



**Consultation on the Class License for the Provision of Public Telecommunication Services On-board Aircraft (27<sup>th</sup> Jan 2014 to 20<sup>th</sup> February 2014)**

**Summary of Comments Received and Response of the Communications Regulatory Authority (CRA)**

17 March 2014

CRA-ECLI-2014/03/17

**Content and purpose of this document:**

This document:

1. Collates and summarizes inputs received in response to the Consultation.
2. States CRA's position with respect to the inputs received.
3. Provides a basis for the preparation of the final version of the Class License.

**Responses:**

Inputs were received from:

1. AeroMobile
  2. Ooredoo
  3. Panasonic
  4. Seven members of the public
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## Inputs received and CRA’s position

The table below presents an overview of the inputs received and CRA’s position on each issue. Please note that in the interests of space saving, questions have not been reproduced in full in the table below, they can however be found in Annex A.

<b>Consolidated Major Comments from all Respondents</b>			
Question No.	Subject	Comments	CRA response
	General Comments made	<ul style="list-style-type: none"> <li>• There was general support for the Class License approach proposed by CRA.</li> <li>• Ooredoo expressed its concern that any services provided under the proposed class license should not cause radio interference to terrestrial telecommunications services.</li> <li>• Ooredoo commented that CRA has stated its position in the consultation document with respect to GSM services but not with respect to other access technologies.</li> <li>• Seven members of the public submitted responses to CRA in which they expressed concerns over the availability of public telecoms services on board aircraft. The concerns covered such issues as:                             <ul style="list-style-type: none"> <li>- Annoyance arising from phones ringing and people talking on their telephones;</li> <li>- Passengers should not be allowed to make calls from their seats – especially in economy class; and</li> <li>- The loss of an opportunity to ‘switch-off’ and enjoy silence.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Use of the radio spectrum in connection with aircraft is subject to separate spectrum licensing (the Aircraft Station License). Ooredoo’s concerns regarding the potential interference with terrestrial networks has been communicated to the CRA Spectrum Affairs department.</li> <li>• CRA’s reference to GSM in the consultation document was as a generic example of a mobile technology. As Ooredoo has recognized in its input, CRA has adopted a technology neutral approach in the Class License.</li> <li>• CRA is grateful to the members of public who took the time to express their concerns. Unfortunately, the concerns expressed fall outside CRA’s scope of responsibility. CRA suggests that the concerns should be addressed to Qatar Airways and/or other airlines who offer public telecommunications services during flight.</li> </ul>
1	Jurisdiction over cabin space	<ul style="list-style-type: none"> <li>• There was no disagreement that the cabin space is under the jurisdiction of the state in which the aircraft is registered.</li> </ul>	<ul style="list-style-type: none"> <li>• No requirement for any amendments to the draft license.</li> </ul>
2	Applicability of licensing under Telecoms Law	<ul style="list-style-type: none"> <li>• There was no disagreement that the provision of public telecommunications services on board aircraft should be subject to the Qatar Telecommunications Law.</li> </ul>	<ul style="list-style-type: none"> <li>• No requirement for any amendments to the draft license.</li> </ul>
3	Appropriateness of Class License	<ul style="list-style-type: none"> <li>• Aeromobile stated that the least onerous means of authorization should be applied and further that, should a license be required, then the party to be licensed should be the ‘service provider’ supporting the airline, rather than the airline itself.</li> <li>• Ooredoo and Panasonic were supportive of the class license approach.</li> </ul>	<ul style="list-style-type: none"> <li>• The class license is the ‘lightest touch’ authorization available to CRA.</li> <li>• Licensing the airline is considered appropriate as the airline has operational control over, and responsibility for, the on-board systems. Licensing the airline also gives the airline flexibility to choose whichever connectivity provider it considers most appropriate for its needs.</li> <li>• CRA noted some potential confusion regarding spectrum and EMC related matters – these are not addressed in the Class License as they are subject to a separate radio spectrum licensing regime (Aircraft Station Licensing) – a spectrum license will be required in addition to the Class License.</li> <li>• No requirement for any amendments to the draft license.</li> </ul>

Consolidated Major Comments from all Respondents			
Question No.	Subject	Comments	CRA response
4	Scope of services and facilities	<ul style="list-style-type: none"> <li>Aeromobile stated that the mobile/cellular services should not be restricted to GSM1800.</li> <li>Ooredoo was supportive of the approach but expressed concerns that the associated spectrum authorization (Aircraft Station License) includes access technologies that were not included in the consultation on the spectrum licensing regime.</li> <li>Panasonic was supportive of the approach but suggested that the minimum altitude limitation (3000m) was unnecessary for WiFi connected services.</li> </ul>	<ul style="list-style-type: none"> <li>CRA confirms the technology neutral approach adopted in the Class License.</li> <li>Radio spectrum specific concerns are beyond the scope of this consultation – however, Ooredoo’s concern has been forwarded to the CRA Spectrum Affairs department.</li> <li>CRA confirms that the 3000m altitude limitation shall remain – this is primarily due to the potential for the satellite terminal operating on the aircraft to cause interference to terrestrial services.</li> <li>No requirement for any amendments to the draft license.</li> </ul>
5	Information to be available to customers	<ul style="list-style-type: none"> <li>Aeromobile stated that the provision of services on board was under roaming arrangements and that services providers are not able to provide this information to the public.</li> <li>Ooredoo had no particular comment.</li> <li>Panasonic stated that its motivation to provide the highest possible standards of customer care meant that it was not necessary to regulate the information to be provided to customers</li> </ul>	<ul style="list-style-type: none"> <li>CRA agrees that mobile/cellular services on board aircraft are provided under roaming arrangements. Customers who roam on terrestrial mobile/cellular networks benefit from receiving key information prior to making roaming calls and thus, in the interests of consumers, CRA wishes to ensure that appropriate information is also made available to consumers accessing mobile/cellular services when on board aircraft. The obligation is placed on the Class Licensee (operator of the aircraft), who in turn will require that its connectivity partner provides the required information to the customer.</li> <li>CRA considers it prudent to establish a minimum level of information to be provided to the customer.</li> <li>No requirement for any amendments to the draft license.</li> </ul>
6	Rights and obligations	<ul style="list-style-type: none"> <li>No additional rights or obligations were suggested.</li> </ul>	<ul style="list-style-type: none"> <li>No requirement for any amendments to the draft license.</li> </ul>

## Conclusion

The consultation process has not revealed any cause for modification of CRA’s approach to licensing the provision of public telecommunications services on board aircraft. Therefore, apart from a few editorial amendments, the Class License does not require any amendments prior to being published.

**Annexure A: List of questions proposed by CRA**

1. Do you have any comments regarding the analysis that the cabin space of an Aircraft is under the jurisdiction of the state in which the Aircraft is registered?
2. Do you agree that the provision of the services described should be subject to telecommunications licensing in accordance with Article 9 of the Telecommunications Law?
3. Do you agree that the Class License is the appropriate regulatory instrument?
4. Do you have any comments regarding the scope of the services permitted to be offered and facilities permitted to be operated under the License?
5. Do you have any comments regarding the information to be made available to the customer prior to use of the services?
6. Do you consider the License to be comprehensive – are there any other rights and/or obligations which should be included?