



Response to Ofcom Consultation – DDR Band Manager Award

ITN broadly welcomes Ofcom's consultation on the Band Manager Award. We offer the following points in answer to the questions posed in the document

Consultation Questions

Question 1:

We are in agreement with the proposals in the executive summary. We agree that PMSE access to spectrum is an important for consumers and that, left to market forces alone, there is likely to be a considerable reduction in that access. We believe the proposals do offer a degree of protection for PMSE use of spectrum while still allowing and encouraging efficient use of spectrum.

However, we remained concerned about some of the details that are not decided as yet especially cost of access to spectrum for PMSE (levels of AIP) and availability of sufficient spectrum given the pending loss of 19 channel in the 2.6GHz band.

Question 2:

Yes.

Question 3:

We are very concerned about the impact of placing channels 61 to 62 into the cleared award as they are effectively related to the channel 69 situation. We are very concerned that appropriate alternative spectrum is found for the PMSE use of these bands (mainly radio mikes) before access to these channels is lost to PMSE. We would urge Ofcom to take the lead in finding a resolution to this problem but we do accept there is considerable pressure on us to migrate our uses in this band elsewhere.

Question 4:

We would welcome measures that increase the availability of interleaved spectrum for PMSE uses but are not able to comment on the protection of DTT service reception.



Question 5:

We do not make use of these bands and so would agree with the proposal.

Question 6:

Yes, we believe a single band manager of Ofcom managed spectrum is important for PMSE users such as ourselves. We are uncertain as to how access to MOD spectrum might eventually be achieved so it may be we will have at least two mechanisms for spectrum access.

Also, a single band manager will be far better placed to manage interference issues.

Question 7:

Yes

Question 8:

Yes. It is clear there will be congestion in the 2GHz band so even an extra 10MHz is valuable.

Question 9 & 10:

Yes, given that the band manager can offer a security of tenure in these bands, it is possible demand will develop further given time and available equipment.

We would like to note that the talkback channels used by ITN in the 442MHz band are essential to our operation in central London. When we are unable to use Satellite News Gathering because of parking restrictions and need to rely on microwave links, these talkback channels are the only reliable means to achieve the return audio needed to interview MPs and other key figures in news events. We are not able to rely on the mobile phone network because of congestion and because of the call charges (talkback is often required for up to 60 minutes at a time).

Question 11, 12 & 13:

We are not able to give considered answers here as we do not know enough about the nature and types of cognitive devices that might be deployed. We do not have any uses of spectrum other than those mentioned in Q12.

Question 14:

Additional notice in these bands would be very welcome as would an extension to temporary access. We believe it would benefit efficient use of spectrum in these bands if a firm plan could be agreed for the future access by PMSE users to spectrum for radio mikes etc. Until then, we can have no certainty as to the future which makes equipment purchasing extremely difficult and must adversely affect manufacturers as well as users.

Question 15 to 18:

We are broadly in agreement with the approach taken by Ofcom in terms of the licence.



Question 19 &20:

Again we are in agreement – the longer notice period is reasonable given the need to allow use to develop in these bands.

Question 21 to 25:

We believe the approach to award process is a good one and is likely to avoid significant disruption to PMSE users.

Question 26:

Yes. We cannot see what alternative there could be that would provide proper levels of protection.

Question 27 &28:

In principle we would agree with the approach on fees in these two questions. However, the level of the fees is a key consideration also.

Question 29:

We agree that the setting of licence fees must strike an appropriate balance between the objectives and would argue that failure to do so could lead to significant disruption to PMSE users if the fees were uneconomic for PMSE use.

Question 30:

We are broadly in agreement with the phasing periods proposed.

Question 31 & 32:

We agree 3 years is a reasonable review period.

Question 33 to 35:

We have no comment

Question 36:

We have consistently argued that a market led approach to PMSE use of spectrum would be damaging to the consumer and therefore we are in agreement.

Question 37:

This is a difficult question since the level of PMSE demand for spectrum is not linked to price in the ordinary economic way. Users will use spectrum if it is the only way of achieving a



programme need or if it is the best way. Price in these circumstances might be more of a barrier to use rather than a factor in determining buying decisions. We would suggest that the demand will be driven by programme needs unless and until the price becomes prohibitive.

Question 38:

Subject to the further guidance to be offered we are in agreement

Question 39:

We have no comment

Question 40:

Effective preparation and planning will doubtless lead to a less stressful resolution to short term spectrum needs for major events and is therefore welcome. However, it cannot be denied that, once auctioned, bands such as the 2.6GHz and 3.5GHz bands will not be available unless the new uses are of a different nature to current mobile telephony or UK Broadband service providers. These providers will not be willing to suspend their services for a major event when it is likely the demand on their own services will be higher than normal and they will want as much spectrum as possible. It is hard to see where the additional spectrum needed for large scale events is to be found.

Specifically, the Olympic Parade taking place in London on the closing date of this consultation has led to serious congestion issues. The coverage would have been severely curtailed without access to the 2.6GHz band for example. This event is certainly not on the same scale as the sort of events that were in the mind of those drafting the consultation so we remain concerned about the validity of the solution proposed in the consultation.

Question 41 & 42:

Yes, the approach seems reasonable.

Question 43:

We think 6 months is probably the minimum period.