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Réponse à la consultation publique sur les modalités d'attribution des bandes de fréquences 800 MHz et 2,6 GHz

WiMAX Forum® Response

The WiMAX Forum®¹ welcomes the opportunity to provide its views and comments concerning the public consultation document identified above.

The WiMAX Forum is an industry-led, not-for-profit organisation formed to certify and promote the compatibility and interoperability of broadband wireless products based upon the harmonized IEEE 802.16/ETSI HiperMAN standard. A WiMAX Forum goal is to accelerate the introduction of these systems into the marketplace. WiMAX Forum Certified™ products are interoperable and support broadband fixed, portable and mobile services. Along these lines, the WiMAX Forum works closely with service providers and regulators to ensure that WiMAX Forum Certified systems meet customer and government requirements. For more information about the WiMAX Forum and its activities, please visit www.WiMAXForum.org.

In Annex 1, the WiMAX Forum is pleased to submit comments on the identified consultation document.

Yours Sincerely

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Annex 1

The WiMAX Forum Response:

Q20 WiMAX Forum Response: The WiMAX Forum is disappointed that the current ARCEP consultation only addresses the allocation of frequency division duplex (FDD) spectrum in 19 questions out of 21 and only addresses the time division duplex (TDD) in question 20. This question considers delaying the award of spectrum between 2570 MHz and 2620 MHz beyond the end of 2011 and after the awards in the other frequency ranges.

This would delay the TDD spectrum allocation to around 2013, disadvantaging artificially a whole segment of the telecommunications industry by preventing the deployment of Mobile WiMAX, the only broadband wireless technology commercially available today. This interoperable certified technology is available from multiple vendors today and ready to deliver broadband data services in the 2.6GHz band using the TDD mode.

By June 2010, there were 219 products certified against the WiMAX interoperability standards by the WiMAX Forum, deployed in 149 countries. In contrast, by June 2010, there was no certified product available for LTE FDD and this is likely to remain the case up to 2013.

The WiMAX Forum believes the French Administration should not pre-judge the demand for use of this spectrum and distort the market situation by preventing any initiative to deploy any mobile broadband network in France for several years. If not awarded immediately, short/medium time use of the unpaired spectrum would be impossible for operators willing to deploy a mobile broadband network far before the LTE FDD (and TDD) products availability. It is to the market to decide whether there is interest through the award.

The text does not take into account what happened recently in Germany where operators have both requested and received TDD and FDD spectrum (Germany could be taken as base model for evaluating the auctions reserve price).

Such a policy is opposite to that in Poland for example, where the unpaired spectrum was offered first in recognition that there was a technology commercially available and instead the award of the paired spectrum was delayed to recognise that no technology was commercially ready and therefore this was less urgent.

The proposal to delay the TDD 2.6GHz spectrum runs counter to the spirit of the European Commission Decision 2008/477/EC of June 13, 2008 and in particular paragraph 1 of Article 2, (recognizing that France had requested a waiver of application to allow time for redeployment of other national spectrum usage):

No later than six months after entry into force of this Decision Member States shall designate and subsequently make available, on a non-exclusive basis, the 2 500-2 690 MHz band for terrestrial systems capable of providing electronic communications services, in compliance with the parameters set out in the Annex to this Decision.

The WiMAX Forum urges the French Regulator to consider the release of the unpaired spectrum as part of the whole 190 MHz in the 2.6 GHz band and at the same time as the 800 MHz digital dividend.