

### **Additional comments:**

The RFU manages 300+ radio microphone kits on behalf of community users in the license free channels.

There are 42 Referees Societies, all of which have purchased the kit using funds raised within the community (rugby). On average, the kits are about three years old.

The RFU has 20/30 kits for referee development, again on a non-professional basis.

Broadcasters are responsible for r/m kits used during television coverage.

**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?:**

Our concern is with the PMSE (Programme Makers & Special Events) equipment and frequencies

**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.:**

Our concern is with the PMSE equipment and frequencies

**Question 3: 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?:**

Our concern is with the PMSE equipment and frequencies

**Question 4: Do you have views on the implementation-timing options identified and our assessment of them? Do you agree that DSO-integrated implementation is most consistent with the DTT migration criteria? If not, why not?:**

Our concern is with the PMSE equipment and frequencies

**Question 5: Do you agree that a programme-control and -governance arrangement such as that outlined above is appropriate?:**

Our concern is with the PMSE equipment and frequencies

**Question 6: Do you agree that the four cost categories adequately capture the costs associated with clearing DTT from channels 61 and 62? Are there any costs that do not appear to have been accounted for in any of these categories?:**

Our concern is with the PMSE equipment and frequencies

**Question 7: Do you agree that our cost profile is a reasonable basis for planning the capital expenditure for clearing DTT from channels 61 and 62?:**

Our concern is with the PMSE equipment and frequencies

**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?:**

Our concern is with the PMSE equipment and frequencies

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

Our concern is with the PMSE equipment and frequencies

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

Our concern is with the PMSE equipment and frequencies

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

We accept the technical expertise used to reach this conclusion.

**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?:**

We would expect to see at least four license free channels within the band for use by community users. We would welcome the opportunity to be able to consult the Band Manager for assistance during the switch over and the resolution of conflicts on use of the license free channels.

**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?:**

As there are 42 Societies, 13 Federations and other community users throughout England we will be happy to work with OFCOM, Broadcasters and the Band Manager to migrate the equipment to Ch 36 in line with the Digital Change Over programme.

**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?:**

It is our estimate that within the rugby community there are in excess of 300 Sennheiser radio microphone kits and that the average life is three years. We believe that this must be factored into your model. We have no knowledge of equipment being purchased since February 1st 2009.

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

We will endeavour to work within the three year window to migrate all Society, Federation and other radio microphones.

**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?:**

We believe that the impact assessment in relation to the PMSE users is reasonable.