

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

2007/0174(COD) - 30/06/2008 - Final act

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

LEGISLATIVE ACT: Decision No 626/2008/EC of the European Parliament and of the Council on the selection and authorisation of systems providing mobile satellite services (MSS).

CONTENT: the Council adopted by qualified majority this Decision of the European Parliament and of the Council establishing a common framework for the selection and authorisation of systems providing mobile satellite services. Agreement was reached on first reading. The Decision aims to facilitate the development of a competitive internal market for mobile satellite services across the EU and to ensure gradual coverage in all Member States. Mobile satellite services constitute an innovative alternative platform for various types of pan-European telecommunications and broadcasting or multicasting services such as high-speed internet or intranet access, mobile multimedia and public protection and disaster relief. In addition, these services could improve coverage of rural areas in the EU, thus bridging the digital divide in terms of geography.

The Decision lays down Community procedures for the common selection at EU level of mobile satellite system operators as well as provisions for the coordinated authorisation by Member States of the selected operators to use the radio spectrum for the operation of such systems in the EU. It complements the Commission Decision, adopted through the committee procedure in February 2007, that obliged Member States to reserve by 1 July 2007 the 2GHz radio frequency bands for use by systems providing mobile satellite services.

The main issue discussed within Council's bodies and between the Council and the European Parliament was the amount of coverage the selected operators of mobile satellite systems will provide. The Decision provides for an obligation to cover initially 60% of the aggregated land area of the Member States and, with a maximum of seven years, a coverage of at least 50% of the population and over at least 60% of the aggregate land area of each Member State. In addition, an important weighting of 40% of the coverage criteria was added in the second phase of selection.

The selection procedure of operators of mobile satellite systems will be organised by the Commission, assisted by the Communications Committee. The call for tenders will be published in the Official Journal of the EU.

The main points are as follows :

- the Decision creates a Community procedure for the common selection of operators of mobile satellite systems that use the 2 GHz frequency band in accordance with Decision 2007/98/EC, comprising radio spectrum from 1980 to 2010 MHz for earth to space communications, and from 2170 to 2200 MHz for space to Earth communications. It also lays down provisions for the coordinated authorisation by Member States of the selected operators to use the assigned radio spectrum within this band for the operation of mobile satellite systems.

- Operators of mobile satellite systems will be selected through a Community procedure, in accordance with Title II. A comparative selection procedure will be organised by the Commission, assisted by the

Communications Committee. Applicants must be given a fair and non-discriminatory opportunity to participate in the comparative selection procedure, which will be transparent.

- The selected operators of mobile satellite systems will be authorised by Member States in accordance with Title III.

- Operators of complementary ground components of mobile satellite systems shall be authorised by Member States in accordance with Title III.

ENTRY INTO FORCE: 05/07/2008.