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EUROPEAN COMMISSION
Directorate-General for Communications Networks, Content and Technology

Electronic Communications Networks and Services
Spectrum

Brussels, 20 October 2017
DG CNECT/B4/RM/srd

Mr Eric Fournier
Chairman CEPT ECC
ANFR
78 avenue du Général de Gaulle
94704 Maisons-Alfort
France

Subject: **Guidance to CEPT on the seventh update of Decision 2006/771/EC (SRD Decision)**

Dear Mr Fournier,

The Radio Spectrum Committee, in its meeting on 18 and 19 October 2017 in Brussels has discussed and endorsed the Commission services' guidance to CEPT for the seventh update of the technical annex to the SRD Decision. Such guidance is foreseen in the permanent Mandate to CEPT regarding the regular update of the technical annex of the Commission Decision on harmonisation of radio spectrum for use by short range devices.

In the attached document you find input and orientation to CEPT reflecting EU policy priorities requiring special attention in the context of spectrum usage by SRDs. This input and orientation aims at supporting the completion of the CEPT deliverable(s) for the forthcoming seventh update of the Decision 2006/771/EC (SRD Decision).

Upon completion of the mandate, I would appreciate receiving from CEPT the deliverable(s) along with an explanatory note on how the tasks have been accomplished.

Please do not hesitate to contact me should you have any further questions.

Yours sincerely,

(e-signed)
Andreas Geiss

Chairman, Radio Spectrum Committee

Encl.: Guidance to CEPT on the seventh update of the SRD Decision (*as per RSCOM17-24rev1*)

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GUIDANCE TO CEPT

ON THE SEVENTH 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 seventh update of the technical annex to the Short Range Devices (SRD) Decision 2006/771/EC. 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 devices[1]. As guiding principles, the proposed evolution of the European regulatory framework for short-range devices should take into due consideration backward compatibility with current SRD systems in harmonised bands and relevant incumbent non-SRD usages, as well as efficient use of spectrum and spectrum sharing.

2. RECOMMENDED FOCUS FOR THE NEXT UPDATE

New entries are regularly added to ERC Recommendation 70-03 based on spectrum demand expressed in ETSI SRDocs and assessed in compatibility studies. The non-mandatory, flexible harmonisation on the CEPT level within ERC Recommendation 70-03 is a beneficial source for future EU harmonisation. Adding its entries, where possible, to the SRD Decision, leads to legally binding implementation across the EU and allows producers and users of SRDs to profit from the benefits of the Digital Single Market.

The Commission invites CEPT to:

a. *consider the bands recently added or currently under discussion for addition to ERC Recommendation 70-03 for potential inclusion in the next update of the SRD decision;*

Some 'usage restrictions', currently in the annex of Decision 2006/771/EC, may require re-assessment on a case by case basis. Removing or relaxing them where compatibility with the radio services operating in the corresponding bands allows, may create new opportunities for the quick deployment of SRD solutions in certain categories and hence increase market penetration and socio-economic benefits of SRDs (e.g., Wireless Access Systems/Radio LANs in 57-66 GHz).

The Commission invites CEPT to:

b. *re-assess the relevance and appropriateness of all 'other usage restrictions' for the relevant SRD categories, having regard in particular to requests from stakeholders;*

During the sixth update, the duty cycle definitions in ERC/REC 70-03 - Annex 5 and the Annex to Decision 2006/771/EC have been aligned. The new definition allows for observation times different from the current standard of one hour for a given SRD entry and hence opens the possibility to improve spectrum sharing. The development of

[1] RSCOM06-27 Rev (5 July 2006)

additional parameters (such as channelling and/or channel access and occupation rules) could enable a future withdrawal of some existing 'other usage restrictions' (see also point b)).

The Commission invites CEPT to:

c. *investigate, where useful, more enhanced aspects of duty cycle mechanisms in cooperation with ETSI, as well as other enablers for further spectrum sharing (e.g., channelling and/or channel access and occupation rules).*

Some entries of Decision 2006/771/EC refer to relevant harmonised standards adopted under Directive 2014/53/EU (the Radio Equipment Directive – RED) in, e.g., column (iv) "additional parameters". An assessment of which requirements need reflection directly in the regulatory environment and which techniques should rather be specified in harmonised standards as a performance baseline allowing also equivalent alternate approaches can help to streamline the regulatory environment and improve clarity for spectrum users. This includes assessment of the necessity and validity of the referenced parameters in light of the regulatory environment as well as scope for their possible relaxation.

The Commission invites CEPT to:

d. *review the intertwining and working together of harmonised European standards and Decision 2006/771/EC.*

Radio resources can be shared in frequency, time and space. Cognitive techniques[2] allow for an increased level of efficient use of spectrum by sharing along all of these three dimensions and hence cognitive-radio enabled SRDs could open new frequency bands for SRDs in the future. CEPT Report 59 contains an initial analysis of cognitive techniques for SRDs and comes to the conclusion that such an approach to spectrum usage could be further encouraged by rewarding principles (e.g., increased duty cycle allowances when certain cognitive techniques are applied).

The Commission invites CEPT to:

e. *undertake a more detailed review to identify opportunities for cognitive-radio enabled SRDs where rewarding principles could be introduced, having regard in particular to requests from stakeholders.*

Smart tachograph (2014/165/EU and 2016/799/EU) and weight and dimensions (96/53/EC amended by 2015/719/EU) applications aim to increase road safety and will be mandatory in new vehicles registered as of 15 June 2019. The 52nd Radio Spectrum Committee meeting agreed to add corresponding parameters to the Annex of Decision 2006/771/EC.

[2] The terms "cognitive techniques" and "cognitive radio" are often understood as limited to sensing of other use only. In this context they are used with a broad meaning and also include other approaches such as geo-location databases, without prejudgment of any specific solution.

The Commission invites CEPT to:

f. consider compatibility parameters for smart-tachograph and weight and dimensions applications for addition to the Annex of Decision 2006/771/EC in time for their deployment starting as of 15 June 2019.

The frequency band 5875-5905 MHz is harmonised in Decision 2008/671/EC for safety-related applications of Intelligent Transport Systems (ITS) and the frequency band 5905-5925 MHz is under discussion to be added to the same Decision. The frequency range 5855-5875 MHz is currently recommended by ECC REC (08)01 for ITS non-safety applications on a non-protected and non-interference basis, but not harmonized across the EU. Since the recommended regulatory environment of ECC REC (08)01 is in line with the SRD Decision 2006/771/EC and ITS applications already harmonized in this decision, ITS non-safety applications in 5855-5875 MHz could profit from an EU-wide harmonization by being added to the Annex of the SRD Decision 2006/771/EC as a new entry under the "Transport and Traffic Telematics" (TTT) device category.

The Commission invites CEPT to:

g. consider adding the frequency range 5855-5875 MHz as a new entry for non-safety applications of ITS under the TTT device category to the Annex of Decision 2006/771/EC.

The above does not pre-empt CEPT to pursue their investigations on the specific work items already identified in CEPT Report 59 and its Addendum or other specific work items of relevance.

3. ROADMAP FOR THE 2017/2018 UPDATE CYCLE

1. ECC (November 2017): launch of the seventh update cycle. CEPT starts work on the update proposal pursuant to the permanent Mandate and this guidance document.
2. ECC (October 2018): Approval for public consultation of the draft CEPT Report.
3. RSC (December 2018): CEPT to submit its report (subject to public consultation) pursuant to the permanent Mandate. Commission services examine the CEPT proposal for amendment of the technical annex.
4. RSC (March 2019): CEPT submits final CEPT report and the Commission services present a draft Commission Decision updating the technical annex to the SRD Decision. If agreement is reached swiftly on the draft text, publication can be envisaged until June 2019.

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Electronically signed on 23/10/2017 13:38 (UTC+02) in accordance with article 4.2 (Validity of electronic documents) of Commission Decision 2004/563