



RADIO SPECTRUM POLICY GROUP
DRAFT OPINION ON A LONG-TERM STRATEGY ON SPECTRUM NEEDS AND USE OF
WIRELESS AUDIO AND VIDEO PMSE APPLICATIONS
COMMENTS OF PEARLE*-LIVE PERFORMANCE EUROPE

Ref: AD/P7248

Brussels, 29 September 2017

Introduction

Pearle* has taken note of the RSPG draft opinion to the European Commission on spectrum requirements in the future, as part of the Work Programme of the RSPG.

The RSPG is requested by the European Commission to make "an assessment of the strategic options in terms of providing spectrum access for wireless audio and video PMSE applications that can provide the required quality of services for PMSE applications. On the basis of this long-term strategic assessment, the RSPG should also provide guidance on the relevance of a common "roadmap" to support the audio and video PMSE sector in obtaining access to spectrum taking into account different national needs"¹.

The RSPG refers in its draft opinion several times to the recent Decision² on the use of the 470-790 MHz frequency band and to the Lamy report. References are also made to the Implementing Decision for audio PMSE (2014/641/EU) and for video PMSE (2016/339).

Pearle* welcomes the opportunity for stakeholders to provide feedback and comments in the context of this draft RSPG opinion.

The opinion includes an Executive summary, description of the scope of the work, background, audio PMSE, video PMSE, RSPG recommendations.

Pearle*-Live Performance Europe represents over 10 000 organisations in the live music and performing arts sector, including theatres, venues, festivals, touring groups, etcetera. Every day all across Europe events (small and great) are taking place 24h around the clock. The

¹RSPG work programme 2016 and beyond – RSPG16-007 revised

²Decision 2017/899 of 17 May 2017

live performance sector is the largest employer amongst the cultural sectors, which together employ 7 million people and contribute 4.2% to the European GDP³.

Observations with regard to the draft opinion

1. The EU's radio spectrum policy is based upon a number principles which are set in the Radio Spectrum Policy Plan. European spectrum policy clearly underlines to support the goal of protecting general interest objectives such as cultural diversity and media pluralism.⁴
 - ⇒ In Pearle's view those policy principles should be the starting base of the RSPG opinion, as those acknowledge the fact that culture should be balanced with social and economic objectives.
2. The opinion describes PMSE as an enabler for the creation of audio and video content and thus sits at the start of the value chain.
 - ⇒ Pearle underlines, as the opinion is about a long-term strategy, that already today the great majority of live events and performances are streamed or recorded in house of theatres and venues, outnumbering the events captured by broadcasting and record companies. This means that the content offer of culture online is growing exponentially to a situation of one-to-one live (offline) versus online or broadcasted services.
3. The proposed opinion gathers the approach and feedback of members of the RSPG that are representatives of member states. Reference is made to prior decisions and the roadmaps to be made public by mid-2018. Furthermore it is acknowledged that PMSE has lost access to spectrum over the past years.

The opinion also observes that member states consider that the implementing decision for audio PMSE the availability of a baseline of about 60 MHz meets the needs, whilst large events or theatre district areas will require more spectrum and have to be treated on a case-by-case basis.

- ⇒ Pearle underlines that, given the growth in the sector and the fact that the demand for a continuous access to 100 MHz will become more and more the basis, instead of exceptional situations. Venues with multiple halls already need access to more than 60 MHz. In addition, the density of cities in Europe (which is greater than for example the United States) is increasing, with growing populations in urban areas, which is said that by 2020, approximately 80 % of Europeans will be living in urban areas⁵. This will also lead to growing cultural offer and demand.
- ⇒ The opinion should take such trends into account as a necessary element for addressing a long-term approach on PMSE.

³Study EY 'Creating growth. Measuring cultural and creative markets in the EU' – December 2014

⁴ see <https://ec.europa.eu/digital-single-market/en/what-radio-spectrum-policy>

⁵<https://www.eea.europa.eu/articles/analysing-and-managing-urban-growth>

4. It is observed that the RSPG draft opinion throughout the paper presents PMSE as time and location specific.
Whereas an event is indeed a matter of a specific place and location, it gives a wrong impression of being peripheral or ad hoc and somehow neglectable.
 - ⇒ Pearle calls to move away from a historic view on PMSE to a view adapted to the developments and trends in the live performance sector, which is one of presentations, performances or events which take place throughout the day and is spread over the whole of Europe.
 - ⇒ Pearle calls upon the EU to encourage Member States to undertake a mapping of the professional users (theatres, venues, concert halls, conference centres, touring companies). This way regulators can better manage the spectrum needs on the basis of documented information.

5. It is observed that the RSPG underlines the aspect of technology advances, spectrum efficiency and sharing of PMSE. Reference is made to some ongoing research happening or current available PMSE equipment with larger tuning ranges.
 - ⇒ Pearle wishes to add that it remains conditional for the sector to access enough spectrum, in a reliable and secure manner and calls for the RSPG to underline the importance of ensuring access for PMSE in the 470-694 MHz, which is the core band for PMSE, ahead of the review by 2025 referred to in the Lamy report.

6. The draft opinion says that the recommendations are focused on those that require activities at EU level.
 - ⇒ Pearle has regularly underlined in previous position papers the European dimension of its activities. This has been re-affirmed in a recent survey by Pearle members. The live performance sector is highly international and mobile, with artists and groups touring all around Europe. Technicians that are involved in the daily production of concerts, performances and events clearly express a desire for more trans-national cooperation between member states on PMSE, so that the same equipment can be used across the EU.
 - ⇒ Pearle regrets that the RSPG ignores this important characteristic of PMSE. Moreover, a European coordinated approach benefitting theatrical and music productions, touring artists, bands and groups will also prepare for better coordination between member states. Although it is acknowledged that equipment has to be able to operate across borders, this is not included in the recommendations. Moreover, such equipment can only be used if there is certainty on the frequency ranges that can be used across Europe.
 - ⇒ A long-term strategy on PMSE is bound to have a much bigger European approach than expressed in the draft paper.

7. It is observed that the RSPG mentions a number of initiatives, including harmonised tuning ranges to improve inter-operability of PMSE equipment, parts of the 960-1164 MHz, research in relation to 5G.

- ⇒ Pearle regrets that the opinion fails to make efforts to increase the actual capacity of the spectrum. In addition, it is mentioned that 60 MHz baseline often cannot be used to its full capacity, due to spectrum interference.
- ⇒ Pearle underlines that only on the basis of long-term predictability users are ready to invest in the high cost of replacing equipment and buying new one. Contrary to what is quoted in EU studies and papers, internal survey of Pearle learns that the lifespan of high-quality devices and equipment is easily 15-20 years.
- ⇒ Pearle insists on the RSPG to adapt its opinion and to include recommendations which truly puts in balance the loss of spectrum with the certainty needed of enough access to quality spectrum for the needs of the end users in the live performance sector and PMSE.

Specific considerations to take into account in the Opinion

As an employers organisation and a branch association the live performance sector is also subject to other policy and regulatory requirements which find their basis in European policy and legislation. Reliable and secure access to radio spectrum have particular meaning for protecting workers and ensuring access to performances for all people in society.

1. Workers protection and health & safety regulations

According to European health and safety legislation employers should ensure that workers can execute their work in the best possible safe conditions. When technicians rely on IEM for communication between them during setting up and production of events, it is absolutely conditional that there is no interference or interruption. If the receiver misses a message, this may lead to situations of injuries or even fatal accidents. Another effect of interference due to bad transmission could possibly also cause hearing problems as technicians wear headphones throughout a large part of their working time.

- ⇒ There is a large European acquis on health and safety regulations and in the context of this RSPG Opinion this issue should be duly taken into account.

2. Access to culture for audiences with special needs

In the context of non-discrimination, equality and diversity, it is a constant challenge for organisers, venues, theatres and others to find the appropriate ways in providing access to all groups of society. This includes people with disabilities or special needs, such as hearing impaired people. Currently in-ear monitors allow to meet with the special needs of hearing impaired people, however those devices also rely on access to radio spectrum.

Furthermore, radio spectrum is also used in the application of surtitles of the spoken text in a theatre/musical performance and subtitling of the translation of theatre texts (E.g. shown above the stage or on a screen accessible on the back of a seat in front), to allow people who speak another language to follow the performance.

- ⇒ Across Europe the live performance sector is required to guarantee access to performances to all groups of society. The RSPG Opinion should acknowledge this important issue in its recommendation.

Conclusion : Priorities formulated by the end users

1. Interference free usage

Guaranteeing quality of the audio experience to the audiences is an absolute top priority for those presenting performances and shows live.

This means that access to a wide frequency range is needed in order to be able to act immediately and in an agile manner to finding the frequencies that are both free and eligible to use.

2. Certainty and stability for the long run

Without any exception, professional end users in the live performance sector ask for a guaranteed access to good quality and interference free spectrum in a clearly attributed and certain frequency range, and for the long run.

3. Structured dialogue with the ministries of telecom and the regulators

A good collaboration with the sector, based on a solution-oriented approach, whilst aiming for cost-saving operations and compensation in the event happening, is to be established in all member states.

Better documentation on the size and scope of the PMSE users and a regularly planned review of the development of spectrum usage and needs has to take place.

4. Culture and creativity at the heart of the internal digital market

The opening up of bandwidth for IMT is felt to happen too fast, whilst the access to spectrum by those that provide the content is melting. This means that the content providers have to invest more and more in additional equipment to be able to work in more complex and demanding environment. In turn this also requires more technicians, and technicians with the right skills, to be able to operate in such context.

With touring being an integral feature of the sector, which is the immediate expression of cultural diversity, the sector sees benefits in an EU-wide approach to match touring and local circumstances.

TO CONCLUDE: Pearle calls upon the RSPG to review its draft opinion to better respond to the realities and needs of the PMSE.