

Digital Dividend: clearing the 800 MHz band consultation

Response by the Ofcom Advisory Committee for Northern Ireland

25 March 2009

1. The arguments in favour of the UK aligning the upper band of our digital spectrum with what is expected to be released in many European Countries seem compelling. It will result in substantial net benefits to UK citizens and consumers and the costs of so doing are modest compared to these benefits.
2. We note that Ofcom's preferred solution to the problems caused by reassigning DTT from channels 61 and 62, and PMSE from channel 69, is that which minimises the cost and disruption to consumers, and we welcome this.
3. We would comment that the timing is indeed fortunate in that such changes can be planned at this stage without incurring significant extra costs, in relative terms. The need for such changes, had they occurred at a later date, might not have been quite so positive in cost benefit terms.
4. Many debates took place concerning the desirability of retaining flexibility to deal with future developments – for example, by withholding the sale of some spectrum in case unexpected requirements subsequently became apparent. The response, which was not always convincingly argued, was that no such requirements were foreseen or likely – yet here we are and DSO has barely begun. How confident is Ofcom that this is the only 'unexpected requirement' and that should other similar needs occur the cost of accommodating them will also be so relatively inexpensive?
5. A point which affects Northern Ireland in particular is the 'near neighbour' issue of optimising the use of spectrum. There has been no satisfactory analysis, of which we are aware, regarding the most appropriate spectrum solution to the particular situation which exists between Northern Ireland (NI) and the Republic of Ireland (ROI). This is on one hand a technical issue and on the other hand it is a political issue – it is part of a political solution underwritten by an International Agreement.
6. Ofcom has admitted the need to readjust previous thinking to accommodate the technical issues of aligning spectrum in the 800 MHz band with the rest of Europe. This ultimately was because we wished to provide for a more cost-effective solution to our UK citizens and consumers in respect of 'new generations of mobile broadband services'.
7. Given the potential development of trans-border services between NI and ROI as enshrined in the Good Friday Agreement, we would encourage Ofcom to explore the use of the harmonised spectrum, including through the possible shared use of spectrum, to provide such services in a cost-effective way for both jurisdictions.

8. Might it not be better to explore this issue now – and we don't see any evidence that it has been explored in the particular Ofcom evidence-based research way – rather than experience doubts, delays and potentially expensive costs at a later date?
9. In relation to the re-negotiation of the Geneva 06 broadcasting plan with our neighbours, including ROI, the ACNI would reiterate points made in response to earlier consultations about the importance of considering "border" issues such as the likely effect of DSO on the availability of free-to-air ROI channels in NI.
10. At present, Radio Telefís Éireann (RTÉ) channels are available in NI via cable, satellite, and analogue spill-over from terrestrial transmitters in the Republic. Estimates provided by Ofcom Northern Ireland indicate that 70-75% of the population in NI can receive RTÉ, including 50-55% who can receive it off-air. While spill-over will continue in the digital environment, it will not be able to reach as many homes as now.
11. We understand that Ofcom NI has been apprised of concerns about the possibility of RTÉ not being as widely available post-DSO as it is now, by politicians from across the political spectrum. We also understand that bilateral discussions continue between the British and Irish Governments and their regulatory authorities on this issue, and we would encourage Ofcom to give due weight to the specific issues affecting Northern Ireland in these discussions.

Ends

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