Setting the scene of Impact Assessment implementation in CEPT

CEPT Seminar and Training Session on Impact Assessment

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CEPT Re-organization

- Extraordinary Assembly – March 2009
- Maintain and strengthen technical expertise
- Maintain coordination in wider international fora
- Improve external communications
- Take a more strategic approach
- Ensure complementarity and constructive engagement with EU activities
- Give a greater emphasis to economic considerations in spectrum management
- Improve arrangements for external participation in CEPT work

What is Impact Assessment?

- A set of logical steps which structure the preparation of policy proposals
  - An overall approach
- An aid to decision making
  - should be an integral part of it
- A framework for weighing up costs and benefits of the options
  - Select the best option
  - Using as much as possible quantifiable criteria
  - Also other criteria – social
  - Should be based on facts, not "educated guesses"

Why are IAs important?

- Allow for investigation of the likely consequences of projects, plans, policies and regulations
- Provide the means for taking all factors into consideration
- Ensure early coordination within the organization
  - tasks assigned and planned
- Show the transparency of the organization
  - decisions are based on objective criteria
  - stakeholders are involved
- Help explain why an action is necessary and that the proposed response is an appropriate choice
  - lead to bullet-proof decisions

Why is IA on spectrum matters important?

- The radio spectrum is a finite resource
- It makes possible a wide range of commercial, governmental, public interest and social activities
- Radio spectrum is coming under increasing demand
  - especially in 300 - 3000 MHz
- Therefore it is crucial to secure optimal use of spectrum
- A decision to allocate spectrum for certain use may deny it to other uses
- Therefore important in making decisions on spectrum to take account of
  - the benefits and the costs including the opportunity cost of denying spectrum to other applications

IAs in the ECC

- ECC Report 125 – WGRA, Sept 2008

  "Guidelines for the implementation of impact assessment in relation to spectrum matters"
- Internal ECC Report (ECC(09)042 – Annex 13) - ECC, Jan 2009

  "Management of Impact Assessments in the ECC Structure"

Distinctiveness of the ECC

- The ECC is not a Regulator
- The ECC is not a structured organization
  - does not hire its own staff – except from ECO
  - continuous work only by correspondence
  - people not working under the same roof
  - on a voluntary basis
- Deliverables
  - produced by WGs, PTs and TGs
- Approval process
  - long - in (usually) 3 meetings / year
- Status of deliverables
  - not legally binding

IAs should not unduly delay the adoption of deliverables

How IAs could be used to help ECC?

- IAs form best policy making practice for setting regulation
  - provide a way of considering different options
  - enable clear identification of costs and benefits associated with the different policy options
  - lead to selection of the best option
- IAs are also useful for reviewing existing regulation

  Provide a framework for:
  - assessing the effectiveness and benefits of existing regulation
  - weighing up the costs and benefits of removing regulation
  - analysing other options

When should IAs be used?

- To choose the best option among many
- To justify a choice (as opposed to doing nothing)
- To do nothing

Examples

- Considering a new policy approach (eg introduce flexibility, trading)
- Allocating spectrum to a service
- Allowing more radio services in a certain band
- Defining technical conditions of use of a band
- Imposing receiver requirements

In all deliverables (DECs, RECs, CEPT Reports)?

- As s start - on a case by case basis
- Adoption of new policies or approaches of
  - strategic importance or
  - significant impact on the market and on the general public
- Rip the benefits
  - not a bureaucratic, delaying add on
  - work is done on a voluntary basis
  - human resource and/or expertise shortage
  - lengthy approval process
- Extra careful in CEPT Reports
  - usually not
  - may be to justify a technical choice

Producing an IA – 7 stages

Stages 1 and 2

Identification of the issue/problem

Description of the policy /measure

Identification of objectives

- When ECC decides to assign a new work item to an Entity,
- based on a reasoned proposal by the Entity,
- It also decides whether an IA is necessary

Stage 3 – Identification and description of regulatory options

- Appoint a project manager – project plan
- Consult with stakeholders?

Producing an IA – 7 stages (2)

Stage 4 – Collect Data

- ETSI SRDs
- Within the ECC (ECO and CEPT Admin's web sites)
- EU (Commission studies)
- Public Consultation

Stage 5 – Determine the impact on competition (if relevant)

- May be difficult to quantify

Producing an IA – 7 stages (3)

Stage 6 - Assess the impacts and choose the best option

- Analyze costs and benefits of each option
- Quantify costs and benefits
  - state uncertainties
  - lack of quantitative data → re-evaluate
- Assess the risks
  - What is the risk associated with an option if it does not happen
  - An option with a high net benefit and a high risk might be less preferred than an option with a lower risk and a lower net benefit
- Analyze distributional impacts
  - important to know whether an option benefits certain groups more than others
  - eg an option might benefit urban areas more that rural areas
- Understand the opportunity cost
- Assess when costs and benefits will be felt

Producing an IA – 7 stages (4)

Stage 7 - Monitoring and evaluation

- In IA define parameters to be observed
- Objectives met?
  - initial assessment by the Office