

via E-Mail: cnect-rspg@ec.europa.eu

Radio Spectrum Policy – Unit B4

Electronic Communications Networks and Services Directorate
Directorate-General for Communication Networks,
Content and Technology (CNECT)
European Commission
BU 33 07/65
B-1049 Brussels

Vienna, on the 29. March 2023

**RSPG Opinion on the ITU-R World Radiocommunication Conference 2023
Proposals for the RSPG recommendation on WRC-23 Agenda Item 1.5 (UHF Review)**

Dear Sir or Madam,

The Alliance of TV, Radio and Culture Broadcasters (Allianz der TV-, Radio- und Kulturveranstalter) is a joint initiative of affected industries that need the UHF band for interference-free transmission and media production. We have set ourselves the goal of long-term, exclusive preservation of "our" frequencies.

On 9 December 2022, the Radio Spectrum Policy Group (RSPG) adopted its opinion on the WRC-23. In its opinion, RSPG identified a potential compromise and also proposed a change in the international radio regulations by identifying a secondary allocation to mobile.

First, we noted with approval that the potential compromise identified by RSPG takes into account the requirement of regulatory certainty, which is an important part of the EU UHF Decision, by excluding any discussions before WRC-31.

Furthermore, we are also in agreement with RSPG's reminder that the EU position must be compliant with EU law, in particular the EU UHF Decision 2017/899.

But there are also points with which we do not agree at all.

In the RSPG Opinion, the proposal for a change in the international radio regulations by identifying a secondary allocation to mobile represents an unwanted and unanticipated change for us. What is also not clear to us is the basis for this proposal. This is not sufficiently covered by current studies.

We fear that the introduction of mobile services on a secondary basis will lead to a deterioration for the PMSE sector. If the remaining spectrum for broadcasting and PMSE is open to the mobile sector at the ITU level, this will cause immediate and damaging effects on sectorial investment and innovation. No UHF spectrum means no live events, much less content creation and loss of associated jobs.

In particular, the Austrian Theatrical Technical Society (Österreichische Theater-technische Gesellschaft – OETHG), an alliance member and representative of the PMSE industry, has specific concerns about the secondary mobile allocation.

As mouthpiece of the theatre, culture and event industry, the OETHG is very concerned about any change in the current status. In fact, a change in the current use of “cultural frequencies” would be a serious blow to Austria's cultural landscape, since numerous theater productions could no longer take place.

Moreover, because these events could not be performed without interference-free and high-quality radio transmission, both musical theaters as well as large outdoor venues (e.g. Bregenz Festival) would lose their working base.

Consequently, this would result in a decrease in the high added value of the cultural sector. Music festivals, as well as major sporting events, could no longer be held in the usual form, either.

Accordingly, sacrificing a significant part of Austria's cultural identity would be a high price to pay for the preference of faster downloads and even more questionable content on mobile devices.

Very unfortunate is the envisaged wording for WRC-31 Agenda item in the RSPG opinion, namely “[...] with a WRC-31 Agenda Item to consider a possible upgrade of the secondary mobile allocation.” (See RSPG Opinion, page 15)

Such a wording is biased in favor of considering an upgrade to primary status for mobile services, an option which is not part of the UHF Decision. Such wording would create an unbalanced entry point for negotiations at WRC-31 and even at the upcoming WRC-23.

Instead, we root for a neutral, non-prejudicial wording regarding any possible agenda item at WRC-31 impacting the European cultural band 470-694 MHz band.

What we constantly welcome and strive for is innovation. We are proud of blending our long tradition of European broadcast innovation with digital technologies – e.g., via 5G Broadcast – to bring the best of both fields together. We see the potential to opening the UHF band to new all-IP downlink-only complementary services, including ancillary downlink-only services to licensed media distributors (e.g., scheduled contents) and new downlink-only complementary services (e.g., emergency warning systems) under EU or national flexibility schemes. In order to have the chance to build up the band for the implementation of this innovative plan, we need the decision “No

Change" regarding the allocation of the 470-694 MHz band in the upcoming WRC-23 and avoid any further discussion until, at least, WRC-31.

Therefore, the Alliance of TV, Radio and Culture Broadcasters supports "**No Change**" in the allocation of the UHF Band at WRC-23 and advocates for a **neutral, non-prejudicial wording** for the UHF agenda item for WRC 2031.

With best regards,

Allianz der TV-, Radio-, und Kulturveranstalter



Michael Wagenhofer
Spokesman of Allianz der TV-, Radio-, und Kulturveranstalter