

## Ofcom Consultation

### British Entertainment Industry Radio Group (BEIRG)

*Second consultation on assessment of future mobile competition and proposals for the award of 800MHz and 2.6GHz spectrum and related issues*

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## **Response**

BEIRG is a non-profit making organisation set up to represent users of radio spectrum in the Programme Making and Special Events (PMSE) sector. BEIRG's members are involved in the production of all areas of television content, and live performance, at national, regional and local level.

The PMSE sector is a key component of the British entertainment industry which contributes at least £15 billion annually to the UK economy. The sector relies upon wireless equipment such as microphones, in-ear monitor systems, talk back and instrument systems. It is important to note that this type of equipment is used in many other industry sectors, not just the entertainment industry. Over the last 50 years such technologies have largely been utilised in television and radio programming, however increasingly high levels of audio quality and ease of use has also led to their deployment across a much wider array of event production. Theatres, film, broadcasting and live sports events all rely on PMSE equipment for production of their content.

What is essential for PMSE users is that they are able to access clean, interference free spectrum.

Until 2012, PMSE users have operated mainly, though not exclusively, in the 800MHz spectrum now earmarked for auction. These users are being cleared from this spectrum; however licensed users will continue to operate in the interleaved spectrum (or White Spaces as they are now frequently referred to) below 790MHz. Non-professional users continue to rely on access to 'Channel 70' (863-865MHz) on an unlicensed basis.

In points 3.11 and 3.12 Ofcom discusses co-existence of new services with DTT below 790MHz. BEIRG is extremely disappointed that there is no mention in this section of the need for new services to also co-exist with PMSE users. PMSE uses the interleaved spectrum between TV broadcasts, and relies on access to this spectrum to be free from interference. Out of band emissions from new services above 790MHz will potentially have a severely damaging effect on the amount of useable interleaved spectrum at a large number of locations. Ofcom is consulting separately on co-existence with DTT; BEIRG will raise PMSE specific co-existence issues in a response to that consultation.

BEIRG is extremely concerned that no formal mitigation or compensation scheme is being established for PMSE users who experience interference from new services in the 800MHz band. PMSE is at significant risk of interference from the new services - any interference to professional PMSE services is unacceptable. Interference has a significant financial cost, as live shows are cancelled and consumers refunded their ticket price. For DTT viewers, interference with PMSE equipment will disrupt their programming at its source. More information is needed on how Ofcom intends to ensure that there is no interference suffered by PMSE users in channels adjacent to the new mobile services.

BEIRG does not agree with Ofcom that interference in channels 59 or 60 will not "have a material impact on the availability for spectrum for PMSE use". PMSE access to spectrum is already extremely limited, and losing another 2 channels in certain areas will exacerbate this problem further. BEIRG is also concerned that interference from new services may affect channels further down the spectrum than 59 and 60, and seeks Ofcom's reassurance that this will not be the case. More information is needed from Ofcom, and the PMSE Band Manager (currently JFMG) on how they intend to licence these channels which will be subject to heavy interference. Will licences be provided anywhere in the country for channels 59 and 60? Will the channels be guaranteed as interference free? If interference from new services in the 800MHz band does

occur, what compensation will be offered to affected users? Information is urgently required on this issue, to ensure that PMSE professionals can produce frequency plans with all possible information available.

Ofcom has acknowledged that there may be instances where PMSE use of channels 59 and 60 is interfered with. The impact of any interference to the PMSE industry would be extremely damaging. Technical licence conditions must be applied to licences for the 800MHz spectrum to prevent interference to PMSE. Where interference does occur, compensation must be available for affected users through Mitco. BEIRG will respond to Ofcom's consultation on MitCo to discuss how PMSE issues can be included in the current proposals.

BEIRG is also extremely disappointed with Ofcom's decision not to "impose licence restrictions on the use of any portions of the 832 to 862 MHz block to protect SRDs" (3.21). As we stated in our July 2011 response to Ofcom's 'Consultation and information on technical conditions for 800MHz and 2.6GHz spectrum and related matters' BEIRG is aware that a significant number of PMSE users have moved to Channel 70 following their eviction from Channel 69 and other parts of the 800MHz and 600MHz cleared bands. The original advice from Ofcom and Equiniti suggested Channel 70 could be a new home for 'low channel count' users.

Thousands of new Channel 70 systems are being sold to PMSE users, and members of the public, each week. There is currently no official advice to consumers that in a less than a year they will be unusable. BEIRG believes Ofcom must now take urgent measures to ensure consumers are advised of the future usability of the equipment they may consider purchasing.

There are also many thousands of other 'wireless audio devices' that operate in the 863MHz – 865 MHz band, including hearing aids, tour guide systems and other consumer audio applications. BEIRG believes protection from out-of-band interference must be guaranteed for all of these citizens and consumers, and that Ofcom must develop technical licence conditions for new services to ensure that these users do not suffer interference.