



EUROPEAN COMMISSION

Information Society and Media Directorate-General

Electronic Communications Policy

Radio Spectrum Policy

Brussels, 15 June 2009

DG INFSO/B4

ADOPTED

Mandate to CEPT on the 2 GHz bands

1. PURPOSE

The purpose of this Mandate is to contribute to putting into practice the concept of flexibility as advocated in the Opinion of the RSPG on Wireless Access Policy for Electronic Communications Services (WAPECS), by developing least restrictive technical conditions which are sufficient to avoid harmful interference in the frequency bands that have been tentatively identified by the RSC for the implementation of the WAPECS approach.

The technical conditions specific to each frequency band expected in response to this mandate will be considered for the introduction of harmonised technical conditions within the Community in order to achieve internal market objectives and facilitate cross-border coordination.

2. JUSTIFICATION

Pursuant to Article 4 of the Radio Spectrum Decision¹, the Commission may issue mandates to the CEPT for the development of technical implementing measures with a view to ensuring harmonised conditions for the availability and efficient use of radio spectrum. Such mandates shall set the task to be performed and the timetable therefor.

¹ Decision 676/2002/EC of the European Parliament and of the Council of 7 March 2002 on a regulatory framework for radio spectrum policy in the European Community, OJ L 108 of 24.4.2002.

Flexibility and facilitating market entry are key requirements for ensuring that information and communication technologies help to deliver growth and jobs, in line with the renewed Lisbon Strategy. The issue of flexible spectrum use has been identified as an important aspect by the Commission² as well as Member States³ and the success of this approach will now depend on an optimal implementation on the basis of concrete measures at the level of specific frequency bands. In this context it is necessary to look into the technical conditions attached to the rights of use of spectrum with the aim of implementing the defined policy approach. Reviewing the results of the CEPT Mandate on WAPECS⁴ as well as recent developments in the market place, it seems necessary to continue the process towards an environment with a similar and minimal set of conditions for electronic communications services across all the relevant frequency bands and all Member States, while taking into account the experience of Member States so far.

In December 2008 the European Council adopted conclusions⁵ regarding the economic recovery plan, which inter alia include support for regulatory incentives to develop broadband internet, including in areas that are poorly served. Ensuring that state-of-the-art wireless broadband technologies have access to a number of spectrum bands so that both capacity and coverage can be achieved is an important aspect that will stimulate broadband deployment.

The frequency bands 1900-1980 MHz / 2010-2025 MHz / 2110-2170 MHz (2 GHz bands) are currently used widely in Europe for 3G networks deploying UMTS technology and were addressed in the original WAPECS Mandate, but due to the urgency and importance given to the finalisation of the work in preparation of the EC Decision on 2500-2690 MHz this work could not be performed. Considering the aim of having a similar and minimal set of conditions for electronic communications services across all the relevant frequency bands and all Member States, the results achieved on Block Edge Masks (BEMs) for the EC Decision on 2500-2690 MHz could be transposed to the 2 GHz band. This would achieve certainty as to the future use in this band and pave the way to the introduction of further innovative technologies, such as LTE.

3. TASK ORDER AND SCHEDULE

CEPT is mandated to study the following issues:

- (1) Summarise national experience with implementation of the WAPECS approach, in particular on BEMs so far: Noting the wish of Member States to reflect on experience, a summary of national situations where the WAPECS approach has

² Communication on “Rapid access to spectrum through more flexibility”, COM(2007)50

³ RSPG Opinion on Wireless Access Policy for Electronic Communications Services (WAPECS)

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http://ec.europa.eu/information_society/policy/ecomm/radio_spectrum/document_storage/mandates/ec_to_cept_wapecs_06_06.pdf

⁵ *Presidency Conclusions*, Council of the European Union, Brussels, 12 December 2008 17271/08

been applied in the authorisation process should be made and views on the experience should be reflected.

- (2) Develop common and minimal (least restrictive) technical conditions for the 2 GHz bands: Study how the results achieved on Block Edge Masks (BEMs) for the EC Decision on 2500-2690 MHz could be transposed to the 2 GHz band, with the aim of achieving as much commonality as possible, while taking due account of existing technologies and band plans.

The main deliverable for this Mandate will be a report, subject to the following delivery dates:

| Delivery date | Deliverable |
|----------------------|---|
| 18 Sept. 2009 | For the RSC#29: First progress report |
| 27 Nov. 2009 | For RSC#30: Second progress report |
| 10 March 2010 | For RSC#31: Draft final report ⁶ |
| 24 June 2010 | For RSC#32: Final report |

In implementing this mandate, the CEPT shall, where relevant, take the utmost account of Community law applicable and support the principles of technological neutrality, non-discrimination and proportionality insofar as technically possible.

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⁶ Public consultation should take place based on this version of the text.