see separate entries” is not clear, as there are no separate entries that relate to Galileo, GMES or satellite communications. Further, SAP REG understand that satellite communications is not seen solely as an aspect of Community Space Strategy. While it surely belongs there, satellite communications is also an integral part of electronic communications as well as other important elements of Community policy. As

such, it requires focused attention from Community institutions, including the RSPG.

(6) Public Protection / Disaster Relief

Assess spectrum needs and possible harmonisation at Community level, taking the results of WRC-03 into account.

SAP REG foresees that communication satellite networks will play an important role within PPDR. Experience shows that satellite facilities are critical for early responses to natural and other disasters, which may have destroyed or impaired normal terrestrial infrastructure.

(8) Maritime Policy

Discuss spectrum needs and possible harmonisation at Community level, taking the international context into account.

The satellite industry is a significant supplier of critical communication links for the maritime industry, which depends on harmonized access to appropriate amounts of radio spectrum. We encourage the RSPG to study further the operational and technical requirements of Earth stations located on board Vessels (ESV), and in particular the restrictions that hamper deployment of services offered through ESVs. Elements of the satellite industry serving this sector call for agreement amongst administrations in order to pre-coordinate specific geographical areas and routes through a mutual recognition process.

Such a process would relax the regulatory restrictions on use of ESVs at the regional level and would thus support growth of applications on board ships that travel through the territorial waters of more than a single country.

(10) Spectrum trading

Consider the need to ensure consistency of radio spectrum trading definition and practices in accordance with the new regulatory framework.

The satellite industry expressed its concerns on the topic of spectrum trading at the workshop sponsored by the Commission on 11 December in connection with the ongoing study under the auspices of the Commission. SAP REG supports interventions by ESOA and others noting that there remains an overriding need to maintain necessary harmonization of spectrum resources for pan-European networks. SAP REG encourages the RSPG to push for maximum transparency on this topic.