



Europe

Position Paper

GSMA Europe Response to RADIO SPECTRUM POLICY GROUP 2010 WORK PROGRAMME

21 January 2010

GSMA Europe would like to thank the Radio Spectrum Policy Group (RSPG) for giving stakeholders the opportunity to comment on their draft 2010 Work Programme. In response to the public consultation, we would like to make the following points:

- All of the RSPG documents to be developed in 2010, including the multi-annual RSPP Opinion, should be open to public consultation.
- The European multi-annual Radio Spectrum Policy Programme (RSPP) should include a harmonised roadmap for the release of spectrum.
- The RSPG should aim to accelerate the harmonised deployment of available spectrum (including the 800MHz band) across all Member States to facilitate a smooth transition to next generation mobile services, universality and competition.
- The RSPG should include in their Work Programme the consideration of Member States granting individual rights of use for cognitive radio based systems.
- The Working Group on Wireless Broadband, which is inextricably linked to the RSPP and Digital Dividend items (DD), should be revitalised.

Arguments underpinning these points are detailed overleaf.

Please do not hesitate to contact us if you have any questions.

About GSMA Europe

The GSMA represents the interests of the worldwide mobile communications industry. Spanning 219 countries, the GSMA unites nearly 800 of the world's mobile operators, as well as more than 200 companies in the broader mobile ecosystem, including handset makers, software companies, equipment providers, Internet companies, and media and entertainment organisations. The GSMA is focused on innovating, incubating and creating new opportunities for its membership, all with the end goal of driving the growth of the mobile communications industry. In Europe the GSMA represents over 170 operators serving around 600 million customers across 51 European countries/areas.

For more information on GSMA, please visit: www.gsmworld.com and www.gsmeurope.org.



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1. General remarks

GSMA Europe would like to thank the Radio Spectrum Policy Group (RSPG) for giving stakeholders the opportunity to comment on their draft 2010 Work Programme.

GSMA Europe believes that there are several important challenges to be faced during 2010 and beyond, when Member States implement the revised European regulatory framework. One of the most important elements of the RSPG 2010 Work Programme will be its contribution to the European multi-annual Radio Spectrum Policy Programme (RSPP).

GSMA Europe believes that the RSPP should include a harmonised roadmap for the release of spectrum. European institutions including the RSPG should aim to accelerate the harmonised deployment of available spectrum (including the 800MHz band) across all Member States to facilitate a smooth transition to next generation mobile services, universality and competition.

2. Openness and transparency in the work of the RSPG

GSMA Europe believes that all of the RSPG documents to be developed in 2010, including the multi-annual RSPP Opinion, should be open to public consultation. Although the draft Work Programme anticipates the development of an Opinion on the RSPP, the holding of a public consultation is "initially not foreseen". This work represents a key innovation in EU spectrum policy and it will have significant implications for all industry stakeholders. We consider that an early involvement of industry in shaping this new EU policy instrument would be of primary importance. The RSPP will increase certainty over spectrum availability and will therefore encourage long term investment.

Some of the other Work Items are also not proposed to be open to consultation, including the DD ("depending on the work stream"), and GSMA Europe views these proposals to be against the principles of openness and transparency enshrined in the European Regulatory framework. One of the exceptions to this proposal is the Work Item on harmonized EU participation in international negotiations, which is perhaps one of the less important items in the Work Programme.

When given the opportunity, GSMA Europe intends to submit written contributions to the RSPG work items, as well as seeking opportunities to discuss issues arising with RSPG members.

3. Technology impact on spectrum management

Regarding the proposed Work Item on the impact of technology on spectrum management, and to complement the draft report on Cognitive Technologies, GSMA Europe believes that the RSPG should include in their Work Programme the consideration of Member States granting individual rights of use for cognitive radio based systems. Such authorisation regimes would allow better control of users' obligations, including the establishment of a database. It would provide more certainty to the licensee in building complex contractual structures (such as wide-area networks) and would favour investment. In addition, it would



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allow refarming of the band if needed, which would be problematic in the case of unlicensed applications.

The advantages of licensed applications can be demonstrated economically, and GSMA Europe will be happy to contribute to this work of the Radio Spectrum Policy Group.

4. Other Work Items

GSMA Europe believes that it would also be useful for the Working Group on Wireless Broadband, which is inextricably linked to the RSPP and DD items, to be revitalised, in order to update the work which has been done in 2009. Unlike the 2009 Position Paper, however, we consider that the output of such work should also be open to comment during a public consultation process. As the 2010 Work Programme is currently drafted, GSMA Europe sees a risk that RSPG will spend too much of its time in 2010 looking at competitive issues that are primarily the responsibility of individual Member States and insufficient time on creating the conditions to foster the roll-out of wireless broadband services.

5. Conclusions

In conclusion, GSMA Europe is pleased to continue to support the work of the RSPG, but we would appreciate a more open approach than that proposed in the draft 2010 Work Programme.