

PUBLIC CONSULTATION

*on the use of the frequency bands 1980-2010 MHz and 2170-2200 MHz
for Mobile-satellite service (MSS), from 2027*

Preamble

In accordance with the provisions of Article 3 letter b) item 1¹ of the Government Emergency Ordinance no. 22/2009 on the establishment of the National Authority for Management and Regulation in Communications, approved by Law no. 113/2010, as subsequently amended and completed, the National Authority for Management and Regulation in Communications (*ANCOM*) administers and manages the radio spectrum allocated for space radiocommunications services and pursues the rational, equitable and efficient use of radio frequencies for space radiocommunications services.

The EU regulatory framework for mobile satellite services (MSS) consists of Decision 626/2008/EC of the European Parliament and of the Council, Commission Decision 2009/449/EC, Commission Decision 2011/667/EC, Commission Decision 2007/98/EC, and Directive (EU) 2018/1972 of the European Parliament and of the Council. Two MSS operators were selected to provide 2 GHz MSS services in the EU until mid-2027.

Considering the finalization of the document *"RSPG Opinion on assessment of different possible scenarios for the use of the frequency bands 1980-2010 MHz and 2170-2200 MHz by the Mobile Satellite Services beyond 2027"*¹, in consideration of the provisions of art. 19¹ of the Government Emergency Ordinance no. 111/2011 on electronic communications, approved, with amendments and completions, by Law no. 140/2012, as subsequently amended and completed, it is considered useful to explore, at national level, the future use of the bands allocated for 2 GHz MSS:

„RSPG recommends to the European Commission and to Member States to examine the underlying 2 GHz MSS legislation and framework for a competitive outcome in a timely fashion before the current 2 GHz MSS national authorizations expire. This includes to examine Decision 2007/98/EC in order to preserve the current technical harmonization for MSS in the 2 GHz band in the EU. RSPG recommends the end of second quarter of 2025 as an adequate date in order to reach sufficient common understanding on which scenario will be chosen and the respective next procedural steps. All efforts should be done in that regard.

¹ https://radio-spectrum-policy-group.ec.europa.eu/opinions-and-reports_en și https://radio-spectrum-policy-group.ec.europa.eu/document/download/b1f597f2-d6b5-44e5-878d-ea09bdd8a1d7_en?filename=RSPG24-007final-RSPG-Opinion-MSS-public_version.pdf

RSPG recommends a band segmentation, with the focus on a limited number of options. This possible segmentation of the 2x30 MHz available spectrum is provided aiming for an EU-wide common scenario, also taking into account that due regard be given to the investments and market developments of existing operators as well as to the need for new entrants to support innovation and to offer an increasing number of services and emphasizes the linkage with the EU-level policy priorities.

When addressing NB IoT demands, RSPG notes that a 2x5MHz could be shared among multiple NB IoT service providers due to reduced operating bandwidth and that other spectrum resources above 1 GHz could be allocated at international level at WRC-27. The latter should be discussed under the RSPG Opinion on WRC-27. Option 1 (no new band segmentation) presents the disadvantages, that it may limit competition in MSS service provision, as well as future innovation or development, e.g., excluding other stakeholders or usages, and may deprive from an opportunity to increase Europeans strategic autonomy.”

In consideration of Article 6 (1) letter e) of the Government Emergency Ordinance no. 22/2009, ANCOM considers that it is important to be transparent in establishing the direction of action regarding the 2 GHz MSS band and in finalizing the general framework for the authorization process of this band, as soon as possible, before the 2027 deadline.

Therefore - given that an existing operator needs transparency and consistency in the process of renewing licenses and market access (new timelines, terms and requirements) in order to be able to plan for the continuity of its services, and that existing customers need predictability as to the future of the same services, while competition must be stimulated and the premises for the rapid development of new technologies and applications of radio communications must be created - this public consultation aims to relaunch, for consideration at national level, the topics submitted to consultation by the RSPG. Subsequently, based on the consultation results, Romania's topical and conclusive view will be formulated.

Topics subject to public consultation

The options for a possible segmentation of the radio frequency bands for 2 GHz MSS are subject to public consultation. Thus, the following options proposed for public consultations will be considered:

Option 1 - No new segmentation of the 1980-2010 MHz and 2170-2200 MHz frequency bands

The current allocation for the two current selected operators, Inmarsat Ventures SE and Echostar Mobile Limited, will be maintained, with the following radio spectrum segmentation, which will translate into simultaneous use for:

- 1) 2 x 15 MHz for EAN (European Aviation Network) / CGC (Complementary Ground Component) and for any MSS evolution;
- 2) 2 x 15 MHz for generic MSS (voice/data, IoT, and any other evolution);

Option 2 - Introducing competition based on a new regulatory framework

To foster competition, but also to ensure a smooth transition from the current regulatory situation, limited parts of the segmented spectrum could remain available to current selected operators, so that they can continue to provide communications services and operate already developed infrastructures – e.g. the European Aviation Network (EAN), generic MSS and IoT. Thus, the currently selected operators, Inmarsat Ventures SE and Echostar Mobile Limited, will have the opportunity to deploy future technologies without delay and will be able to compete with new spectrum usages. The remaining part of the spectrum will be available for emerging technologies, e.g. (wideband) NTN-D2D (Non-Terrestrial Network - Direct-to-Device) with a bandwidth of 2x10 MHz or any other evolution of MSS.

The segmentation scenarios are as follows:

Option 2.1: The two existing operators, a new operator with non-shared allocations and several operators with shared allocations

The option with two existing operators, a new operator with non-shared allocations and several operators with shared allocations will have the following structure:

- a) 2 x 10 MHz for one of the existing operators: Inmarsat Ventures SE;
- b) 2 x 10 MHz for one of the existing operators: Echostar Mobile Limited;
- c) 2 x 5 MHz for a new operator;
- d) 2 x 5 MHz for several new operators with shared allocations.

Option 2.2: The two existing operators and a new operator with equal allocations

The option with two existing operators and a new operator will have the following structure:

- a) 2 x 10 MHz for one of the existing operators: Inmarsat Ventures SE;
- b) 2 x 10 MHz for one of the existing operators: Echostar Mobile Limited;
- c) 2 x 10 MHz for a new operator.

Option 2.3: The two existing operators and a new operator with different allocations

The option with two existing operators and a new operator, with different allocations, will have the following structure:

- a) 2 x 15 MHz for one of the existing operators or for a new operator;
- b) 2 x 10 MHz for one of the existing operators or for a new operator;
- c) 2 x 5 MHz for one of the existing operators or for a new operator.

Option 2.4: The two existing operators with different allocations and several operators with a shared allocation

The option with two existing operators and several operators with a shared allocation will have the following structure:

- a) 2 x 15 MHz for one of the existing operators;
- b) 2 x 10 MHz for one of the existing operators;
- c) 2 x 5 MHz for multiple new operators with shared allocations.

Clarifications on the options stated

It should be noted that "Option 1 - *No new segmentation of the 1980-2010 MHz and 2170-2200 MHz frequency bands*" may limit competition in MSS service provision, as well as future innovation or development, e.g., excluding other stakeholders or usages, and may deprive from an opportunity to increase Europeans strategic autonomy.

The scenarios under "Option 2 - *Introducing competition based on a new regulatory framework*" may limit the current selected operators, Inmarsat Ventures SE and Echostar Mobile Limited, may limit the current selected operators and their already planned investments and services provision. Nevertheless, these options would enable other usage of radio spectrum at EU level, e.g., by including the IRIS system² (Infrastructure for Resilience, Interconnectivity and Security by Satellite)².

When addressing demands for NB IoT (Narrow Band – Internet of Things) or Satellite Direct-to-Device (DTD), a 2 x 5 MHz band could be shared by multiple NB IoT service providers due to the reduced operating bandwidth (e.g., 250 kHz). In addition, a small part of such a 2x5 MHz block could be opened for purposes of testing new technologies. Moreover, terrestrial systems, terminals, and devices compatible with non-geostationary orbit (NGSO) could become cheaper, thus encouraging the offer of radio communications services for end-users through global availability of services.

Structure of the questionnaire for public consultation

Taking into account the aforementioned options, the questionnaire launched in the public consultation will have the structure proposed below, which will be completed by selecting either the affirmative or the negative answer, with the possibility of justifying the answer in a separate column.

Please note that the information provided in response to this questionnaire will be used by ANCOM to formulate the answer to the European Commission's consultations. Stakeholders are invited to distinctly mark any information considered to be confidential and to provide a publicly available version of the response.

² https://defence-industry-space.ec.europa.eu/eu-space-policy/iris2_en

QUESTIONNAIRE

on the use of the frequency bands 1980-2010 MHz and 2170-2200 MHz for mobile satellite communications services (MSS) from 2027 onwards

Name of the respondent	
Contact point (address, email)	
Field of activity <i>Select "X" for each category or subcategory you belong to; Leave categories or subcategories that you are not interested in blank. If you choose "Other", you can fill in as needed.</i>	<ul style="list-style-type: none"><input type="checkbox"/> public administration - please specify;<input type="checkbox"/> provider of public networks and electronic communications services;<input type="checkbox"/> end user;<input type="checkbox"/> consumers' representative;<input type="checkbox"/> economic operator (producer/ importer/ distributor - specify);<input type="checkbox"/> other (specify).

Which of the following options do you consider optimal?

<i>Options</i>	<i>Answer</i>	<i>Justify your answer</i>
Option 1 - <i>No new segmentation of the 1980-2010 MHz and 2170-2200 MHz frequency bands</i>	<input type="checkbox"/> I agree <input type="checkbox"/> I disagree	
Option 2 - <i>Introducing competition based on a new regulatory framework</i>		
Option 2.1: The two existing operators, a new operator with non-shared allocations and several operators with shared allocations	<input type="checkbox"/> I agree <input type="checkbox"/> I disagree	
Option 2.2: The two existing operators and a new operator with equal allocations	<input type="checkbox"/> I agree <input type="checkbox"/> I disagree	
Option 2.3: The two existing operators and a new operator with different allocations	<input type="checkbox"/> I agree <input type="checkbox"/> I disagree	
Option 2.4: The two existing operators and a new operator with different allocations	<input type="checkbox"/> I agree <input type="checkbox"/> I disagree	

Note: The information provided in response to this questionnaire will be used by ANCOM in order to formulate the answer to the European Commission's consultations. Interested parties are invited to distinctly mark any information considered to be confidential and to provide a publicly available version of the response.