

Satellite services: selection and authorisation of systems providing mobile satellite services MSS

2007/0174(COD) - 22/08/2007 - Legislative proposal

PURPOSE: to create a Community procedure for the common selection of operators of mobile satellite systems.

PROPOSED ACT: Decision of the European Parliament and of the Council.

BACKGROUND: space applications are estimated to be worth EUR 90 billion globally. Of this amount, the European space industry holds 40% of the global market for manufacturing satellites, for launching them and for providing services by operating them. Indeed Europe is home to three of the five largest satellite system operators in the world. Satellite communications represents a large chunk of the European space industry's current revenues.

The effective and coherent use of radio spectrum is considered essential to the development of electronic communications services given that it stimulates growth, competitiveness and employment. Indeed the effective development of mobile satellite communications has been elaborated on in a 2006 EP Resolution, in which Parliament emphasised the importance of mobile satellite communications for the rural and less developed regions of Europe. The Resolution also noted that Member States' regimes for spectrum allocation and exploitation differ widely. These differences represent a serious obstacle to the achievement of a well-functioning single market. Satellite communication is cross-border in nature. An international and regional response is therefore necessary.

CONTENT: the purpose of this proposal, therefore, is to create a Community-wide procedure for the common selection of mobile systems' operators as well as to lay down provisions for co-ordinating Member States authorisation of the selected operators. The aim being to facilitate the development of a competitive mobile satellite services in the Community. This proposal links into the recently adopted Commission Decision 2007/98/EC on the harmonised use of radio spectrum in the 2 GHz frequency bands for the implementation of systems providing mobile satellite services. The key element of this Decision is the requirement that Member States free-up these frequency bands to mobile satellite services in the Community, as of 1 July 2007. It fails, however, to cover procedures for the selection and authorisation of operators.

In presenting this proposal the Commission is seeking to prevent Member States taking decisions that might lead to the fragmentation of the internal market in the mobile satellite communications sector. Differences in national selection procedures could still create fragmentation of the internal market due to the divergent implementation of selection criteria, such as the weighting of the criteria and/or different timescales for selecting procedures.

In brief, therefore, the Commission is making the following proposals: to ensure that operators will be selected through a comparative selection procedures to be organised by the Commission assisted by the Communications Committee; to make Member States responsible for granting authorisation to those entities selected by the Commission, although common conditions will have to be attached to all national authorisations; and to lay down the general and final provisions (for example the Committee structures and regulatory procedures.)