OFFICE OF COMMUNICATIONS

Spectrum Update – September 2009

The impact of digital switchover on PMSE users of spectrum between 470–862 MHz

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You may be aware that digital switchover (DSO) – the move from analogue to digital terrestrial television in the UK – started during November 2007. Switchover is proceeding on a region by region basis and will be completed in late 2012. One of the impacts of switchover is that some of the spectrum cleared of analogue broadcasting will be released for new uses, known as the digital dividend[1].

A consequence of these developments is that the configuration of spectrum currently available for PMSE use in UHF Bands IV and V (470-862 MHz) will change. This is primarily because the new cleared spectrum (550-606 MHz and 790-862 MHz) will no longer be available for use by PMSE after switchover has taken place.

Ofcom has decided that most of the available interleaved spectrum should be awarded, together with other spectrum currently used by the PMSE sector, to a licensee who will act as a band manager with special obligations to PMSE users. This will be awarded as a single package via a comparative selection process ('beauty contest').

Ofcom has also decided that channels 61, 62 and 69 should be cleared of PMSE use[2] in response to developments at a European level towards harmonising the 790-862 MHz band (the 800 MHz band) for mobile services. However, to help limit disruption to PMSE use, channel 38 has been set aside as a replacement to channel 69. Channel 38 is very similar to channel 69 in that it is available in most of the UK now and will be available nationwide by 1 January 2012, albeit with some restrictions on use until switchover has been completed.

PMSE access to the 800 MHz band, including channel 69, will be maintained until at least the date when the protection for UK radioastronomy use of channel 38 ceases, currently scheduled for 1 January 2012. Depending on the outcome of the Government-expedited work, expected in September 2009 at the latest, it may yet be possible for PMSE access to continue beyond this date up to the completion of DSO in late 2012.

PMSE access to channel 36 is maintained on a 12 months' notice to cease. PMSE access to the rest of the 600 MHz spectrum (channels 31-35 and 37) is maintained until DSO is completed in the UK in late 2012.

PMSE users had previously been informed channel 69 would be available on reasonable terms via a band manager until 2018 and encouraged to use the channel on that basis. A funding mechanism will be put into place to cover those licensees who will have to modify or replace equipment as a result of the migration from channel 69 to channel 38. Ofcom has already confirmed that users licensed in Channel 69 and those rental companies who do not need to be licensed, would be eligible under this mechanism in respect of equipment owned

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[1] http://www.ofcom.org.uk/consult/condocs/ddr/statement/statement.pdf and http://www.ofcom.org.uk/consult/condocs/ddr/statement/ddrannex.pdf

[2] http://www.ofcom.org.uk/consult/condocs/800mhz/statement/clearing.pdf

when clearance was proposed (2 February 2009). Funding will be based on the residual value of PMSE equipment in 2012. Ofcom have recently consulted on some of the more detailed points regarding eligibility and methodology for calculating funding.

The award of spectrum to a band manager with obligations to the PMSE sector

On 22 June 2009, Ofcom published a second consultation on the detailed design of the band manager award[3]. This band manager is expected to be operational by the second half of 2010. This document follows an initial set of proposals made in July 2008, and sets out a number of detailed proposals covering:

- the licence fee Ofcom will charge to the band manager and how we will introduce this to minimise disruption to PMSE users;
- how Ofcom will ensure the band manager makes spectrum available to PMSE users on a fair, reasonable and non-discriminatory basis;
- the scrutiny to which Ofcom will subject requests from the band manager for non-PMSE use of this spectrum; and
- technical licence conditions for using the spectrum.

PMSE uses in the 2500-2690MHz band (the 2.6GHz band) still subject to a 3 month notice to cease

Following its decision on 4 April 2008 to award the 2.6 GHz band, Ofcom sent notification letters to PMSE licensees to revoke their licences to use this spectrum. This took effect from 1 September 2008.

However, JFMG is able to grant short-term licences for PMSE use of the band until the award takes place.

The award of the 2.6GHz band was delayed by legal action and, following the publication of the government's Digital Britain final report[4] on 16 June 2009, Ofcom withdrew its decision of 4 April 2008. In the Digital Britain final report, the government indicated its support for the proposal of the Independent Spectrum Broker (ISB) to award part of the 2.6GHz band together with the 800MHz band in a single process in 2010 and to hold an earlier award of the centre part of the 2.6GHz band.

Short term licences will continue to be available for PMSE use until we invite applications for the award of spectrum in the 2.6GHz band. JFMG's access to the 2.6GHz band for such short term licences will continue to be subject to a 3 month notice to cease.

[3] http://www.ofcom.org.uk/consult/condocs/bandmanager09/bandmanager09.pdf
[4] http://www.culture.gov.uk/images/publications/digitalbritain-finalreport-jun09.pdf

Changes to PMSE uses in the 3400 – 3600MHz band (the 3.5 GHz band)

In early December 2008, the Ministry of Defence (MoD) informed PMSE licensees in the 3.5 GHz band were that there was significant uncertainty surrounding their continued access to this spectrum. This followed a MoD Statement[5] on its programme of spectrum liberalisation. This had identified the 3.5 GHz band as a possible candidate for release to commercial users by the end of 2010.

The MoD has agreed that PMSE licensees can continue to access this spectrum under the same terms and conditions as at present after Recognised Spectrum Access (RSA) has been issued by Ofcom. This arrangement is, however, unlikely to continue if the MoD decides to use the spectrum differently in the future.

PMSE use of Band I (55-68 MHz)

In January 2007 Ofcom issued a statement[6] in which it sets out terms of temporary PMSE access to the, then, unused spectrum between 55-68 MHz. It stated that PMSE use of this spectrum would be considered on a case-by-case basis, but that this temporary access would be withdrawn on no more than one year's notice to existing users.

Ofcom has now received an application to use this spectrum and this band has therefore been identified for deployment of new services. As a result, and based on the statement, no new licences for PMSE use will be issued and existing licences will not be renewed after they have expired (Please note this does not apply to users of the PMSE frequencies: 53.750 – 55.750 MHz, 60.750 – 62.750 MHz and 67.750 – 67.83750 MHz).

[5] http://www.mod.uk/NR/rdonlyres/40622FC9-DC7B-40FC-B48A-90408F6F7676/0/spectrumstatement_051208.pdf
[6] http://www.ofcom.org.uk/consult/condocs/rrs_5568/statement/statement.pdf