

RADIO SOCIETY

of Great Britain

Mr M Lancaster MP
House of Commons
London
SW1A OAA

DB/jb

25th May 2011

Dear Mr Lancaster,

ADJOURNMENT DEBATE ON PLT

The RSGB represents the UK's licensed radio amateurs and many more non-professional users of the radio spectrum, including short wave broadcast listeners. One of our aims is to ensure that the radio spectrum is kept as free from unwanted man-made electrical noise as possible and we work with other radio users and representative bodies to help achieve this.

We were very pleased that you were successful in raising the matter of PLT in the adjournment recently. Your constituent, Mr Tim Hague, one of our members was able to draw on material we had provided as part of his briefing for you and we applaud the way that you were able to present the arguments against invasive PLT so cogently.

Having made the case so well, we were then alarmed that in his reply, the Minister of State, Mark Prisk MP, made several seriously inaccurate points to counter your arguments. These are all matters on which the true position is well known to his Department and to Ofcom, but on which it appears to suit their purpose (that of defending PLT over the legitimate needs of radio users) to mislead. We ask that you take these matters up with the Minister.

Overall, the general impression was given that PLT interference complainants were all radio amateurs and that since this is a hobby service, they were dismissible. The true position is that while the 230 or so complaints of interference were from radio amateurs, none of them to our knowledge were complaints about interference **to** amateur radio. They were in fact complaints about interference to reception of short wave broadcasts, which are intended for the general public. Many people listen to these authorised broadcasts from foreign countries, which they are fully entitled to



do. The reason that complaints came from radio amateurs is that they are amongst the few people who have the technical knowledge to understand what is causing interference with their reception. Our belief is that many foreign nationals in the UK, wanting to listen to their home country's overseas broadcasting service, do not understand the nature of PLT interference, nor who to complain to. That brings us to the first of our specific points.

- The Minister said that "enforcement of the protection of the radio spectrum for radio amateurs is the responsibility of Ofcom, while the BBC is the relevant enforcement authority for interference to commercial broadcasts". The last part of this is not correct. Only Ofcom has enforcement powers to act against interference. Until last year all complaints were handled by Ofcom, and its predecessors, going back to the days of the Post Office 'radio interference service'. However, the BBC is now the first point of contact for interference to broadcast reception, but its service is concerned more with how to obtain good reception through such matters as correct positioning of aerials. Any cases of interference from man-made sources such as PLT are referred by the BBC to Ofcom for action. This creates delays and confusion for those suffering interference. This confusion has been acknowledged in the Government's own Spectrum Strategy Implementation Group.
- It is claimed that the number of complaints is small in relation to the number of devices deployed. We have explained above why this should be so, but further, the actual number of complaints is immaterial, as the EMC Regulations are concerned with placing goods on the market that will not cause disruption to other electrical equipment. The Regulations are not concerned with interference in use (for which Ofcom incidentally has no formal powers available to cure). Interference complaints are merely symptomatic of apparatus that should not have reached the market in the first place. It is significant that the solution to all cases of interference has been to replace the PLT apparatus with hard wired or WiFi links.
- The Minister said that products that did not meet the objectives of the EMC Regulations should expect enforcement action to be taken. However, he then added that this meant "unreasonable interference". There is no such test in the Regulations, which simply refer to stopping other electronic apparatus, including radio equipment, from operating as intended. Nor, as Ofcom would have you believe, is there any differentiation between the radio services affected; in fact the protection of the radio amateur and broadcast services is specifically cited in the EMC Directive.
- The Minister said that the Harmonised Standard EN55022 could not apply to PLT apparatus. This is patently not true. EN55022 applies to all IT products including telecommunications devices. The latest version, dated 2006, contains a specific methodology for mains connection measurements; this shows that PLT apparatus is firmly in scope. Furthermore EU Commissioner Verheugen confirmed in 2009 that EN55022 was applicable to PLT apparatus. The fact is

that in order to pass data at an acceptable speed some PLT devices cannot meet EN55022 – by a factor of up to 1000 times above its limits. Those limits reflect World-wide standards for the protection of the radio spectrum. The Commission has therefore been pressured by telecommunications interests to produce a specific product standard, but this will simply legitimise existing products that emit well above EN55022. RSGB experts are involved in the standard's development, but are concerned that PLT manufacturers are diluting the "mitigation" proposals for dynamic notching and power control, technologies that in any case have never been shown to work in practical PLT devices.

- The Minister said that the GCHQ paper was released without proper authority and had been withdrawn as it did not reflect that organisation's position. What actually occurred was that a draft of the paper was circulated to certain people, including some RSGB experts, by GCHQ, in confidence in order to check its accuracy on 17 March. As a result of some suggested amendments, GCHQ revised the draft. A final version was not circulated to people outside Government at that time. However, documents released recently by CAA under the Freedom of Information Act, show that the final paper was circulated by GCHQ on 21 March. This was on GCHQ headed paper and authorised by Mr Neil Kempson, their Director of Engineering and Technology. It highlighted the severe consequences to GCHQs work and was critical of Ofcom's stance. We understand the paper was circulated to the Government/Ofcom Spectrum Implementation Group. The FoI disclosures also showed that an e-mail of 6 April from DCMS said that a Deputy Director of GCHQ wished to retract the paper. Why this should have been done is not clear, as GCHQs position, as set out in the paper, is well known.
- CAA and others. The Minister said that CAA has no existing problem with PLT. That is disingenuous. There may be no current problem, but CAA, like many other safety of life radio services, has to be vigilant, and its concern is the potential risk. CAA is on record as saying that there is a potentially major threat to the safe operation of systems such as aircraft Instrument Landing Systems. The CAA publicly stated the dangers at a workshop hosted by Ofcom. They made it clear that a 1% risk of interference is, in their terms, totally unsatisfactory, and even a 0.001% risk caused concern. The redacted minutes of the Government's Spectrum Strategy Implementation Group meeting about PLT on 8 February this year also show that FCO had concerns about interference to the BBC World Service transmissions and that UK had an obligation not to interfere with other countries' broadcasts to the UK. Concern was also expressed about interference to safety of life services.
- Lastly I would like to make it clear that we are not asking for a ban on all PLT products. What radio users are concerned about is the failure of Ofcom to stop clearly non-compliant products reaching the market, presumably because of pressure from major commercial interests. In this, BIS have been acquiescent because of their view that the Digital Britain project would somehow be compromised. In fact, PLT is simply one of several technologies that may be used

for the distribution of broadband within homes. We have no objection to the use of dedicated wired, WiFi or of PLT systems that fully comply with the long-established and well accepted EMC requirements.

We urge you to take these points up with the Minister so that he can ask Ofcom to explain its lack of clarity that has led him to make misleading statements.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Don Beattie".

Donald F Beattie
Director and Acting General Manager