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February 9, 2017

Annual Plan Team, SITE
Ofcom
Riverside House
2A Southwark Bridge Road
London SE1 9HA

Re: Consultation on Ofcom's Proposed Annual Plan 2018/19

Dear Sir or Madam:

The Dynamic Spectrum Alliance (DSA) respectfully submits the following comments in response to the consultation on Ofcom's Proposed Annual Plan 2018/19. While DSA supports Ofcom's work plan for 2018/2019, specifically on projects that facilitate shared access to new spectrum bands, DSA strongly urges Ofcom to include a project for updating the 'Wireless Telegraphy (White Space Devices) (Exemption) Regulations.'¹

The DSA is a global organization advocating for laws and regulations that will lead to more efficient and effective spectrum utilization. Our 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. Our primary goals are to close the digital divide by reducing the cost of deploying last-mile wireless networks, enabling the Internet of Things, and alleviating the spectrum crunch.²

DSA is supportive of Ofcom's proposed Annual Plan for 2018/19. In particular, several projects under the high-level goal to 'Secure standards and improve quality', including 'shared access in 3.8 to 4.2 GHz' and 'preparing to make sufficient spectrum available for 5G' are of interest to our membership. Shared access to spectrum in the 3.8 to 4.2 GHz band will enable a variety of innovative users to newly access this valuable band, which can be achieved consistent with any requirements to protect incumbent users. Similarly, Ofcom's initial consultation for the 26 GHz band envisions a shared licensing structure to maximize the utility of the band for a variety of uses, recognizing the inherent physical characteristics of millimeter wave (mmW) spectrum that facilitate shared access. Ofcom can extend this shared licensing framework to other mmW bands, including in the 37-40 GHz band. DSA encourages Ofcom to expeditiously initiate and conclude consultations within these projects.

DSA is disappointed, though, not to see a project for updating the 'Wireless Telegraphy (White Space Devices) (Exemption) Regulations' that came into force in December 2015.³ In its 2013 TVWS Consultation⁴, Ofcom proposed the idea of a general review of the effectiveness of the TVWS framework and suggested doing this within the first 18 months of operation. Ofcom's 'Implementing TV White Spaces Statement' published on 12 February 2015 stated: 'We continue to believe that a general review to at the effectiveness of the TVWS

¹ Wireless Telegraphy (White Space Devices) (Exemption) Regulations to the Wireless Telegraphy Act 2006

² For more on the DSA, please visit: www.dynamicspectrumalliance.org

³ 'Wireless Telegraphy (White Space Devices) (Exemption) Regulations to the Wireless Telegraphy Act 2006

⁴ See 'TV white spaces: approach to coexistence', Ofcom, Section 2.23, publication date 4 September 2013.

framework in the round is likely to have some merit.⁵ Sufficient time has passed since the TVWS rules came into force to warrant Ofcom initiating a project in its proposed work plan for 2018/19. The timing of such an Ofcom project in the 2018/19 timeframe could not be better.

On 8 January 2018, the European Technical Standards Institute (ETSI) adopted an update of its harmonized European standard for white space devices.⁶ Additionally, last December, DSA released its 'Model Rules and Regulations for the Use of Television White Spaces v2.0'.⁷ The updated TVWS model rules and regulations are based on the collective experiences of our members who continue to work with Administrations in multiple continents to create (and update) TVWS regulatory frameworks to best benefit the consumers, businesses, and residents of a given country. The document is intended to provide 'food for thought' for spectrum managers in Administrations considering implementation of TVWS regulations. Also, in the United States, several DSA members are deeply involved in the Airband Initiative -- a private sector-led effort utilizing TVWS and other fixed wireless technologies to help close the digital divide by making available affordable access in rural communities.

Much has changed since the draft TVWS rules were published almost three years ago. Ofcom will be furthering the interests of citizens in relation to communications matters, particularly in the more rural and remote parts of the country, by including a project in the final version of its 2018/19 Annual Plan to initiate a review and update of its TVWS rules, as appropriate. DSA and many of its members stand ready to participate. We thank Ofcom for its consideration of our request.

Respectfully submitted,



Kalpak Gude
President
Dynamic Spectrum Alliance

⁵ See 'Implementing TV White Space', Statement, Ofcom, Section 11.13, publication date 12 February 2015.

⁶ See ETSI EN 301 598 V2.1.1 (2018-01), 'White Space Devices (WSD); Wireless Access Systems operating in the 470 MHz to 790 MHz TV broadcast band; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive', January 2018.

⁷ <http://dynamicspectrumalliance.org/wp-content/uploads/2018/01/Model-Rules-and-Regulations-for-the-use-of-TVWS.pdf> (Visited 1 February 2018).