

13<sup>th</sup> November 2006

European Commission  
Eric Van Ginderachter  
Head of Unit Telecommunications & Media, State Aid II  
Directorate General for Competition  
Rue Joseph II 70  
1000 Brussels

BY FAX AND EMAIL 02 296 9816

### **Views submitted concerning the deployment of digital terrestrial television in Spain**

Dear Mr. Van Ginderachter,

ESOA represents the views and interests of European satellite operators, who provide a range of services, including digital video broadcasting services, via satellite throughout the European Union and beyond. The satellite industry has been involved in digital transmission for some decades now and thus we have a vested interest in events going on in various EU Member States concerning digital switchover. With this letter, we would like to comment on events occurring in Spain.

In December 2004, the Spanish Government approved a plan to promote the launch of digital terrestrial television (DTT) in Spain. Among other measures, this plan anticipates switchover for 2010 and foresees elimination of all competition restrictions on radio and television broadcasting operations. With this in mind, the Spanish Government signed an agreement with representatives of the audiovisual sector in order to:

- ✓ Adapt antenna systems
- ✓ Foster the buying of TV receivers with built-in digital decoders
- ✓ Support the migration from analogue to digital
- ✓ Set up minimum conditions to deploy DTT (on content, services, interactivity)

In September 2006, in order to assist and accelerate the switchover, the Spanish government supported the deployment of DTT by announcing a public financing campaign of approximately 4 million euros.

ESOA considers that the situation in Spain should be considered in the context of the transition from analogue to digital television and the establishment of digital television networks to provide interactive services to end-users. ESOA considers that there is no room for doubt that multiple, competing, technological platforms exist today to enable this transition in Spain. They are mostly terrestrial and satellite, and the more recent advent of IPTV also provides an extra solution.

Furthermore, in Spain and elsewhere in Europe, competition exists today not only between different technologies for the provision of TV services but also between different operators who use the same technology. This sound competitive environment should, in the interests of maximizing consumer choice and innovation, be preserved along the transition process to digital.

As commented in previous ESOA submissions, if Member States wish to assist the transition in their territories, they may do so in avoiding to discriminate between technologies, bearing in mind that this switchover must be carried out in accordance with provisions of European law.

We wish to respectfully remind that:

- *Digital “switchover” is a major objective of European broadcasting policy, with the aim of turning off analogue transmissions altogether in a few years and paving the way to HDTV.*
- *The 2003 Switchover Communication states that all transmission alternatives must be considered in the switchover and that any public support for a particular option must be justified and proportionate.*
- *The 2005 Communication on accelerating the transition from analogue to digital broadcasting only permits favouring a particular technology as a means of increasing spectrum efficiency.*

ESOA remains at the Commission’s disposition for any questions or clarification that may be required related to this.

Sincerely,



Aarti Holla-Maini  
Secretary General