



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 05.03.1997
COM(97)101 final

95/0274 (COD)

OPINION OF THE COMMISSION

pursuant to Article 189 b (2) (d) of the EC Treaty,
on the European Parliament's amendments
to the Council's common position regarding the

proposal for a

EUROPEAN PARLIAMENT AND COUNCIL DECISION

ON A COORDINATED

AUTHORIZATION APPROACH IN THE FIELD OF SATELLITE
PERSONAL-COMMUNICATION SERVICES IN THE COMMUNITY

AMENDING THE PROPOSAL OF THE COMMISSION

pursuant to Article 189 a (2) of the EC Treaty

1. BACKGROUND

On 8 November 1995 the Commission adopted a proposal for a European Parliament and Council Decision on an action at a Union level in the field of satellite personal communications services in the European Union (COM(95)529), which was formally transmitted to the EP and the Council on 10 November 1995.

The Economic and Social Committee gave its opinion on 25 April 1996¹. The European Parliament adopted a favourable opinion in its resolution at its first reading on 19 June 1996, and proposed 22 amendments to the Commission proposal².

On 14 October 1996 the Commission adopted a modified proposal in conformity with Article 189A, paragraph 2 of the Treaty, incorporating most of the EP amendments (COM(96)467)³.

On 9 December 1996 the Council, acting in accordance with Article 189 B, paragraph 2 of the Treaty, adopted a common position on the proposed Decision⁴. This common position is based on a compromise proposal from the Presidency and deviates substantially from the original Commission proposal.

In second reading, the European Parliament adopted on 20 February 1997 one amendment to the common position.

2. PURPOSE OF THE COMMISSION PROPOSAL

Within 2-4 years, a new generation of satellite systems will become operational, offering mobile telecommunication services around the globe. The decision aims at ensuring in a timely fashion the introduction of satellite personal communications services (S-PCS) in the European Union by means of a co-ordinated action at a Union level between Member States.

The proposal included the selection, where necessary, of satellite personal communications space segment operators; adoption of common conditions to be attached to authorisations for S-PCS space segment operators; the harmonisation of

¹ TRA/303, 18.4.96

² A4-0179/96, PV 19.06.96

³ Amended proposal for a EUROPEAN PARLIAMENT AND COUNCIL DECISION on a common framework for the harmonised development of satellite personal communications services in the European Union /* COM/96/0467 FINAL - COD 95/0274 */ OFFICIAL JOURNAL NO. C 350 , 21/11/1996 P. 0014

⁴ COMMON POSITION (EC) No 6/97 adopted by the Council on 9 December 1996 with a view to the adoption of Decision No .../97/EC of ... of the European Parliament and of the Council on a coordinated authorization approach in the field of satellite personal communication services in the Community OFFICIAL JOURNAL NO. C 041 , 10/02/1997 P. 0037

where required, appropriate measures for equipment circulation and use; and the establishment of a dialogue and, where appropriate, negotiations between the European Union and third countries in order to establish international co-operation to promote the development of S-PCS and remove obstacles to their development.

3. OPINION OF THE COMMISSION ON THE AMENDMENTS OF THE EUROPEAN PARLIAMENT

The Commission can accept, without changes, the amendment adopted by the Parliament in second reading.

- The amendment proposes a realistic time schedule to avoid that adoption of the Decision would be later than finalisation of activities decided upon in the Decision

4. MODIFIED PROPOSAL

On 9 December 1996 the Commission has adopted its opinion on the Common Position of the Council with a view to the adoption of a decision of the European Parliament and of the Council on a coordinated authorization approach in the field of satellite personal-communication services in the community, by which it accepted the revised text for the proposed Decision.

Following the second reading of the draft Decision by the European Parliament, the Commission herewith modifies its proposal for a Decision including the amendment which was adopted by the European Parliament on 20 February 1997.

**AMENDED PROPOSAL FOR
A DECISION ON A COORDINATED AUTHORIZATION APPROACH IN THE FIELD OF
SATELLITE PERSONAL-COMMUNICATION SERVICES IN THE COMMUNITY DIRECTIVE
OF THE EUROPEAN PARLIAMENT AND THE COUNCIL**

Timetable

(following amendment)

1997	1997
<p>March/April Work on mandates on harmonization for the 1.6/2.4 GHz and 1.9/2.1 GHz frequency bands</p>	<p>July Work on mandates on harmonization for the 1.6/2.4 GHz and 1.9/2.1 GHz frequency bands</p>
<p>March One-stop-shopping procedure for services planning to operate in the 1.6/2.4 GHz and 1.9/2.1 GHz frequency bands</p>	<p>July One-stop-shopping procedure for services planning to operate in the 1.6/2.4 GHz and 1.9/2.1 GHz frequency bands</p>
<p>March Determination whether the scarcity of frequencies in the 1.6/2.4 GHz and 1.9/2.1 GHz frequency bands represents a constraint on the number of satellite personal-communications services which can be provided in those bands in the Community</p>	<p>July Determination whether the scarcity of frequencies in the 1.6/2.4 GHz and 1.9/2.1 GHz frequency bands represents a constraint on the number of satellite personal-communications services which can be provided in those bands in the Community</p>
<p>July Harmonization of procedures for the authorization of systems planning to operate in the 1.6/2.4 GHz and 1.9/2.1 GHz frequency bands.</p>	<p>September Harmonization of procedures for the authorization of systems planning to operate in the 1.6/2.4 GHz and 1.9/2.1 GHz frequency bands.</p>

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