

# GLOBAL REGULATIONS



By Gerry Oberst

## The Big Picture For 2007

**What are the big issues likely to affect European satellite operators on the regulatory front throughout 2007?**

Some of these issues are big picture, arising from substantial proposals to change the rules themselves. Other issues are from specific allocations or service proposals and from preparation for the World Radiocommunication Conference (WRC-07) that will preoccupy many in 2007.

■ **Review of the electronic communications regulatory framework:** This item is high on the agenda for regulatory issues in 2007. The European Commission has held several workshops and received hundreds of comments on the general outlines of how it should change the regulatory system for communications networks and services. In early 2007 we should see concrete proposals coming from the Commission, which will begin the real debate on details and specific changes. Look to see greater emphasis on pan-European licensing and regulation as well as more authority at the Brussels level on spectrum allocations.

■ **Spectrum management generally:** There is a move afoot in Europe to apply more flexibility to spectrum management. This approach poses opportunities and threats to the satellite sector. Flexibility is good when it reduces regulatory barriers. Flexibility is bad if it results in national auctions of spectrum ill-matched to satellite's international footprints. If national decisions under the mantra of flexibility impede European-wide solutions, the resulting divisions could conflict with the notion of pan-European service.

■ **Allocation issues:** Numerous allocations are being debated at various levels in the European Electronic Communications Committee (ECC), which represents 47 European countries. Not all those countries show up, and the Eastern European countries do not implement the non-binding ECC decisions consistently. Nevertheless, ECC decisions have a certain influence for market developments. For example, the ECC is looking at L-band allocations that can be used for satellite radio, at 2 gigahertz for Mobile Satellite Services (MSS) and at C-band spectrum that the satellite sector seeks to protect from terrestrial interests.

■ **Satellite broadcasting:** Distribution of broadcast programming is a strong market for satellite opera-

tors in Europe. The basic European media laws are being reviewed, and there is some question of who gets to regulate the channels — with the countries where the programming is received clamoring to gain more authority. In response, the basic “country of origin” concept is strongly defended by the satellite sector and will continue to be a topic in 2007.

■ **MSS:** A tricky topic for both the European Commission and the ECC is what to do with 2-gigahertz MSS. The decisions that date back to 1997 may no longer fit today's context, but difficult decisions will be debated in 2007 on how to authorize operators to use the spectrum as well as fit in complementary ground components, which are known as ancillary terrestrial components in the United States.

■ **WRC-07:** The International Telecommunication Union (ITU) will hold the next WRC beginning in late October. There are at least 28 items on the very busy WRC-07 schedule, and new matters seem always to surface during the conference. Agenda item 1.4 has some satellite operators worried, concerned that national preoccupations with finding more spectrum for next-generation terrestrial networks will come at the expense of satellite allocations, especially in C-band at 3.7 gigahertz to 4.2 gigahertz, which ties back to the ECC topic. Nearly two of every three communication satellites manufactured in Europe have C-band capacity, so operators strongly focus on this matter.

This topic is but the tip of the iceberg of the issues that affect the satellite sector at WRC-07. The Earth Exploration and Meteo-Satellite people will be out in force to protect their passive bands under agenda items 1.2, 1.20 and 1.21. The broadcasting, Fixed Satellite Services (FSS) and MSS officials all will focus on various sharing issues under agenda items such as 1.11 on protecting digital terrestrial TV channels that were replanned under the agreement reached in Geneva in 2006 on the digital switchover.

Also on the radar screen is agenda item 1.19 on spectrum requirements for global broadband satellite systems. The conclusion looks to be that existing frequencies for FSS are sufficient, but this matter ties back to the pan-European services notion and still requires discussion.

As always, we live in interesting times — but this year, with major legislative changes and a triennial world radio conference on the horizon, will be especially busy. ▀

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