Use of the 470-790 MHz frequency band in the Union

2016/0027(COD) - 02/02/2016 - Legislative proposal

PURPOSE: to ensure coordinated transition in spectrum use of the 470-790 MHz frequency band in the Union according to common objectives.

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

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: rapidly growing wireless broadband traffic makes **enhanced wireless network capacity a necessity**. Wireless connectivity requires access to spectrum in the bands below 1 GHz, being the sweet spot for both wide coverage and high speeds.

In its strategy for the digital single market (DSM), the Commission highlights the **importance of the 694-790 MHz ('700 MHz') frequency band** for ensuring the provision of broadband services in rural areas and stresses the need for a coordinated release of that frequency band, while accommodating the specific needs of audiovisual media services distribution.

At present the UHF broadcasting band comprises the range of frequencies from 470 to 790 MHz (the 'UHF band'). This band is used for digital terrestrial television (DTT) and audio programme making and special events ('audio PMSE') equipment, essentially wireless microphones.

The 2012 World Radiocommunication Conference (WRC-12), the International Telecommunications Union (ITU) Conference that revises the binding Radio Regulations, decided that the 700 MHz band should be allocated to both the broadcasting and mobile service in Region 1 (Europe and Africa) as of 2015.

The absence of a Union-wide common legislation for the UHF band would create detrimental fragmentation in the use of the UHF band within the Union.

The Commission responded to the outcomes of the European stakeholder process and international agreements under the aegis of the ITU by developing a strategy for the Union on the long-term use of the UHF band. The strategy will promote the digital single market and ensure efficient management of radio spectrum in the UHF band, reflecting its social, cultural and economic value.

The UHF band strategy has three major strands:

- harmonised technical conditions for wireless broadband electronic communications services in the 700 MHz frequency band based on the principle of technology and service neutrality;
- a **common deadline for making the 700 MHz band available** for effective use for wireless broadband electronic communications services in line with the harmonised technical conditions above, and coordination measures to support this transition;
- priority for distribution of audiovisual media services (AVMS) in the sub-700 MHz frequency band in conjunction with a flexible approach to how the band is used; this is necessary to cater for diversity regarding the market significance of DTT in Member States.

This proposal contributes to the **target of 1200 MHz for wireless broadband**, which is one of the key objectives of Decision 2012/243/EU of the European Parliament and the Council establishing a multiannual radio spectrum policy programme (RSPP).

IMPACT ASSESSMENT: the preferred option chosen by the Commission seeks to reach the following strategic objectives: (i) coordinated designation and authorisation of the 700 MHz frequency band for wireless broadband by 2020; (ii) coordinated designation of the sub-700 MHz frequency band for flexible use, subject to national demand, which would safeguard the continued provision of audiovisual media services to a mass audience (in a technology-neutral way), including free-to-view distribution, as well as spectrum availability for audio PMSE use.

CONTENT: in accordance with the UHF band strategy, this proposal lays down **two binding common deadlines for Member States for repurposing the 700 MHz frequency band for wireless broadband**:

- cross-border coordination agreements must be completed by the **end of 2017**;
- the 700 MHz frequency band must be made available for effective use for wireless broadband electronic communications services **by mid-2020**.

In addition, the proposal also:

- requires Member States to consult on at national level and consider taking measures to **ensure a high-quality level of coverage of their population and territory** when they grant rights of use of the 700 MHz band for wireless broadband electronic communications services;
- deals with the **long-term use of the sub-700 MHz frequency band**. It requires Member States to safeguard use of this band in the long term for the distribution of audiovisual media services to a mass audience (or to the general public). This should include continued use for wireless audio PMSE, in accordance with national priorities;
- requires Member States to **adopt and communicate across the Union their national roadmaps** on repurposing the 700 MHz frequency band for wireless broadband and the related transition process for the whole UHF band;
- requires the Commission to **conduct by 2025 a review of spectrum use in the sub700 MHz frequency band** in cooperation with the Member States and report its conclusions together with any proposal for regulatory changes, which might, for example, change the substance or format of safeguards or their duration.