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

2016/0027(COD) - 14/11/2016 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Industry, Research and Energy adopted the report by Patrizia TOIA (S&D, IT) on the proposal for a decision of the European Parliament and of the Council on the use of the 470-790 MHz frequency band in the Union.

The committee recommended that the European Parliament's position adopted at first reading following the ordinary legislative procedure should ament the Commission proposal as follows:

Flexibility option: the Commission proposal stipulated that by 30 June 2020, Member States shall allow the use of the 694-790 ('700 MHz') MHz frequency band for terrestrial systems capable of providing wireless broadband electronic communications services only under harmonised technical conditions set by the Commission.

Members proposed that Member States may **delay the making available of the band for up to two years on the basis of duly justified reasons**. Where a Member State does so, it shall inform other Member States and the Commission accordingly and shall include those duly justified reasons in its national roadmap.

Member States that delay the use of the 700 MHz frequency band shall **cooperate with neighbouring Member States** with a view to coordinating the process of releasing the band for wireless broadband electronic communications services.

This Decision is without prejudice to the right of Member States to organise and use their spectrum for the purposes of public order, public security and defence.

Transfer or leasing of the rights of use of spectrum: the proposal stipulates that, by 30 June 2022, Member States must allow the transfer or leasing of the rights of use of spectrum for electronic communications services in the 700 MHz frequency band.

Member States shall allow the transfer or leasing of the rights of use of spectrum for terrestrial systems capable of providing wireless broadband electronic communications services in the 700 MHz frequency band, in accordance with open and transparent procedures, **as from the date of the granting of such rights**.

Use of the 700 MHz frequency band or amendments to existing rights: when Member States authorise the use of the 700 MHz frequency band or amend existing rights to use the 700 MHz frequency band, they shall take all necessary measures to ensure a **consistent and continuous** high-quality level of coverage of their entire population and territory, at the fastest possible broadband speeds, and at least 30 Mb/s both indoors and outdoors, including coverage in predetermined national priority areas where necessary, and along major terrestrial transport paths, for the purpose of allowing wireless applications and European leadership in new digital services to contribute effectively to Union economic growth.

In addition, Member States may take due account of the opportunity to ensure that **Mobile Virtual Network Operators** (MVNOs) are able to obtain wholesale access to spectrum and of the opportunity to increase the geographical coverage of MVNOs.

The Commission shall facilitate, where feasible, the option of jointly organised auctions, thus contributing to **pan European structures**.

Audiovisual media services to mass audiences: the proposal obliges Member States to ensure that the 470-694 MHz frequency band (below 700 MHz), or part of it, is available for the terrestrial provision of audiovisual media services to mass audiences and for use by wireless audio programme making and special events equipment (PMSE).

Members proposed that Member States shall ensure **availability until 2030** of the 470-694 MHz frequency band for the terrestrial provision of broadcasting services to mass audiences, including free television and innovative user-driven initiatives, and for use by wireless audio PMSE equipment, based on **national broadcasting needs** and taking into account the principle of **technological neutrality**.

Each Member State shall ensure that any other use of the 470-694 MHz frequency band on its territory is compatible with its national broadcasting needs and does not cause harmful interference with the terrestrial provision of broadcasting services in a neighbouring Member State.

National roadmap: Members considered it necessary for the Member States to adopt and make public their national plan and schedule ('national roadmap') as soon as possible and in any event **no later than 30 June 2018**.

Member States may, where appropriate and in accordance with Union law, ensure that the direct cost, in particular for end-users, of migration or reallocation of spectrum use is **compensated adequately, promptly**, and in a transparent manner, in order to facilitate the transition in spectrum use to more spectrum-efficient technologies such as DVB-T2 or HEVC.

Impact assessment: by **1 January 2023** (as opposed to 1 January 2025), the Commission shall carry out an assessment and report to the Council and Parliament on developments in the use of the 470-960 MHz frequency band, with a view to developing a common position on the review of that frequency band at the World Radiocommunication Conference in 2023.

The assessment shall take into account technological developments, changes in consumer behaviour but also the requirements in connectivity to foster growth and innovation in the Union.