

Prague, 16 December 2009
Ref.: 66 100/2009–605

On the basis of public consultation under Section 130 of the Act No. 127/2005 Coll., on electronic communications and on amendment to certain related acts (the Electronic Communications Act), as amended (hereinafter „the Act“) and on the basis of the decision of the Council of the Czech Telecommunications Office (hereinafter „the Office“) under Section 107(8)(b)(2) of the Act and in order to implement Section 16(2) of the Act, the Office as the appropriate state administration body under Section 108(1)(b) of the Act hereby issues this Measure of General Nature

**Part No. PV-P/12/12.2009-19
of the Radio Spectrum Utilisation Plan
for the frequency band 1700–1900 MHz.**

Article 1
Introductory provision

This part of the Radio Spectrum Utilisation Plan sets down the technical characteristics and conditions of use of radio spectrum in the frequency band from 1700 MHz to 1900 MHz by radiocommunication services. This part of the Radio Spectrum Utilisation Plan is follow-up to the Common part of the Radio Spectrum Utilisation Plan¹⁾.

Part 1
General information on the frequency band

Article 2
Frequency bands

Band (MHz)	Current conditions		Future harmonisation ²⁾	
	Allocation	Utilisation	Allocation	Utilisation
1700–1710	FIXED METEOROLOGICAL- SATELLITE (space- to-Earth) MOBILE except aeronautical mobile ³⁾	Fixed links MD Meteorological applications	FIXED METEOROLOGICAL- SATELLITE (space- to-Earth) MOBILE except aeronautical mobile ³⁾	Fixed links MD Meteorological applications

¹⁾ Common part of the Radio Spectrum Utilisation Plan No. PV/10.2005-35 published in the Telecommunication Journal 14/2005 .

²⁾ ERC Report 25: The European Table of Frequency Allocations and Utilisations in the frequency range 9 kHz to 3000 GHz, rev. Kyiv, 2009.

³⁾ Footnote 5.341 of the Radio Regulations.

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1710–1770	FIXED MOBILE 3) 4) 5) 6)	GSM IMT/UMTS Radio astronomy	FIXED MOBILE 3) 4) 5) 6)	GSM IMT/UMTS Radio astronomy
1770–1900	FIXED MOBILE 5) 7) 8)	GSM IMT/UMTS DECT Wireless microphones Fixed links	FIXED MOBILE 5) 7) 8)	GSM IMT/UMTS DECT Wireless microphones Fixed links

Article 3

Frequency band characteristics

The band is predominantly utilised in the mobile service for digital cellular systems GSM⁹⁾, in the band known also as GSM 1800 or DCS 1800¹⁰⁾. Instead of GSM are for operation of communication systems also possible other technologies, whose operation is with GSM systems compatible. Parts of the band are also utilised by applications in the fixed, meteorological-satellite and radio astronomy services.

Article 4

International obligations

Provisions of the Radio Regulations¹¹⁾ (hereinafter only „RR“), harmonisation documents of the European Community (hereinafter only “EC”) ¹²⁾, ²²⁾, ²³⁾, ²⁵⁾, HCM Agreement¹³⁾ and provisions of bilateral and mutual coordination agreements on preferential frequencies on common state borders which were concluded with appropriate administrations of neighbouring countries, apply to operation and coordination.

Part 2

Mobile service

Article 5

Current conditions in the mobile service

(1) Sub-bands 1710–1785 / 1805–1880 MHz are according to harmonisation document¹²⁾ and CEPT Decision¹⁴⁾ designated for operation of mobile communication systems providing electronic communications services in EC using GSM technologies or such technologies whose operation is compatible with operation of GSM systems and

⁴⁾ Footnote 5.385 of the Radio Regulations.

⁵⁾ Footnote 5.384A of the Radio Regulations.

⁶⁾ Footnote 5.149 of the Radio Regulations.

⁷⁾ Footnote 5.388 of the Radio Regulations.

⁸⁾ Footnote 5.388A of the Radio Regulations.

⁹⁾ Abbreviation GSM stands for Global System for Mobile Communications.

¹⁰⁾ Abbreviation DCS stands for Digital Communication System.

¹¹⁾ Radio Regulations, International Telecommunication Union, Geneva, 2008.

¹²⁾ Commission Decision 2009/766/EC of 16 October 2009 on harmonisation of the 900 MHz and 1800 MHz frequency bands for terrestrial systems capable of providing pan-European electronic communication services in the Community.

¹³⁾ HCM Agreement – Agreement between the Administrations of Austria, Belgium, the Czech Republic, Germany, France, Hungary, the Netherlands, Croatia, Italy, Liechtenstein, Lithuania, Luxembourg, Poland, Romania, the Slovak Republic, Slovenia and Switzerland on the co-ordination of frequencies between 29.7 MHz and 39.5 GHz for the fixed service and the land mobile service, Vilnius, 2005.

¹⁴⁾ Decision CEPT/ERC/DEC/(95)03 – ERC Decision of 1 December 1995 on the frequency bands to be designated for the introduction of DCS 1800.

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complies with conditions of documents mentioned above (hereinafter only “compatible technologies”¹⁵⁾). The sub-bands may be used by holders of rights for operation of countrywide mobile networks providing publicly accessible service of electronic communications and following conditions apply:

- a) the sub-band 1710–1785 MHz is designated for transmission of terminals to base stations, the sub-band 1805–1880 MHz for transmission of base stations to terminals. Duplex separation is 95 MHz and channel separation is 200 kHz¹⁶⁾;
- b) part of the sub-bands 1710–1785 / 1805–1880 MHz is currently used by three holders of rights operating GSM systems;
- c) in each of the sub-bands 1710–1785 MHz / 1805–1880 MHz are 15 blocks with channel width of 5 MHz¹⁷⁾ for implementation of compatible technologies;
- d) separation between channel centres of adjacent blocks of networks using compatible technologies is minimally 5 MHz¹⁸⁾, ¹⁹⁾, ²⁰⁾;
- e) separation between channel centre of GSM network and a channel centre of adjacent network using compatible technology is minimally 2,8 MHz¹⁸⁾, ¹⁹⁾, ²⁰⁾;
- f) holders of spectrum rights are authorised to designate by themselves within their assignment the individual frequencies for respective base stations;
- g) operation of user terminals is possible on basis of General Authorisation²¹⁾;
- h) holder of spectrum rights is obliged to coordinate by himself the use of assigned frequencies with other holders of spectrum rights. Data, needed for this coordination, will be provided by the Office on basis of application. Holder of spectrum rights solves in cooperation with other assignment holders also cases of mutual interference between networks operated in sub-bands 1710–1785 / 1805–1880 MHz;
- i) international coordination and national coordination with operators of networks other than networks in sub-bands 1710–1785 / 1805–1880 MHz carries out the Office according to valid international and national agreements on basis of application of assignment holder. The Office can authorise the assignment holder to carry out the coordination.
- j) number of rights for use of radio frequencies is limited to four.

(2) Sub-bands 1710–1785 / 1805–1880 MHz can be also in accordance with European Commission Decision²²⁾ used for operation of mobile communication services on board of aircraft (MCA services) and apply that:

- a) no harmful interference shall be caused to any radiocommunication service and at the same time claimed protection of this equipment against harmful interference from radiocommunication services side;

¹⁵⁾ Technologies belonging to 3rd generation family of mobile communication systems marked by abbreviation IMT which stands for International Mobile Telecommunications (e.g. UMTS systems).

¹⁶⁾ Applies to GSM systems.

¹⁷⁾ ECC Recommendation (08)02 – Frequency planning and frequency coordination for the GSM 900 (including E-GSM) / UMTS900, GSM 1800 / UMTS 1800 land mobile systems.

¹⁸⁾ Annex of Commission Decision 2009/766/ES of 16 October 2009 on harmonisation of the 900 MHz and 1800 MHz frequency bands for terrestrial systems capable of providing pan-European electronic communication services in the Community.

¹⁹⁾ ECC Report 82 – Compatibility study for UMTS operating within the GSM 900 and GSM 1800 frequency bands, Roskilde, May 2006.

²⁰⁾ ECC Report 96 – Compatibility between UMTS 900/1800 and systems operating in adjacent bands, Krakow, March 2007.

²¹⁾ General Authorisation No. VO-R/1/12.2008-17 for operation of user terminals of GSM and IMT / UMTS networks.

²²⁾ Commission Decision 2008/294/ES of 7 April 2008 on harmonised conditions for use of spectrum for operation of mobile communication services on board of aircraft (MCA services) in the Community.

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- b) the conditions for operation of MCA services are in accordance with Annex of Decision²²⁾;
- c) as regards aircraft registered in the Czech Republic the operation of equipment installed on board pursuant to Article 2, paragraph 3 and 4, of Decision²²⁾ is possible on basis of individual authorisation;
- d) operation of user's terminals is possible on basis of the General Authorisation²¹⁾;
- e) if technical conditions of Decision²²⁾ are met with aircraft registered in other states, no additional authorisations in accordance with Recommendation²³⁾ are required for operation of MCA services above the Czech Republic territory.

(3) Sub-band 1785–1785,7 MHz is a guard band and its use is not allowed.

(4) In the sub-band 1785.7–1799.4 MHz is allowed to operate wireless microphones for professional use with maximum e.i.r.p. 10 mW, in case of body worn microphones e.i.r.p. is 50 mW.

(5) Sub-band 1799.4–1800 MHz is a guard band and its use is not allowed.

(6) Sub-band 1800–1805 MHz is currently not used and is reserved for European harmonised applications²⁴⁾.

(7) Sub-band 1880–1900 MHz is according to the Council Directive²⁵⁾ and CEPT Decision²⁶⁾ used by DECT²⁷⁾ devices and following conditions apply:

- a) stations enable voice and data transfer and are used as cordless telephones, gap fillers for cellular systems of telephone branch exchanges, portable pay terminals, for telemetry, remote control, cordless connection of office equipment, etc.;
- b) stations use the time division duplex TDD²⁸⁾ regime;
- c) operation of the devices, excluding transmitting radio equipment used for development of the public communication networks, is possible on basis of the General Authorisation²⁹⁾.

Article 6

Information on future development in the mobile service

(1) By implementation of harmonisation document¹²⁾ are in sub-bands 1710–1785 / 1805–1880 MHz created conditions for introduction of higher generations networks than the GSM ones.

²³⁾ Recommendation of European Commission No.2008/295/ES of 7 April 2008 on authorisation for mobile communication services on board aircraft (MCV services) in European Community.

²⁴⁾ Decision CEPT ECC/DEC/(02)07 – ECC Decision of 15 November 2002 on the harmonised European use of the bands 1670–1675 MHz and 1800–1805 MHz and on the withdrawal of the ERC Decision (92)01 “Decision on the frequency bands to be designated for the coordinated introduction of the Terrestrial Flight Telecommunications System”.

²⁵⁾ Council Directive 91/287/EEC of 3 June 1991 on frequency band to be designated for coordinated introduction of digital European cordless telecommunications (DECT) into the Community.

²⁶⁾ Decision CEPT/ERC/DEC/(94)03 – ERC Decision of 24 October 1994 on the frequency band to be designated for the coordinated introduction of the Digital European Cordless Telecommunications System.

²⁷⁾ Abbreviation DECT stands for Digital European Cordless Telecommunications System.

²⁸⁾ Abbreviation TDD stands for Time Division Duplex.

²⁹⁾ General Authorisation No. VO-R/8/08.2005-23 for the use of radio frequencies and for the operation of DECT-standard cordless telecommunications devices.

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(2) In accordance with RR footnote⁸⁾ will be possible to use the band 1885–1980 MHz on high altitude platforms³⁰⁾ by the base stations for IMT³¹⁾.

Part 3 Fixed service

Article 7 Current conditions in the fixed service

(1) Sub-band 1700–1703 MHz is designated for fixed links point-point serving as the feeder links for broadcasting. Links work in simplex mode and channel separation is 200 kHz.

(2) Sub-band 1703–1710 MHz is used for non-civil purposes.

(3) The band 1710–1880 MHz is not utilised by the fixed service. Fixed applications of the GSM system (for example fixed user terminals) can be operated within the framework of the mobile service only and under the conditions mentioned in Article 5.

(4) Sub-band 1880–1900 MHz can be utilised by the fixed links point-multipoint and point-point using the DECT technology. Fixed links can be operated for purposes of bridging the period of development of fixed telecommunication network for providing of public telephone service. All frequencies are considered as shared ones and mutual influence between the DECT system stations operated in the fixed or mobile services is not considered as harmful interference.

Article 8 Information on future development in the fixed service

For future use of the band in the fixed service the harmonisation of utilisation in Europe will be decisive. ERC Report²⁾ assumes the change of the allocation of the fixed service in the bands 1800–1805 MHz and 1880–1900 MHz to a secondary one.

Part 4 Meteorological-satellite service

Article 9 Current conditions in the meteorological-satellite service

The band 1700–1710 MHz (space-to-Earth) is allocated to the meteorological-satellite service for receiving of data from meteorological satellites.

Article 10 Information on future development in the meteorological-satellite service

Changes of utilisation of the band by the service are not assumed on international or national level.

³⁰⁾ According to RR provision 1.66A it concerns the stations located at an altitude 20 to 50 km above the ground.

³¹⁾ Abbreviation IMT stands for International Mobile Telecommunications.

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Part 5
Radioastronomy service

Article 11
Current conditions in the radio astronomy service

(1) The radio astronomy service is passive radiocommunication service based on receipt of radio waves of cosmic origin. Due to low level of received signals the operation of this service depends on protection against interference from other radiocommunication services.

(2) In accordance with RR footnotes^{4), 6)}, the radio astronomy service use the sub-band 1718.8–1722.2 MHz for observation of spectral lines and other users of the sub-band are obliged to take all practicable steps to prevent interference with radio astronomy from their transmitting radio equipment.

Article 12
Information on future development in the radio astronomy service

Changes in the utilisation of the band on national or international level are not expected.

Part 6
Final provisions

Article 13
Cancelling provision

Measure of General Nature the Part No. PV-P/12/09.2008-10 of the Radio Spectrum Utilisation Plan for the frequency band 1700–1900 MHz is cancelled.

Article 14
Effect

This part of the Radio Spectrum Utilisation Plan comes into effect on 10 January 2010.

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Explanatory memorandum

To implement Section 16(2) of the Act, the Office issues the Measure of General Nature Part No. PV-P/12/12.2009-19 of the Radio Spectrum Utilisation Plan (hereinafter „the part of the plan”), laying down the technical characteristics and conditions of the use of radio spectrum in the frequency band from 1700 MHz to 1900 MHz by radiocommunication services.

The part of the plan is based on the principles embedded in the Act and in European legislation, especially Directive 2002/21/EC of the European Parliament and of the Council on a common regulatory framework for electronic communications networks and services (Framework Directive) and Decision No 676/2002/EC of the European Parliament and of the Council on a regulatory framework for radio spectrum policy in the European Community (Radio Spectrum Decision) as well as on principles determined in the Common part of the Radio Spectrum Utilisation Plan No. PV/10.2005-35.

The purpose of this part of the plan is to ensure the transparency of conditions for radio spectrum use and the ability to anticipate the future decisions of the Office.

The part of the plan replaces part of Radio Spectrum Utilisation Plan No. PV-P/12.09.2008-10 for frequency band 1700–1900 MHz. The reason for new issue of the part of Radio Spectrum Utilisation Plan is particularly implementation of harmonisation document on liberalisation of utilisation conditions of sub-bands 1710–1785 / 1805–1880 MHz. Into conditions of use of the band 1700–1900 MHz was also projected up-to-date status of utilisation of the band and text was updated by references to provisions of new issue of the Radio Regulations.

In Article 2 is listed information from Frequency Allocation Plan (National Table of Frequency Allocations) and amended by information on current utilisation by applications. At the same is listed harmonisation intention, i.e. allocation to the radiocommunication services and utilisation by applications according to ERC Report 25: European Table of Frequency Allocations and Utilisations. From utilisation are presented main applications and further details are in parts devoted to individual radiocommunication services.

Article 3 presents characteristic of use of radio spectrum described by this part of the plan. Newly is amended the notice on enabling the use of the band for operation of higher generation systems than GSM.

Article 4 informs about international commitments related to given band 1700 MHz to 1900 MHz. Text is enriched by EC harmonisation documents.

Article 5 presents utilisation of bands by the mobile service applications and concerns GSM networks, communication services on board aircraft, marked by abbreviation MCA, wireless microphones and DECT stations. On basis of harmonisation documents are in paragraph 1 newly arranged conditions of operation of networks by determination of sub-bands 1710–1785 / 1805–1880 MHz for introduction of mobile communication systems operated on principles of technological neutrality and neutrality of services.

The Office, as follow-up to issue of EC harmonisation document¹²⁾ which is liberalising conditions for use of spectrum in the bands 1710–1785 / 1805–1880 MHz, and to availability of free dispensable frequencies in mentioned band, has intention to improve level of economic competition in providing of electronic communication services of mobile character by offer of possibility to establish another countywide network as well. In the measure of general nature is for this reason the number of right for use of radio frequencies

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set newly down to four rights (compared to existing three). Free frequencies will be in future assigned in selection procedure form pursuant to law.

Designation of specific frequencies in sub-bands 1710–1785 / 1805–1880 MHz for Integrated Rescue System purposes was finished.

Article 6 submits information about future development in the mobile service. Newly arranges assumption of introduction of higher generation networks in sub-bands 1710–1785 / 1805–1880 MHz.

Articles 7 to 12 describe use of frequencies by the fixed, meteorological and radio astronomy radiocommunication services.

In Article 13 is cancelled previous issue of part of the Radio Spectrum Utilisation Plan for the band 1700–1900 MHz.

In Article 14 the Office sets down entry into effect of issued measure of general nature in accordance with dates of implementation of mentioned harmonisation document EC.

On the basis of Section 130 of the Act and in accordance with the Czech Telecommunication Office's Rules for conducting consultations at the discussion site, the Office published draft of measure of general nature part No. PV-P/12/XX.2009-YY of the Radio Spectrum Utilisation Plan together with a call for comments at discussion site on 23 September 2009. During public consultation period, which was prolonged with regard to day of issue of EC harmonisation document¹²⁾ to 37 days, the Office received observations submitted in accordance with Article 6 of Rules of the Czech Telecommunication Office for conducting of consultations at discussion site. The Office also received standpoint which does not meet the set down conditions of Rules. Hearing of settlement of observations with representatives of commenting subjects, Ministry of industry and trade of the Czech Republic and other stakeholders took place on 18 November 2009. The observations which the Office accepted and which were related to Radio Spectrum Utilisation Plan, were taken into account during preparation of the measure wording.

Observations were focused on clarification of utilisation conditions of sub-bands 1710–1785 / 1805–1880MHz in the mobile service.

One of observations was addressed to clarification of marking of technologies which can be operated in mentioned sub-bands. Other proposal was related to channel separation of two adjacent GSM networks and systems, marked here by term compatible technology. Both observations were accepted by modification of text and references to relevant documents. Further observation proposed specification of procedure for assignment of spectrum and eventually reorganisation of the band (refarming). The observation was not accepted.

With respect to expected economical value and attractiveness of the band 1700–1900 MHz was for opinion in area of economic competition asked the Office for the protection of competition (hereinafter only "ÚOHS"). The ÚOHS has no any observations to submitted draft of measure of general nature.

Another of received contributions recommended clarifying the extension of number of rights justification in sub-bands 1710–1785 / 1805–1880 MHz. The Office took the standpoint into account during formulation of wording of justification of mentioned step.

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To received contributions of commentary or standpoint character were at hearing given explanations from the side of the Office as well as of presented representatives of individual subjects.

The table of settlement, published at the discussion site, contains wording of observations and contributions and their settlement.

On behalf of the Council of the Czech
Telecommunication Office

Pavel Dvořák
Chairman of the Council
of the Czech Telecommunication Office
<signed>