



Our “Easy Guide” to

Ofcom’s PMSE Future Spectrum Access Statement

September 2010

This “Easy Guide” to the PMSE future spectrum access statement aims to provide our customers with a summary of the main decisions announced by Ofcom in their statement published on 31 August 2010. The information provided is by no means exhaustive, and focuses on the issues of particular interest to JFMG’s customers as well as the programme making industry in general.

Background

Ofcom has published a statement setting out the details of future spectrum access for the PMSE sector. This statement addresses four key outstanding issues that have arisen out of the Digital Dividend Review and subsequent band-manager consultations: spectrum availability, technical licensing conditions, spectrum fees and security of tenure. Ofcom’s decisions on each of these issues are summarised below. Ofcom believes that its decisions will help the PMSE sector move to a market-based approach to spectrum without causing disruption to the services they provide and that these decisions will also ensure optimal use of spectrum and help avoid the risks of regulatory and market failure.

Spectrum availability

This section explains what spectrum will be available for PMSE users to access in the future. The spectrum currently available for PMSE access will remain so and will include some inclusions (notably 2290-2300 MHz) and exclusions (notably 11.7-12 GHz).

Summary of Ofcom’s decision on spectrum availability:

- Channels 31-35 and 37 will be available until DSO is completed in the UK in late 2012.
- Ch 36 will be available on 12 month’s notice to cease or until DSO is completed in the UK in late 2012, whichever is sooner.
- Ch 38 will be effectively available UK-wide from 21 September 2011.
- Channels 61-69 will be available until at least 1 July 2012 in all of the UK except for London, northeast England and Northern Ireland where they will be available until at least 1 October 2012. Availability of these channels will be reviewed in 2011 and could extend up to 31 December 2012 at the latest.
- With immediate effect, 11.7-12 GHz is no longer available.
- The 2.6 GHz band is available for short term access on three months’ notice until Ofcom invites applications for the 2.6 GHz award.

For full details on spectrum availability see Section 3 of the statement.

Technical licence conditions (TLCs)

This section discusses the technical licence conditions for access to spectrum available for PMSE use.

Summary of Ofcom's decision on technical licence conditions:

- TLC's will be defined as block-edge masks (BEM) reflecting existing PMSE use of that spectrum.
- Any decision to allow non-PMSE use of that spectrum will need to be reflected in the TLCs.
- The full TLCs for spectrum available for PMSE use can be viewed in Annex 3 of the statement.

For full details on technical licence conditions see Section 4 of the statement.

Spectrum fees

This section covers spectrum fees based on administered incentive pricing (AIP)

Summary of Ofcom's decision on spectrum fees:

- The opportunity cost for spectrum will be based on an assessment of PMSE and non-PMSE uses for that spectrum.
- Ofcom confirms the band-by-band AIP levels and phasing durations as set out in the second band-manager consultation.
- Ofcom will consult on fees later in the year and will consider introducing temporal and geographic peak pricing when spectrum is scarce.

For full details on spectrum fees see Section 5 of the statement.

Security of tenure

This section describes the security of tenure provisions for PMSE spectrum use.

Summary of Ofcom's decision on security of tenure:

- Security of tenure of the spectrum confirmed in this statement will be available for future access until August 2021 or on five year's notice, whichever is later.
- Non-PMSE use of spectrum will need to be justified on the grounds of delivering greater benefit to society and Ofcom will take the views of affected stakeholders into account in its decisions.
- If Ofcom degrades security of tenure for any spectrum-management reasons users can expect some form of redress.

For full details on security of tenure see Section 6 of the statement.

Next steps:

- Ofcom expects to publish a consultation on fees later in 2010. New fee levels are likely to be confirmed in spring 2011 to take effect in the second half of 2011.
 - Future availability of interleaved spectrum for PMSE is expected to be finalised later this year.
 - Ofcom intends to reactivate the band-manager award after the Olympics.
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