

DRAFT Intellect Response to European Commission “Invitation for Comments” on possible European Commission Decision to open the 2.5 – 2.69 GHz band for IMT-2000 and other compatible technologies REV-3

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To: European Commission
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From: [insert Intellect point-of-contact]

Introduction

[to be added later]

Working Assumptions

Intellect’s response is based on the assumption that “**IMT-2000 only**” refers to

- the current air interfaces included in the IMT-2000 family
- their future evolutions, as specified by the relevant SDO’s (e.g. ETSI, etc)
- any future air interfaces that might be included in the IMT-2000 family at a later date.

Intellect assumes that “**IMT-2000 and technically compatible technologies**” refers to the above, *plus* to other “technically compatible technologies” that are not going to become part of the IMT-2000 family.

“Justify and Quantify” Table

Intellect’s position is summarised within the table below -

Justify and Quantify:	IMT-2000 and technically compatible technologies	IMT-2000 only (exclusive)
What is the impact on competition in the internal market?		
What is the impact on competitiveness of the EU in comparison with non-EU regions?		
What is the impact on innovation and research?		
What is the impact on consumers?		

What is the impact on employment and the labour market?		
What is the impact on social inclusion and protection of particular groups?		

End

Holding Place for Text Until We Agree the "Working Assumptions"

Intellect welcomes the opportunity to respond to the European Commission's 2.5 – 2.69 GHz band "invitation to comment".

Intellect was pleased to see the strong European Commission input document (RSCOM05-18) to the Radio Spectrum Committee which proposed a vision whereby IMT-2000 and other technically compatible technologies should be able to share access the 2.5 - 2.69 GHz band.

Intellect is of the opinion that one of the key sentences from the RSC document is -

"New technologies, including particularly those which were developed after the identification of IMT-2000 technologies in 1999, should not be excluded, provided they do not cause interference and are compatible with the channelling plan developed based on IMT-2000."

Intellect supports these objectives which are in line with our current position in relation to the 2.5 -2.69 GHz band.

ECC 2.5 GHz Decision ECC/DEC/(05)/05

Intellect believes that while ECC/DEC/(05)05 "*ECC Decision of 18 March 2005 on harmonised utilisation of spectrum for IMT-2000/UMTS systems operating within the band 2500 – 2690 MHz*" provides clear guidance relating to IMT-2000/UMTS, it however provides only limited flexibility and guidance to Administrations who maybe considering releasing this band in a more flexible manner. Without specific guidance it is clear this band will likely be perceived to only be available to IMT-2000 / UMTS systems, precluding new technically compatible innovative technologies developed after the identification of IMT-2000 technologies in 1999.

Clarification of "designate"

Intellect is aware there has been some discussion within CEPT relating to flexibility through clarification of the meaning of the word "designate"; modifications to the CEPT Rules of Procedure to define "Technology Neutral"; and statements in the ECC minutes relating to the possibility for administrations to hold technology neutral auctions. The outcome of these discussions seems ambiguous at best. Intellect supports the European Commission's desire to remove any ambiguity and to clarify the situation within the EU member states in a positive direction towards greater flexibility for IMT-2000 and technically compatible technologies.

Spectrum Harmonisation

Intellect supports spectrum harmonisation with respect to the CEPT and ITU-R channel plan for the 2.5 – 2.69 GHz band. We agree that IMT-2000 and any technically compatible technology suitable for this band should not be excluded provided it is compatible with the harmonised arrangements.

The timing of a Commission Decision

Intellect supports the European Commission's initiative to provide, through a Decision, explicit guidance to Administrations proactively enabling technically compatible technologies within the 2.5 – 2.69 GHz band.

Intellect believes it is important and necessary for the European Commission and the RSC to take further action once the status of individual Administrations relating to the 2.5 – 2.69 GHz band have been clearly assimilated. Intellect is exceedingly hopeful that given a second opportunity to review their position Administrations will provide

greater support for a clear and more flexible regulatory framework for the 2.5 – 2.69 GHz band. Intellect is supportive of a European Commission Decision for submission to the RSC for approval.

Impact on European/CEPT Position w.r.t WRC-2007

Intellect is aware there may be concerns by some on the potential impact of the European Commission questioning the CEPT 2.5 GHz Decision and that this might be perceived as a weakening of any European position with respect to discussions relating to additional spectrum for the development of IMT-2000 and systems beyond IMT-2000 during the WRC-2007. But, what is important to remember is that discussions relating to Agenda Item 1.4 are in relation to “systems beyond 3G” and as such at a ITU-R WP8F level a “technology neutrality” approach has been taken within the RAT Group definitions. Intellect does not believe that this 2.5 GHz band initiative will adversely affect Agenda Item 1.4 activities within the WRC-2007 process.

Interoperability / Seamless Services

Within the IMT-2000 family of air interfaces there is no interoperability between them, certainly at an RF interface level. While Intellect fully supports the vision of full interoperability and delivery of seamless services to the end-user we do not believe at this moment in time that innovative new technically compatible technologies should be restricted from deploying within the 2.5 – 2.69 GHz band because they do not interoperate with existing IMT-2000 air interfaces when those same interfaces do not suffer from this restriction.

Over time there will undoubtedly be a desire to drive integration, convergence and interoperability and for these future evolutions of IMT-2000 and other technologies they may well have this objective as a common desirable goal. Intellect would support such an initiative.