



“Digital dividend: clearing the 800 MHz band” – Comments from Cable Europe in response to Ofcom’s consultation document dated 2 February 2009

Cable Europe is the trade association that represents the interests of all of the leading cable operators within Europe as well as their national trade associations (for further information, see www.cable-europe.eu)

Cable Europe is active within the regulatory and public policy arenas, where it aims to promote and defend the industry's business interests at European and international level and also to support the lobbying activities of its members. In parallel, it provides technology support to its members as Cable Europe Labs, which focuses on research of emerging technologies, development of specifications for cable technology and certification of network and customer premises equipment.

In terms of scale, the members of Cable Europe provide digital TV, broadband Internet and telephony services to more than 73 million customers.

Against this background, Cable Europe’s attention has been drawn to this consultation by Virgin Media, its UK member.

Cable Europe sees this as a significant consultation because, as Ofcom states, the UK is seen as a leader within Europe in planning for the release of a digital dividend. Therefore, Ofcom’s decisions in relation to the band of spectrum between 790-862 MHz, covered by this consultation, could be significant across Europe, potentially affecting many millions of customers/viewers.

In recent months, because cable networks operate up to 850MHz, our members have commissioned some tests in Germany and Austria, which have indicated that some new services could interfere with the services currently provided to both TV viewers and high-speed data users on cable networks.

The results from those initial tests align with conclusions 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*” which has been submitted to CEPT SE42. Section 1.3 of that document concludes that a separation distance of between 22 and 40 meters radius is required to prevent interference to viewers, although this doesn’t appear to allow for higher power base station transmitters. Cable operators are not able to filter out interference as the full band up to 862MHz is in use.

In the light of these initial results, Cable Europe has commissioned further tests to provide a broader validation of the conclusions. It plans to share these with CEPT. In addition, Cable Europe will be discussing its concerns with the European Commission and its members will be having similar discussions with their national regulators.

Ofcom rightly focuses on impact assessment but, as in other fora, attention has been on potential interference between wireless/mobile and terrestrial broadcasting networks and does not appear to have considered the impacts for customers/viewers on cable networks. In this consultation document, Ofcom also appears to have overlooked the cost to viewers of television via cable and the wider implications for the cable network operator.

Whilst Cable Europe fully recognises the policy objectives and the value of releasing the digital dividend, the potential impacts on all stakeholders must be considered and cable's customers represent a significant number of TV viewers and Internet users.

Therefore, Cable Europe urges Ofcom to further investigate this potential interference issue with some urgency before any final decisions are made. We will be working closely with our UK member, Virgin Media, in the coming weeks. We are happy to attend meetings with Ofcom and to share the results of initial and further research.

20 April 2009