

**Telecom Italia response to the
DRAFT RSPG 2010 WORK PROGRAMME
(RSPG09-290)**

21 January 2010

Introduction

Telecom Italia welcomes the Radio Spectrum Policy Group invitation to express comments and views in relation to the draft RSPG 2010 Work Programme, as we have the same RSPG view regarding the regulatory challenges that the EU and its Member States will continue to face in 2010.

Telecom Italia general opinion is that, since frequency bands for specific applications could be harmonized at European level, taking into account possible on world wide basis ITU-R Recommendations and ITU provisions, in advance studies and evaluations on technical issues in a multi-operators context should be a mandatory activity for industry and the institutional bodies dealing with these topics.

Moreover, as the Spectrum Management is probably the more involved and impacted issue by the recent review of the European regulatory framework, we completely agree with RSPG regarding the expectation for an enhanced role for the RSPG in shaping spectrum policy in EU.

Notwithstanding, future regulatory measures has to be always evaluated via a complete set of technical and regulatory evaluations and evidences to be released by recognized European normative bodies. In particular, the reliability of complex regulatory processes needs to be carefully and in advance evaluated in cooperation with CEPT and ETSI.

As we think that the entire set of topics proposed in the draft RSPG Work Programme are of the outmost relevance and may have a significant impact on the relevant markets, all stakeholders should be given the opportunity to comment on the draft RSPG Opinions, Reports or Position papers within a reasonable period.

Finally, a stricter coordination and collaboration between WGs, as proposed in the WP, when regarding common items, would better function if the concerned WGs follow the same internal procedure with regard to public consultations.

Multiannual Radio Spectrum Policy Programme

As the Multiannual Radio Spectrum Policy Programme will orient the strategic planning and harmonisation of the use of the radio spectrum in the Community with a time span on 2-3 years for the functioning and development of the internal market, and due to the horizontal nature of this work, Telecom Italia believes that public hearings and consultations should be essential in any phase of the preparation of the Programme, especially regarding the expected discussion on priorities or prominent issues that may arise when the new framework will be in place.

In the perspective of the application or the enhancement of features such as technology and service neutrality, flexible spectrum management and spectrum trading, the development of common policy objectives with a view to ensure more effective and more co-ordinated spectrum use must include the opinion of the industry and the Member States.

The introduction of the above mentioned features is a direct implementation of the renewed regulatory framework, and it would be focused on developing an opinion contributing to the drafting of the first multiannual EU Policy Programme prepared by the EC. It is therefore important for the industry that RSPG consult all interested parties and take account of their comments before adopting any final opinion/decision, in order to ensure that possible future decisions do not have an adverse effect on single markets or on European market place as a whole.

We would also like to underline that spectrum related issues are strictly associated with standardization and standard implementation activities, and that there may still be situations where it is appropriate to require compliance with specified standards at Community level to ensure interoperability in the single market. Consequently, we think that any opinion/decision related with the implementation of such standards should follow a full public consultation.

Harmonised EU participation in international negotiations

Telecom Italia completely agrees with the necessity to expand and to develop the policy issues related to the WRC agenda items identified in the 2009 RSPG opinion, providing guidance on strategic objectives during the next preparation phases.

Telecom Italia also points that it is 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, so we welcome the possibility to participate to public consultations regarding this topic.

The work could be also extended to other international aspects (such as relation with CEPT, etc.) and on exploring the possibility individuate as early as possible the main themes of WRC-12 which are of particular interest for the EU policies, and with the complexity to identify them.

Clearly, to get the objectives stated above, it would be of primary importance an early identification, in the WRC preparation process, of the corresponding policy objectives and associated priorities, in order to facilitate the involvement of the political level for decisions at the earliest possible stage and to create synergies with other regions of the world in order to try to benefit from potentially world-wide economies of scale.

Finally, we think that the work group should give emphasis on WRC agenda items which may facilitate coordination at EU borders.

Digital Dividend

Telecom Italia is very interested in continuing the process of supporting the implementation of the EU roadmap regarding the Digital Dividend.

Telecom Italia agrees with the "dynamic" nature of the digital dividend issue, by taking into account the developments in technology, services, market demand and societal requirements. Consequently, we support the creation of a mechanism to monitor external developments affecting the roadmap and the forecasts for spectrum demand.

In particular, Telecom Italia supports, when technical and economical feasibility and positive effects for spectrum efficiency should be proved, a coordinated move in Europe towards the gradual use of more efficient and more versatile terrestrial broadcasting systems, taking into account real market needs. At the same time, in our opinion, Cognitive Technologies are not mature or reliable technical proposals either to alleviate spectrum scarcity problems, either in providing more efficient use of spectrum. So we think that the work stream should individuate and examine the impact of other technology developments as a means to reach more efficiency, also in collaboration with CEPT and ETSI.

Telecom Italia support the view of RSPG to provide assistance to Member States in their negotiations with non-EU countries on a bilateral or multilateral basis, or to improve the international spectrum coordination and with a view to adopting a common position at the forthcoming WRC-12.

Competition Aspects in spectrum assignment and usage

Telecom Italia welcomes the intention of RSPG to continue the monitoring activity on the relationship between spectrum management and market regulation.

Moreover, in our opinion, the scope of this Group should also include the management of the transition to the spectrum regime defined in the new regulatory framework, as for example service neutrality and flexible spectrum management, providing for guidelines for new spectrum management principles applicability, including spectrum trading too.

As stated above, such solutions should be introduced in the market place only after full public consultations during which all interested parties should have the opportunity to express their views, to facilitate undertakings operating an electronic communications network in taking measures to facilitate the required coordination.

Technology impact on spectrum management

Technological evolution is of course a topic of the outmost importance in managing the spectrum, and Telecom Italia agrees with RSPG in giving to this issue the adequate relevance.

Notwithstanding, we are concerned that RSPG is focusing just to a single technological solution, i.e. Cognitive Technologies, that, as stated above, we consider a not mature and reliable solution to a flexible and more efficient use of the spectrum, and, more in general, not the only solution to enable coexistence of different technologies and services.

Telecom Italia thinks that research and technological development on spectrum management by current and future research projects at EU and national level, as far as the activities of CEPT and ETSI, may individuate the actual emerging technologies that may be more relevant in the medium term even to individuate a flexible and more efficient use of the spectrum demand.

So, we suggest consulting the industry as soon as possible to fill in this point of the RSPG programme with a more complete and potential showing set of issues.

Other issues

We would very much welcome continuing and improving the work item on wireless broadband, developed in the previous year and which is still at the core of EU policies. Wireless broadband access is, in our opinion, one of the most powerful solutions either in expanding the digital society and improving the commercial and economic potential of Electronic Communications, either in fulfilling the digital divide project requirements.

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.

Moreover, Telecom Italia sees a risk that RSPG may 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 spectrum based new services like for example wireless broadband services.

Consequently, Telecom Italia suggestion is to confirm, even for 2010, the Working Group on Wireless Broadband, which is strongly related to the Radio Spectrum Policy Programme and DD items, in order to continue the work which has been done in 2009.