

WRITTEN QUESTION P-4568/09
by Helga Trüpel (Verts/ALE)
to the Commission

Subject: Spectrum policy

In its consultation document 'Transforming the digital dividend opportunity into social benefits and economic growth in Europe' of 10 July 2009, the Commission proposes immediate action to prepare for the opening of the 790-862 MHz 'broadcasting' band to electronic communication services other than broadcasting. To this purpose, the Commission intends to submit this autumn – before the adoption of a multi-annual radio spectrum policy programme – a decision on the technical harmonisation of the upper UHF frequency band via comitology procedure for adoption at the beginning of 2010. To date, according to ITU radio regulations, the use of the 790-862 MHz band is allocated to broadcasting on a primary basis. Opening the use of the upper UHF band to co-primary use of broadcasting and mobile communications therefore constitutes a major change in Member States' spectrum policy. For these cases, the revised telecoms package (expected to be adopted in late 2009) expressly rules that strategic changes and harmonisation of the use of radio spectrum first have to be decided by Parliament and the Council on the basis of a multi-annual radio spectrum policy programme, before any implementing measures can be adopted.

Can the Commission explain, against this background, why its proposal to submit technical harmonisation measures for the upper UHF band via comitology in autumn 2009 does not contradict the provisions of the existing and the revised telecoms packages?

Furthermore, during the Regional Radio Communication Conference (RRC-06) in Geneva, all countries were allotted the same part of the spectrum: approximately seven to eight layers for broadcast media. This was based on the principle of equality of treatment. The Commission's plan to introduce new-generation mobile services (LTE or 4G) in the sub-band 790 to 862 MHz will modify these fair spectrum-access arrangements. What kind of solution has the Commission devised to respect fully this commitment to equality of access to the spectrum?