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POSITION PAPER / EECC

European Electronic Communications Code (EECC) - ESOA Key Messages

ESOA and its Members are supportive of the EECC subject to minor enhancements to ensure that the framework is sufficiently flexible and open to enable the future communication requirements of Businesses and Consumers. In particular we urge policy makers to recognise important points concerning Technology Neutrality, Universal Service and Spectrum Access outlined below.

Technology Neutrality

ESOA maintains that the principle of technology neutrality must be fully embraced to ensure that future communication solutions are cost effective, affordable, available, flexible and fit for purpose. To this end the outcome of the Code should:

- Be open to all communications solutions available in the market. This will encourage innovation, investment and competition both now and in the future
- Enable the most appropriate combination of technologies to deliver geographical coverage for both back- and front- haul connectivity
- Secure the most efficient and cost-effective solutions to provide services
- Recognise that current and future developments in Satellite capability will deliver
- Invite "Performance parameters equivalent to a network based on optical fibre elements," e.g. with Gigabit (and later Terabit) satellites

Digital Exclusion

ESOA welcomes the proposal that Member States should determine the most cost efficient approach to ensuring the availability everywhere at a fixed location of functional internet access, in particular respecting the principles of objectivity, transparency, non-discrimination and proportionality when defining the solution. Accordingly the Code should seek to acknowledge:

- The need to secure effective provision and access to universal service, based on a mix of technologies (Wired or Wireless Terrestrial, Satellite) and in a cost-effective manner

- The important contribution of private investments to achieving the goals of the 2020 Digital Agenda (30 Mbps to all / 100 Mbps to half the HHs) – coverage in rural areas is less than 30% (EU Commission 2016 scoreboard)
- The importance of promoting improved connectivity to digital exclusion areas with the intermediate target of 30+ Mbps, thus paving way to providing 100 Mbps download speeds to all HHs by 2025 (scalability)

Spectrum Access

ESOA acknowledges that radio spectrum is a finite resource subject to ever increasing demand, and where practical we encourage the shared use of the spectrum resource subject to adequate protection of the incumbent service on which many consumers and commercial activities depend. In particular, it is important to acknowledge that:

- Satellites often provide critical services or services that cannot be provided by other means
- "Infotainment" video services are most efficiently delivered by Satellite spectrum utilising multi-casting
- Protection of Satellite services from harmful interference is essential
- Satellite services already actively share spectrum with other services (notably Fixed Links) with only 3-4% of spectrum used by Satellite on an exclusive basis

Overall, Satellite systems have a 15+ year design life with significant sunk investment to establish the service. It would be wholly inappropriate to overlook such an industry commitment when establishing sharing criteria particularly if the scale and economic impact of the new service is not well substantiated compared to the incumbent service.

"Space and satellite communications can also improve connectivity for Europe's digital society and economy. Satellites can provide cost-effective solutions in particular to connect assets and people in remote and offshore areas, or as part of the future 5G networks, where numerous applications and services using space data will also require uninterrupted connectivity."

(EC Communication on Space Strategy, 2016)