Commission Implementing Decision (EU) 2020/667 of 6 May 2020 amending Decision 2012/688/EU as regards an update of relevant technical conditions applicable to the frequency bands 1 920-1 980 MHz and 2 110-2 170 MHz (notified under document C(2020) 2816) (Text with EEA relevance)

COMMISSION IMPLEMENTING DECISION (EU) 2020/667

of 6 May 2020

amending Decision 2012/688/EU as regards an update of relevant technical conditions applicable to the frequency bands 1 920-1 980 MHz and 2 110-2 170 MHz

(notified under document C(2020) 2816)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Decision No 676/2002/EC of the European Parliament and of the Council of 7 March 2002 on a regulatory framework for radio spectrum policy in the European Community (Radio Spectrum Decision)[(1)], and in particular Article 4(3) thereof,

Whereas:

(1) Commission Decision 2012/688/EU[(2)] harmonised the technical conditions for using the frequency bands 1 920-1 980 MHz and 2 110-2 170 MHz for terrestrial systems capable of providing electronic communications services (ECSs) in the Union, mainly targeting wireless broadband services for end-users.

(2) Article 6(3) of Decision No 243/2012/EU of the European Parliament and the Council[(3)], requires Member States to help ECS providers to regularly upgrade their networks to the latest, most efficient technology, in order to create their own spectrum dividends in line with the principles of service and technological neutrality.

(3) The Commission's Communication on *'Connectivity for a competitive digital single market – towards a European gigabit society'*[(4)] sets out new connectivity objectives for the Union to be achieved through the widespread deployment and take-up of very high capacity networks. To that end, the Commission's Communication '*5G for Europe: an action plan*'[(5)] identifies a need for action at the EU-level, including the identification and harmonisation of spectrum for 5G based on the opinion of the Radio Spectrum Policy Group (RSPG), in order to ensure uninterrupted 5G coverage in all urban areas and major terrestrial transport paths by 2025.

(4) In its two opinions on the 'strategic roadmap towards 5G for Europe' (16 November 2016[(6)] and of 30 January 2019[(7)]), the RSPG identified a need to ensure that the technical and regulatory conditions for all bands already harmonised for mobile networks are fit for 5G use. The paired terrestrial 2 GHz frequency band is one such band.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2020/667. (See end of Document for details)*

(5) On 12 July 2018, pursuant to Article 4(2) of Decision No 676/2002/EC, the Commission mandated the European Conference of Postal and Telecommunications Administrations (CEPT) to review the harmonised technical conditions for certain EU-harmonised frequency bands, including the paired terrestrial 2 GHz frequency band, and to develop least restrictive harmonised technical conditions suitable for next-generation (5G) terrestrial wireless systems.

(6) On 5 July 2019, the CEPT issued a report (CEPT report 72). It proposed EU-harmonised technical conditions for the paired terrestrial 2 GHz frequency band in terms of a frequency arrangement and a Block Edge Mask, which are suitable for use of the band with next-generation (5G) terrestrial wireless systems. CEPT report 72 concludes that the guard band of 300 kHz at the lower and upper frequency boundaries of the frequency arrangement can be removed.

(7) It has to be noted that the spurious domain for the base stations in the frequency band 2 110 – 2 170 MHz starts 10 MHz from the band edge.

(8) CEPT report 72 covers both active antenna systems and non-active antenna systems, which are used in systems capable of providing Wireless Broadband Electronic Communications Services (WBB ECS). It addresses the co-existence of these systems within the band and with services in adjacent bands (such as Space services below 2 110 MHz and above 2 200 MHz). Any new use of the paired terrestrial 2 GHz frequency band should continue to protect existing services in adjacent frequency bands.

(9) The conclusions of CEPT report 72 should be applied across the Union and implemented by the Member States without delay. This should foster the availability and use of the paired terrestrial 2 GHz frequency band for 5G deployment while upholding the principles of technology and service neutrality.

(10) The notion of ‘designating and making available the paired terrestrial 2 GHz frequency band’ in the context of this Decision refers to the following steps: (i) the adaptation of the national legal framework on frequency allocation to include the intended use of this band under the harmonised technical conditions set in this Decision, (ii) the initiation of all necessary measures in order to ensure coexistence with existing use in this band, to the extent necessary, (iii) the initiation of the appropriate measures, supported by the launch of a stakeholder consultation process where appropriate, in order to allow the use of this band in accordance with the applicable legal framework at Union level, including the harmonised technical conditions of this Decision.

(11) Member States should have, where justified, sufficient time to adapt the existing licenses to the General Parameters of the new technical conditions.

(12) Cross-border agreements between Member States and with third countries may be necessary to ensure that Member States implement the parameters set by this Decision in a manner which avoids harmful interference, improves spectrum efficiency and prevents fragmentation in spectrum use.

(13) Decision 2012/688/EU should therefore be amended accordingly.

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(14) The measures provided for in this Decision are in accordance with the opinion of the Radio Spectrum Committee established by the Decision No 676/2002/EC,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2012/688/EU is amended as follows:

(1) in Article 2, paragraphs 1 and 2 are replaced by the following:

1. Member States shall designate and make available, on a non-exclusive basis, the paired terrestrial 2 GHz band for terrestrial systems capable of providing electronic communications services in compliance with the parameters set out in the Annex to this Decision.

2 Until 1 January 2026, Member States need not apply the General Parameters laid down in section B of the Annex in respect of rights of use for terrestrial electronic communications networks of spectrum in the paired terrestrial 2 GHz frequency band existing on the date when this Decision takes effect, to the extent that the exercise of those rights does not prevent the use of that band according to the Annex, subject to market demand.;

(2) in Article 3, the following subparagraph is added:

Member States shall report to the Commission on the implementation of this Decision by 30 April 2021.;

(3) the Annex is replaced by the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 6 May 2020.

For the Commission

Thierry BRETON

Member of the Commission

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2020/667. (See end of Document for details)*

ANNEX

ANNEX

PARAMETERS REFERRED TO IN ARTICLE 2(1)

A. DEFINITIONS

Active antenna systems (AAS) means a base station and an antenna system where the amplitude and/or phase between antenna elements is continually adjusted resulting in an antenna pattern that varies in response to short term changes in the radio environment. This excludes long-term beam shaping such as fixed electrical down tilt. In AAS base stations the antenna system is integrated as part of the base station system or product.

Non-active antenna systems (non-AAS) means a base station and an antenna system that provides one or more antenna connectors, which are connected to one or more separately designed passive antenna elements to radiate radio waves. The amplitude and phase of the signals to the antenna elements is not continually adjusted in response to short term changes in the radio environment.

Equivalent isotropically radiated power (EIRP) is the product of the power supplied to the antenna and the antenna gain in a given direction relative to an isotropic antenna (absolute or isotropic gain).

Total radiated power (TRP) is a measure of how much power a composite antenna radiates. It equals the total conducted power input into the antenna array system less any losses in the antenna array system. TRP means the integral of the power transmitted in different directions over the entire radiation sphere as shown in the formula:

$$TRP \stackrel{\text{def}}{=} \frac{1}{4\pi}\int_0^{2\pi}\int_0^{\pi} P(\theta,\varphi)\sin(\theta)d\theta d\varphi$$

where P(θ,φ) is the power radiated by an antenna array system in direction (θ,φ) given by the formula:

$P(\theta, \varphi) = P_{Tx}g(\theta, \varphi)$

where P_{Tx} denotes the conducted power (measured in Watts), which is input into the array system, and g(θ,φ) denotes the array system's directional gain along the (θ, φ) direction.

B. GENERAL PARAMETERS

Within the paired terrestrial 2 GHz band, the frequency arrangement shall be as follows:

(1) The duplex mode of operation is Frequency Division Duplex (FDD). The duplex spacing shall be 190 MHz with terminal station transmission (FDD uplink) located in the lower part of the band starting at 1 920 MHz and finishing at 1 980 MHz ("lower band") and base station transmission (FDD downlink) located in the upper part of the band starting at 2 110 MHz and finishing at 2 170 MHz ("upper band").

(2) The assigned block size shall be in multiples of 5 MHz[8]. The lower frequency limit of an assigned block in the lower band of 1 920-1 980 MHz shall be aligned with or spaced at multiples of 5 MHz from its lower edge of 1 920 MHz. The lower frequency

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limit of an assigned block in the upper band of 2 110-2 170 MHz shall be aligned with or spaced at multiples of 5 MHz from its lower edge of 2 110 MHz. An assigned block may also have a size in the range of 4,8-5 MHz as long as it fits within the boundaries of a 5 MHz block as defined above.

(3) The lower band of 1 920-1 980 MHz or portions thereof, can be used for uplink-only operation[9] without paired spectrum within the upper band of 2 110-2 170 MHz.

(4) The upper band of 2 110-2 170 MHz or portions thereof, can be used for downlink-only operation[10] without paired spectrum within the lower band of 1 920-1 980 MHz.

(5) Base station and terminal station transmission shall be in compliance with the technical conditions specified in Part C and Part D, respectively.

C. TECHNICAL CONDITIONS FOR BASE STATIONS – BLOCK EDGE MASK

The following technical parameters for base stations called Block Edge Mask (BEM) are an essential component of conditions necessary to ensure coexistence between neighbouring networks, in the absence of bilateral or multilateral agreements between operators of such neighbouring networks. Less stringent technical parameters, if agreed among all affected operators of such networks, may also be used provided that these operators continue to comply with the technical conditions applicable for the protection of other services, applications or networks and with obligations resulting from cross-border coordination.

The BEM consists of several elements given in Table 1. The in-block power limit is applied to a block assigned to an operator. The baseline power limit, designed to protect the spectrum of other operators, and the transitional region power limit, enabling filter roll-off from the in-block to the baseline power limit represent out-of-block elements.

Power limits are provided separately for non-AAS and AAS. For non-AAS, the power limits apply to the mean EIRP. For AAS, the power limits apply to the mean TRP[11]. The mean EIRP or mean TRP are measured by averaging over a time interval and over a measurement frequency bandwidth. In the time domain, the mean EIRP or mean TRP is averaged over the active portions of signal bursts and corresponds to a single power control setting. In the frequency domain, the mean EIRP or mean TRP is determined over the measurement frequency bandwidth as given in Tables 2, 3 and 4 below[12]. In general, and unless stated otherwise, the BEM power limits correspond to the aggregate power radiated by the relevant device including all transmit antennas, except in the case of baseline and transition requirements for non-AAS base stations, which are specified per antenna.

Block Edge Mask (BEM)