Spectrum Policy in the EU

Ruprecht Niepold

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Ruprecht Niepold, European Commission, DG Information Society 1
The European Community

- 15 Member States - as of 1 May 2004: 25
- National spectrum administrations (members of ITU)
- Voluntary co-ordination of spectrum management through CEPT (regional organisation, 46 European countries): decision making not legally binding
- Community legal framework: legally binding regulatory measures, including on spectrum
- Growing reality of market integration in the EU (incl. new Member States)
• Liberalisation largely achieved
• First "integrated" regulatory framework for communications adopted and implemented (but untested)
• Transition started towards sector being regulated by competition rules
• Accelerated market integration and convergence in the EU
**Radio Spectrum Policy**

<table>
<thead>
<tr>
<th>radio spectrum: an <strong>essential ingredient</strong> to <strong>Information Society</strong></th>
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<tr>
<td>radio spectrum policy for <strong>other sectoral policies</strong>: transport, R&amp;D, broadcasting, civil protection, security etc.</td>
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<td>radio spectrum policy to be compliant with <strong>horizontal policies</strong>: internal market, competition, innovation</td>
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<td><strong>harmonisation of spectrum</strong>: market synergies in the EU</td>
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<td>spectrum access should primarily be driven by <strong>policy objectives</strong>, while it is conditioned by technical considerations</td>
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Radio Spectrum Policy

- New regulatory package includes "Radio Spectrum Decision":
  * a platform for realising a coherent approach at EU level
  * mechanism to ensure legal certainty on harmonised allocation and usage conditions
  * contributing to enhancing transparency of decision process related to radio spectrum

- Radio spectrum policy at EU level gradually operational:
  * Radio Spectrum Committee RSC: implementing measures in close cooperation with CEPT
  * Radio Spectrum Policy Group RSPG: political advice to the Commission on strategic spectrum policy questions
  * International negotiations (WRC) in close cooperation with CEPT
Spectrum Policy v. Communications Regulation

**Spectrum Decision**

Covers:
- radio spectrum policy aspects for all sectors
- radio spectrum access and usage conditions and their harmonization (allocation)

Deals inter alia with:
- communications sector – spectrum is pre-requisite

**Regulation for communication sector**

Covers:
- all communications networks and communications services
- not content services

Deals inter alia with:
- rights to use scarce resources such as spectrum (assignment)
## Radio Spectrum Policy

### Key challenges

- **Satisfying Community policy objectives**
  - all areas (incl. communications)
  - horizontal policies (competition, internal market)

- **Finding the right mix of spectrum management approaches** and gaining more experience

- **Filling the regulatory "black hole"**

- **Satisfying contradictory paradigms:**
  - harmonisation vs. flexibility
  - national competence on spectrum vs. EU level coherence

- **Clarifying relationship:**
  - standardisation and radio spectrum management
"Spectrum policy black hole"

FRAMEWORK Directive

AUTHORISATION Directive

COMPETITION Directive

RTTE/EMC Directives

SINGLE SKY Regulation, etc.

GATS TLC "Ref. Paper"

“Efficient Use of Spectrum”

“Avoid Harmful Interference”

“Effective Management”

“Objective, transparent …”

“Proportionate, non-discriminatory…”
EU Spectrum Allocation
Harmonisation

“+”
“Single Market Effects”

• greater economies of scale
• more competition
• less cross-border interference
• more pan-European networks
• more roaming

“-”
“One Size does not fit All”

• less flexibility to fit local markets
• spectrum under- or over-utilization
• refarming costs
• unequal benefits
Current activities

Implementing measures:

Community interest in sectorial cases but with **generic background**. Examples:

- R-LAN / 5 GHz, short rage devices → **unlicensed spectrum**
- SRR / 24 GHz, UWB < 10 GHz → **underlay spectrum usages**
- co-ordinated approach to spectrum for wireless access platforms → increase **flexibility of radio spectrum usage, market based approaches**
Current activities

Generic / strategic spectrum policy aspects:

- New regulatory framework allows for secondary trading of radio spectrum.
- Integration of information on radio spectrum usage
- Discussion of allocation principles
- R&D programmes / spectrum policy
Conclusions

Developing new approaches of spectrum management in the EU:

• the need to serve EU policy objectives

• finding the right balance EU / Member States responsibility

• new dimension: coherence at regional level on spectrum management approaches
References / contact

• General information on radio spectrum policy (Commission web page on Information Society portal), contact:
  http://europa.eu.int/information_society/topics/radio_spectrum/index_en.htm
  infso-B4@cec.eu.int

• Webpage / contact of Radio Spectrum Policy Group (RSPG):
  http://rspg.groups.eu.int
  infso-rspg@cec.eu.int

• Webpage of Radio Spectrum Committee (RSC):
  http://forum.europa.eu.int/Public/irc/infso/radiospectrum/home

• Ruprecht Niepold: Ruprecht.Niepold@cec.eu.int