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Electronic Communications Networks and Services  
**Radio Spectrum Policy Group**  
**RSPG Secretariat**

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## **RADIO SPECTRUM POLICY GROUP**

### **Commission activities related to radio spectrum policy**

## COMMISSION ACTIVITIES RELATED TO RADIO SPECTRUM POLICY

### 1. PURPOSE OF THIS PAPER

This paper is to report on Commission activities related to radio spectrum policy since the 50<sup>th</sup> meeting of the RSPG on 09 October (RSPG#50). The paper concentrates on activities which have most relevance to RSPG's scope of responsibilities.

### 2. POLICY DEVELOPMENTS IN THE AREA OF RADIO SPECTRUM

On 29 January 2020, the Commission endorsed the joint toolbox of mitigating measures agreed by EU Member States to address security risks related to the rollout of 5G, the fifth-generation of mobile networks<sup>1</sup>. This follows the European Council's call for a concerted approach to the security of 5G and the ensuing Commission Recommendation of March 2019. Member States have since identified risks and vulnerabilities at national level and published a joint EU risk assessment. Through the toolbox, the Member States are committing to move forward in a joint manner based on an objective assessment of identified risks and proportionate mitigating measures.

### 3. HARMONISATION AND TECHNICAL IMPLEMENTATION ACTIVITIES

Since RSPG#50, there has been one meeting of the Radio Spectrum Committee (RSC#689) on 11 December 2019. The following issues were discussed:

#### ITS

ETSI presented their progress on coexistence studies between LTE-V2X and ITS G5. Technical solutions on the two ETSI work items are expected to be finalised by mid 2020. A choice will then have to be made on a commonly agreed technical solution which would lead ultimately to a harmonised standard. A standard would be available earliest by mid-2021 and if agreement on a common solution proves challenging, it might even take until mid-2022. Consequently, there was the general view of the Member States that there should be no further delay in amending the implementing decision for the 5.9 GHz band. The Commission is expected, in this context, to table a draft amendment to its implementing decision at the next RSC meeting in March 2020. Following a discussion on possible options, the draft decision would be based on the results of CEPT Report 71 and be assumed that there will eventually be a coexistence solution developed in ETSI.

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<sup>1</sup> See: [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_20\\_123](https://ec.europa.eu/commission/presscorner/detail/en/ip_20_123)

**Paired 2 GHz**

The Commission services presented the working document RSCOM19-38, which constitutes a first draft of the Commission Implementing Decision amending Decision 2012/688/EU, as regards an update of relevant technical conditions applicable to the frequency bands 1920-1980 and 2110-2170 (the paired terrestrial 2 GHz band) for terrestrial systems capable of providing electronic communications services. The new technical parameters according to the CEPT report 72 (Report A) are included in the annex of this working document and their harmonisation will make the paired terrestrial 2 GHz band suitable for 5G, while preserving the principle of technology and service neutrality. Apart from some concerns about existing licences and the necessary arrangements for the implementation of the General Parameters of the new technical conditions, which require additional time and flexibility, the Delegations were positive to this initiative without raising any other controversial issues. Taking into account the concerns of Member States and their editorial comments, a revised version of the draft Implementing Decision (RSCOM19-38rev1) was submitted for their final written comments with the aim of reaching a stable text.

**2.6 GHz**

The Commission presented the working document RSCOM19-39, which constitutes the first draft of the Commission Implementing Decision amending Decision 2008/477/EC, as regards an update of relevant technical conditions applicable to the frequency band 2 500-2 690 MHz, for terrestrial systems capable of providing electronic communications services. The revised technical conditions, based on the CEPT report 72, are included in the annex of this working document and they aim to make the EU-harmonised 2.6 GHz frequency band “5G-ready”, in line with the principles of technological and service neutrality. The Delegations were positive to this initiative, without raising any controversial issue.

**26 GHz**

The Commission presented the working document RSCOM19-47, which analyses the outcome of the World Radiocommunication Conference 2019 (WRC-19) with a focus on the global out-of-band emission limits on 5G equipment in the 26 GHz band for the protection of passive satellite services in the adjacent 23.6-24 GHz band and its implications. Member States were invited to provide views on the need to update the EU-harmonised out-of-band emission limits on 5G for protecting the ‘passive’ band. Member States supported an urgent amendment of the existing Commission Implementing Decision (EU) 2019/784 taking into account the outcome of WRC-19, protection of the ‘passive’ satellite services and use of the 26 GHz band for 5G in line with the deadline of end-2020 of the Code. The Commission will request a focused technical input from the CEPT with a short deadline, which serves as a basis for a Commission amending Decision.

**Amendment to Permanent Mandate on UWB**

The RSC approved by consensus several editorial amendments to the text of the Permanent Mandate to CEPT on UWB (RSCOM17-04rev3) to take into account the adoption of the new Commission Implementing Decision (EU) 2019/785 on UWB. The amended Mandate on UWB (document RSCOM17-04rev4) was sent to ECC Chairman.

## Implementation of EU law on spectrum

The Commission services presented a document (RSCOM19-41) providing a summary of results of the questionnaire on the state of implementation of the following Commission Implementing Decisions: (EU) 2018/1538, (EU) 2018/661, (EU) 2018/637, (EU) 2017/2077, (EU) 2017/191 and (EU) 2016/2317. The summary is based on the information currently available to the Commission services and provided by Member States through different means, including but not limited to, replies to RSC questionnaires and official notifications sent to the Secretariat General and/or DG CNECT. Member States were asked to check the information on the state of implementation and, if relevant, provide updates by 10 January 2020.

RSC#70 is scheduled for 11-12 March 2020 in Brussels.

## 4. OTHER ACTIVITIES

### Draft implementing regulation on small-area wireless access points, EECC Article 57(2)

The Commission, in accordance with the Code, is preparing an implementing regulation. The major elements of the draft implementing regulation as well as the recommendations of the supporting study on a “*Light Deployment Regime for Small-area Wireless Access Points (SAWAPs)*”<sup>2</sup> were discussed with the Member States on 4 June and 24 September 2019 in the Communications Committee (COCOM), which is the responsible committee under the examination procedure in line with Article 118 of the Code. Taking into account the views of the Member States, the supporting study, the inter-service consultation (23 Dec 2019 - 15 Jan 2020) and the results of the open public consultation which took place between 10 January and 10 April 2019, the Commission services plan to finalise the Draft Implementing Regulation and to present its initial version, accompanied by a Staff Working Document, at an extraordinary COCOM Plenary Meeting on 31 March 2020. **The Draft Implementing Regulation is planned to be published at the end of February or early March on the ‘Better Regulation Portal’, in the context of ‘Have your say’.** Its adoption is aimed at Q2/2020, in compliance with the deadline of 30 June 2020 provided by the Code.

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<sup>2</sup> <https://op.europa.eu/en/publication-detail/-/publication/463e2d3d-1d8f-11ea-95ab-01aa75ed71a1/language-en/format-PDF/source-112125706>