

**Telecom Italia response
to the RSPG public consultation on the coordination of EU spectrum interest
RSPG09-275**

(15 July 2009)

Introduction - Relevant Community Policy for WRC-11

Telecom Italia welcomes the Radio Spectrum Policy Group invitation to express comments and views in relation to the draft RSPG Opinion on the coordination of EU spectrum interest.

Telecom Italia completely agrees with the necessity to individuate as early as possible the main themes of WRC-11 which are of particular interest for the EU policies, and with the complexity to identify them.

Telecom Italia also points that it's important that not only Member States and the European Commission, but the whole industry, have a common reference of which is the direction and the main themes to be treated at different levels and perspectives and regarding preliminary European positions and priorities.

Main items with regard to Community policies

Information society – Electronic Communications

As the review of the EU regulatory framework for electronic communications networks and services, expected for 2009, is already ongoing, it's of the main importance that coordination at EU level is made regarding spectrum issues in preparation of WRC-11 as several agenda items are addressing spectrum and space policy to implement services in areas such as broadcasting, communications, sustainable transport and mobility, weather forecasting, monitoring of environmental changes, and responses to emergencies.

Once the new EU regulatory framework is approved, spectrum principles and rules envisaged by the new regulatory framework will be applied in the European Union, in accordance with feasibility analysis carried out by CEPT and ITU.

Nevertheless the only European legislation is not sufficient to guarantee the well functioning of services offered between EU and not EU countries. Therefore, in order to avoid interferences problems and facilitate the right operation of the services at EU borders, cross border issues are of utmost relevance and have to be addressed in WRC-11.

We completely agree that Digital Dividend issue is particularly relevant for the EU, and that EU may work to ensure that no decision at WRC-11 would impede the possibility to deploy mobile and fixed networks in this frequency band.

Telecom Italia opinion regarding Digital Dividend is already known by RSPG by the contribution to the specific consultation (RSPG09-272).

Introduction of more flexibility in the international regulatory framework

Flexibility in allocating frequency bands to services while ensuring the protection of services operated in other countries is considered by Telecom Italia as an important issue, and it's of the utmost relevance to assess if the current framework has the right level of flexibility, and to ensure that flexibility at European level in the use of allocations is compliant with provisions in the ITU Radio Regulations, even in the perspective of software defined radio and cognitive radio, where a global harmonisation may be fundamental.

Generally speaking, it is fundamental that any provision regarding flexibility takes into account the necessity to avoid undue interferences and consequent technical complexity, for example to deploy interference filtering solutions; additionally, investments related to the process of granting frequency resources like the participation to bids and auctions must be anyway protected.

Cognitive Radio Systems

Regulatory measures to enable the introduction of software-defined radio and cognitive radio systems are of the utmost relevance. The knowledge of the potentialities of such systems is incipient and we are of the opinion that a set of regulatory studies is needed to investigate this issue in preparation of WRC-11.

As frequencies or frequency bands for specific applications can be harmonised regionally by regional telecommunications organizations or on world wide basis in ITU-R Recommendations developed and

approved, studies on whether there is a need for regulatory measures related to the application of cognitive radio system technologies and application of software-defined radio are needed.

Short-range devices

We think that the regulations of emissions by SRDs can be achieved via the development of ITU-R Recommendations, and consequently we wonder if there's the need that WRC-11 take a decision on SRDs

In any case, studies on emissions inside and outside ISM bands and effects on radio communication services of emissions from short-range devices are needed before any decision is taken regarding this issue

Mobile Satellite services

Adequate international regulatory environment for satellite radio communication too is important to operate in an interference-controlled environment. We agree that allocations to the mobile satellite service may be a key in facilitating the development of new space services and in providing new access platform for the delivery of electronic communication services.

Nevertheless, possible additional allocations of spectrum to the mobile-satellite services is to be considered only if justified and without unduly constraining to existing, planned and future radio applications operated in the existing services.

Safety systems for ships and ports

It seems that there is no need for any regulatory and / or allocation changes to be made by WRC-11 regarding frequency allocation to operation of safety systems for ships and ports and the related regulatory provisions

Changes to the Radio Regulations, and in particular the spectrum allocation tables, are not expected to be necessary in order to ensure introduction for new technologies for safety and security of ships and ports.

Any study on the issue could be conducted when the spectrum requirements would be proven.

Mobile Communication services on board Vessels (MCV)

Considering the international nature of the MCV service offered on vessels that can cross territorial waters of different countries (also not EU), cross borders issues for MCV have to be addressed in WRC-11.

Any study on the issue should aim at avoiding interferences between MCV and land based networks and guaranteeing the right functioning of the services even when they are offered crossing two different countries. Therefore an international Regulation by ITU applied at a global level is needed.

Opinion of RSPG

We completely agree that modifying the Radio Regulations by World Radio Conferences is the final step of a process of consensus among the ITU Member States in order to preserve access to spectrum and orbit resources in all parts of the world without harmful interference, and to give to industry the necessary stability and predictability regarding the rules to be adopted in developing new services.

Consequently, we agree that Countries participating to WRCs should already reach an agreement on the main issues, during the preparation period between two subsequent conferences, to endorse the conclusions of the Conference in an official environment.

To this scope, coordination among European Countries is a key element, and European Common Proposals (ECPs) represent the basis to ensure consensus as much as possible avoiding multiple proposals by different European countries and to give more strength to European position in order to be shared with other regional Groups and to be approved by the Conference.

Consequently, we support that the European speaker on each agenda item should be selected from a country having co-signed the corresponding ECP, since it ensures that CEPT views will be promoted by the best person in terms of expertise and motivations.

Evidently, to get the objectives stated above, it's of primary importance to identify, early in the WRC preparation process, the corresponding policy objectives and associated priorities, in order to facilitate the involvement of the political level for decision at the earliest possible stage.

So, we support the proposal of RSPG to develop and adopt an opinion for each WRC theme, proposing to the European Parliament, the EU Council and the European Commission "Common Policy objectives" for the corresponding conference.

Nevertheless, possible multi-annual spectrum policy programmes to be developed and adopted at EU level, in addressing policy issues related to WRC agenda items and providing guidance on strategic objectives, should take into account the peculiarity of each Country and the need of harmonization at a European level, in particular protecting the investments when deciding on flexible allocations of spectrum resources.

Finally, we agree that the EU and CEPT should give more emphasis on WRC decisions which facilitate coordination at EU borders.