

Response to the European Commission's Draft Implementing Regulation on a Light deployment regime for small-area wireless access points

General remarks:

The Telecom Industry Association Denmark (TI) welcomes the European Commission's (EC) proposal to pave the way for timely 5G rollout delivering high capacity and speeds. Small-area wireless access points (SAWAP) will support the rollout of 5G but such SAWAP should be deployed without restrictive administrative barriers on operators.

TI supports future proof and not too restrictive requirements, reflected in the Spring 2019 consultation. However, TI enclose specific remarks on the physical and technical requirements put forth in the draft implementing regulation (IR). Further, TI finds the notification procedure redundant in Denmark.

Specific remarks:

TI supports that only technical requirements to volume and installation classes withstands as this will make the regulation future proof and less technical intrusive.

TI suggests that Art. 1 also refers to Art. 57(4) of Directive (EU) 2018/1972. TI supports that Member States can continue to use less restrictive regimes at national level, ref. rec. 16. This should provide legal certainty and should be implemented as a new third paragraph in Art. 1.

TI suggests inclusion of larger installations, ref. Art. 1 and rec. 8 and 9, with an emission power of 100 W, corresponding to Class E100, to be used in installations deployed in larger public spaces - such as shopping centres - already today.

On the requirements to exposure to the electromagnetic fields (EMF), ref. Art. 3 (1-2), rec. 3, 7 and 13 as well as Annex B, TI finds the explicit requirements to SAWAP unnecessary and misleading. TI finds that the IR should refer to Recommendation 1999/519/EC and Directive 2014/53/EU, followingly EMF thresholds recommended by ICNIRP.

Followingly, on the requirements on volume, ref. Art. 3(1), rec. 6 and Annex A(1), TI proposes a volume limit of up to 50 litres instead of the proposed 20 litres since minor SAWAP with more than one technology and

more than one spectrum band easily will go beyond 20 litres. Additionally, TI questions how such volume limitation would foster a site sharing regime, where several operators share the same installation.

The various definitions for “invisible”, “visually non-obtrusive way”, and “comply with visual characteristics” seem unclear. Similarly, TI finds the definition of “colocation” unclear, ref. Art. 3(2) and rec. 13. Such definitions should be future proof and prove ground for flexible design.

TI finds it unclear whether the rationale for the exclusive approach on active antenna system (AAS) is robust, ref. Art. 2(3). TI proposes to amend the definition of AAS as the current definition would encompass the vast majority of existing UMTS and LTE SAWAP, which use closed loop MIMO. TI proposes to distinguish between basic MIMO, which exploits orthogonal polarisations to increase spectral efficiency, and massive MIMO, which can form beams across multiple co-polar elements.

TI does not find that visual impact on indoor installation, ref. Art. 1 and rec. 9, should be a part of this IR as this is a matter related to real estate.

On the notification procedure, ref. Art. 3(3) and rec. 12, TI finds it unclear to what purpose this procedure supports. TI does not understand to what extent Art. 57 of Directive (EU) 2018/1972 prescribes a need for such procedure. If the procedure persists, TI suggests that Art. 3(3) only becomes effective in Member States where such procedure does not already exist. Consequently, new EU measures should not negatively affect more flexible measures that are already in place in individual Member States.

If you have any questions, you are more than welcome to contact me.

Sincerely,



Jakob Willer
Director
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