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**PUBLIC DOCUMENT**

**RADIO SPECTRUM POLICY GROUP**

**Subject: Chairman's Report of RSPG#34 meeting on 12 June 2014**

**RSPG #34**  
**Brussels, 12 June 2014**

Chairman's Report

**(1) Introduction to RSPG #33**

**The RSPG Chairman, Mr Gilles Brégant (ANFR, France),** assisted by **RSPG Deputy Chairman, Mr Finn Petersen (DBA, Denmark),** opened the meeting.

The RSPG Chairman noted that the agenda was adopted without amendment.

The European Commission was represented by **Mr Roberto Viola, Deputy Director-General DG CONNECT** in the morning and by **Anthony Whelan, Acting Director** in the afternoon.

**(2) Update on Commission Initiatives**

**The Commission representative, Mr Viola,** gave a briefing of the state of play on the Telecoms Single Market proposal, noting the broad support it had received in the European Parliament, who had retained most of the elements of the original proposal. He particularly noted the provisions on net neutrality and the end of roaming in 2015.

He referred to the progress report of the Greek Presidency, which noted in the context of spectrum that some points were the subject of somewhat greater political convergence, such as small cells and RLAN. On licensing coordination he emphasised that an extended role for RSPG as a key instrument of peer review was envisaged. He concluded by pointing out that it was now a priority for the Italian presidency to look for agreement by the end of the year.

**RSPG Members** thanked the Commission's indications on the progress. Some RSPG Members confirmed that there was support for having the RSPG as part of the assignment peer review process and that it would be an opportunity for the RSPG to demonstrate its ability to resolve problems in this field. Some RSPG members stated the need to be able to issue Opinions on proposals, with one citing the proposed fast-track procedure as useful.

**Mr Whelan, for the Commission,** noted that the way ahead was to focus on convergent and important topics, in particular spectrum. He then proceeded to present the Commission's Report on the Radio Spectrum Policy Programme. He indicated that it gives a factual overview of the progress of the RSPP, but also draws policy conclusions, pointing out its limitations, such as need for greater coordination of licence conditions and assignment procedures.

**RSPG members** thanked the Commission for the presentation of this report. It has been raised that the RSPG contributions to support implementation of the RSPP objectives, such as the RSPG Opinion on wireless broadband spectrum, are not reflected.

### (3) **Preparation of the World Radio Conference (WRC-15)**

**The Rapporteur, Mr Rainer Wegner** (German Ministry of Economic Affairs and Energy), presented the progress report.

He noted that there had been good progress since the last RSPG and many of the elements are in place. Even on the IMT bands there is agreement on some candidate bands for IMT under Agenda Item 1.1. There are still questions regarding some other bands but possible paths have been identified. There are difficulties regarding the 5 GHz and 3.6 GHz bands.. The on-going work in the CEPT and the planned schedule for adopting the ECP has been mentioned. The substantive text of the Opinion should be developed in autumn and be ready for public consultation the November RSPG meeting.

RSPG members expressed support for the work in progress. Some possible improvements have been suggested to clarify the link to EU policies while addressing the policy level. Concerning agenda item 1.2, there was a short exchange on the links with PMSE and PPDR.

The **Commission Representative** welcomed the Rapporteur's report the delivery of a stable text by autumn 2014.

**The RSPG Deputy Chairman** thanked the Rapporteur for the excellent work, stressed the importance of having a stable text to the next meeting, invited the members to contribute to the process and concluded the agenda item.

### (4) **Efficient Awards and Use of Spectrum**

The rapporteur, Mr Chris Woolford (OFCOM, UK), gave an overview of the progress on the work item. He noted that the request had a very broad scope and that it was important to focus on key issues and to build on already finalised work. The working group has developed a skeleton outline of the Report to frame the work. A questionnaire will now be sent to member States to gather information on the national situation. A workshop is planned with BEREC on matters of common responsibilities.

Some **RSPG members** expressed concern about the details and wanted to keep the Report at the high political level. Others supported the outline and wanted policy objectives such as rural coverage and competition aspects to be reflected. Others still wanted the work to be limited to ECS bands.

The **Commission** welcomed the structure proposed. We have to avoid complacency and best practices go well beyond a least common denominator. It is important that the RSPG can guide this process. The Commission welcomes the cooperation with BEREC but RSPG remains the competent body.

An RSPG Member also working in BEREC gave an outline of the body's view on the workshop, suggesting a closed group, perhaps with outside experts invited, and to hold it close to the next RSPG meeting. This approach has been supported by RSPG.

The RSPG Deputy Chairman summarised the comments received, noted a preference for a date close to RSPG and closed the item.

**(5) RSPG Work Programme Item on Wireless Backhaul**

**Mr Didier Chauveau** gave an outline of the work done to define this new work item. It had arisen from requests in the public consultation on the RSPG Work Programme. There were two aspects to be studied, the need for better wireless backhaul for "traditional" macrocells and the need to accommodate backhaul for the expected increase in microcell. This should be an appropriate scope for the RSPG Work.

**The Commission** expressed strong support for the work item.

**The RSPG Chair** thanked Mr Chauveau for the preparatory work and requested candidates for the rapporteur to express their interest. He then closed the item.

**(6) Consultation Meeting with the Defence Sector**

**Mr Didier Chauveau** gave an oral report from the consultation meeting. Two main issues had been raised: "spectrum needs and management of defence spectrum requirements" and "sharing issues and efficient use of spectrum". The defence sector seemed prepared to make an effort on sharing, in particular focusing on national context to ensure efficient use of spectrum.

**RSPG Members** welcomed the outcome and the idea of continue the exchange. The point was made that defence concerns should be integrated in the RSPG position already at national level.

**The RSPG Chair** noted that situation could be different in each Member State. Of course confidential matters were national, but there should be matters of common interest to discuss between RSPG and the defence community. Ad hoc meeting were always a possibility.

**The Commission representative** emphasised that RSPG members are to represent the combined national position in the meetings, but that meeting other communities can be very useful.

**The RSPG Chair** expressed the hope that RSPG would be seen as the place where all spectrum issues could be discussed, and the closed the item

**(7) Bilateral Coordination**

The **Rapporteur, Mr Eric Fournier (ANFR, France)** introduced the progress report of the working group summing up the cases in the RSPG "good-offices" in particular providing updates on Italy-Malta, Italy-Slovenia and Germany-Belgium.

The BE-DE case is now closed without a formal agreement. In practice most issues are resolved, and the remaining open issue is what happens after 2017.

The three cases involving Italy, with Slovenia, France and Malta respectively, now await full implementation of the Decreto-Legge adopted in December 2013. This is

expected in September. In the Maltese case, separate bilateral coordination agreements with Tunisia and Libya are also expected beyond the scope of the WG, to secure channel 43 as a replacement of channel 66. All three cases remain open. Further discussion is foreseen at the RSPG WG meeting on 2 July 2014.

The **Commission representative** expressed satisfaction with the outcome to date, recognising the difficult and sensitive task.

The **RSPG Deputy Chairman** thanked the rapporteur and closed the item

## (8) **Future of the UHF Band**

The **rapporteur, Ms Luisa Mendès (ANACOM, Portugal)** introduced the progress report and noted that the work was progressing well. Add text

**RSPG Members** noted the need for a coordinated approach. Some Member States had already taken the decision to make the 700 MHz band available to wireless broadband, other saw difficulties to act. RSPG Members further commented on a common final date to make available the band for wireless broadband, the need for clarity to enable investments, the complexity of the problem and the solution, the timing of existing licenses, and on hybrid networks as a partial solution.

The **Commission representative** informed about an ongoing Commission study on convergence. He further referred to the public-private partnership on 5G as part of the EU research programme, which could have a link to choices regarding the UHF band.

He also gave an update of the work of the UHF High Level Group under Mr Lamy. It was of course a sensitive subject, but there was recognition of the need for coexistence/convergence. There was agreement of the continuing role of linear broadcasting, but a need to follow the evolution of demand. There is also a need to give clarity for the position in the WRC. The group work is now reaching its final stage, with a report due before the end of July.

The **Rapporteur** noted that the HLG outcome will be an important input for the RSPG work, together with the Commission study.

The **RSPG Chairman** thanked the RSPG Members for the good discussion and closed the item.

## (9) **Fast-Track Procedure**

**The RSPG chairman** introduced this new concept. The time between RSPG meetings is so long that decision-making in the group is by necessity slow. To overcome this a fast-track procedure is needed to enable the RSPG to take a position between plenaries. This could be to respond to an invitation from the European Parliament or to respond to public questions. The question now is whether the Rules of Procedure permits this.

**RSPG Members** noted that BEREC had been able to respond to the TSM quickly and that the same capability would be useful for the RSPG. Others noted that this could improve activities and approval between plenaries and reinforce the role of RSPG. It was suggested that an ad-hoc group can be created when needed and present a view.

**The Commission representative** welcomed the concept. It would enable the RSPG to respond in a more media-driven and dynamic age. He noted that, unlike BEREC that is composed of independent regulators, the RSPG is typically composed of both government and spectrum regulators and that the government is represented by the Council in the legislative process. It would seem that a fast-track procedure is already possible under the present Rules of Procedure. He recommended to focus on the existing outputs, Reports and Opinions and the enumerated addressees, the Commission and upon their request, the Council and the European Parliament.

**The RSPG chair** noted that it would need to be used with prudence. He emphasised the need to establish the capacity to react and for an "experimental phase".

#### **(10) Commission activities related to radio spectrum policy**

Due to timing constraints the RSPG chairman referred to the written report on the subject<sup>1</sup>.

#### **(11) Administrative/organisational matters**

The RSPG Members were requested to comment on whether the presentations from the Defence workshop could be made public. Other documents as suggested in the adopted **list of documents are considered as approved** eligible for **public access**.

The **next RSPG meeting** (RSPG#35) will take place in Brussels on **Wednesday 12 November 2014**.

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<sup>1</sup> RSPG14-562 rev 1