

First of all we herewith declare our full support to the Beirg response. Besides the Beirg response we felt the need to respond to the questions in the consultation as well.

Question 1. Do you agree that clearing DTT from channels 61 and 62 and PMSE from channel 69 to align the upper band of cleared spectrum in the UK with the emerging digital dividend in other European countries is likely to further the interests of citizens and consumers to the greatest extent?

We fully support the importance mobile telecommunications can have for consumers and citizens of the UK. Because of the maximum bit rate per MHz UHF bands IV and V are too low to speak of a sufficient bit rate on the consumer level, compared to the bit rate on cable. We understand the properties of these bands create national layers more easily and because of this will lead to a better and faster return on investments. It is rather peculiar the PMSE industry has to pay for another industry's return on investment. It is also strange the PMSE industry pays for the extra income on the auctions of this spectrum for the government.

Question 2. Do you agree that the proposed DTT migration criteria are proportionate and appropriate? If not, please explain why and clearly identify any other criteria you believe should be adopted and why.

The results of the relocation of DTT from TV channels 61 and 62 below 790 MHz, will lead to a greater loss of available spectrum for PMSE.

Question 3. Not relevant to PMSE

Question 4. Not relevant to PMSE

Question 5. Not relevant to PMSE

Question 7. Not relevant to PMSE

Question 8. Do you agree that these are the most appropriate criteria to assess which spectrum is the best alternative to channel 69 for PMSE?

We do agree with the assessed criteria on the technical aspects and aspects concerning coverage. On the economical aspects we think there is the fundamental mistake to subordinate the public task of a frequency regulator to all kinds of economical models. Spectrum management by the authority should be about managing and maintaining a good infrastructure instead of looking at financial value in a free market place. The value of the road system is not determined by the sum the automotive industry and lease companies would be willing to pay, and as a result would grant all cycle-tracks to only motorized traffic. As can be found in the CSMG report the relation between manufacturers of wireless microphones and manufacturers of mobile phones are totally incomparable. (Mobile phone manufacturer worldwide turnover is 1000x bigger). In the last decades, the government liberalized the financial market place and neglected the monitoring process which led to the current credit crunch. The same negligence with spectrum policy may result in a spectrum crunch.

www.audio-technica.com

Registered Office – UK Distribution

Audio-Technica Ltd
Technica House, Royal London Industrial Estate
Old Lane, Leeds, LS11 8AG, UK
Tel: +44 (0) 113 277 1441 - Fax: +44 (0) 113 270 4836
Registered in England Number 1385176

European Marketing Division

Audio-Technica Ltd
28 rue Godefroy Cavaignac
75011 PARIS - FRANCE
Tel: +33 1 43 72 82 82 - Fax: +33 1 43 72 60 70

Vertrieb Deutschland

Audio-Technica Ltd. Niederlassung Deutschland
Stiftstrasse 18
D-65183 Wiesbaden - GERMANY
Tel.: +49 (0) 611 810 325 - Fax: +49 (0) 611 810 344

The relevance of all assumptions on the economical values of spectrum in this consultation with regards to the public tasks can be questioned.

Question 9. Do you agree with our technical and coverage analysis of the possible alternatives to channel 69 for PMSE?

In general we agree with the technical and coverage aspects analyses of the alternative frequencies. There are some wrong assumptions in paragraph 5.47. The digital microphones mentioned here do not live in 1785-1800 MHz, but in UHF bands IV and V. The web-site is a promotion article on the brand Zaxcom and it is very hard to determine, how they were used, in what numbers of channels in which productions, only in try-outs or only for the main roles or for some choir work. Too much parameters lack to determine the true quality.

Question 10. Do you agree with our economic assessment of the realistic alternatives to channel 69 for PMSE?

See answer on question 8

. Question 11. Do you agree that channel 38 is the best alternative to channel 69 for PMSE?

For wireless microphones the best would be to maintain the current situation. Within the given boundaries, TV channel 38 would be the best option, with the combination of using the interleaved spectrum from TV channels 39 and 40 and the connection with the interleaved spectrum block of TV channels 41 till 59.

Question 12. Do you agree that we should award channel 38 to the band manager on the same terms as would have applied to channel 69?

On the basis of this question are the views one can have on a license regime. The number of licenses do not reflect the real number used wireless microphones. Law is a service to society it does not create society. It is clear the lack of spectrum monitoring, the lack of communication and information to end-users of spectrum has led to this situation. The necessity and the conditions for a band manager are again only based on economical models instead of the basis of public tasks.

Question 13. Do you agree with our proposal to maintain PMSE access to channel 36 on 12 months' notice to cease and to the rest of the cleared spectrum (channels 31-35, 37 and 61-69) until DSO is completed in the UK in late 2012?

Every possible spectrum is welcome. European policy is often mentioned in this consultation. Within Europe Ofcom is the regulator who addressed the biggest DD in MHz. On the European level 1785-1800 is allocated to wireless microphones. UK is the only country auctioning this spectrum regionally. UK is the only country that grant this spectrum only to digital microphones. UK is one of the countries that frustrates access of PWMS in the L-band. The position of PMSE in UK is more critical in this respect than in any other European country.

Question 14. Do you agree with our approach to determining eligibility for, and our assessment of the level of, funding to move PMSE from channel 69?

There is a miscalculation. The lower end and the upper end numbers should be added, which results in a minimum compensation cost of £23m. Besides this mistake these proposals again neglect the public tasks mentioned in answers to questions 1, 8 and 12. We support all Beirg arguments and all devices becoming redundant, also those who live in TV channels 31 till 27 and 61 and 62, if they are licensed or not, should be compensated.

Question 15. Do you agree that three years is long enough for PMSE to move from channel 69?

Regarding our answer on question 11 the question is rhetorical. Do we have a choice?

Question 16. Do you agree that with our analysis of the key impacts of our policy options? Are there any other key impacts we should assess?

It may be clear we do not see any benefit for the PMSE user. Not on the short, middle and long term. Professional Wireless Microphones Systems will become more complex and more expensive and available spectrum will become less and more expensive. In the end the profit for selling of the DD and the profits for the IMT industry is being paid by these users.