

INTELLECT UK's Response to the ECC's Consultation on the ECC PT8 Report 80

1. Format of Intellect UK's Response

Our **non-confidential** response comprises a letter to your goodselves, also an Annex. The letter contains the general observations we wish to make, while the Annex contains the specific i.e. more detailed comments that we have on the Report 80. For your convenience we have incorporated both texts within this single Microsoft WORD document having the file name 'Intellect Response to ECC Rpt 80 – 23Dec05.doc'.

2. Letter Text (Letter Date is the 23rd December 2005)

Dear ECC Members and ECC Secretariat,

Intellect UK is pleased to have the opportunity to respond to your invitation for comments on the ECC Report 80, which we do now in compliance with the requested due-date of 24th December 2005.

We have included our *general observations within this letter*, then our *more detailed observations are in an Annex attached to this letter*. The 'general observations' headings below are hopefully self explanatory.

In our view, Report 80 addresses a topic that the UK wireless and telecommunications industry regards as important and the Report provides a good foundation for further work within the EC and ECC. It should be taken forward with a high priority and at the same time as the complementary RSPG WAPECS initiative, with which it is closely related. We recognize the similarities between the 'flexible bands' discussed in ECC Report 80 and the WAPECS concept. It is vital that discussion on both these concepts must be take place in an open and transparent environment, with all stakeholders invited.

Intellect welcomes a discussion of flexibility in the spectrum regulatory framework, in the pursuit of maximizing economies of scale and interoperability.

On 'Flexibility'

The Report discusses to a large extent the concept of *flexibility*. However, we would like to stress that such a concept should maximize harmonization and interoperability, and also take into consideration the associated advantages in terms of economies of scale for the many products which are required in order to deliver wireless based networking solutions.

On 'Flexible Bands'

The report also includes, in Section 3.6.1, a discussion of the "Flexible Bands" concept. We have assumed such a concept to be at least an approximate equivalent of the "WAPECS" concept, currently discussed in the RSPG.

On this basis we urge that any discussion on 'Flexible Bands' should be carried out in an open and transparent manner so that interested stakeholders can have the possibility to review assumptions, models and conclusions in due course.

On 'Interference Aspects'

Whilst the report mainly deals with policy and regulatory approaches, it is our opinion that the technical reality of communication systems remains both the limiting factor and the most important constraint, in most cases.

As mentioned above, Intellect UK's more detailed observations are included in the Annex to this letter, included below. We look forward to having the opportunity to liaise further on the topic of this Report 80 consultation after the formal closure of the consultation period on 24th December 2005. In the meantime Intellect would wish our good friends at the ECC a Very Merry Christmas and Good Luck/Bon Chance/Viele Glueck in 2006!

Yours sincerely,

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3 – Letter Annex Text

Intellect would wish to draw to the ECC’s attention the following points, which are listed here not in any particular sequence:

1 – a caveat is needed for the start of Report 80 Annex-3 to remind readers at later times that it’s a snapshot of the regulatory status in Oct-2005 and that this may no longer be representative, due to changes since the date of publication

2 - re paras 3.2.3 and 3.3.3 (page 32) and 5.1 and the main conclusions section, it is desirable to add that an important benefit of harmonisation is that it helps competition in both the provision of services and terminals (since the end user can switch terminals and service providers independently). However, new technologies will also enhance competition, and spectrum does need to be made available for those.

3 – re Report 80 paras 3.2.5 & 3.3.5 and 5.1 and main conclusions. Desirable to add that there can be public policy reasons for defining the intended application and that this may be realized through enabling competition and technology choice from an Operators perspective.

4 – re Report 80 para 5.4: In some instances limitations on technology may also be justified for reasons of spectrum efficiency (for example in unlicensed bands where there are no market incentives since either zero cost or only a small cost for spectrum)

5 - re Report 80 page 44 on ‘unwanted emissions’: An understanding was agreed with ETSI about 5 yrs ago that out-of-band emissions (but not spurious ones) can form part of interface regulations, for reasons of efficient band management. Report 80 seems to imply that neither would be included in Interface Regulations (i.e. they will only be in the ETSI specification.) This would lead to inefficient use, since not all scenarios will have the same needs in this respect.

6 - In relationship to this, we note that, in Report 80 Section 4.2.1, the report discusses new sharing approaches. In this section, it is stated that "As a corollary, any system should include in its design (e.g. in its link budget), some allowance for external interference". We believe that such a concept, although appealing from an abstract point of view, is unclear to the systems engineer. Obviously, systems are designed keeping in mind worst-case scenarios (e.g. when subject to a certain level of interference). However, we note that performance metrics (i.e. peak rate, throughput, capacity, coverage) are usually measured for the best-case scenarios (e.g. low interference environment). One cannot therefore expect best-case performances in worst-case scenarios.

(end of the Annex to Intellect’s letter to the ECC on ECC Report 80, dated 23/12/05)