

Joint BEREC/RSPG News Release on Spectrum and the Framework Review

3 February 2016

The Body of European Regulators for Electronic Communications (BEREC) and the Radio Spectrum Policy Group (RSPG) share the same goal of ensuring that all European citizens have rapid access to the next generation of mobile services.

Both organisations responded to requests from the European Commission for advice on its review of the Electronic Communications Framework.

Spectrum is the essential – but finite – building block for wireless services and it is critical it is managed efficiently. BEREC and the RSPG's responses state that effective spectrum management is critical to the Digital Single Market.

Although BEREC's role focuses specifically on the functioning of the electronic communications markets, and the RSPG is concerned with spectrum management more broadly, the two organisations share the same objective of making wireless services work for European citizens.

Both BEREC and the RSPG were created to strengthen co-operation between their respective members. This co-operation has already brought benefits and it can and should be built upon. BEREC and the RSPG recommend that the Framework Review should seek to enhance such co-operation, such as through the exchange of experiences and the development and dissemination of regulatory best practices as was recently the case with the work on the critical area of spectrum awards. The two groups are planning work together to take these initiatives forward in order to achieve a harmonised spectrum management from the bottom-up.

The Framework already establishes important EU-wide common regulatory principles aimed at ensuring effective spectrum management at the European and national level, including the promotion of competition, regulatory certainty, and technology and service neutrality. These have been important drivers for the development of wireless markets and services in Europe. For this reason, RSPG and BEREC call for a thorough and evidence-based analysis of any perceived problems on these markets before any move is made to change the Framework. To do otherwise would risk hampering the development of the market rather than stimulating it.

Spectrum management should ensure that the benefits of European and international harmonisation are achieved, for example through the development of equipment for a global market. BEREC and the RSPG note that far-reaching harmonisation is already a reality at a European level. Member States actively co-ordinate use of spectrum through well-established processes at both global and regional levels. Through these existing processes, Europe has deployed 4G mobile services, and identified 1200 MHz of spectrum for mobile broadband.

Thus additional mandatory harmonisation should be approached with caution, as we should be mindful of the risks of making sub-optimal use of this scarce resource. This is because the spectrum needs to deliver wireless services are not the same in every country, even where the services delivered are pan-European. In order to deliver the next generation of wireless services effectively to all European citizens, national authorities must retain sufficient flexibility to manage their spectrum in a way that responds to their national circumstances and particular needs.

BEREC and the RSPG look forward to strengthening co-operation and to advising European policymakers on the issues raised by the Digital Single Market, and particularly on the Framework Review, over the coming years.

Dr. Wilhelm Eschweiler, Chair, BEREC
Philip Marnick, Chair, RSPG

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Notes for Editors

BEREC and RSPG are high-level bodies created to advise the European Commission on telecoms and spectrum issues respectively.

The Body of European Regulators for Electronic Communications (BEREC) was created in 2009 to improve consistency of the EU telecoms rules and to contribute to the development of the Single Market.

The Radio Spectrum Policy Group is a high-level advisory group assisting the Commission in the development of radio spectrum policy in the Community.

Both comprise the relevant expert authorities from EU Member States: in the case of BEREC, the National Regulatory Authorities (NRAs) for electronic communications; in the case of RSPG, the spectrum management authorities.

BEREC's opinion and input on the review of the framework for electronic communications was adopted during its 25th plenary meeting (10 December 2015, London), and is published here: http://berec.europa.eu/eng/document_register/subject_matter/berec/opinions/5577-berec-opinion-on-the-review-of-the-eu-electronic-communications-regulatory-framework.

The RSPG's Opinion on the Framework Review was adopted by written procedure on 29 January 2016, and is published here: http://rspg-spectrum.eu/wp-content/uploads/2013/05/RSPG16-001-DSM_opinion.pdf

The European Commission decides on harmonised spectrum use under the Radio Spectrum Decision, and the common EU priorities and policy guidelines for spectrum management are set out by the Council and Parliament in the multiannual Radio Spectrum Policy Programme (RSPP).

Dr. Wilhelm Eschweiler is Vice President of the Bundesnetzagentur (the German Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway). He will be Chair of BEREC during 2016.

Philip Marnick is Group Director of Spectrum at Ofcom (Independent regulator and competition authority for the UK communications industries). He will be Chairman of RSPG during 2016-17.