



10th October 2013

Dear Sir,

**RE: CONSULTATION ON THE AUTHORIZATION OF EARTH STATIONS
ON MOBILE PLATFORMS**

OnAir, a Swiss based company, is pleased to contribute to the consultation concerning authorization in the United Kingdom (UK) to use Earth Station on Mobile Platforms (ESOMPs) transmitting in the frequency bands 27.5 – 27.8185 GHz, 28.4545 – 28.8265 GHz and 29.4625 – 30 GHz.

Since 2005, OnAir, has been developing and operating Wi-Fi and mobile in-flight connectivity services that allow airline passengers to use cellular handsets and/or laptops while flying. These connectivity services operate on aircrafts flown by more than two dozen carriers in Europe, Latin America, Asia, the Middle-East and North-Africa. Since its inception, OnAir has witnessed a substantial increase in demand from both airline operators seeking to differentiate themselves from competitors and aircraft passengers aspiring to enjoy in flight connectivity experience in the same way as they do on the ground. Such communications services have been offered in part by using a satellite link which relays communications signal between aircraft and ground based infrastructure.

We foresee an increase in the use of in-flight services as well as demand for higher data rates. To meet this need, OnAir intends to deploy improved and evolved services that will take advantage of increased bandwidth, global coverage and higher system capacity offered by satellite networks operating in the Ka band. Those services will use ESOMPs mounted on aircraft. Using this band will extend and enrich the existing on-board service and experience.

OnAir takes this opportunity to state that as a provider of connectivity services to aircraft flying over the globe, its operations require a regulatory environment which minimize the burden of obtaining authorizations in multiple jurisdictions. It is important to OnAir that regulators adopt a harmonized approach to frequency allocation as well as mutually recognize of authorizations granted in the country of aircraft registration. Without these conditions in place, in-flight connectivity services risk interruption when aircraft are flying over unauthorized countries thereby degrading the quality of service. OnAir therefore supports the implementation in the UK of ECC Decision (13)01 which achieves these objectives in Europe with respect to ESOMPs.

Regarding specific questions raised by Ofcom, please note that, as OnAir does not provide services using land-based ESOMPs, the response provided below has been limited to questions 1, 2 and 4 respectively.

Question 1) Do you agree that Ofcom should authorise the use of ESOMPs in the UK in the frequency bands 27.5 – 27.8185 GHz, 28.4545 – 28.8265 GHz and 29.4625 – 30 GHz?

Under the UK Frequency Allocation Table, the use of frequency bands 27.5 – 27.8185 GHz, 28.4545 – 28.8265 GHz and 29.4625 – 30 GHz is dedicated to Fixed Satellite Services (FSS). It has been shown that with the technical conditions given in the ECC report 184, ETSI EN 303 978 and ECC /Dec (13) 01, ESOMPs could be treated in a manner which is similar to uncoordinated FFS earth stations and are considered an application of FSS. We therefore agree with Ofcom's proposal to authorize the use of ESOMPs in the Ka band (27.5 – 27.8185 GHz, 28.4545 – 28.8265 GHz and 29.4625 – 30 GHz).

Question 3) Do you agree that ESOMP equipment mounted on aircraft or ships should be licensed to transmit in the frequency bands 27.5 – 27.8185 GHz, 28.4545 – 28.8265 GHz and 29.4625 – 30 GHz using the existing Notice of Variation process?

OnAir agrees with Ofcom that authorizing ESOMP equipment mounted on aircraft and ships by means of a license, complies with the requirements of the ITU Radio Regulations and the ICAO Chicago Convention as implemented in the UK by the Wireless Telegraphy Act and associated legislation. Regarding the licensing process, at present Ofcom requires the owner or operator of an aircraft/ship to submit an application for a Notice of Variation of the aircraft /ship radio license for the purpose of onboard transmitting equipment. Likewise, no fees are charged for adding new radio equipment to an existing Aircraft or Ship Radio license by way of Notice of Variation. OnAir therefore agrees with Ofcom's proposal that licensing ESOMP equipment should follow the current practice (i.e., NoV without any added fee).

Question 4) Do you agree with the proposed technical provisions given in the Draft Interface Requirement and Draft NoVs?

With respect to ESOMPs mounted on aircraft, ECC Decision (13)01 provides technical conditions allowing the free circulation of ESOMPs. With respect to the power limit, it is understood that the proposed limitation is based on current conditions applicable to the uncoordinated HDFSS terminals.



However, the said Decision, states that ESOMP equipment could transmit to a maximum e.i.r.p. of 60 dBW. We would recommend that Ofcom raise the e.i.r.p. limit to 60 dBW. We believe that allowing a higher e.i.r.p. will indirectly improve the overall system performance; which will have a positive effect on in-flight services provided by OnAir to its airline customers.

OnAir has no comment on the proposed NoVs.

Whilst OnAir is not a satellite company, we have an interest in the Ka band in order to provide our in-flight services. OnAir welcomes Ofcom's proposals on ESOMPs transmitting in the Ka band (27.5 – 27.8185 GHz, 28.4545 – 28.8265 GHz and 29.4625 – 30 GHz). OnAir would request that the maximum allowed e.i.r.p. is increased to 60 dBW.