

Orange response to 'Authorisation of terrestrial mobile networks complementary to 2 GHz mobile satellite systems', 3 November 2008

Executive summary

Orange UK welcomes the opportunity to respond to the Ofcom consultation on 'Authorisation of terrestrial mobile networks complementary to 2 GHz mobile satellite systems'. Our parent company, France Telecom Group recently responded to the EC consultation on the selection and authorisation process for systems providing Mobile Satellite Services (MSS) in the EU.

Orange is particularly concerned by the use of the 1980-2010MHz -2170-2200 MHz bands which have been designated for the satellite component of IMT-2000 and are adjacent to the bands used by the existing IMT-2000 terrestrial networks. Protection of UMTS operations must be guaranteed by operations in the MSS 2 GHz bands both by the satellites and CGCs, and we would welcome further work in this regard, based on the consideration of candidate satellite systems. In time, an appropriate mandate should be addressed to CEPT for compatibility studies on these issues.

Orange is disappointed that there has only been one month in which to make responses to this consultation, particularly as the Statement was issued simultaneously. As the adjacent operator, we have a legitimate interest in how the MSS spectrum is allocated and used in the UK.

Introduction

Orange is clear that Ofcom has now confirmed that CGC authorisation will :

- be in the form of a spectrum access licence using standard terms and conditions, but with the addition of the specific conditions imposed by Decision No 626/2008/EC;
- be awarded, on application, to the MSS operators that are selected under the EU selection and authorisation process;
- be available for a fixed term which will be 18 years from the publication date of the EU selection decision;
- be service and technology neutral, to the extent possible within the constraints of the RSC Decision³ and Decision No 626/2008/EC²;
- authorise only the set of frequencies that the applicant applies to use for CGC in the UK;
- be tradable, using the form of a concurrent trade in which the MSS operator has to retain a concurrent licence itself;
- be available to the selected MSS operators from the date of the EU selection decision and in advance of the commercial launch of the satellite component (which could be up to 24 months after the decision);
- incur a licence fee based on the principle of AIP, although we have still to decide on the level of AIP, which we will do as part of a future Statement.

This response is concerned with the subsequent consultation on:

- the approach for reflecting in the CGC Licence the specific conditions that are required by Decision No 626/2008/EC; and

- The technical conditions that should attach to the CGC licence.

Question 1:

Do you agree with our proposals for the detailed terms and conditions of the CGC Licence set out in this document or have any other comments on the issues raised in this document?

Orange responded to the previous consultation on the 'authorisation of terrestrial mobile networks complementary to 2GHz mobile satellite systems'.

As the adjacent operator to this spectrum block, we need to be assured that there will not be any adverse interference as a result of the authorisation for use within this spectrum. In addition, this spectrum must be linked to the allocation and rollout of satellite operators from the date of the EU Decision.

Orange supports Ofcom's statement that the relationship between the MSS and CGC network must be maintained following any trade.

Whilst Orange supports Ofcom's position that AIP should be used as a proxy to assess the value of the spectrum, it is hard to see how Ofcom has reached its conclusion that a suitable reference point is 2G AIP rates. As we have stated in previous responses, this is 3G spectrum and should be treated as such. Some account needs to be taken that this spectrum will be used to provide 3G services. Ofcom should, at the very least, consider aligning this spectrum with the liberalisation of the 2G spectrum.

As a 3G service will be provided, AIP payments based on the 3G spectrum must be used.

Question 2:

Do you agree with our proposed approach for including the conditions imposed by Decision No 626/2008/EC in the CGC Licence?

Orange supports Ofcom's understanding that the common condition b) of Decision No 626/2008/EC2 is that the requirement for CGC to constitute an integral part of the satellite network derives from the need to prevent the CGC component causing interference to the satellite component. Accordingly, it is necessary that the assignment of frequencies between satellite and CGC are coordinated by the MSS operator.

Ofcom proposes to award 2 GHz CGC licence(s) on a UK wide basis which includes both the rights authorised under the EU selection and authorisation process itself and, to the extent that the satellite footprint does not cover the whole of the UK, the noninterference, non-protection rights for use of spectrum that falls outside the satellite footprint.

Ofcom intends to create a direct link between the authorisation of CGC and the authorisation of the MSS satellite by inserting an additional clause (e) in condition 3 of the draft CGC licence by which the CGC Licence may be varied or revoked if [the UK licence authorisation of the associated MSS satellite] is no longer in force.

Question 3:

Do you believe that the technical parameters used to define transmission rights should be based on spectrum usage rights or spectrum masks?

The interference impact of the satellite component is unclear in this consultation therefore the comments below refer to the CGC only.

Orange is supportive of the use of spectrum masks for the CGC for this award. Orange urges Ofcom to fully specify the uplink mask for the award and further consult with stakeholders.

However, Orange has concerns in relation to the use of SURs for the CGC for this award. In line with previous comments on SURs, Orange has reservations with regard to the efficiency of the use of ITU-R Rec. P 1546 -3 for propagation modelling of compliance

Orange's view is that spectrum masks should be used for this award.

Question 4:

Do you agree with our proposed SUR parameters for CGC?

As stated above, Orange has concerns over the use of SURs for CGC for this award. In line with previous comment on SURs Orange has reservations with regard to the efficiency of the use of ITU-R Rec. P 1546 -3 for propagation modelling of compliance.

Question 5:

Do you agree with the spectrum masks parameters proposed?

As commented in response to Question 3, the interference impact of the satellite component is unclear in this consultation (it is undefined) therefore the comments below refer to the CGC only.

Orange supports the use of spectrum masks for the CGC. The permitted BEM figures should be clearly defined as EIRP BEMs. Orange supports the proposed downlink BEM as being consistent with 3GPP standardisation and supports the proposed maximum in block EIRP of 61dBm/5MHz, although we note that there is no formal definition of the uplink BEM EIRP. Orange suggests the formal definition of an uplink BEM based on relevant 3GPP user device standards.

Question 6:

Do you agree with the proposed changes to the other standard technical licence terms and conditions?

Orange is supportive of the proposed changes.

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