

## The Dynamic Spectrum Alliance supports the European Commission's European Electronic Communications Code

*Official comments from the Dynamic Spectrum Alliance*

**Brussels, Belgium, 27 June 2017:** The Dynamic Spectrum Alliance (DSA) welcomes the European Commission's proposed European Electronic Communications Code (EECC) and has suggested recommendations to ensure the Code's spectrum provisions extend connectivity for Europe's citizens now and in the future. The EECC is part of the European Commission's plans for improved connectivity in Europe through Wi-Fi, 5G, and high-speed Gigabit broadband capable of supporting upcoming technologies and bandwidth-hungry applications. However, these applications require sufficient spectrum to function in the first instance.

The DSA strongly believes the promotion of spectrum sharing as a regulatory objective is rightly included in the EECC as new technologies and regulatory approaches allow for dynamic spectrum sharing to make more efficient use of spectrum while protecting incumbents. Article 45 and 46 provisions should therefore be safeguarded and embraced by the Council of Ministers and European Parliament to foster increased application of a variety of spectrum sharing approaches by national spectrum managers.

"Part of the DSA's remit is to work to create innovative solutions that will increase the amount of available spectrum to the benefit of consumers and businesses alike," said Kalpak Gude, President of the Dynamic Spectrum Alliance. "As part of this, the DSA supports a broad mix of spectrum allocation methodologies; exclusive licences, licence-exemption, and shared spectrum. To support the widest range of innovative opportunities, there must first be a broad mix of solutions in place."

While the EECC lays the foundation for long-term connectivity in Europe, the DSA believes it is vital spectrum authorities are empowered to reallocate spectrum that is not being used to ensure more efficient spectrum use. The DSA therefore welcomes provisions which would enshrine a 'use-it-or-share-it' principle, by allowing the withdrawal of spectrum rights under (Article 19(2)) and allowing for alternative use of a band where a national or regional lack of demand is identified (Article 45(3)).

The provisions to allow greater access to, and the sharing of, radio local access networks (Article 55) and to enable greater use of small-area wireless access points (Article 56) are welcomed by the DSA as ways to expand access to Wi-Fi, including through initiatives like the recently adopted [WiFi4EU](#) scheme. The EECC's provisions on licence-exempt spectrum are welcomed because pursuing a balance of licensed, licence-exempt and – in the case of shared use of spectrum – lightly licensed regulatory approaches to spectrum management are key in the case of wireless connectivity. While exclusive-use licences have been a critical component in enabling mobile operators to build out their networks, the majority of Internet traffic is carried over licence-exempt Wi-Fi.

In addition to this, licence-exempt spectrum is expected to connect the majority of Internet of Things (IoT) devices in the coming years and new 3GPP technologies such as LTE-LAA and LTE-LWA will utilise licence-exempt spectrum to boost the performance of the licensed band "anchor" service.

Although the EECC looks set to have a largely positive impact on the future connectivity of Europe, the DSA cautions against the proposal for minimum 25-year licence terms (Article 49). Establishing such lengthy licence terms not only risks limiting competition and stifling innovation; it would also greatly restrict the flexibility of national authorities to keep pace with the rapid advances of technology and evolving consumer demand.

Research from the European Commission suggests that typical download speeds via legacy European infrastructure are 20 Mbps, but could be as fast as 0.4 Gbps via Fibre to the Home (FTTH). But none of this will be achievable without effective and efficient spectrum management. As both the Council and Parliament approach critical points in their review of the EECC proposals, the DSA urges the legislators to consider these recommendations on a limited number of critical provisions.

“The DSA’s central goal is to close the digital divide – something we believe is achievable by reducing the cost of deploying last-mile wireless networks, freeing up an ample supply of spectrum for innovative uses, and enabling the IoT and other forward-looking applications. The DSA believes that, if adopted, the EECC can provide the framework to support all of the above requirements, and has the potential to extend connectivity for everyone in Europe, so long as the provisions to encourage sharing and promote licence-exempt use are retained,” concluded Gude.

To read the full position paper from the Dynamic Spectrum Alliance, please visit: <http://dynamicspectrumalliance.org/wp-content/uploads/2017/06/DSA-Position-Paper-on-Spectrum-Provisions-of-the-draft-European-Electronic-Communications-Code.pdf>.

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1. <http://www.proactivepr.com/filebank/uploads/proactivepr7aa1/telecomsfactsheet.pdf>

### **About the Dynamic Spectrum Alliance**

The Dynamic Spectrum Alliance is a global organization advocating for laws and regulations that will lead to more efficient and effective spectrum utilization. The DSA’s membership spans multinationals, small- and medium-sized enterprises, and academic, research, and other organizations from around the world, all working to create innovative solutions that will increase the amount of available spectrum to the benefit of consumers and businesses alike.

For further information about the Dynamic Spectrum Alliance, visit [www.dynamicspectrumalliance.org/](http://www.dynamicspectrumalliance.org/), or follow [@dynamicspectrum](https://twitter.com/dynamicspectrum) on Twitter.

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