

RNID (The Royal National Institute for Deaf People) response to Ofcom's consultation: "Digital dividend: clearing the 800 MHz band", dated 2 February 2009.

Guido Gybels, Director of Technology

Summary Statement

- RNID agrees that harmonising spectrum usage with the rest of Europe is sensible and of economic interest to the UK.
- Harmonisation must however not take place at the expense or other detriment of people with hearing loss.
- We strongly favour the hybrid option for DTT migration.
- RNID believes that the evidence base for the proposals around Channel 69 is significantly lacking in thoroughness and completeness. This is likely to result in significant technical, economic and regulatory uncertainty for manufacturers, installers and users.
- We do not believe that the current proposals around the Channel 69 replacement will result in full functional equivalency compared to what is available now.
- The Ofcom proposals for financial support and compensation would create significant detriment for owners and users of wireless microphones used as input to induction loops.

Introduction

1. RNID welcomes the opportunity to submit comments to Ofcom regarding this consultation on clearing the 800Mhz band. RNID is the largest charity working to change the world for the UK's 9 million deaf and hard of hearing people. These comments address only the specific issues of particular relevance to deaf, hard of hearing, deaf-blind and speech-impaired people. The phrase "deaf and hard of hearing people" in this response is used to cover all people affected by hearing loss or permanent tinnitus.
2. Our vision is a world where deafness or hearing loss do not limit or determine opportunity, and where people value their hearing.

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?

3. RNID agrees that an approach to spectrum harmonised with the rest of Europe is sensible and will bring economic and practical benefits to the UK. It would however not be acceptable to see those benefits gained by some at the expense of the most vulnerable citizens. Hence, there should be adequate compensatory measures and processes in place to protect deaf and hard of hearing people. We do not believe that Ofcom's current proposals meet that requirement. As the proposals stand, we expect significant disenfranchisement and increased exclusion of people with hearing loss to result from the proposals to clear channel 69.

Question 3 (DTT migration): Do you have views on the options identified and our assessment of them? Do you believe there are other, superior options, and, if so, why? Do you agree that the hybrid option is most consistent with the DTT migration criteria?

4. RNID strongly favours the hybrid option, on the basis that nominally no household aerials will need to be changed.

5. The one-step option would be unacceptable to us, as it involves a very large number of household aerials that potentially would need to be changed.
6. As current DTT interleaved spectrum already goes down to Channel 21, the allocation of DTT to channels 39 and 40 should remain well within the RF capabilities of existing DTT equipment. Should any equipment not presently scan channels 39 and 40, an over-the-air update should fix this. However, not all the kit currently in use is being actively supported, so Ofcom ought to set up a programme of market monitoring to identify potential problems with specific hardware.
7. The DTT migration will inevitably involve retuning of set top boxes and IDTVs. While it could be argued that users should be rescanning every 6-8 weeks anyway, given the constant changes to the channel line-up, Ofcom could do a lot more to encourage this. Ofcom should work closely with relevant user organisations to raise awareness amongst consumers, especially in the case of people with disabilities and other vulnerable groups.
8. In light of the proposal to move Channel 69 into Channel 38 from 2012 onwards, Ofcom must ensure that neither DTT nor PMSE equipment will be negatively affected. We do not believe that this has been researched in sufficient detail.

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

9. The use of channel 69 and adjacent spectrum is of great importance to people with hearing loss, as it is very common for such equipment to be used as input into an induction loop system. Over the course of the years, many businesses, educational institutes, public and third sector organisations, etc have installed such kit as part of their legal and other obligations to make meeting rooms, auditoria, theatres and other rooms accessible to hearing aid users.
10. An audio induction loop system helps hearing aid users (or those with loop listeners) to hear sounds more clearly because it can significantly reduce background noise. In essence, the induction loop is a cable that goes around the listening area and radiates a short-range magnetic field in response to the electrical signal it receives. The amplifier in turn gets its signal from an audio source, often a wireless microphone. The magnetic field from the loop can be picked up by suitable equipment. A hearing aid set to the “T” (Telecoil) setting, if located within the area covered by the loop, can pick up this magnetic field and convert it back into an audio signal.
11. When installed, maintained and operated properly, induction loops can make a real difference in the level of accessibility of venues to hearing aid wearers.
12. Ofcom’s proposals could potentially cause significant difficulty to existing deployments as well as with regard to the availability and cost of new equipment. RNID is not satisfied that the wider implications for such installations, and the resulting barriers for people with hearing loss who rely on induction loop systems, have been considered with due care or that suitable and equivalent solutions have been proposed.
13. Currently, most of the equipment available for use in Channel 69 also has capabilities in adjacent spectrum, notably channels 67 and 68 and in the deregulated spectrum in Channel 70. Ofcom’s proposals to move Channel 69 into Channel 38 would severely impact the technical design and implementation options for manufacturers as well as the associated business models. We believe that Ofcom’s assumptions on the use of interleaved spectrum in DTT channels 39 and 40 as a replacement for channels 67 and 68 are weak and non-committal. In addition, a model based on Channel 38 + interleaved spectrum in 39 and 40 is not an equivalent replacement for the current contiguous spectrum as used by existing equipment.
14. Existing equipment operates in a contiguous spectrum range, such as for example channel 66-70. This allows users to have mixed deployment models (licensed as well as deregulated use) and also allows for capacity adjustment as needs evolve (for example adding more microphones to a loop installation). In effect, Ofcom’s proposals would require redesign of such equipment to use not a single contiguous range of spectrum, but for it to serve two different ranges of spectrum if the overall capabilities and capacities of existing kit are to be retained. Clearly, that will come at a cost to manufacturers and users.

15. Ofcom's states: "if DTT emerges as a use of any of channels 31-37 as a result of the cleared award, this could add to the availability of adjacent or nearby interleaved spectrum". Clearly, this is a very uncertain position, with no guarantee that this will actually take place. It creates prolonged regulatory and technical uncertainty for manufacturers as well as users. An argument could be made that this goes against accepted "better regulation" principles.
16. RNID therefore believes that the proposals around Channel 69 would create significant disenfranchisement for hearing aid users, installation companies and those procuring new installations or updating existing ones. We do not agree that Ofcom has offered suitable mitigation for the significant problems that would occur.

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?

17. No, we do not agree with the proposed approach. We believe that Ofcom's proposal would restrict access to funding to such an extent that many of the current sites that have deployed wireless microphones as input into induction loops would not be eligible for funding at all.
18. Furthermore, we consider that the funding proposals are very uncertain at this stage, with no clear evidence that indeed suitable, sustainable funding will be available to affected sites.
19. RNID believes that as a matter of principle, any site where equipment has been installed, or will be installed, for the direct purpose of input into an induction loop system ought to qualify for financial support in migrating this equipment as a result of the move of Channel 69.
20. We believe that such financial support for these sites must be sufficient to guarantee full functional equivalency for the user.
21. In RNID's opinion, Ofcom's arguments around the funding principles ignore its Disability Equality Duties.

*RNID - The Royal National Institute for Deaf People
April 2009.*

RNID is the largest charity working to change the world for the UK's 9 million deaf and hard of hearing people.

Our vision is a world where deafness or hearing loss do not limit or determine opportunity, and where people value their hearing.

We aim to achieve this vision by:

- being a powerful force for change in government and public and private sector organisations.
- changing radically the attitudes and behaviour of individuals towards deaf and hard of hearing people.
- providing services and support directly to deaf and hard of hearing people and their families to improve their everyday lives.
- being a catalyst for social, medical and technical research to improve the lives of people with a hearing loss and those with tinnitus.

We seek to work in partnership with those who share our vision and mission.