



Ref: UK-RA-RSACComment-20021008  
October 8, 2002

Mr. Laurence Green,  
Radiocommunications Agency  
11B / 20C, Wyndham House  
189 Marsh wall  
London E14 9SX  
UK

**Subject: Comments on RA Consultation Document 'Introducing Recognised Spectrum Access'**

Dear Mr. Green,

Global Radio SA is a Luxembourg based company planning to implement and operate a Satellite Digital Audio Broadcast (S-DAB) satellite system with the objective of providing high quality and affordable S-DAB digital radio and ancillary services to millions of customers in Europe. Global Radio's most significant shareholder is ntl.

Global Radio SA fully supports the views expressed by the Satellite Action Plan (SAP REG) of October 7, 2002 in relation to the RA's consultation on "Introducing Recognised Spectrum Access".

Global Radio in particular does not agree with the apparent proposal of the RA to introduce RSA in various broadcasting satellite service bands. In Annex B Section 4 to the consultation document, the following reference is given "*the 1.5 GHz band proposed for satellite (and terrestrial) digital audio broadcast (SDAB and TDAB) in Europe but not yet in the UK*". It appears that the RA may be contemplating applying the RSA concept to all or parts of the band 1467-1492 MHz allocated by the ITU on a primary basis to the Broadcasting Satellite Service (Sound) or BSS(S).

Global Radio fully supports the SAP REG position of May 2001 as submitted to all CEPT Administrations that the band 1467.5-1492 MHz should be reserved for S-DAB (satellite component and associated terrestrial repeater use) in Europe. Subsequently, as is known the CEPT at its June 2002 Maastricht Conference planned the band 1467.5-1479.5 MHz for possible future T-DAB use. Global Radio notes that this matter is likely to be further considered at an appropriate level.

Global Radio believes that any application of the RSA concept to in effect legislate spectrum and market access for T-DAB or S-DAB services in the band segment 1467.5-1479.5 MHz would be highly inappropriate for the following non-exhaustive set of reasons:

- a) It would be incompatible with the ITU WARC-92 frequency allocations, as ratified by the UK, in the band 1467-1492 MHz to BSS (S) and *complementary* terrestrial broadcasting;
- b) It would be inconsistent with the need to ensure efficient spectrum management, which could otherwise be accomplished by requiring T-DAB to employ more spectrally efficient means for T-DAB network and service deployment and so make more effective use of already existing or identifiable T-DAB spectrum within the range 174-240 MHz or existing T-DAB spectrum at 1452-1467.5 MHz and in turn obviating any need for T-DAB spectrum access to the band 1467.5-1479.5 MHz;

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c) It would unreasonably constrain the viable and competitive development of trans-border / transnational / pan-European satellite-based electronic communications S-DAB networks and associated services in the EU Internal Market;

d) It would likely lead to a situation where a wider range regulatory policy objectives as for example contained in the draft Communications Bill would be compromised or negated given the perceived apparent interest of extracting via the RSA concept the maximum revenue from spectrum pricing arrangements for access to spectrum.

We plan to provide further comments at a later date on this subject for your consideration.

Your sincerely

Kumar Singarajah

Regulatory Affairs & Government Relations