

(Released on May 8, 2003)

## **Summary of Meeting of the Radio Regulatory Council (No. 871)**

### **1. Date and Time**

April 16, 2003 (Wednesday)

From 16:12 to 17:55

### **2. Location**

Meeting room of MIC (Ministry of Internal Affairs and Communications)

(Meeting room No. 1001 on the 10F)

### **3. Attendees (Honorifics omitted)**

(1) Members of the Radio Regulatory Council

Yasuhiko Yasuda (Chairperson), Takeo Inokuchi (Vice-Chairperson), Shigeko Shinohara, Kashiko Kodate

(2) Hearing Examiner of the Radio Regulatory Council

Kaoru Suzuki

(3) Secretary

Masao Okamoto (Deputy Director of the General Affairs Division, Telecommunications Bureau)

(4) MIC (Ministry of Internal Affairs and Communications)

Takahara (Director-General of the Information and Communications Policy Bureau),

Aritomi (Director-General of Telecommunications Bureau), Fujioka (Deputy

Director-General of the Minister's Secretariat), Kitou (Director-General of the Radio Department), and others

### **4. Minutes of the Meeting**

(1) Written opinion from the hearing examiner who presided over the opinion hearing procedure regarding request for examination pertaining to filing by Japan DX Association

(Attached agenda No. 1 of June 12, 2002)

Written opinions were submitted by the hearing examiner who presided over the opinion hearing procedure regarding the request filed by Japan DX Association (represented by Nobuyasu Itoh) for examination on the decision pertaining to application for amateur radio station change. The council agreed to continue deliberation in the next and following meetings.

(2) Draft for MIC ordinance to amend part of Rules for Radio Operators

(Consultation No. 13)

This consultation concerns the MIC ordinance draft described in the title. The draft pertains to clarification regarding the government having no discretion in granting accreditation for the Radio Operator Training Course, Designated Course for Radio Operators, and attestation training for Ship Radio Operator Attestation. MIC offered the explanation detailed below.

Since the Radio Law stipulates the hearing of opinions in regard to this consultation, Kaoru Suzuki was assigned as the hearing examiner to preside over the opinion hearing procedure.

a. Explanation by MIC

This consultation pertains to the “Implementation Plan for Reform of Modalities for Involvement of the Administration in Public Service Corporations” decided at a Cabinet Meeting in March 2002. An amendment is proposed to realize the implementation plan by end of FY 2005. The draft aims to prepare regulation for the said ordinance so as to leave no discretion to the government in granting accreditation for the Radio Operator Training Course, Designated Course for Radio Operators, and attestation training for Ship Radio Operator Attestation.

b. Main contents of the Q&A session

- The council asked if there were examples similar to this case. MIC answered that legal issues related to inspection and verification are included in the Radio Law amendment draft that is being submitted to the Diet. As for other cases related to registration organizations, all Ministries and Agencies are working on reorganization at the same time.

(3) Accreditation of establishment plan for specified base stations of telecommunications service (portable radio telecommunications)

(Consultation No. 14)

As this case is related to Consultation No. 15, the MIC explained together with Consultation No. 15; and a Q&A session was held.

(4) Draft for partial amendment of the Frequency Assignment Plan

(Consultation No. 15)

As this case is related to Consultation No. 14, the MIC explained together with Consultation No. 14; and a Q&A session was held. After deliberation, the council reported the issue as appropriate.

a. Explanation by MIC

This consultation concerns approval for the application concerning establishment plan of specified base stations by NTT DoCoMo, Inc., J-Phone Co., Ltd., NTT DoCoMo Tokai, Inc., and NTT DoCoMo Kansai, Inc. Applications were welcomed from January to February of this year, and the four companies applied for approval.

The outline of the establishment plan is such that requested frequency ranges were all included in the 1,513 to 1,516 MHz bands. The locations of the specified base stations are in the Metropolis of Tokyo, Kanagawa Prefecture, Chiba Prefecture, Saitama Prefecture and Ibaragi Prefecture for NTT DoCoMo, Inc.; Metropolis of Tokyo, Kanagawa Prefecture, Chiba Prefecture and Saitama Prefecture for J-Phone Co., Ltd.; Aichi Prefecture and Shizuoka Prefecture for NTT DoCoMo Tokai, Inc.; and Osaka Prefecture for NTT DoCoMo Kansai, Inc.

Establishment schedule will be such that all three NTT DoCoMo companies plan to establish base stations in 2003, and J-Phone Co., Ltd. plans establishment from 2005 to 2006.

An examination based on the laws related to radio waves and establishment guidelines was carried out and the council judged that frequency assignment was possible as the establishment plan content conforms to the establishment guidelines and is feasible, and frequencies are available in regions where the applicants will establish specified base stations.

Therefore, the establishment plan for specified base stations shall be given approval by designating frequencies in accordance with Article 27-13 of the Radio Law.

When the frequencies of the specified base stations are assigned based on Article 27-13 of the Radio Law, frequency assignment shall be listed in the Frequency Assignment Plan, in compliance with Article 26-(2)-(iv) (Frequency Assignment Plan) of the Radio Law. Concretely, in addition to Chapter 1 (General Provisions) and Chapter 2 (Frequency Allocation Table), Chapter 3 (Frequencies Designated for Authorization of a Special Base Station Deployment Plan) shall be newly added to the Frequency Assignment Plan, and the designated frequencies shall be listed. Other changes in the regulation pertain to the addition of Chapter 3.

b. Main content of the Q&A session

- The council asked if MCA radio stations fall under the specified base station category. MIC answered that the usage of specified base stations was limited to telecommunications service purposes and that the definition does not apply to MCA radio stations.

- The council asked about number of specified base stations, in relation to the time of establishment. The question was about the two years difference between NTT DoCoMo, Inc. and J-Phone Co., Ltd. MIC explained that the valid term for the approved establishment plan is a maximum of five years. MIC answered that NTT DoCoMo, Inc. is willing to urgently respond to the shortage of frequencies, and J-Phone Co., Ltd. intends to forge a solid footing within five years.

(5) Blanket license for specified radio stations belonging to NTT DoCoMo, Inc.

(Consultation No. 16)

This consultation was on a blanket license for specified radio stations of dual mode terminals belonging to NTT DoCoMo, Inc., and other companies. MIC provided the explanation below, and a Q&A session was held. The council deliberated the issue, judged the issue as appropriate, and submitted a report.

a. Explanation by MIC

This consultation pertains to the blanket license for specified radio stations belonging to NTT DoCoMo, Inc. and other companies. The application was for dual mode terminals conforming to both the DS-CDMA method (IMT-2000 type: a 3G

method adopted by NTT DoCoMo, Inc.) and the PDC method (the most popular 2G method at present).

NTT DoCoMo, Inc. has considerably expanded the 2G service area, and is now gradually expanding the 3G service area. Nevertheless, there are regions where portable phones using the 3G method cannot be used. With this blanket license, dual mode terminals can receive 2G base station radio waves, and telecommunications can be assured.

This application was examined based on the examination standards of radio wave-related laws. The application asks for land mobile radio station frequencies corresponding to the frequencies of base stations to which licenses have already been permitted. Since operations at maximum numbers will not cause communication problems such as congestion, the MIC concluded that frequency assignment is feasible and that the application complies with all the conditions stipulated by the essential standards for establishing specified radio stations. Therefore, the blanket license shall be permitted according to Article 27-5 of the Radio Law.

b. Main contents of the Q&A session

- The planned date for operation start is the end of April. The council asked about expected concrete effects after the start of operations and the economic results. MIC explained that the start of actual services is expected to be about one month later, which will be around the end of May. Basically, dual mode terminals are planned to be used in areas where the 3G service is not available. Even if a user wishes to receive the 3G service, there are some areas where 3G services cannot be provided. In the case of NTT DoCoMo, Inc., 3G phone service was started in October 2001, and service area is supposed to cover a population of 97% by the end of FY 2003 (March 2004). However, there will still be areas, with less population, in which 3G services cannot be provided—terminals will be used in such situations. MIC answered that since the volume of operations is approx. 1.02 million units, applications are not in large numbers.

- The council asked the difference in rate for a call, excluding basic fees, between the IMT-2000 method and the PDC method, when used as a phone. MIC answered that the rate was approximately the same.

- The council asked why the maximum number of stations for operation is set larger for the Chugoku region (220,000 stations) compared to the Kanto region (200,000 stations) despite the much larger population in the Kanto region. . MIC explained that there is difference in 3G service area development among the companies. MIC answered that the service area is relatively well developed in the Kanto region.

(6)Draft for partial amendment of Plan for the Available Frequencies Allocated to Broadcasting

(Consultation No. 17)

This consultation concerns the amendment draft described in the title and pertains to a change in antenna output power of relay stations in Yamanashi and Kyoto prefectures. MIC offered the explanation below, and a Q&A session was held. After deliberation, the council concluded the draft as appropriate.

a. Explanation by MIC

The first issue concerning this consultation is a change pertaining to medium wave broadcasting (relay stations) of a private broadcaster in Yamanashi Prefecture. This was brought about by the introduction of synchronous broadcasting.

Commercial medium wave radio in Yamanashi Prefecture introduced synchronous broadcasting in all relay stations, with the exception of Fujiyoshida. Synchronous broadcasting will be introduced throughout the entire Yamanashi prefectural area, with the introduction of synchronous broadcasting to the Fujiyoshida relay station. This will promote effective use of frequencies and improve listener convenience by eliminating the switching of frequencies while listening to car radio broadcasting, etc. To this end, the frequency of the Fujiyoshida relay station will be changed from the current 1,062 kHz to 765 kHz, as used by the master station.

The introduction of synchronous broadcasting is expected to generate an equifield area between Fujiyoshida and Koufuu station, an adjacent station to Fujiyoshida. To prevent a deterioration in receiving quality in urban districts included in this equifield area, the antenna output power of Fujiyoshida relay station is to be increased from 100 W to 1 kW to push away the equifield area in mountain areas.

Additionally, the introduction of synchronous broadcasting at the Fujiyoshida relay station is also expected to generate an equifield area between the Fujiyoshida and

Ohotsuki-Uenohara relay stations. To similarly push away the equifield area to the mountain area, so as to improve the reception environment, antenna output power of the Ohotsuki-Uenohara relay station shall also be increased from 100 W to 1 kW.

Since both the Fujiyoshida and Ohotsuki-Uenohara stations have at present an antenna output power of 100 W, meaning that the relay stations output less than 1 kW, frequencies can be individually assigned and left unlisted in the Plan for the Available Frequencies. Nevertheless, with the increase in output power to 1 kW for both stations, it has become necessary to change the Plan for the Available Frequencies, and list the information.

The other issue concerning this consultation related to Kyoto prefecture is the generation of a fringe area in the east part of Maizuru city. This was caused by a tall building, the chimney of a thermal power station, located next to Maizuru relay station. To diminish the fringe area, antenna output power shall be increased from the present 1 kW to 2 kW. The Plan for the Available Frequencies will be amended to change enlisted antenna output power of Maizuru relay station from 1 kW to 2 kW.

b. Main contents of the Q&A session

- The council questioned if broadcasting in Hikone and Maizuru are synchronous broadcasting. MIC explained that although the frequency is the same, the two stations are distanced, and actually different programs are broadcasted. MIC answered that they are not synchronous broadcasting.

(7) Preliminary license for broadcasting station of terrestrial digital television

(Consultation No. 18)

This consultation concerns preliminary licenses for broadcasting stations of terrestrial digital television. MIC offered the explanation below, and a Q&A session was held. After deliberation, the council reported the preliminary license as appropriate.

a. Explanation by MIC

This consultation pertains to the application from four stations of Japan Broadcasting Corp (two stations from Tokyo [General & Education], and one station from Nagoya [General] and Osaka [General]); and applications from commercial private broadcasters, including six companies in the Tokyo district (five wide area

stations [from Nippon Television Network Corporation to TV Tokyo], and one metropolitan area station [Tokyo Metropolitan Television] ), five companies in Nagoya (four wide area stations [from CHUBU-NIPPON BROADCASTING CO., LTD to CHUKYO TV BROADCASTING CO., Ltd.] and one prefectural area station [Aichi Television Broadcasting Co., LTD] ); and five companies from Osaka (four wide area stations [from YOMIURI TELECASTING CORPORATION to Kansai Telecasting Corporation], and one prefectural area station [Television Osaka Inc.] )

The total number of private broadcasters is 16 stations (six Tokyo area stations, five Nagoya area stations, five Osaka area stations), and the total number of applications is from 20 stations. Date of application for all stations was December 18, 2002. Other than the above, NHK made an application on the same date for two relay stations for terrestrial digital television. These are educational stations in Nagoya and Osaka.

Secondly, the planned date for operation start is December 1, 2003, for all stations. Applicants are requesting frequencies and antenna power output (rated output) stipulated in the Plan for the Available Frequencies. A step-by-step increase in output power has been decided in accordance with progress of shifting from analog frequencies etc. This step-by-step increase to rated output power is planned to be done in three steps in Tokyo, two steps in Nagoya, and three steps in Osaka.

From the start of broadcasting, all stations will mainly provide the current analog simultaneous broadcasting by High Definition Television broadcasting service, and also provide broadcasting services that exploit the characteristics of digital technology, such as constantly accessible news, weather information, and data services, including regional information, in addition to conventional TV programs. In the future, as the environment becomes mature, various services, such as multi-channel broadcasting by standard television broadcasting, bi-directional programs, and broadcasting for mobile entities, will be provided.

Examination results concluded that the applications conform to the regulations. The main body of the license is stipulated to be an already established analog television broadcaster. All applicants conform to this stipulation, as they are existing analog television broadcasters. The application term is until June 2003 for the three major metropolitan areas. This applies to extensive zone commercial stations, and NHK General and NHK Education stations in Tokyo, Nagoya, and Osaka. Application term

is until June 2006 for prefectural zone television stations in the major metropolitan areas. All the said applications were submitted on December 18, 2002, and conform to the regulations.

The rate of simultaneous broadcasting is stipulated to be two-thirds or more of the total broadcasting time within one day, and to provide the same broadcasting program as analog broadcasting. All companies have plans that meet these requirements.

The rate of HDTV programs is stipulated to be 50% or more of the total broadcasting time within one week. Plans by all companies also meet this requirement.

Additionally, the relation with the forwarding of relay station deployment is such that construction plans by all companies are within the valid license term for all relay stations listed in the Plan for the Available Frequencies. MIC judges that the stipulations have been met. Considerations for visually disabled people are being planned to be at the same rate or more of conventional analog broadcasting.

As explained above, details of applications by each company conform to the license policy.

In regard to the designation of the step-by-step power increase, all companies made applications at rated output, from the viewpoint of prompt and efficient dissemination, etc. of terrestrial digital television broadcasting. Along with this, the application for the incremental antenna power increase is in order to meet the progress in measures, etc. concerning the shift from analog broadcasting. In response to this, if antenna power is designated together for each stage at the point of preliminary license approval, it will enable prior planning for various situations. MIC judged it as appropriate, as prior designation will also promote smooth incremental power increases and the expansion of area coverage. All this will help to disseminate terrestrial digital television broadcasting.

Moreover, since the antenna output power at each step referred to in the applications will be implemented after the execution of measures to shift from analog frequencies, antenna output will not interfere with analog waves. This conforms to Article 7-(2)-(ii) of the Radio Law, which stipulates standards that make frequency

assignment possible. Therefore, on this preliminary license accreditation, actual antenna output power at each stage will be designated together.

As regulations for procedures to obtain a station license stipulate the designation of a single antenna output power, and interference with analog waves needs to be prevented, limitations shall be imposed on usage of designated antenna output power, while measures to shift from analog frequencies are in progress. For use of a certain antenna output power, a fixed term shall be designated. Moreover, to incrementally increase output power, emission tests of radio waves are needed to smoothly increase output. To prevent the emitted test waves interfering with analog waves, appropriate radio controls shall be carried out, with a requirement to submit documents explaining the test plan.

Thus, MIC judges that these applications meet the standards for judging frequency assignment feasibility in Article 7-(2)-(ii) of the Radio Law.

If a preliminary license is authorized today, the schedule will be as follows. After preliminary license issue on April 18, test radio waves emission will start around summer in the Tokyo area, around autumn in Nagoya, and before the summer in Osaka. Based on the test results, construction will be completed. Actual licenses will be permitted after passing an inspection. The start of digital broadcasting is planned for December 1.

b. Main contents of the Q&A session

- The council asked about the incremental power increase sought by Tokyo NHK in small steps – from 300 W to 410 W. MIC explained that in the case of NHK General in the Tokyo region, it is impractical to increase output significantly after the second step. This is because a large scale station where shifting from analog frequencies will be implemented in the future.

(The Radio Regulatory Council Secretariat is responsible for the wording of this document.)