

GUIDANCE TO CEPT

ON THE FIFTH UPDATE OF THE SRD DECISION

1. PERMANENT MANDATE ON UPDATING THE TECHNICAL ANNEX TO THE SRD DECISION

This document provides the Commission services' guidance to CEPT for the fifth update of the technical annex to the SRD Decision. Such guidance is foreseen in the permanent Mandate to CEPT regarding the annual update of the technical annex of the Commission Decision on harmonisation of radio spectrum for use by short range devices¹.

2. GENERAL PRINCIPLES

In line with previous updates CEPT is requested to take the following general principles into account when preparing its response to the permanent mandate (in addition to the general objectives of the Mandate).

- The **SRD Decision is a legal document** and must fulfil the legal standards applicable to Commission Decisions.
- The updating exercise aims to modify the SRD Decision in place. The relevant technical parameters should be presented in a manner compatible with the RIG II template², where appropriate.
- The update should focus on **widening the scope** of the Decision with least constraining usage conditions and allow for as much flexibility as possible for manufacturers and users. The **removal of as many restrictions as possible** from existing and proposed allocations in the technical annex should be pursued. More constraining usage conditions for already existing entries should be avoided (they can only be introduced in duly justified cases).
- The **EU regulatory environment for SRD spectrum usage consists of the (updated) SRD Decision, the R&TTE Directive and the Regulatory framework for Electronic Communications**.

3. SPECIFIC ISSUES

On top of the general principles mentioned in section 2 CEPT is requested to pay attention to a number of specific issues (the list of specific issues is not exhaustive and should not limit the scope of CEPT's analysis):

- In the context of the permanent Mandate the CEPT is requested to perform an **examination** of the **"type of short-range device"** and the **"other usage restrictions"** categories in the technical annex in order to widen the scope of the

¹ RSCOM06-27 Rev.

² See document RSCOM08-23

Decision with the least constraining usage conditions, to allow for as much flexibility as possible for manufacturers and users and to remove as many restrictions as possible. There are four objectives of the examination:

- To reduce the number of application-specific harmonised bands in order to **maximise the number of non-application specific harmonised bands** with the least constraining usage conditions attached;
 - To **ensure** the definition of **appropriate spectrum access rules** that facilitate **predictable sharing arrangements** and foster the **beneficial coexistence** of spectrum users;
 - To **provide documented justifications** for **applications-specific designations** and for **"other usage restrictions"** that are retained; and
 - To **assess** to what extent the **application descriptions** in the "type of short-range device" category qualify as justified "other usage restrictions" or as informative descriptions of typical usage.
- Given the growing importance as well as the advent of new wireless applications for different transport modes, the CEPT is requested to **broaden the category "Road Transport and Traffic Telematics"** in the technical annex, in order to enable the use of the harmonised frequency bands for a broader range of applications for intelligent transport systems.
 - CEPT should also continue the investigations into **generic power limits for SRDs above 30 MHz**, with the goal of including such limits during the forthcoming fifth update of the technical annex; given the value such harmonised limits can have in terms of stimulating technological developments to overcome the practical limitations of today. In addition, CEPT is invited to also indentify **non-application specific spectrum access parameters for SRDs above 40 GHz** and investigate the possibility to designate generic overlay bands or bands with common spectrum access parameters.
 - CEPT should also consider **further inclusions of new SRD designations** in the technical annex of the SRD Decision, specifically those applications that so far have not been identified as priority for inclusion and those for which the regulatory parameters have already been studied. In addition, the results of the ongoing work on the 169 MHz Mandate and the investigations into the density of use of the 863-870 MHz should be taken into account, in particular in regard **to new sharing possibilities and the needs for additional spectrum**.
 - Given the recent example of the need to harmonise protected sub-bands between 9 kHz-135 kHz as well as the overall objective to improve the efficiency of the spectrum use, CEPT is requested to **investigate how to address receiver capabilities** as a necessary component of sharing arrangements that foster the beneficial coexistence of spectrum users and to **identify areas where improved receivers could improve spectrum access for SRDs**.

4. ROADMAP FOR THE 2012 UPDATE CYCLE

- **RSC#36 (July 2011):** launch of the fifth update cycle. CEPT starts work on the update proposal pursuant to the permanent Mandate and this guidance document.
- **RSC#41 (October 2012):** CEPT to submit its report (subject to public consultation) pursuant to the permanent Mandate.
- **Fourth quarter 2012:** Commission services examine the CEPT proposal for amendment of the technical annex. Commission services will exchange with CEPT on a preliminary draft updated technical annex to the SRD Decision prior to its submission in RSC. Simultaneously CEPT will hold a public consultation on its report pursuant to the permanent Mandate.
- **RSC#42 (December 2012):** CEPT submits final CEPT report and the Commission services present a draft Commission Decision updating the technical annex to the SRD Decision.
