

## MINUTES OF THE SEVENTEENTH MEETING OF THE MOBILE SERVICES COMMITTEE

Date: 15 May 2003

Venue: Wyndham House, 189 Marsh Wall, London E14

Present:

Ms H Canter	(RA, Chairman)	Mr D Banner	(WMA)
Mr B Maxwell	(RA)	Mr T Wiener	(T-Mobile)
Mr B Last	(RA)	Mr C Cheeseman	(BTexact)
Mr C Richards	(RA)	Mr D Tripp	(CSS)
Mr R Stewart	(RA)	Mr A Grilli	(JRC)
Mr J Mackenney	(RA)	Mr J Cawley	(Inquam)
Mr P Jarvis	(RA)	Mr P White	(Vodafone)
Mr E Bull	(RA)	Mr G MacDonald	(Intellect)
Ms A Henley	(RA)	Mr J Page	(Intellect)
Mr R McConnell	(RA)	Mr T Cull	(Intellect)
Mr R Emson	(RA, Secretary)	Mr S Wilson	(O <sub>2</sub> )
Mr V Brashko	(Ofcom)	Mr I Laybourn	(MRUA)
Mr B Oliver	(Independent)	Mr R Ercole	(OfTel)
Mrs J Brookes	FCS	Mr R Pierce	(FCS)
Mr G David	FCS		

### Agenda – MSC (03)10

The agenda is annexed as Annex A.

#### 1. Apologies.

1.1 Apologies were received from:

Ms Jane Cooper	(Orange)
Ms L Swindley	(T-Mobile)
Mr N Thwaites	(Vodafone)
Mr P Kerry	(RA)

#### 2. Minutes of the last meeting – MSC (03)09

2.1 Ms Canter advised that Mr Page had recently raised a comment regarding the text in paragraph 5.3. Mr Barron (RA2/STU) had suggested some amended text and had e-mailed this to Mr Page; if Mr Page was content with this it would be distributed to the other Members. The minutes were otherwise agreed and will be published in due course on the Agency website.

### 3. Matters arising from the last meeting

#### 3.1 Action points from the last meeting:

Paragraph 3.1: Mr Chapman to enquire if OFCOM budgeting and financing information was to be made available and advise MSC Members. Ms Canter explained that this information is not yet available.

Paragraph 4.4: Emission limits for IT equipment to form an agenda item at the next MSC. Ms Canter explained that Mr Kerry (RA3/E&RU) had been required to attend a meeting abroad and was therefore unable to attend the MSC. However, a paper would be presented on the above issues at the next MSC meeting.

**Action: Mr Kerry to present paper on emission limits at the next MSC meeting**

Paragraph 6.2: MSC Secretary to forward details of when the RSA recommendations are to be published. Ms Canter advised that the Cave Implantation Gantt chart had been forwarded to Members by the MSC Secretary.

Paragraph 7.2: MSC Secretary to liaise with the SMAG Secretary re the PMR Social Impact Study. Ms Canter said that the a copy of the Study had been forwarded to the SMAG Secretary for consideration as a SMAG agenda item.

3.2 Ms Canter advised that the updated consultation lists – MSC (03)11a and MSC (03)11b had been distributed to Members by the MSC Secretary.

### 4. EU Directives Implementation

4.1 Mr Stewart distributed copies of the consultation document titled 'Limitation of Numbers of Spectrum Licences' which had been issued on 6 May 2003. He explained that the document specifies criteria based on the existing arrangements for limiting the number of spectrum authorisations available; this will help the UK to implement the new EU Directives on electronic communication, and particularly their requirement for greater transparency in arrangements for authorising spectrum use. He went on to explain that the document does not aim to change current practices in any way.

4.2 Mr Grilli felt that there was a need for flexibility to deal with unusual cases that do not fit into the categories. Mr David suggested that the definitions could be further examined. Mr MacDonald suggested that Fixed Wireless Access and Broadband Fixed Wireless Access could be brought together under one heading. Mr Cheeseman felt that the document could limit trialling. Mr Wiener noted that the MoD frequencies were not mentioned in the document. Mr Stewart explained that it was not a requirement to include the MoD, but the Frequency Allocation Plan would include which frequencies are being limited to Government usage.

4.3 For information purposes, Mr Stewart also distributed copies of the Wireless Telegraphy General Licence Conditions Booklet. He explained that for volume licences, but not small volume or competition licences, the Agency proposed to remove the generic conditions from the individual licences and include them in the above booklet.

4.4 Mrs Brookes enquired whether the conditions for the competition licences will be published. Mr Last advised that most of the competition licences fell within his unit. These are currently being reviewed in relation to the EU Directives and consideration would be given to whether a template could be published.

4.5 Mr David enquired whether SMAG was to continue under Ofcom, as he believed that it had a valuable role to play in providing independent, expert advice on spectrum issues. In a brief discussion, other MSC members also expressed support for the work of SMAG. Ms Canter said that the issue had been discussed with several of the key players in Ofcom and it appeared from this that there was support for the continuation of SMAG, or a similar independent advisory body under Ofcom. However, no formal decisions had yet been taken. It was agreed that Mr Mackenney would prepare a note on this for the next MSC.

**Action: Mr Mackenney to produce note for the next MSC re SMAG**

## **5. Changes to enforcement powers**

5.1 Mr Richards gave a presentation titled 'Communications Bill – Changes to Enforcement Powers' – MSC (03)12. The presentation included:

- the reasons for change
- mode of trial and penalties
- power of arrest
- contravention notices
- prosecution for contravention of licence or exemption
- fixed penalties

5.2 Mr Laybourn enquired whether the definition of harmful interference extended to business use. Mr Richards confirmed that it did.

5.3 Mr Richards distributed a paper – MSC (03)16 titled 'Access to communications data'. The Home Office have recently issued a consultation document titled 'Access to Communications Data – Respecting Privacy and Protecting the Public from Crime'. The Agency are seriously concerned about losing the ability to access communications data in the course of its criminal investigations. The Agency would therefore welcome support for its case for having access to all three categories of the communications data detailed in the Home Office consultation document.

## **6. 3.4 GHz auction**

6.1 Mr Last advised that twelve bidders have pre-qualified and the likely start date for the auction will be the first week in June. The Agency are currently organising training and mock auctions for the bidders. Details of the auction can be found on the Agency website at [www.radio.gov.uk](http://www.radio.gov.uk).

## **7. Whole band RF audits**

7.1 Mr Bull gave a presentation titled 'RF Exposure Audits' – MSC (03)14. He explained that the Agency had decided to supplement the cellular audit with some

additional monitoring of the services at 30 MHz to 2000 MHz to put the cellular monitoring results in context. The presentation included:

- a summary of the RF Audit progress in 2002 on cellular base station activity on or near schools & hospitals
- calculations used
- spectrum plot examples
- summary of example plots.

7.2 Mr Bull also distributed a paper containing further data titled 'Comparison of RF exposure quotients between cellular phones and public service broadcasts' – MSC (03)15.

7.3 Mr Maxwell advised that these measurements provide a useful comparison for members of the public and give them reassurance regarding cellular phone base station emissions.

## **8. Subgroup reports**

### Access to assignment details

8.1 Mr Stewart presented his paper titled 'Industry Access to Assignment Data. Progress Report' – MSC (03)13. The MSC sub-group had last met on the 27 March and the two major items of discussion were:

- i) the implications on the initiative of Ofcom
- ii) completion of IT feasibility work.

### 450-470 realignment project and PMR the future

8.2 Mr Jarvis advised that the Agency had experienced difficulties in eliciting responses to the recent consultation document on realignment. Twenty-one responses had now been received and there had been broad agreement to the proposed methodology and bandplan. Mr Banner said that the companies he had spoken to had expressed concerns to him regarding the realignment. Mr Jarvis advised that the concerns which he had noted, related to the financial cost of the realignment rather than the principle of it.

8.3 Mrs Brookes enquired whether the Agency had the resources for the proposed realignment and what the cost would be. Ms Canter advised that this information may be available in the future. In the meantime, Mr Jarvis would prepare a paper on the issues/timeframes for the realignment for the next MSC meeting.

**Action: Mr Jarvis to prepare a paper on the issues/timeframes re the realignment for the next MSC meeting.**

8.4 Regarding 'PMR the future', Mr Jarvis said the the Agency would like to continue with this initiative and were working closely with the FCS. For example, there were issues in the recently published PMR Social Impact Study, which he felt should be followed up. Mrs Brookes agreed that 'PMR the future' was a very successful exercise. She advised that the next meeting of 'PMR the Future' was scheduled for 19 November 2003 and was an opportunity to bring stakeholders together.

8.5 In connection with the Automotive Directive, Mr Jarvis advised that there had been a recent Commission meeting with representatives of the motor manufacturers. The Commission now wishes to have a list of the safety critical vehicle components and functions that may disturb these components. Ms Canter felt that this was an potentially important issue. She asked that if Members had any advices on this issue, please could they be forwarded to Mr Jarvis.

#### Wireless Advisory Group (WAG) and Technical Advisory Group (TAG)

8.6 Ms Henley advised that WAG had met on 6 May. They had discussed spectrum availability and there had also been a presentation of the proposed e-licence interface. Draft documents for input to the MSC had also been agreed. These documents had only arrived that morning and would therefore be circulated by e-mail to MSC Members for comment. Ms Henley went on to explain that it was hoped to have Band C available for use with an e-licensing system by the end of Summer 2003. The licence charge was likely to be nominal. Whilst Test & Development licences could be considered, she felt that it would be difficult for the Agency to consent to Temporary Use licences in advance of the availability of Band C.

8.7 Ms Henley advised that, having achieved its purpose, consideration was now being given to winding up the WAG. However, in order to discuss technical issues it was likely that a sharing sub group would be requested to continue.

8.8 Ms Henley explained that TAG had last met on 27 March. The Civil Tetra Experts Committee (CTEC) had been merged with TAG and the CTEC Members had found this useful. The meeting had discussed TETRA issues and Digital Mobile Radio. The next TAG meeting was scheduled for 11 June.

## **9. General updates**

### 9.1 OFCOM

Ms Canter advised that Stephen Carter had been appointed as the Ofcom CEO and the top team had been appointed. It was expected that more senior posts would be advertised very shortly. Riverside House in Southwark had also been selected as the Ofcom offices. Mr Brashko said that he had recently taken up the position of Operations Director in Ofcom and explained what his job would entail once Ofcom was vested.

## **10. Any other business**

10.1 Ms Canter thanked Mr David for the notes which he had forwarded to her titled 'Proposals to harmonise VHF PMR bands with Europe' and 'Proposal for the use of single frequency simplex working in existing PMR bands'. She would arrange for Mr Jarvis to meet with him so that these could be further discussed.

10.2 Mrs Brookes understood that within the Communications Bill there would be new powers for Ofcom. She asked if a list of new powers could be produced. Mrs Brookes also felt that the MSC had proved to be a useful forum and hoped that it would continue into Ofcom.

**Action: Mr Stewart to produce list of new powers in Communications Bill**

10.3 Mr Grilli advised that the Dept of Transport (DoT) were considering a ban on cellular phones in motor vehicles, however he understood that this may also extend to PMR and others. Mr Jarvis advised that he is in dialogue with the DoT concerning this matter.

10.4 Mr Pierce asked Ms Canter if she could look into the issue of the new ATEX standard and the non-availability of equipment. Ms Canter advised that she would investigate this.

**Action: Ms Canter to investigate issue relating to new ATEX standard.**

10.5 Ms Canter confirmed that she has received a Partner level appointment in Ofcom and will now be working 50% for the Agency and 50% for Ofcom. In view of this, Mr Last would now be chairing the MSC meetings scheduled for July and November 2003.

10.6 The next MSC meeting will be on **Thursday, 10 July 2003.**

**Summary of action points:**

**3.1 Action: Mr Kerry to present paper on emission limits at the next MSC meeting**

**4.5 Action: Mr Mackenney to produce note for the next MSC re SMAG**

**8.3 Action: Mr Jarvis to prepare a paper on the issues/timeframes re the realignment for the next MSC meeting.**

**10.1 Action: Mr Stewart to produce list of new powers in Communications Bill**

**10.3 Action: Ms Canter to investigate issue relating to new ATEX standard.**

## **MOBILE SERVICES COMMITTEE MEETING**

**THURSDAY, 15 MAY 2003, 10:30 am**

**Wyndham House, 189 Marsh Wall, London E14**

### **AGENDA**

**10:00** Tea and Coffee available

**10:30** Meeting starts

1. Apologies for absence
2. Minutes of last meeting – MSC (03)09
3. EU Directives implementation (Roger Stewart)
4. Changes to enforcement powers (Colin Richards)
5. 3.4 GHz auction (Brian Last)
6. Whole band RF audits (Eddie Bull/Ray McConnell)
7. Sub-group reports:
  - i) Access to assignment details -MSC (03)13 (Roger Stewart)
  - ii) 450-470 MHz realignment project and PMR the future (Paul Jarvis)
  - iii) WAG/TAG (Annette Henley)
8. General updates:
  - i) OFCOM (Hazel Canter)
9. Any other business

**13:00** Meeting ends followed by buffet lunch.