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DIREKTORENKONFERENZ  
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### **Reform of EU telecoms rules must respect the sovereignty of Member States to shape their plural broadcasting order – broadcasting frequencies are a public good and an economic good**

Der Vorsitzende

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The Directors' Conference of the German regulatory authorities (DLM) holds the following position regarding the proposals presented by the European Commission on the reform of the European rules regarding telecommunications and transmission capacities:

"Contrary to the view held by the European Commission, broadcasting frequencies cannot be allocated solely under market considerations", states Thomas Langheinrich, Chairman of the Directors' Conference of the German regulatory authorities (DLM). Member States – in the case of Germany the German states or Länder – have a specific duty concerning the development of a plural broadcasting order. Warranting pluralism in the media presupposes preferential access to adequate transmission capacities for broadcasters. This preference must be given due consideration in the reform of the EU telecoms regulation package. Rules of procedure as laid down in the proposals for the revised Framework Directive and the Authorisation Directive must not "hollow out" Member States' sovereignty to shape their own broadcasting landscape. Rather, the rules must take better account the dual nature of broadcasting transmission infrastructure which is both a public good and an economic good.

The European Affairs Commissioner of the DLM, Prof. Wolfgang Thaenert, warns against overrating the so-called digital dividend: "The frequency band which has so far been exclusively reserved for broadcasting can be opened up for a "co-primary" use by the mobile sector and broadcasting services only if the opportunities of broadcasting for developing new contents and new technical standards are safeguarded. This includes corresponding transmission capacities", says Thaenert. To date, the issue of the necessary spacing between broadcasting and mobile services has not yet been resolved.

#### Mitglieder:

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Whether frequencies thus far reserved for broadcasting can in part be put to another use to allow for broadband provision in rural areas from a technical and economic viewpoint under realistic considerations has to be decided under regional control. To this end, a number of pilot trials in rural areas are to provide reliable results.

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