

## Response to OFCOMS:

### Consultation document *Digital dividend: clearing the 800 MHz band*

Within the document and the previous 2007 Consultation statements such as:

- “maximize the total value to society that using this spectrum is likely to generate”
- “Our main duty is to protect the interests of citizens and consumers”

are made, the import of these words has been totally ignored by the consultation.

The major “user” of the 790-862MHz band at present and for the foreseeable future is the television viewer, financial, economic and social cost to viewers of television have been totally ignored.

At present the vast majority of viewers receive their programs either:

1. Off Air, looking at the OFCOM report *Impact of interference from ECN terminal stations operating in the band 790 – 862 MHz on digital TV receivers operating below 790 MHz* clearly state in section 1.3 that a separation distance of between **22 and 40** meters radius is required to prevent interference from hand held devices to viewers. This separation distance does not appear to address the new base station transmitters which will be at higher powers.

The first major omission of the consultation is: that no consideration of this impact upon society has been evaluated nor an impact assessment carried out, and this must be a major consideration in the reuse of the 790 -862 MHz spectrum

2. Via cable, within the Digital Dividend Review cable was recognized as a delivery platform. . The Cable Industry has used the full band IV and V to deliver a wide range of services to the consumer for some 40 years. Customer Premises Equipment (CPE) typically has a life of 10 years and network equipment some 20 years.

A second major omission is: totally lack of an impact assessment for viewers, who at a conservative estimate number in excess of 20,000,000 in the UK receiving their programs and internet’ via cable. In previous OFCOM documents, notably the Digital Dividend Review cable was recognized as a delivery platform. One of the stated aims of the review was “*Our main duty is to protect the interests of citizens and consumers*” unfortunately this has **not** yet been achieved with the OFCOM proposals

Initial work carried out in Germany suggests that major interference will be received by viewers at similar ranges to those in the OFCOM report *Impact of interference from ECN terminal stations operating in the band 790 – 862 MHz on digital TV receivers operating below 790 MHz* and unlike the off air receivers will not have the possibility to filter out the “interference” as the full band up to 862MHz is in use. Whilst the Cable Industry is carrying out its own research and engaging with CEPT, this problem should be urgently addressed by OFCOM before any final decisions are made which will unreasonably impact on such a large percentage of the UK viewing public, and in some cases may also disadvantage their use of the internet.

In addition the financial cost to both the viewer and industry needs to be evaluated which will undoubtedly change the economic modeling “costs” of the various options within the consultation.

Reallocation of the 790-862MHz spectrum is the largest single change in spectrum use impacting the general public which has ever happened since the introduction of broadcasting. Clear answers to the viewer’s problems must be identified before pushing ahead with new services in this band.

Turning to the questions within the Consultation, our responses are:

- Q2 No, please see main statement
- Q4 The timing should take into account the time required to solve the “viewers” problems identified in our main statement
- Q6 No, please see main statement
- Q7 No, please see main statement
- Q16 We do not agree that your *analysis of the key impacts of our policy options* has taken account of the major problem which will be experienced in the reallocation of this spectrum

Brian Copsey