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## **RADIO SPECTRUM COMMITTEE**

### **Working Document**

**Subject: Review of Commission Decision 2005/928/EC (169 MHz Decision) –  
Comments from Member States**

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## 1. INTRODUCTION

In document RSCOM11-09 Rev the Commission services have proposed a way forward for a review of Decision 2005/928/EC, as amended by Decision 2008/673/EC (hereafter 169 MHz Decision) in order to ensure the efficient use of the harmonised frequency range (169,4-169,8125 MHz) pursuant of Art. 5 of the 169 MHz Decision.

In order to ensure that the band is used efficiently, the Commission services considered it necessary to assess to what extent the high power sub-band C (169,6125-169,8125 MHz)<sup>1</sup> is still used by paging systems and private mobile radio communications that have been "authorised at the date of notification" of 169 MHz Decision (Art. 3.6).

Therefore RSC Delegates were requested to provide by 20 April 2011 up-to-date information about the state of authorisations for the use of sub-band C which existed at the date of notification<sup>2</sup> of 169 MHz Decision.

The information received from Member States and confirmed following the meeting of the Radio Spectrum Committee on 6 July 2011 (RSC#36) is provided below.

## 2. SUMMARY

Paging systems and private mobile radio communications that have been authorised before 14 December 2005 are out of the scope of the 169 MHz Decision and may continue for as long as the authorisation remains valid (Art. 3.6). In addition, paging systems can continue to operate in the high power sub-band C as preferred applications (Art. 3.3), while private mobile radio communications can be authorised as alternative applications on a national basis, provided that they do not constrain the harmonised implementation of the preferred applications in the high power sub-band C (Art. 3.4).

Based on the responses received, the overview shows that 12 Member States do have valid rights of use for such legacy systems that have been issued before 14 December 2005 with varying or non-specified expiry dates. In particular:

- (1) In 3 Member States (BE, NL, SE) rights of use for the harmonised high power sub-band C exist for legacy paging systems, which expire in 2011/2019 (NL) and 2016 (SE), respectively or have no specified expiry date (BE).
- (2) In 7 Member States (CZ, DE, DK, ES, FI, SI, UK) the harmonised high power sub-band C or part of it is used by private mobile radio communications systems, which are authorised until 2024 (DK), 2021 (SI) and 2013 (ES), respectively or for which no expiry date has been specified (CZ, DE, FI, UK).

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<sup>1</sup> For the work review of this decision the frequency range shall be differentiated in three sub-bands, two lower power parts (A, B) and one high power part (C) according to the table below:

A	Low power	Non-exclusive access	169,4-169,475 MHz
B	Low power	Exclusive access	169,475-169,6 MHz
C	High power	Non-exclusive access	169,6125-169,8125 MHz

<sup>2</sup> 14 December 2005.

- (3) 2 Member States (AT, SK) have unspecified authorisations that expire in 2015 (AT) and 2013 (SK), respectively.

In accordance with 169 MHz Decision three Member States (EE, HU, PL) have authorised channels of the high power sub-band C for asset tracking and tracing systems or paging systems. In addition, 4 Member States (CY, FR, LU, MT) state that no rights of use exist for the high power sub-band C.

### 3. INFORMATION RECEIVED FROM MEMBER STATES

Information about the state of authorisations for the use of the high power sub-band C which have been in force since before 14 December 2005 (date of notification of Decision 2005/928/EC):

Member States		Information received
BE	<b>België/Belgique</b>	In Belgium there were two POCSAG paging networks in use on the 14th of December 2005 and they are still in use. Both networks are used for PPDR applications; one of this paging networks (ASTRID) has the legal obligation from the Belgian Government to cover the national territory.
BG	<b>България</b>	
CZ	<b>Česká republika</b>	Regarding to agreed action issue No. 5 let me inform you, that currently just one local PMR network is being operated in channel 10 (169,650 MHz) under condition of secondary service. Operations of other applications within the band have been already terminated incl. ERMES system. The last ERMES transmitter was terminated on 31 January 2009.
DK	<b>Danmark</b>	In Denmark the situation is unchanged since 14. December 2005. There are in total 11 authorisations for frequency use in the band 169.6 - 169.8125 MHz. This includes 4 authorisations for PMR base stations, 6 authorisations for portable PMR services and 1 authorisation for occasional frequency use. The licenses for these services all have a duration until 31 December 2024. Details on the frequency use (licensee, location, power etc.) can be found in the public frequency register at <a href="http://frekvensregister.itst.dk/Search/Search.aspx">http://frekvensregister.itst.dk/Search/Search.aspx</a> . There are no paging systems or systems for tracing and asset tracking in the band. NITA has not received applications for those applications.
DE	<b>Deutschland</b>	High power applications as described in EC Decision 2005/928/EC were not authorised in the year 2005 by the date of notification of the 169 MHz EC Decision and have not been authorised so far because there has been no demand for these applications in the 169 MHz band. A Tracking and Tracing system as well as a public paging system in other frequency bands have been authorised. A demand for those radio applications in the 169 MHz is not expected. Therefore the removal of the high power part from the EC Decision should be considered (also depending on the CEPT response to the Mandate). A frequency band above 169.8000 MHz is still used for analogue private mobile radiocommunication systems, used for emergency services, which had been authorised before the date of notification of the 169 MHz EC Decision. It is planned to replace these systems by digital PPDR systems during the next few years. Hence the slight overlapping within 169.8000 - 169.8125 MHz will remain during this transition period.

EE	<b>Eesti</b>	Please be informed that part of the band 169,4-169,8125 is used for tracking systems and hearing devices. We have issued two licence for tracking systems on 28.11.2005 and 19.12.2005. The "hearing devices" are also allowed in high power sub-band C (169,6125-169,8125 MHz) on non-exclusive basis (without individual licence on conditions specified in ERC/REC 70-03 Annex 10) as alternative applications.		
IE	<b>Éire/Ireland</b>			
EL	<b>Ελλάδα</b>	Regarding the "high-power 169 MHz" issue, I kindly let you know that we have no updated information on the current situation.		
ES	<b>España</b>	At this moment, in Spain there are 2 licences for PMR networks in the high power frequency sub-band C of 169,6125-169,8125 MHz. These licences, that have very limited geographic coverage, expired on January 1, 2013, and does not represent any obstacle for the application of Decision 2005/928/EC. On the other hand Spain supports the draft mandate of the Commission to CEPT.		
FR	<b>France</b>	Regarding the high power sub-band C in the 169 MHz band (Decision 2005/928/EC), France confirms that there is no longer authorisation issued in this band (169.6125 – 169.8125 MHz). Therefore, this part of the band is free.		
IT	<b>Italia</b>			
CY	<b>Κύπρος/Kıbrıs</b>	I refer to RSCOM11-09 rev document, dated 9/3/2011, concerning the review of Commission Decision 2005/928/EC (169 MHz Decision) – the way forward and I would like to inform you that no authorizations were granted for the use of the high power sub-band C (169,6125 – 169,8125 MHz) before or after the date of notification of Decision 2005/928/EC, as amended by Decision 2008/673/EC, in Cyprus.		
LV	<b>Latvija</b>			
LT	<b>Lietuva</b>			
LU	<b>Luxembourg</b>	Regarding the high power sub-band C in the 169 MHz band (Decision 2005/928/EC), Luxembourg want to inform you that in the band 169.6125 – 169.8125 MHz there is no longer an authorisation issued in this band. This part of the band is free.		
HU	<b>Magyarország</b>	Hungary has positive opinion on the Draft Mandate to CEPT to undertake technical studies on the efficient use of the harmonised 169,4-169,8125 MHz frequency band. "Two frequencies are allocated for purposes asset tracking and tracing in frequency band 169.6125-169.8125 MHz in Hungary countrywide. Table 1 contains the assigned carrier frequencies and number of usage and numbers of the locations. It means 71 radio stations have radio licenses in 42 different locations in Hungary.		
		Table 1:		
		Carrier frequency MHz	Number of usage	Number of locations

		169.718750 MHz	71	42
		169.731250 MHz	71	42
MT	<b>Malta</b>	Kindly be informed that in Malta, no rights of use of radio frequencies are granted within sub-band C of Commission Decision 2005/928/EC.		
NL	<b>Nederland</b>	There are at the moment 2 authorisations for paging in the above mentioned band, that have been given out before 14 December 2005. One for ERMES, this authorisation expires in August 2011, but a request for extension has been received. A second one is for P2000, which is part of C2000 and this authorisation expires in 2019.		
AT	<b>Österreich</b>	Concerning the high-power sub-band of the Decision 2005/928/EC the Austrian administration can inform you, that there is only 1 local license issued in Austria and this license is valid until 31.03.2015. In addition, the Austrian administration received a request for an application based on the provision of this decision. Currently 2 radio interface descriptions are under development and will enter into force with the next update of the relevant ordinance.		
PL	<b>Polska</b>	<p>Only one authorisation for the use of frequencies from the “high-power” part of the 169 MHz band has been issued. It covers a tracing and asset tracking system operated by the company Guard Systems Polska.</p> <p>According to the authorisation three simplex 12,5 kHz channels: 14a, 14b and 16a (as defined in the annex to the decision 2005/928/EC) may be used within the whole territory of Poland. It remains valid until April 30, 2020.</p>		
PT	<b>Portugal</b>	There were no authorization in place in Portugal by 14 December 2005 with regard to the use of the high-power sub-band.		
RO	<b>România</b>			
SI	<b>Slovenija</b>	Two 25 kHz channels (169.775 MHz and 169.825 MHz ) are assigned for PMR until 2021.		
SK	<b>Slovensko</b>	Slovak Republic has issued two authorizations with regards to the use of the high-power sub-band with validity until 31.12.2013. One of them is with e.i.r.p. 10 Watt and second one with e.i.r.p. 5 Watt. No more authorizations were issued in actual frequency band.		
FI	<b>Suomi/Finland</b>	In the frequency band 169,6125-169,8125 MHz there are private mobile radio networks in Finland. Altogether 111 frequency assignments have been issued and there are about 80 different licence holders. Almost all available channels are in use.		
SE	<b>Sverige</b>	We have one licenced operator in the band who operates some 800 transmitters for paging systems. The licences are valid until 2016.		

UK	<b>United Kingdom</b>	<p>Ofcom (UK) has one licensed user operating on a 25kHz simplex channel, 169.775MHz (channel number 15). This PMR application was authorised in September 2005 and before Decision 2005/928/EC came into force.</p> <p>There is no licensed use on the following frequencies:</p> <p>169.625000, 169.650000, 169.675000, 169.700000, 169.725000, 169.750000, 169.800000</p> <p>Ofcom complies with the EC Decision 2005/928/EC, as amended by 2008/673/EC, and so has no restrictions beyond that stated within the EC Decision. In order to comply with the obligation to make spectrum available in the high power part of the ex ERMES band for paging or asset tracking services, Ofcom consulted in 2007 to determine whether there was any interest from potential operators of these services. We received no such expressions and therefore made the spectrum available for temporary PMSE or PMR use. However, in accordance with the obligations as set out in the 2005 Decision, these authorisations were made on a secondary basis and under the understanding that they could not constrain the harmonised implementation of the preferred application (as set out in paragraphs 3.8 and 3.10 of this Ofcom statement: <a href="http://stakeholders.ofcom.org.uk/binaries/consultations/169mhz/statement/emres_statement.pdf">http://stakeholders.ofcom.org.uk/binaries/consultations/169mhz/statement/emres_statement.pdf</a>)</p> <p>.</p>
CH	<b>Schweiz</b>	<p>I just want to inform you that Switzerland still have two paging system in operation as high power systems in the sub-band C (exact frequencies 169.425 and 169.500 MHz). The frequencies of this two systems have been successfully coordinated with our neighboring countries. The licenses are unlimited in time.</p>