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Annual report 2007

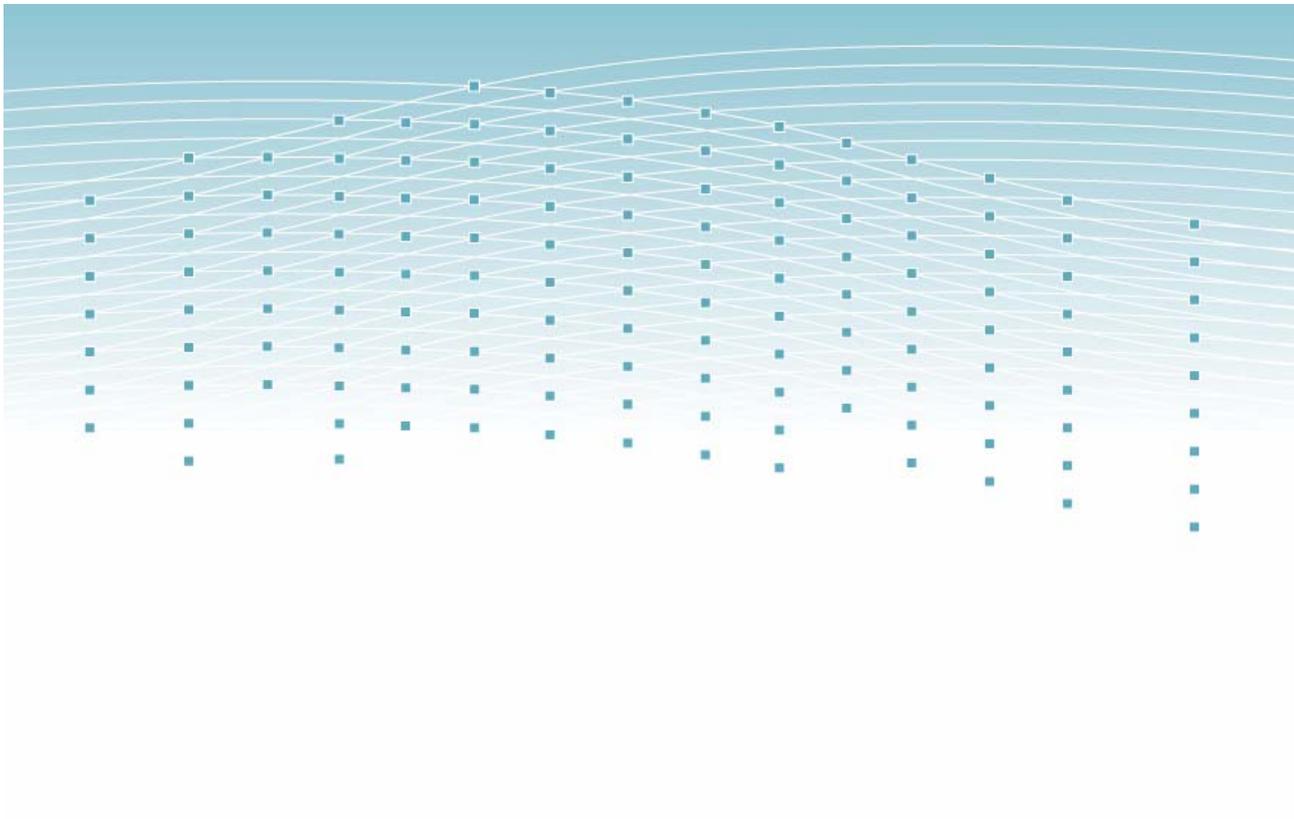


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Editorial

After prolonged debates, the revised versions of the legislation which is central to our work, the Radio and Television Act (RTA) and the Telecommunications Act (TCA), entered into force during the reporting year. They include substantial innovations and in some areas they are having a decisive influence on developments in both the broadcasting and telecommunications markets.

Also, a new performance mandate was given to the SRG, the national public service carrier in the radio and television sector. In the areas of information, culture and education above all, the new SRG licence demands enhanced services and provides for a new quality assurance system. A major step has been taken to strengthen the public service at local and regional level: from this year onwards, more fee revenue, linked to new performance mandates, will be available. This is also associated with a new invitation to tender for the licensing areas for local and regional broadcasters. We have received numerous candidatures which – despite the growing number of online offerings – bear witness to continuing serious interest in the traditional mass media of radio and television.

In telecommunications the so-called ‘last mile’ has been opened up. Thanks to Swisscom’s cooperative attitude, it has been possible to begin technical implementation. However, the remuneration for the use of Swisscom infrastructures continues to be contested. The complaints lodged by several of Swisscom’s competitors transfer the determination of prices to the Federal Communications Commission (ComCom). But it is the consumers who suffer, as they are (still) unable to benefit from significant price reductions because of the delay.

OFCOM is eager to make its contribution to the implementation of the Federal Council’s e-government strategy. For some years it has been possible to order telephone numbers via the OFCOM website; now it is also possible to apply and pay for certain radiocommunication licences electronically. After these successful pilot projects we are in the process of further extending our services over the internet. Our very name obliges us to strive for modern and innovative communications: we are willing to rise to this challenge.

Dr. Martin Dumermuth, Director

The year 2007 in review

Chronology of major OFCOM, DETEC and ComCom decisions

28 December 2007: The Federal Office of Communications (OFCOM) opened the public hearing on 52 radio and 20 TV licence applications. The 72 candidatures for the total of 54 licences can be consulted on the OFCOM website. The Consultation period ends 20 February 2008.

20 December 2007: The Federal Department of Environment, Transport, Energy and Communications (DETEC) awarded Music First GmbH a VHF licence for a youth radio station in Zurich. DETEC is therefore revising its earlier decision from 2004, when it awarded the licence to Music First's competitor, DJ Radio.

19 December 2007: Cablecom is not obliged to transmit the analogue programme service U1 TV on its cable network. OFCOM came to the conclusion, after examining the entire U1 TV programmes service, that the conditions for the «must carry» obligation are not fulfilled.

17 December 2007: The Federal Communications Commission (ComCom) reduced Swisscom's interconnection prices for the years 2004 to 2006 by an average of 15 to 20 percent.

7 December 2007: OFCOM received 75 applications for the 41 licences put out to tender for the transmission of local-regional VHF radio programme services and the 13 regional TV licences in Switzerland. The applications will be published with the launch of the hearing at the end of 2007.

7 December 2007: The Federal Council adapted the Ordinance on Fees in the Telecommunications Sector. Until now the radiocommunications licence fees for various users were sometimes calculated using different models. From 1 January 2008 a uniform computational model will be used. On average the adjustments will result in slight financial savings for licensees.

28 November 2007: The Federal Council awarded the SRG (Swiss Broadcasting Corporation) a new licence with a term of 10 years. This includes an extended performance mandate which places obligations on the SRG primarily in relation to information, culture and education. In addition, the Council of States wants to ensure that SRG programme services are clearly differentiated from commercial offerings by setting quality specifications.

28 November 2007: At the «e-inclusion - an information society for all» conference held in the Paul Klee Centre in Berne, Federal Councillor Moritz Leuenberger awarded the prizes to the winners of this year's «Knights of Communication» competition. For detail information see <http://www.bakom.admin.ch/comknight/> (document available in German, French and Italian only).

28 November 2007: Following the entry into force of the revised Telecommunications Act, for the first time the Federal Council adopted the national frequency allocation plan for the year 2008; it will be revised annually.

26 November 2007: DETEC approved the sale of Radio Basilik. The Radio Basilisk licence will be transferred from Tamedia AG to the Basel-based media entrepreneur Martin Wagner.

22 November 2007: ComCom obliged Swisscom to provide bitstream access for four years - in accordance with the will of parliament. Swisscom must submit an offer with cost-based prices to rivals, as it is dominant in the market for this access variant. The fact that Swisscom is dominant in the market was also established by the Competition Commission in a report which it produced for ComCom.

20 November 2007:	In parallel with its official internet site, ComCom has developed a site designed specifically for use with mobile telephones. ComCom is launching a site with the top level domain «.mobi», with a view to facilitating fast access from anywhere to the latest information from the Commission.
16 November 2007:	At the World Radiocommunication Conference (WRC-07) of the International Telecommunication Union in Geneva (ITU), the planning tasks for international frequency management for the next four years were agreed. The most frequently discussed point concerned the opening-up of part of the classic broadcasting band for terrestrial television (UHF) to mobile telephony applications.
30 October 2007:	On instructions from ComCom, OFCOM launched a procedure for the award of licences for Broadband Wireless Access (BWA). Unlike the licences already awarded which may cover the entire national territory, the new licences will be limited to regions determined by the applicants.
26 October 2007:	Speculation that local television stations received financial support for broadcasting the series «Bundesrat Christoph Blocher im Gespräch mit Dr. Matthias Ackeret» [Federal Councillor Christoph Blocher talks to Dr. Matthias Ackeret] proved unfounded. OFCOM has therefore not launched any supervisory procedures against the relevant local television broadcasters.
28 September 2007:	Within the framework of a competition based on criteria, ComCom awarded the national licence for DVB-H (Digital Video Broadcasting – for Handhelds) to Swisscom Broadcast AG. The licensee is to provide the first mobile phone TV broadcasts during the 2008 European Football Championship, in the host cities of Basle, Berne, Zurich and Geneva, and launch this new TV platform as soon as possible.
20 September 2007:	OFCOM launched a public consultation on the possibilities of allocating free UMTS (Universal Mobile Telecommunication System) frequencies. By doing so, OFCOM wishes to enable interested parties to give their comments and to determine the needs and intentions of the players concerned. The consultation period runs until 2 November 2007.
14 September 2007:	In Germany, OFCOM's e-licensing project was awarded the special «Switzerland 2007» prize as part of the 7 th «e-government competition».
30 August 2007:	OFCOM put out to tender 41 licences for distributing local-regional VHF programmes and 13 licences for distributing regional television programmes in Switzerland. The deadline for submission of candidatures is 5 December 2007. The licences will be awarded from spring 2008 by DETEC.
30 July 2007:	OFCOM received two candidatures for the national mobile TV licence. ComCom will decide who will be awarded the licence after evaluating the candidatures according to various criteria.
5 July 2007:	Federal Councillor Moritz Leuenberger appointed Philipp Metzger as OFCOM Vice-Director and new Head of the Telecom Services Division. The 43-year old lawyer and former Director of Trade Relations at the European Free Trade Association (EFTA) in Geneva took his post on 1 November 2007.
5 July 2007:	DETEC designated the eight stations which will receive a radio licence for digital broadcasting in German-speaking Switzerland. The licences include a right of access to a new DAB (Digital Audio Broadcasting) transmitter network. In autumn 2006, a total of 18 candidatures were received for these eight licences in response to an invitation to tender.
4 July 2007:	The Federal Council decided to divide Switzerland into 13 new coverage areas for partially fee-funded regional television stations. In addition, it defined 34 coverage areas for private VHF radio stations. The radio and TV licences were put out to tender in early autumn 2007.

4 July 2007:	The Federal Council concluded a performance agreement with the SRG regarding its foreign services. In the future it will contribute over CHF 20 million annually to the internet platform «swissinfo.org» and to SRG collaborations with the international television broadcasters TV5 and 3Sat. In this context, the national government also approved the TV5 Charter.
2 July 2007:	OFCOM will put in place an independent telecommunications conciliation service. Consumers will be able to use the service when they have a dispute with their telecommunications operator or a value-added service provider (e.g. an 0900 premium-rate number).
27 June 2007:	The Federal Council authorised the SRG to provide two new digital radio stations in the future: the German-language information station DRS News and the national English-language entertainment and information station World Radio Switzerland (WRS).
26 June 2007:	DETEC signed a new contract with Billag SA for the collection of radio and television reception fees for the years 2008 to 2014.
22 June 2007:	ComCom designated Swisscom as the universal service licensee from 1 January 2008 onwards. For the next ten years, the licensee will be obliged to provide the services which constitute the universal service in the telecommunications sector to all sections of the population and in all regions of the country. The new licence obliges Swisscom to provide a broadband internet connection in addition to analogue and digital telephone connections.
5 June 2007:	In autumn 2007 ComCom will award a national licence for mobile TV on the basis of a criteria-based competition. The objective is to enable the licensee to provide initial services for the European Football Championship in the host cities of Basle, Berne, Zurich and Geneva. OFCOM has launched the invitation to tender for this licence.
11 May 2007:	OFCOM launched the public consultation on the draft of a new SRG licence. All interested persons and organisations have until 8 June 2007 to express their opinion on the draft. The comments will be made publicly available on the internet.
07 May 2007:	ComCom awarded the company Inquam a Broadband Wireless Access (BWA) licence.
11 April 2007:	DETEC launched a second hearing on the coverage areas for regional broadcasters in the Zurich / Eastern Switzerland region. A single licence with fee splitting is envisaged for each of the two regions Eastern Switzerland and North-eastern Switzerland. On the other hand, it is envisaged that it will be possible to cover the economically attractive canton of Zurich without recourse to fee splitting.
22 March 2007:	In order to provide customers with better protection from an unwanted change of fixed-network provider, ComCom has amended the regulations for carrier preselection. The new arrangements enter into force on 1 April 2007. Providers have three months to implement the measures.
19 March 2007:	With effect from 1 April 2007, the 01 prefix for calls to the Zurich area is no longer valid. It is replaced by the new prefix 044. Surveys indicate that in excess of 80% of calls made to the Zurich area are already using 044. This change of prefix only affects 01 telephone numbers. Numbers in the Zurich area starting with 043 and all other telephone numbers in Switzerland are unaffected.
9 March 2007:	The Federal Council adopted the new Decree on Radio and Television (DRTV). It includes the implementing provisions for the Law on Radio and Television (LRTV) which has also been completely amended. Both enactments enter into force on 1 April 2007. Amongst other things, the new decree specifies the regulations governing advertising and sponsorship, fee splitting, the technical broadcasting of radio and television programmes, as well as reception fees.

9 March 2007:	The Federal Council decided to bring the revised Law on Telecommunications and the decrees based on it into force on 1 April 2007. The revision primarily concerns unbundling of the last mile and consumer protection.
12 February 2007:	OFCOM received one application for the two broadband wireless access (BWA) licences. ComCom will be granting the licence in March 2007.
9 February 2007:	OFCOM launched the public consultation regarding the applications for new digital radio programmes. The 18 candidatures received for the total of 8 licences put out to tender have been posted on the OFCOM website. Comments can be submitted electronically until 2 March 2007.
8 February 2007:	OFCOM renewed the agreement which entrusts registration and management of «.ch» type internet domain names to the SWITCH foundation. The contract covers a period of 8 years, until 31 March 2015. The holders of «.ch» domain names should see prices fall over the next few years.
1 February 2007:	Swisscom was the only company to submit a candidature dossier with a view to the award of the next universal service licence.
26 January 2007:	DETEC head Moritz Leuenberger received the Italian deputy foreign minister Franco Danieli. He informed Mr Danieli that in the future Swiss cable network operators should continue to be obliged to broadcast the principal public service channels of neighbouring countries as part of their analogue offering, which would not represent additional costs for cable service subscribers. The Italian TV channel Rai Uno is one of these channels. This is to be prescribed in the ordinance concerning the new law on radio and television.
23 February 2007:	The Federal Council appointed Professor Jean-Pierre Hubaux as a new member of ComCom. He succeeds Professor Pierre-Gérard Fontolliet, who resigned from the Commission at the end of 2006 for reasons of age. Forty-nine year-old Jean-Pierre Hubaux is professor at the faculty of Computer Communications at the Federal Institute of Technology, Lausanne.
22 January 2007:	ComCom took notice of the fact that the three largest mobile telephony providers, Sunrise, Orange and Swisscom Mobile, as well as Swisscom Fixnet, have come to an agreement in negotiations on lower mobile termination charges and as a result have withdrawn their reciprocal applications. ComCom will halt the six procedures. Mobile termination charges will be stepwise reduced by 25% to 40% by the year 2009. This will have no direct effect on end-user prices - but indirect effects are quite possible and are expected by ComCom.

Radio and television

The conclusion of work on the enactment of the new Radio and Television Act (RTVA) and the entry into force of the revised legal arrangements on 1 April 2007 represented an important milestone in the business year and were a precondition for initiating the numerous implementation measures as outlined below. The most important matters included the definition of coverage areas and the invitations to tender for licences for local radio and television broadcasters, the SRG licence and the DAB and DVB-H licences (DAB = Digital Audio Broadcasting; DVB-H = Digital Video Broadcasting – for Handhelds).

In 2007 we also turned our attention inwards, bringing the structure of the division into harmony with the new legislation as part of a reorganisation. The goal of the reorganisation was a clear apportionment of tasks, the realisation of technical synergies and designating clear contacts for external and internal matters. The result was three sections: Legal Affairs, Finance and Statistics and Broadcasters.

Matthias Ramsauer, Vice-Director

Regional-language and national broadcasters

Obligation to notify

The new RTVA includes a clear break from the past with regard to the licensing of new broadcasters: in future it will be sufficient to notify programme services transmitted via cable and satellite. The licensing procedure has been eliminated. Existing broadcasters have the choice of allowing their licence to run its full term or to forgo it and notify the programme service under the new RTVA.

Notification for radio and TV broadcasters (document available in German, French and Italian only):

http://www.bakom.admin.ch/themen/radio_tv/marktuebersicht/01863/index.html?lang=de

New SRG licence

On 28 November 2007, the Federal Council awarded a new licence to the SRG for 10 years. One new feature is that the licence explicitly obliges the SRG, in programme production, to act on the basis of the four quality criteria of credibility, awareness of responsibility, relevance and editorial professionalism. Internal and external programme analyses will document the implementation of these requirements. In addition, the Federal Council defined the margin of manoeuvre of the SRG on the internet. Thus the offerings on SRG websites must serve to fulfil the programme mandate more efficiently and cannot claim any independent significance.

The SRG is receiving more financial resources and programming facilities for the SF info channel. In addition, it will be allowed to provide a new TV channel in the HD (high-definition) format. Finally, the licence contains a number of regulations concerning aspects of internal organisation and the composition of the Board of Directors.

New SRG licence dated 28 November 2008 (document available in German and French only):

http://www.bakom.admin.ch/themen/radio_tv/marktuebersicht/ssr_srg/index.html?lang=de

Service agreement with the SRG

On 4 July 2007 the Federal Council concluded a five-year service agreement with the SRG concerning its international offerings. In future, the Federal Council will contribute approximately CHF 20.6 million for the «swissinfo.org» internet platform, which superseded Swiss Radio International, which was closed down in 2004, and for the SRG's cooperation with the international television broadcasters TV5 and 3sat.

SRG service agreement dated 4 July 2008 (document available in French only):

http://www.bakom.ch/themen/radio_tv/marktuebersicht/ssr_srg/index.html?lang=de

Local and regional broadcasters

On 4 July 2007, the Federal Council defined the future local/regional broadcasting landscape. It decided to split Switzerland into 13 new coverage areas for regional TV stations. In addition, it defined 34 coverage areas for private FM radio stations. On 30 August 2007, OFCOM invited tenders for 13 television and 41 radio licences in these coverage areas. By the end of the candidature period on 5 December 2007, 75 candidatures had been received, 54 for a radio licence and 21 for a TV licence. The first decisions by DETEC are expected in the summer of 2008.

Partly as a result of the stipulation of article 44, para. 3 RTVA, according to which an undertaking may own a maximum of 2 radio licences and 2 television licences, there were a number of business reorganisations. The publishing house Tamedia split from Radio Basilisk (Basle) and Radio Canal 3 (Biel) in the process of taking over the Berne publishers Espace Media Groupe. In late autumn 2007, Ringier, which had already acquired the majority of shares in Zurich's Radio Energy in summer 2007, took over Berne's Radio BE1 from Verlag NZZ. In French-speaking Switzerland, Lausanne's Rouge FM took over the Geneva station Radio Lac. In addition, Zurich's Radio Tropic, previously specialising in Caribbean music, changed owners: the new owner, Roger Schawinski, wants to turn it into an adult radio station for an urban audience.

A procedure which had dragged on for several years finally came to an end in December 2007: the Federal Department of the Environment, Transport, Energy and Communications (DETEC) awarded the licence for a youth radio station in Zurich to Music First GmbH (Giuseppe Scaglione). In so doing, it reversed its initial decision whereby it had awarded the licence to DJ Radio. This decision was successfully contested by Music First GmbH before the Federal Council.

The digitisation of broadcasting

TV: universal service by the SRG

In 2007 it was possible to complete the establishment of the terrestrial universal service with digital SRG television programme services via DVB-T (Digital Video Broadcasting – Terrestrial) in many parts of Switzerland. After the analogue TV transmitters in French-speaking Switzerland had been decommissioned at the end of June 2007, this step was repeated at the end of November 2007 in the whole of German-speaking Switzerland, with the exception of Valais. The migration from analogue to digital technology was accomplished largely without problems. At the end of February 2008, the last analogue TV transmitters in Switzerland will be switched off in Valais.

Digital TV (document available in German, French and Italian only):

<http://www.digitalesfernsehen.ch/portal.aspx?pid=600>

New digital radio offerings – a second platform

With the authorisation of the Federal Council on 7 June 2007, the SRG extended its digital radio offering with the new DRS4 News station and the English-language station World Radio Switzerland. The two stations will initially be transmitted on the SRG's DAB platform.

The allocations for the second DAB platform, which is expected to go live in autumn 2008, are taking shape: on 5 July 2007 DETEC designated the eight radio stations with guaranteed rights of access to the platform. These are Radiolab, Radio For Youngsters, Swiss Mountain Holiday Radio, SoundCity, Radio Eviva, Radio.ch, RadioJay and Djrado DELUXE.

Licences for DAB radio stations:

http://www.bakom.admin.ch/themen/radio_tv/01107/01108/index.html?lang=en

Mobile TV

From spring 2008 it will also be possible to receive TV programmes on mobile telephones. On 28 September 2007, the Federal Communications Commission (ComCom) awarded a national licence for DVB-H to Swisscom Broadcast AG (SBC). The licensee is to provide the first TV programme services during EURO 08 in the host cities of Basle, Berne, Zurich and Geneva.

The licence has a ten-year term and covers the whole of Switzerland. It is possible to transmit up to 25 TV channels on the SBC's radio channel. By the end of May 2008, SBC has to guarantee coverage for some 44 percent of the population, and about 60 percent by the end of 2012.

DVB-H:

http://www.bakom.admin.ch/themen/radio_tv/01107/01679/index.html?lang=en

See also page 12 «Market access and the universal service» and page 25 «Frequency assignment».

Surveillance of radio and television

In 2007 the Legal Affairs Section dealt with areas of the law where there have been hardly any precedents. For example, a case had to be assessed in which the extent of the short reporting right enshrined in the RTVA had to be defined. Specifically, the seven largest Swiss regional broadcasters were unable to agree with the SRG on the conditions of their right to short reporting of football and ice hockey matches for which the SRG has exclusive rights in Free TV. In an official decision, OFCOM laid down a number of principles concerning direct access to the event (so-called physical access) and signal access and regulated the order of priorities and the possible financial consequences of the short reporting right. The decision was contested by the SRG and is currently being dealt with by the federal administrative court.

In addition, the Legal Affairs Section had to deal with two applications for connections via which Swiss television broadcasters wanted to transmit their programme services on the cable networks free of charge. A precondition for such a connection obligation is that the broadcasters, among other things, contribute in particular to the fulfilment of the electronic media's mandate under constitutional law. After detailed investigation, in the case of the private broadcaster U1 TV, OFCOM came to the conclusion that these qualified requirements are not fulfilled. Despite the new programme module «Schweizer Sportfernsehen [Swiss Sports Television]», there are too many unknowns regarding U1 TV for a connection.

With regard to sponsorship, OFCOM's position, as the new legal authority, was supported in various cases heard by the federal administrative court. Thus, in agreement with OFCOM, the court found that advertising extras such as «since 1775» and «auto emoción» are not allowed to be used in sponsorship even if they are part of the (product) brand. The publication of new advertising and sponsorship regulations is scheduled for early 2008; they are intended to reproduce OFCOM's consolidated practice, adapted to the provisions of the new RTVA. The relevant preparations along with numerous supervisory procedures for non-submission of annual reports, annual accounts and licence fee statements and for infringement of the separation of advertising in night-time programming were they key areas of this year's surveillance activities.

In 2007, approximately 40 decisions were taken and 600 information items were issued.

Monitoring decisions 2007 (documents available in German, French and Italian only):

http://www.bakom.ch/themen/radio_tv/00511/01774/index.html?lang=en

Telecommunications

A year ago, my predecessor Peter Fischer wrote: «Was this the year of the calm before the storm?» It is now clear that the eagerly awaited opening-up of the last mile to which he was referring will be exploited by the players in the market. The involved telecommunications companies rapidly got to grips with the technical implementation of the opening of the market. The prices remain in dispute; they are currently being examined by the Federal Communications Commission (ComCom) in the framework of various access complaints. As usual, OFCOM is handling the briefing for these proceedings.

2007 was also a year with far-reaching consequences for the use of new technologies. In the summer of 2007, Swisscom AG was awarded the universal service licence for the period up to 2017, according to which it must introduce a nationwide broadband offering from 1.1.2008. In addition, in autumn 2007, a nationwide licence for the establishment of a mobile TV network (DVB-H = Digital Video Broadcasting – for Handhelds) was awarded. The short-term aim is to establish an infrastructure which will provide an offering of mobile TV services in time for the 2008 European football championships.

The reporting year also saw developments for stronger consumer protection initiated. Thus important preliminary work was performed so that in 2008 an arbitration body can start work resolving disputes between customers and telecommunications service providers or value-added service providers.

Philipp Metzger, Vice-Director

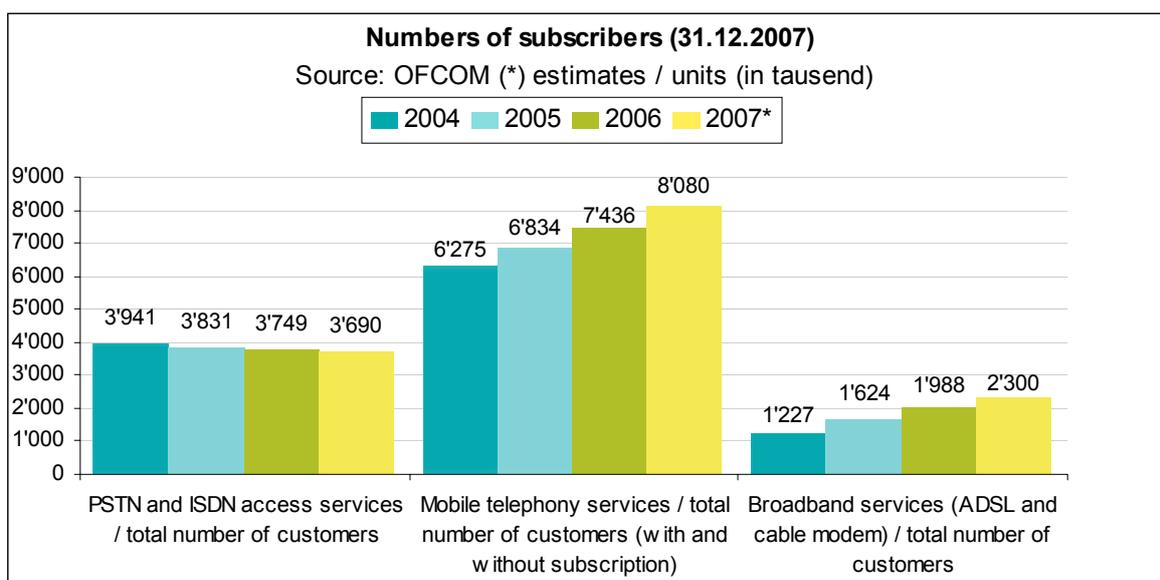
Market for telecommunication services

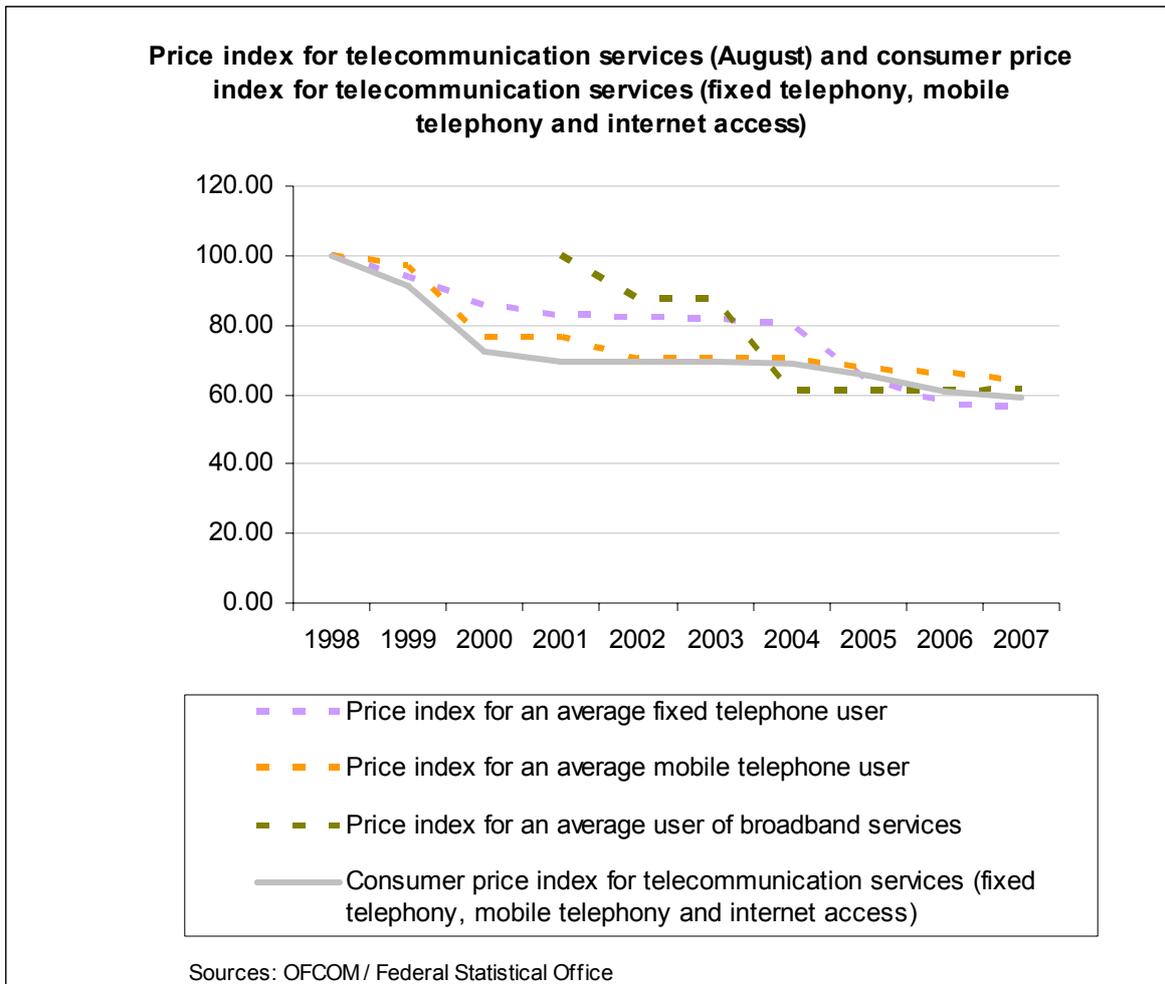
The market for classic fixed telephony is in slight decline, as is apparent from the slightly lower number of fixed network connections. Prices for international calls and for calls on the national fixed network have remained practically unchanged from last year.

In contrast the number of mobile telephone contracts again increased, with over 8 million at the end of 2007. Mobile broadband services have established themselves in the market. Prices for calls on Swiss mobile telephone networks fell slightly in 2007. Prices for mobile telephone SMS and MMS services were unchanged.

The number of broadband connections has doubled in the last 4 years and amounted to approximately 2.3 million at the end of 2007. Within the same period, the price for a broadband connection remained practically unchanged. The price-performance ratio improved markedly however; the data rates available to end users increased considerably within the same period.

At the end of 2007, the Federal Statistical Office's overall price index for telecommunications services was at approximately 59.1 percentage points (base year = 1998). This means that prices for telecommunications services have fallen by more than 40% since the market was opened up in 1998.





Market access and the universal service

The revisions to the Federal Radio and Television Act (RTVA) and the Telecommunications Act (TCA) meant that broadcasters of radio and television programme services have been registered as telecommunications service providers since 1 April 2007. With the abolition of the service licence system, all existing licensees were made subject to the obligation to register and were registered accordingly. Registration of the 442 cable network operators was carried out automatically by OFCOM. Together with the other changes, this led to an increase of 480 registered telecommunications service providers, making 928 in total. The annual changes to the register amounted to 44 new registrations and 74 removals. Compared with the figure for the previous year, this represents a slight downward trend, but one which is still within normal fluctuations.

At the beginning of May 2007, after a tender and auction procedure, ComCom awarded a licence for Broadband Wireless Access (BWA) to the Inquam company. This is the second BWA licence; Swisscom had received a similar licence on 29 September 2006. A special award procedure which allows allocation according to regions and demand was published for the frequencies remaining after these two BWA auctions. At the end of the year, the city of Geneva submitted a relevant project to OFCOM.

In September 2007, in a competition based on specific criteria, ComCom awarded Swisscom Broadcast AG a national radiocommunications licence for the transmission of radio programme services which can be received on mobiles, based on the DVB-H standard. One major aspect of this award was to ensure mobile TV coverage by 2008 at the venues for the European football championships in Berne, Zurich, Basle and Geneva.

See also page 10 «Mobile TV» and page 25 «Frequency assignment».

On the basis of the preparation and analysis undertaken by OFCOM, on 22 June 2007 ComCom awarded Swisscom the universal service licence for the period from 1 January 2008 to 31 December 2017. In particular, the new licence now features an obligation to provide broadband internet access.

In September 2007, on behalf of ComCom, OFCOM launched a public consultation concerning the possibilities of allocating free frequencies in the UMTS core band and extension band for use for mobile broadband services. In the scope of this consultation, interested parties were able to submit their comments. ComCom will decide on the next steps in the procedure in the course of 2008.

Legislation

On 9 March 2007, the Federal Council adopted the revision of the TCA's implementing ordinances and set 1 April 2007 as the date for the entry into force of the amended act, which had been adopted by parliament a year earlier.

The completely revised Telecommunications Services Ordinance (TSO) includes new provisions on the obligations of telecommunications service providers to train apprentices, on the transparency of prices in mobile telephony, on value-added services, on the establishment of a conciliation body, on access to the resources and services of providers occupying a dominant position on the market and on the obligation of telecommunications service providers to protect their customers from spam.

The Frequency Management and Radiocommunications Licences Ordinance (FMRLO) also underwent a total revision. In particular, it regulates the award of licences for the use of frequencies and contains specific provisions regarding the transmission of radio and television programme services. It also introduces an authorisation procedure for telecommunications jammers and for tracking and surveillance systems.

Some minor changes were also made to the Ordinance on Addressing Resources in the Telecommunications Sector (OARTS) and the Telecommunications Installations Ordinance (TIO). ComCom also amended its Ordinance on the Telecommunications Act with effect from 1 April 2007.

With regard to the Ordinance on Fees in the Telecommunications Sector (OFTS) and the Federal Department of Environment, Transport, Energy and Communications (DETEC's) Ordinance on Fees, these were partially amended on 1 April in anticipation of their complete revision. This complete revision was implemented by the new ordinances which the Federal Council and DETEC adopted on 7 December 2007 and which entered into force on 1 January 2008.

Telecommunication Service Ordinance (TSO) dated 9 March 2007 (document available in German, French and Italian only):

http://www.admin.ch/ch/fr/rs/c784_101_1.html

Frequency Management and Radiocommunications Licences Ordinance (FMRLO) dated 9 March 2007 (document available in German, French and Italian only):

http://www.admin.ch/ch/d/sr/c784_102_1.html

Ordinance on Fees in the Telecommunication Sector (OFTS) dated 7 December 2007 (document available in German, French and Italian only):

<http://www.admin.ch/ch/d/as/2007/7091.pdf>

DETEC's Ordinance on Fees in the Telecommunication Sector dated 7 December 2007 (document available in German, French and Italian only):

<http://www.admin.ch/ch/d/as/2007/7101.pdf>

Network access

With the entry into force of the partial revision of the TCA on 1 April 2007, five new forms of access were incorporated in the act. In addition to *fully unbundled access to the local loop*, these are *fast bitstream access* (limited to four years), *re-billing for fixed network subscriber connections*, *leased lines* and *access to cable ducts* (where these have sufficient capacity).

In the course of the reporting year, a number of applications for regulation of the conditions of these new forms of access were submitted. The first was submitted by Sunrise as early as mid-April and concerned the definition of conditions for fast bitstream access. Since Swisscom disputed its market dominance in this sector, it had not published the basic offer as required by law. In a partial decision on 21 November 2007, on the basis of a corresponding experts' report from the Competition Commission, ComCom found that Swisscom was obliged to offer fast bitstream access because of its market dominance. Because of an objection from Swisscom, this decision will have to be examined by the Federal Administrative Court.

From the summer onward, further applications relating to the new forms of access continued to flow in. Five related to full unbundling of the local loop and the closely associated co-location. However, several actions are still pending in relation to the other forms of access. ComCom's first decisions on the substance of the complaints are expected in early summer 2008.

Progress could be made on the current interconnection proceedings in 2007. On 14 December 2007, in two partial decisions, ComCom determined the compensation in the fixed network telephony sector for 2004 - 2006, calculated using the LRIC method (forward-looking long-run incremental costs based on equivalent assets). Four decisions by the Federal Administrative Court concerning analogous appeals also brought welcome clarification. The Court upheld ComCom's position, according to which it is competent to define access conditions, in particular prices, for the duration of the proceedings. The officially defined prices will apply until further notice, i.e. until a different solution is agreed between the parties or until a new official decision. The applicants for their part are not obliged to renegotiate or submit a new application if the opponent of the application publishes a new basic offer during the proceedings.

ComCom decisions of 21 November and 14 December 2007 (documents available in German only):

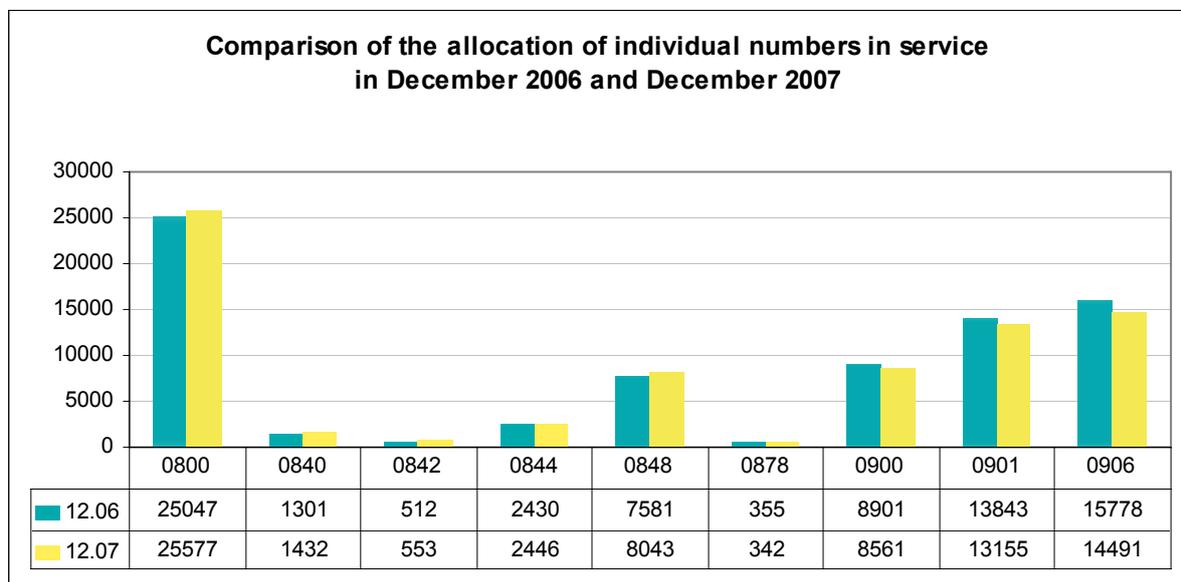
<http://www.comcom.admin.ch/themen/00500/index.html?lang=en>

Consumer protection and surveillance

Proceedings against telecommunications service providers and value-added service providers

The number of complaints lodged by consumers against telecommunications service providers or value-added service providers fell slightly in 2007. The number of complaints relating to poaching of new customers dropped progressively after the entry into force of more restrictive legal provisions, as did complaints concerning expensive SMS/MMS services. This shows that the measures taken to counter abuse in relation to telecommunications services are proving effective. On the other hand, the number of complaints by consumers disturbed by telephone sales calls increased greatly.

Although the number of administrative proceedings fell slightly, the number of revocations of value-added service numbers was particularly high in 2007. This is explained essentially by the fact that all the value-added service numbers were revoked from one service provider.



18xy short numbers: directory enquiry services

The start of the year coincided with the full opening of the directory enquiry services market. Following the abolition of the 111 short number on 31 December 2006, some fifteen providers are using the 18xy format to respond to users' enquiries. The occasionally confusing advertising for these new numbers resulted in an increase in erroneous calls to the 118 emergency number, which is the fire brigade emergency number. The competent cantonal authorities, the fire brigades' umbrella organisations, operators and OFCOM met to study the issue and provide various solutions which would limit these problems. The holders of 18xy short numbers were also requested to make their advertising messages clearer and to limit ambiguities.

SPAM

We responded to numerous requests concerning the new standards relating to unsolicited mass advertising (SPAM). To this end, detailed information was provided on our website and an information sheet was published.

SPAM:

<http://www.bakom.admin.ch/dienstleistungen/info/00542/00886/index.html?lang=en>

International cooperation

Standardisation in the telecommunications sector

Within ETSI (the European Telecommunications Standards Institute) and the worldwide standardisation body, the International Telecommunication Union (ITU), OFCOM with its specialists, monitors the standardisation work in the areas of telecommunications networks and services, in particular technical developments in new network technologies (NGN – next generation networks), broadband access networks (xDSL, FTTH), mobile telephony (GSM, UMTS), satellite broadcasting, microwave links, quality of service and security.

Standardisation in the area of addressing resources

The European Conference of Postal and Telecommunications Administrations (CEPT) has established a basis which enables all its member countries, including Switzerland, to provide harmonised public utility services defined by the European Union. It will be possible to access these using 116xxx short numbers.

ICANN, the organisation which manages the global system of addresses and internet domain names, has put in place the means which in 2008 will make it possible to create the first global and national internet domain names using characters other than those in the Latin alphabet.

Cooperation with other European regulatory authorities

In December 2007, the Independent Regulators Group (IRG) was founded as an association under Belgian law. The association structure replaces the previous informal organisational structures and point to the future of the IRG. Switzerland signed the founding documents of the association and will continue to participate in the activities of the IRG. The group's aim is to promote exchanges on regulatory issues along with the associated harmonisation of regulatory practice in Europe.

See also other international activities page 17 «Notifications», page 20 «Surveillance of telecommunications equipment», page 23 «The World Radiocommunication Conference 2007 (WRC-07)», page 24 «At international level» and from page 26 on «International Relations».

The information society in Switzerland

On 18 January 2006, the Federal Council adopted its revised strategy for an information society in Switzerland: The strategy is being implemented in a decentralised fashion. The Interdepartmental Information Society Committee (IISC), under OFCOM's chairmanship, has been mandated up to the end of 2008 to oversee coordination of the implementation of the strategy. The Information Society Coordination Group (ISCG), based within OFCOM, will be supporting the IISC in this task.

Activities of the Information Society Coordination Group in 2007

In its strategy, the Federal Council entrusted the Department with implementing three top-priority measures:

- developing a national e-government strategy (Federal Department of Finance /FSUIT),
- developing a national e-health strategy (EDI/FDHA)
- and developing a concept for handling electronic documents within the federal administration (FDHA/BAR).

These three priority measures of the strategy were at the forefront of the Information Society Coordination Group's work in 2007. Another central area of work on which the Coordination Group focussed its efforts in 2007 was the topic of «e-inclusion». In all areas it was important to participate actively with the major offices in the work on implementing the strategy, to link together players in Switzerland and to follow up activities on similar topics at the national and international level. Major progress was made in 2007 in the work of implementing the strategy.

Progress in 2007 in implementing the strategy

- The Federal Council adopted the e-government strategy on 24 January 2007. In order to implement the strategy in cooperation with all levels of the Confederation, an outline agreement was established by the Confederation and the cantons which is currently being ratified by the cantons. The strategy is being implemented under the aegis of a Confederation/cantonal management committee under the chairmanship of federal councillor Hans-Rudolf Merz.
- The Federal Council adopted the «e-health» strategy for Switzerland on 27 June 2007. On 6 September 2007, the Confederation and the cantons signed the outline agreement on cooperation in the area of «e-health». A Confederation/cantonal management committee is being set up under the chairmanship of federal councillor Pascal Couchepin.
- In October 2007, the General Secretaries' Conference discussed the report and action plan concerning «the handling of electronic files, data and documents in the federal administration» and subsequently prepared an application to the Federal Council which was submitted in early 2008.
- In 2007, on the initiative of the Information Society Coordination Group, representatives of the public and private sector joined forces around a «Network Digital Integration Switzerland» and drew up a national action plan entitled «e-inclusion – information and communication technologies for an integrated society». This plan refers to key areas of action, measures and projects which are intended to make a contribution to promoting an information society for all. The action plan was presented to the public at the «e-inclusion» seminar on 28 November 2007. This seminar also witnessed the award of the prizes for the «Knights of Communication» competition sponsored by OFCOM; federal councillor Moritz Leuenberger awarded prizes to pioneering projects aimed at reducing the risk of a digital divide.

e-government Strategy Switzerland:

<http://internet.isb.admin.ch/themen/egovernment/00067/index.html?lang=en>

«e-health» Strategy Switzerland (document available in German, French and Italian only):

<http://www.bag.admin.ch/themen/krankenversicherung/04108/index.html?lang=de>

National action plan «e-inclusion» (document available in German, French and Italian only):

<http://www.bakom.admin.ch/themen/infosociety/02030/02052/index.html?lang=de>

Award «Knights of Communication» (document available in German, French and Italian only):

<http://www.bakom.admin.ch/comknight/>

Annual report of the Interdepartmental Information Society Committee to the 2007 General Secretaries' Conference

The coordination group produced an annual report on the status of the information society in Switzerland in 2007 for the Interdepartmental Information Society Committee (IISC), which was presented to the General Secretaries' Conference at the end of February 2008.

<http://www.bakom.admin.ch/themen/infosociety/00695/01729/index.html?lang=en>

See also page 26 «The information society»

Surveillance and radiocommunication licences

OFCOM continues to develop e-government solutions and is offering its customers two new online applications: e-licensing (<https://www.elicensing.admin.ch/elicensing/public/welcome.do>) makes it possible to obtain – and pay for – radiocommunication licences online. This OFCOM project was awarded the special «Switzerland 2007» prize as part of the 7th «e-government competition» in Germany. This competition recognises projects which contribute to the modernisation of public administration through the use of internet technologies.

OFCOM also took an active part in the establishment, at the Swiss and European levels, of the virtual one-stop-shop for notification of radiocommunication equipment (<https://webgate.ec.europa.eu/enterprise-portal/>). This will facilitate market access of telecommunications equipment.

The new contract concerning the collection of radio and television reception fees was concluded between DETEC and Billag SA for the period from 2008 to 2014. It complements and defines in greater detail both the legal provisions and the fee collection agency's performance specification as laid down in the tender invitation procedure.

Véronique Gigon, Vice-Director

Telecommunications equipment

New technologies: access to the market

Switzerland has played a pioneering role and opened up the 59-63 GHz frequency band to broadband data transmission equipment. This equipment can be used to link the computer networks of two buildings which are located some distance apart. The frequencies can be used without a licence and allow data rates of the order to 100 Mbit/s over a distance of 800 m.

2007 also saw the entry into force of the regulations on ultrawideband (UWB) equipment. This equipment can be used for materials analysis (for example to examine the structure of the concrete in a motorway bridge), in soil analysis (for example in surveys of the state of the permafrost in certain regions of the Alps) and for equipment used by the general public (for example wireless links between the components of a home cinema installation).

Simplification of the requirements concerning placing of equipment on the market

From 1 January 2008, the user information for equipment offered and placed on the market no longer has to be provided in the official languages of Switzerland but only in the language of the location in which the telecommunications equipment is offered or placed on the market. In bilingual areas, it must be provided in both official languages.

Notifications

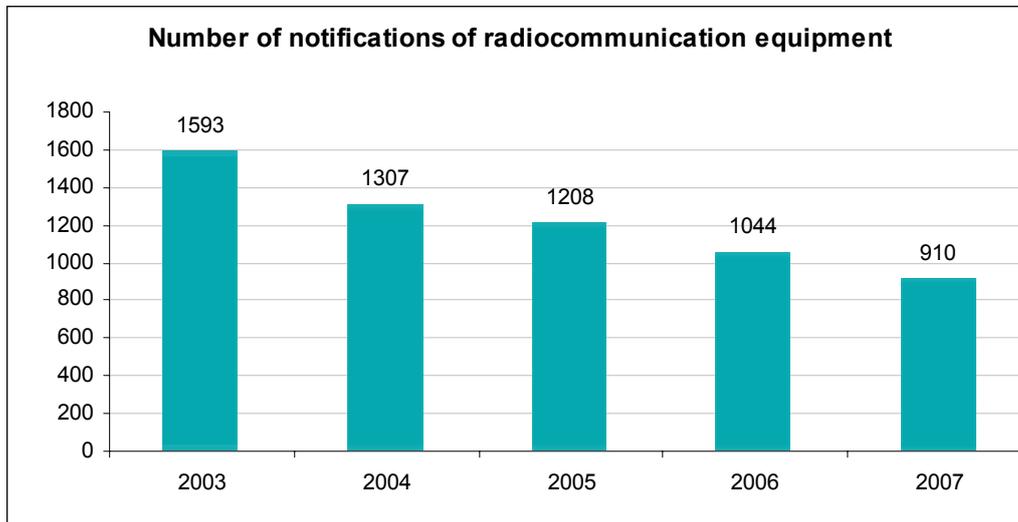
The number of notifications of radiocommunication equipment operating in non-harmonised frequency bands continued to fall compared with the previous years. In 2007, OFCOM processed 910 notifications (approximately 15% down on 2006). This number will continue to fall in the coming years because of progress on harmonisation of frequency bands within the European Union.

Notification:

<http://www.bakom.ch/themen/geraete/00566/index.html?lang=en>

Online notification form:

<http://www.bakom.ch/schalter/notifikation/index.html?lang=en>



2007 was the year in which the EU launched the internet based one-stop shop for notification of radiocommunication equipment. Known as OSN (One Stop Notification), this system – which will be up and running in January 2008 – will allow an equipment manufacturer to submit a notification to the relevant national authorities via a single internet portal.

OFCOM participated in the design of this portal in the European working groups and launched it in Switzerland at the same time as it was launched in the Union. Commissioning of this portal was accompanied in Switzerland by the cessation of billing a handling fee for all received notifications, regardless of whether they have been transmitted via the OSN portal or by other means.

See also other international activities page 15 «International cooperation», page 20 «Surveillance of telecommunications equipment», page 23 «The World Radiocommunication Conference 2007 (WRC-07)», page 24 «At international level» and from page 26 on «International Relations».

Communication systems linked to state security

The regulations applicable to the placing on the market and operation of radiocommunication systems linked to state security (for example jammers enabling neutralisation of mobile communications inside a prison, tracking systems which can be used by the police, etc.) have been specified in detail. Installation and operation of such equipment may be authorised subject to certain conditions. It is essential that this equipment is not freely available on the market and that it can be sold only to police and prosecuting authorities.

Market observation

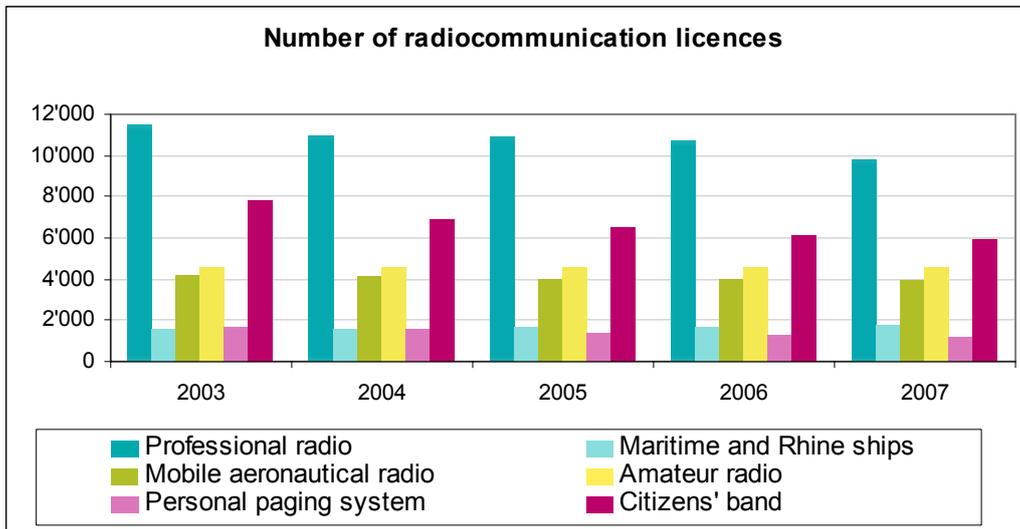
In 2007 about 100 dealers were visited in order to collect data on the market situation regarding telecommunications equipment. OFCOM contacts dealers for this purpose; they may provide information voluntarily. The trends which emerge from these observations are used in particular to define the priorities for equipment market surveillance and to adapt regulations.

Radiocommunication licences

Radiocommunication licences

The declining interest in radio licences for personal use continued in 2007 both in the professional sector and to a certain extent in the hobby sector. In the case of professional radio, this is attributable on the one hand to the fact that the use of microphone equipment – apart from that in the TV bands – has been exempted from the licensing obligation. On the other hand, the revision of license fees announced for the beginning of 2008 may have had a slight effect in advance of its implementation. The continuous decline in the citizens' band sector slowed slightly.

Fortunately, the number of amateur radio licences again increased slightly. The increasing numbers of ship station licenses also underline the trend of recent years in this sector. The figures for aircraft station licenses remained relatively stable.



Frequency use and licences:

<http://www.bakom.admin.ch/themen/frequenzen/00689/index.html?lang=en>

e-licensing: one-stop shop

e-licensing is the new offering from OFCOM's one-stop-shop. Since July 2007, it has been aimed at companies, public administrations and private individuals who would like to submit an application for a radio licence via the internet. For the time being, applications can be made for citizens' band (CB) licences and short-term radio licences on specified loan frequencies.

In a subsequent phase, other types of licences will be added.

e-government:

<http://www.bakom.admin.ch/dokumentation/medieninformationen/00471/index.html?lang=en&msgid=14594>

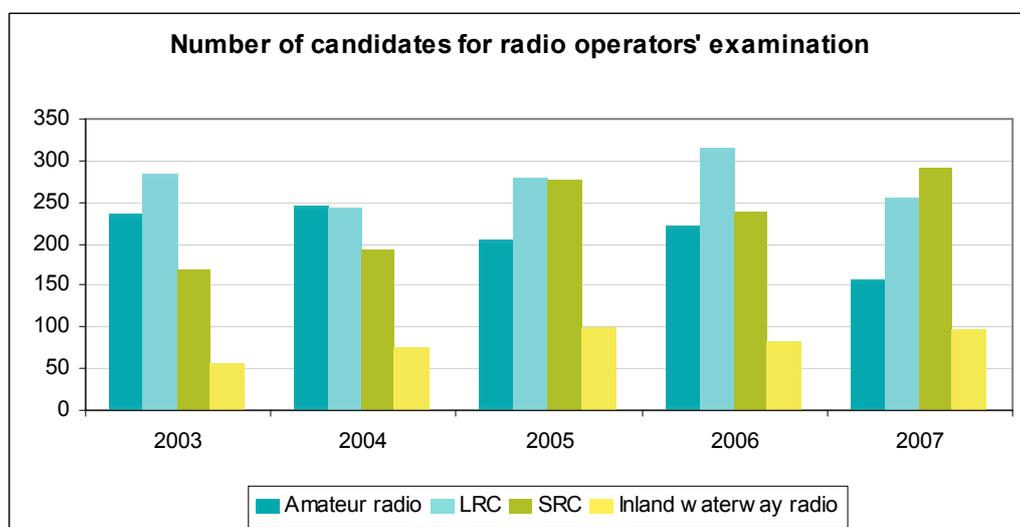
e-licensing:

<https://www.elicensing.admin.ch/elicensing/public/welcome.do>

Radio operators' examinations

The number of candidates for radio operators' examinations fell slightly compared to the previous year. Primarily in the area of amateur radio operators' examinations, a drop of about 30% was apparent.

Interest in the maritime radio examinations to acquire the Short Range Certificate (SRC) or the Long Range Certificate (LRC) has remained practically stable. In the reporting year, there was a shift from the LRC to the SRC.



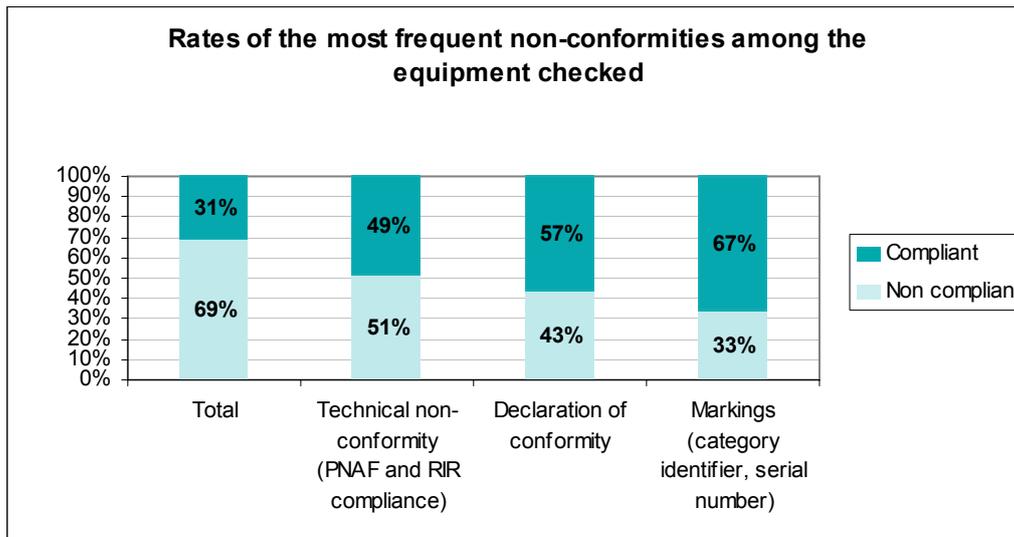
Radio operator's examinations (document available in German, French and Italian only):

<http://www.bakom.admin.ch/themen/frequenzen/01576/index.html?lang=de>

Surveillance of the market for telecommunications equipment and licences

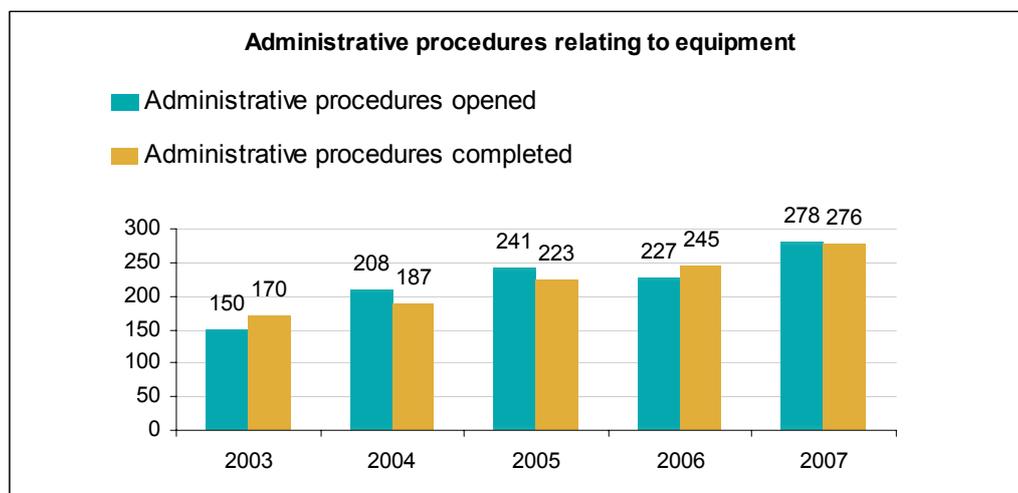
Surveillance of telecommunications equipment

The results of the second European market surveillance campaign – carried out in 2006 – were published in 2007. Switzerland also participated in this survey. The campaign focused on verifying the technical conformity of short-range telecommunications equipment (remote controls, toys, RLAN/WLAN data transmission). It was surmised that the largest proportion of non-conforming equipment would be found with this type of equipment. In fact, as was feared, the overall result was not exactly encouraging: the percentage rate of non-compliant equipment of this type in Europe (94%) is even higher than in Switzerland (77%). The other most important figures for the reasons for non-compliance in the European area essentially correspond with the figures which were obtained for Switzerland (2006 annual report).



Of the 241 items of telecommunications equipment inspected in Switzerland in 2007, only 76 (31%) were compliant, indicating that 165 (69%) did not comply with the standards in force. 51% of the equipment had technical faults.

Compared with 2006, it is possible to see an improvement in the level of technical compliance (+6%) and characterisation (+5%). Also of note is an increase in non-compliance with the requirements associated with the declaration of conformity (+5%). However, the general rate of compliance did improve (+8%).



Conformity assessment:

<http://www.ofcom.admin.ch/themen/geraete/01640/01646/index.html?lang=en>

National frequency plan:

<http://www.ofcom.admin.ch/themen/geraete/01640/01649/index.html?lang=en>

Declaration of conformity:

<http://www.ofcom.admin.ch/themen/geraete/01640/01651/index.html?lang=en>

Equipment marking:

<http://www.ofcom.admin.ch/themen/geraete/01640/01654/index.html?lang=en>

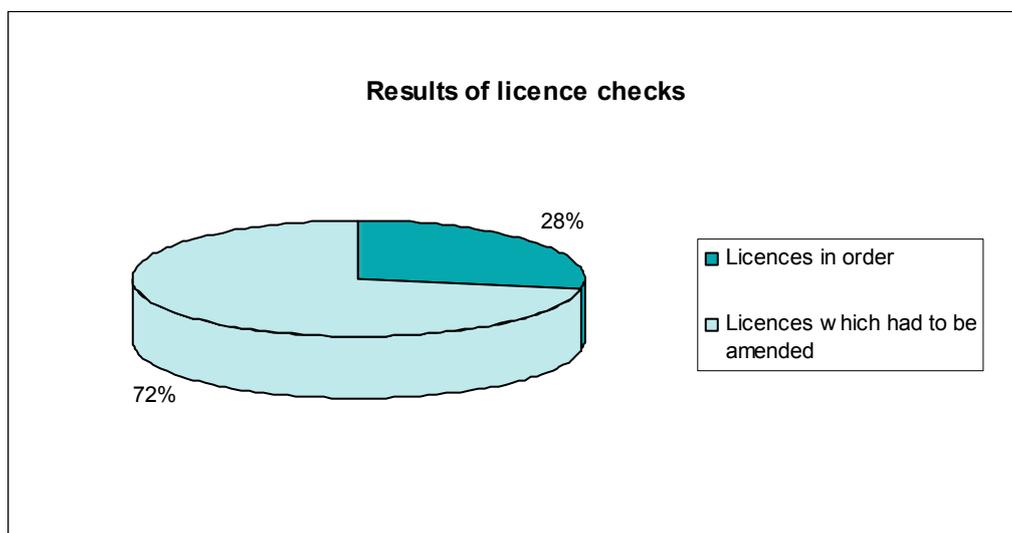
Surveillance and monitoring of telecommunications equipment:

<http://www.ofcom.admin.ch/themen/geraete/00639/index.html?lang=en>

See also other international activities page 15 «International cooperation», page 17 «Notifications», page 23 «The World Radiocommunication Conference 2007 (WRC-07)», page 24 «At international level» and from page 26 on «International Relations».

Licence checks

In 2007, a total of 233 licences were checked on the spot. Essentially, the high number of complaints and confirmed irregularities remained unchanged compared to previous years.



Checks on equipment operated without a licence and/or equipment which is not in conformity

In 2007, 286 checks were carried out. This number is typical of the last years. Specific types of licences were targeted – those which in the past revealed the most irregularities. OFCOM issued 155 fines and warnings in cases where the equipment was not compliant or was not licensed.

Surveillance and monitoring of licences:

<http://www.ofcom.admin.ch/themen/frequenzen/01629/index.html?lang=en>

Supervision and collection of radio and television reception fees

The company Billag AG was reselected as the collection agency for radio and television reception fees as of 1 January 2008 and in the reporting year the contract was negotiated with the company. This contract complements and states in greater detail both the legal provisions and the performance specification defined in the tender invitation procedure. It was possible to complete the negotiations in the first half of the reporting year. The contract was signed by DETEC in June 2007, to ensure that it would be able to enter into force in time in the new year. This brought to an end the tender procedure which began in 2005. A new concept for financial supervision of the collection agency was conceived and implemented in the reporting year.

Complaints against Billag AG decisions

The number of complaints against Billag AG decisions received remained stable in the reporting year. Approximately 50 complaints per month were received. As of the end of 2007, some 350 complaints were pending. About 10% are complaints relating to debt collection procedures. The remaining 90% of complaints predominantly concern legal issues in connection with registration, cessation of operation of equipment or exemption from fees.

Reception fees:

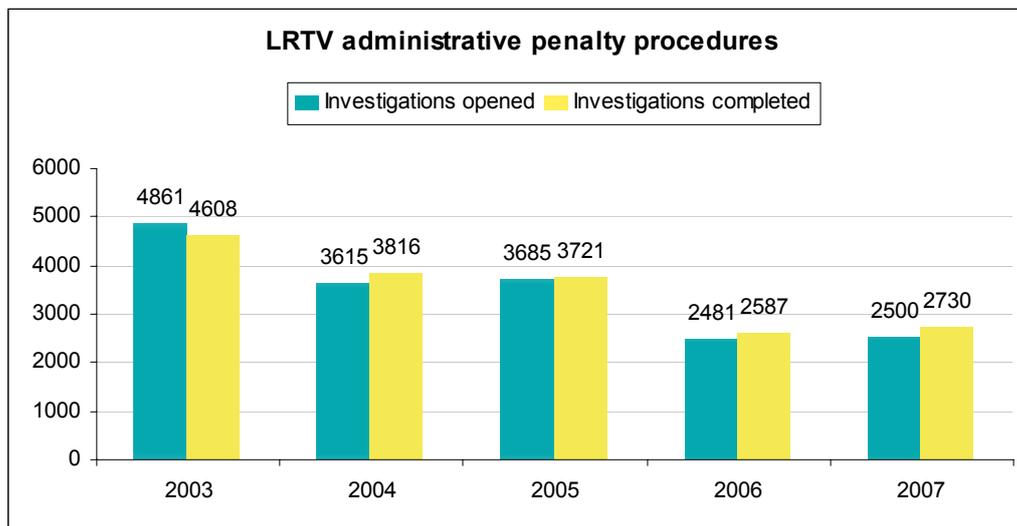
http://www.bakom.admin.ch/themen/radio_tv/00630/index.html?lang=en

Infringements of the obligation to register and pay radio and television reception fees

In 2007, OFCOM carried out more than 2700 procedures for possible infringements of the obligation to register and pay radio and television reception fees. This represents a slight increase on the previous year.

The overwhelming majority of these procedures were dealt with by penalties in the simpler abridged procedure which is more advantageous to those concerned. As in the previous year, dealing with the procedures was time-consuming, as the persons concerned frequently submitted comments and queries. The tendency no longer to accept the decision of an administrative authority without opposition also remained unchanged.

The more involved regular penalty procedure was applied in 106 cases. The procedure was dropped in 86 cases for lack of evidence.



Frequency management

In 2007, the focus of frequency management activities was on the preparation and participation in the World Radiocommunication Conference (WRC-07). Apart from other important issues and subsequent decisions, the discussion revolved principally around the question of which frequency bands should or could be made available to mobile telephony in the future. In particular, after lengthy disputes, the uppermost part of the classic television broadcasting band (UHF) was included in the international radio regulations for mobile telephony applications. From 2015 onwards, these applications will have the same priority as the existing broadcasting applications.

Peter Pauli, Head of Frequency management

Frequency planning

The World Radiocommunication Conference 2007 (WRC-07)

The World Radiocommunication Conference (WRC-07) took place in Geneva from 22 October to 16 November. More than 2'800 delegates from 164 countries took part.

WRC-07 set the course for the coming years with regard to the utilisation of frequencies worldwide. The key results are summarised below.

Mobile telephony

A primary frequency allocation in the uppermost UHF spectrum (790-862 MHz) was adopted worldwide for future mobile telephone communication systems (IMT, International Mobile Telecommunications). This gave an important signal to the industry concerning worldwide spectrum harmonisation for IMT.

Civil aviation

The frequency bands for air-ground communications and for telemetry, as well as protection of the frequency bands for radar applications, were extended.

Scientific services

In the 18 GHz band, an additional 100 MHz were allocated for satellite-based meteorology applications. This bandwidth will be used by future weather satellites to transfer the acquired data to Earth ground stations.

The frequency resources in the 9 GHz band urgently required for observation of the Earth (climate change, assessment of natural catastrophes, etc.) and space research were extended by 300 MHz. In addition, protection of various frequencies used by radio astronomy was agreed.

Broadcasting

Protection of terrestrial digital broadcasting in the 620-790 MHz frequency range from satellite-based broadcasting systems was assured. The two Russian satellite broadcasting systems will be able to continue operating, but no further new systems will be permitted.

Satellite communication

During WRC-07, the technical parameters and regulatory procedures for fixed satellite services (FSS) were revised and adapted to the latest technological developments.

See also «OFCOM Infomailings» Nos. 8 and 10:

<http://www.bakom.ch/dokumentation/Newsletter/index.html?lang=en>

See also other international activities page 15 «International cooperation», page 17 «Notifications», page 20 «Surveillance of telecommunications equipment», page 24 «At international level» and from page 26 on «International Relations».

At national level

For the first time this year, following the revision of the Telecommunications Act (TCA), the Swiss Frequency Allocation Plan was approved not by the Federal Communications Commission (ComCom) but by the Federal Council.

At international level

The Frequency Planning Section's know-how in relation to approaches to modern regulatory and technical spectrum management is acknowledged internationally and is greatly valued. In particular, those countries which are only in the fledgling stages of applying such approaches are pleased to have the possibility to fall back on OFCOM's technical expertise. In August and December 2007, OFCOM representatives, at the invitation of the ITU-D Sector and the Arab Bureau of the ITU-R, presented papers to the «4th Caribbean Spectrum Management Policy Development Meeting» in Curaçao (the Netherlands Antilles) and to the «Regional Seminar on Digital TV-Broadcasting» in Algiers (Algeria). In addition to technical exchanges, occasions of this type also promote the maintenance and development of relations at the international level which are important for Switzerland.

See also other international activities page 15 «International cooperation», page 17 «Notifications», page 20 «Surveillance of telecommunications equipment», page 23 «The World Radiocommunication Conference 2007 (WRC-07)» and from page 26 on «International Relations».

Electromagnetic compatibility

In the area of Power Line Communication (PLC) technology, it was possible to eliminate various forms of radio interference using the measurement infrastructure enhanced by our own means in the course of the year. The cooperation with Yverdon University of Applied Sciences also continued in 2007. A statistical PLC measurement technique was developed which enabled the newly developed interference suppression systems to be evaluated. This technique works on the basis of symmetrisation of the power networks in a building and is intended to reduce radiated interference from PLC systems. Various results of this work were presented at the IEEE's EMC Symposium in Pisa (Italy).

One matter handled in the domain of Electromagnetic Compatibility – Environment (EMC-E) was monitoring the implementation of the network operators' Q systems for monitoring the transmission parameters of antennas. The work of the inter-cantonal working group of the non-ionising radiation agencies was supported by an OFCOM expert.

In the area of non-ionising radiation measurements for broadcasting, OFCOM took part in the comparative measurement campaign conducted by the Federal Office of Metrology (METAS).

We were able to support a number of research projects conducted by universities of applied sciences, among other things with measurements for a Zurich University Hospital EMC register, in conjunction with the Swiss Federal Institute of Technology in Zurich.

Major issues concerning measurement were submitted to international bodies, along with our own proposals.

Radio technology

Digital dividend

The current migration of analogue broadcasting systems to digital enables improved spectral efficiency in the frequency bands used; this is also referred to as the digital dividend.

Within the European Electronic Communications Committee (ECC), we have had the lead of the work on three studies concerning the digital dividend: «Multimedia broadcasting service in UHF», «Mobile communication service in UHF» and «Usage of white spectrum in UHF». Moreover, we shall be chairing the working group of the Radiocommunication Sector of the International Telecommunication Union (ITU), which will be conducting similar compatibility studies at the global level.

59 – 63 GHz frequency range

This frequency range is in the oxygen absorption zone and is very suitable for broadband connections up to 500 m because of the high propagation absorbability. On the basis of the enquiry from a Swiss company, preliminary work was performed which will now permit unlicensed use of this frequency range from 2008 onwards.

70 / 80 GHz frequency range

The general technical and financial parameters were configured in such a way that this frequency range has become attractive for wireless gigabit transmissions.

Frequency assignment

EURO08 is already having repercussions for radiocommunication technology: Due to the extension or improvement of their networks in 2007, radio network operators active in the areas of security, infrastructure, analogue and digital broadcasting caused a continuing high demand for frequency resources.

Thanks to the preparatory work in cooperation with our neighbouring administrations, in particular the reservation and coordination of corresponding frequency ranges, we are confident that we shall be able to provide the expected high quantity of frequencies required for reportages and transmissions during EURO08.

In addition to this project work, our day-to-day work included the assignment of some 1000 new microwave links, improvements to VHF transmitter networks plus frequencies for almost 500 events such as the World Cup ski races, the WEF in Davos and the like.

We responded to about 500 enquiries related to frequencies – half by email and half by telephone. This confirms that the expert knowledge of our frequency specialists is highly appreciated by both professional users and private individuals.

See also page 12 «Market access and the universal service» and page 25 «Frequency assignment».

Radio Monitoring

This year, in addition to the ordinary everyday business (planning measurements in the VHF band, interference investigations, licence surveillance and electromagnetic compatibility measurements), we have also dealt mainly with Cable-TV networks which have been inadequately installed and maintained. For example, wrongly installed TV sockets paralysed entire fire brigade radio networks.

The proprietary computer-based remote radio monitoring system was integrated into the system architecture of the Federal Office of Information Technology, Systems and Telecommunication (FOITT). However, we were unable to implement two planned construction projects because of the latent anxiety in the population concerning electromagnetic radiation.

Notifications of interference dealt with by Radio Monitoring

Year	2007	2006	2005
Notifications of interference	335	333	254

International Relations

In 2007, Switzerland had the honour of chairing a number of international forums active in the audiovisual and telecommunications environment. Almost forty years after its last presidency of the International Telecommunication Union (ITU) Council, Switzerland exercised this function to influence developments towards an efficient and open management of the ITU with an eye to what is at stake for the sector in the future. The reform of the French external audiovisual sector, and its influence on TV5, was the subject of lively discussions in Lucerne during the TV5 ministerial conference, which brought together federal councillor Moritz Leuenberger and the ministers from TV5's partner countries. In Paris, at the General Conference of UNESCO, Switzerland provided the presidency of the Commission on Communication.

Frédéric Riehl, Vice-Director

The ITU

After more than forty years since the last Swiss presidency of the ITU Council (in 1962), the 2007 session of the Council was chaired by Switzerland. For the first time, the Council began with a ministerial meeting, responsible for providing a political orientation for the work.

Throughout this session Switzerland actively contributed to the adoption of the 2008 - 2009 budget. CHF 10.8 million will be withdrawn from the reserve funds. The revenue shortfall for the ITU following the decision to facilitate access by the private sector to the ITU-T's standardisation recommendations (free of charge) was taken into account.

In the follow-up to the World Summit on the Information Society (WSIS), Switzerland supported the establishment of a road map for the work of the ITU up to 2015. It enables the ITU to conduct effective coordination of its commitments regarding the implementation of the two lines of action for which it is responsible (telecommunications and security infrastructures).

An exchange of views between federal councillor Moritz Leuenberger and the General Secretary of the ITU took place with a view to reinforcing the ITU's international presence in its mission to overcome the digital divide.

The information society

In May 2007, the UN Commission on Science and Technology for Development (CSTD) met for the first time in its extended form to tackle its new mandate as the UN agency responsible for system-wide implementation of the UN World Summit on the Information Society (WSIS). This meeting, which is being held annually, was opened by federal councillor Leuenberger as the host of the first WSIS Summit in 2003.

OFCOM, as the national coordinator for the information society, represented Switzerland in the CSTD and is applying its WSIS experience to ensure that the CSTD can fulfil its new mission. The inexperience of the CSTD in politically delicate questions, the complex structure of the WSIS follow-up and the multitude of players involved from governments, business and civil society are the greatest challenges facing the WSIS follow-up process.

OFCOM also coordinates Swiss activities in the implementation of the WSIS decisions along the lines of the 2003 Geneva Action Plan.

As the managing office, OFCOM also coordinates Swiss activities in the area of internet governance and led the Swiss delegation to the second UN Internet Governance Forum (IGF) which took place in November 2007 in Rio de Janeiro (Brazil). Since 2006, the IGF – which was also a result of the WSIS – has been a new kind of international multi-stakeholder platform for the UN; it meets annually and discusses technical, economic, political and social aspects of the internet.

See also page 16 «The information society in Switzerland».

TV5 Monde

Switzerland exercised the presidency of TV5 Monde until the end of 2007. On this occasion, OFCOM organised a ministerial conference which took place on 9 November in Lucerne, under the responsibility of federal councillor Moritz Leuenberger. The ministers of TV5's partners (Canada, the French Community of Belgium, France and Quebec) who are responsible for this area took part in the meeting. The foreign delegations warmly welcomed Switzerland's evident commitment to finding constructive solutions, notably

in the debates concerning the reform of the French external audiovisual sector and the possible consequences for the future of TV5 Monde. Switzerland, supported by the non-French partners, insisted that the hard-won assets of TV5, in particular its brand image, its legal entity, its generalist and multilateral francophone character and its impressive distribution network, should not be lost.

In order to ensure ongoing finance for TV5 Monde and to enable it to fully achieve the goals laid down in the strategic plan for 2006 - 2009, Switzerland, following the example of the other partners, also undertook to seek additional financial resources at the conference in Lucerne. Thanks to a service agreement signed between the Confederation and the SSR, Switzerland's financial participation in TV5 is guaranteed until 2011. This represents a sum of almost CHF 8.7 million per year on average.

The Council of Europe

OFCOM coordinates Switzerland's participation in three working groups of the Council of Europe's Steering Committee on the Media and New Communication Services. Within these various groups, the Committee of Ministers adopted Recommendations which Switzerland supported, such as the Recommendation on measures intended to promote the public service value of the internet. This meets users' expectations that internet services should be accessible and affordable, secure, reliable and continuous. The Head of OFCOM's International Relations Service was re-elected to the Bureau of the Steering Committee on the Media and New Communication Services.

Within the Committee on the Convention on Transborder Television, Switzerland is part of a working group tasked with making proposals on the revision of the convention to harmonise its content with the EU directive on audiovisual media services.

Satellite organisations

Switzerland, as a member of the Consultative Committee of the European Telecommunications Satellite Organisation EUTELSAT IGO, assisted the Executive Secretariat of this organisation throughout the year in carrying out its tasks. In addition, OFCOM represented Switzerland at the 35th ordinary (biannual) meeting of the EUTELSAT IGO member states, which was held in May 2007.

OFCOM also represented Switzerland at the 31st (extraordinary) Assembly of the Parties to the International Telecommunications Satellite Organisation (ITSO) in July 2007. In the course of this meeting, the parties debated the problems encountered by the organisation in exercising its supervisory role over the company Intelsat Ltd. and adopted an amendment to the Convention intended to safeguard orbital positions and the associated frequency assignments which are part of the common heritage of the parties.

OFCOM represented and defended Switzerland's position at the 19th (extraordinary) Assembly of the Parties to the International Mobile Satellite Organisation (IMSO) in March 2007. At this meeting, the Parties decided to provisionally apply from 7 March 2007 various amendments to the IMSO Convention aimed at expanding this organisation's areas of activity.

UNESCO

The members of UNESCO met in Paris in October 2007 for the 34th General Assembly. In close cooperation with the Federal Department of Foreign Affairs, OFCOM as usual directed Swiss participation in the Communication and Information Commission. In addition, the OFCOM representative was elected as the chairman of Commission V.

In Commission V, UNESCO's medium-term strategy for 2008-2013 in the area of communication and information, together with the programme and budget for UNESCO's work in this sector for the years 2008 - 2009, was adopted. The main goals for 2008 - 2013 are the creation of a knowledge society for all, the conservation of information and knowledge, the advancement of universal access to information and knowledge and the promotion of pluralistic, free and independent media.

See also other international activities page 15 «International cooperation», page 17 «Notifications», page 20 «Surveillance of telecommunications equipment», page 23 «The World Radiocommunication Conference 2007 (WRC-07)» and page 24 «At international level».

Resources and Organisation

The entry into force of the totally revised Radio and Television Act (RTA) and the partially revised Telecommunications Act (TCA) on 1 April 2007 also involved work in key areas of the Resources and Organisation division. For example, with the transfer of all technical radio matters from the old RTA to the partially revised TCA and the associated discontinuation of the special financing of frequency management in the broadcasting sector, a number of entirely new fees were created. The fees for the radio sector, now regulated in their entirety by the TCA, should also include uniform charging models. For this reason, OFCOM's ordinances on fees were subjected to a revision under the supervision of the Finance Section. The totally revised ordinances on fees then entered into force on 1 January 2008.

In addition to the work on implementing the new legal foundations, the implementation of the Confederation's New Accounting Model represented a particular challenge. With the profit and loss account now occupying a central position (previously it was the capital finance account / cash flow statement) and the nationally introduced offsetting of services between administrative units of the federal government, there were changes not only to the Office's financial accounting structure but also to bookkeeping and procurement processes.

Christine Fuchs, Head of Finance and Human Resources

Finance

Financial developments are now shown in the form of a profit and loss account for the first time. To ensure that the values for 2007 can be compared with those for previous years, the values for previous years have been converted to the data used in the profit and loss account. (The converted values no longer correspond to those shown in the annual reports for previous years.)

The balance of CHF 29.2 million in total between revenue and expenditure shown in the 2007 profit and loss account represents the finance requirement. Although revenue in 2006 was higher than expenditure – so there was no requirement of any kind for additional finance – in 2007 CHF 29.2 million had to be provided from the general federal budget. The cause lies largely in the finance mechanisms and additional subsidies which have accompanied the new RTA.

Profit and loss account

Revenue

Total revenue in comparison with the previous year was CHF 18 million down.

CHF 5.4 million are accounted for by lower revenue from administrative fees. These are essentially attributable to changes due to the new RTA, which no longer provides for compensation from the radio and television reception fees for financing frequency management in the broadcasting sector. Instead, administrative fees are now charged according to the TCA, but these do not have to cover costs. In addition, in 2007 a considerable proportion of the radio licences in the radio and television band had not yet been awarded under the new act, so it was not possible to collect all the fees.

In the case of revenue from administrative penalty procedures (proceeds from infringements of laws and fines), there was CHF 0.5 million less revenue compared with the previous year.

In the case of earmarked receipts for subsidies in radio and television, the revenue from shares of the radio and television reception fees for local and regional broadcasters (proportions for fee-splitting) were CHF 10.1 million lower than the previous year. This was because with the new RTA – i.e. since 1 April 2007 – these quotas may no longer be shown in the government's accounts and therefore no longer appear in OFCOM's profit and loss account. Moreover, the revenue from radio and television broadcasters' licence fees fell by CHF 2.2 million. This was because according to the new RTA, charging of the licence fee in the case of retransmission of radio and television programme services was no longer applicable from April 2007.

Expenditure

Total expenditure in comparison with the previous year was up by CHF 12.6 million.

Of this, OFCOM's functional expenditure itself was up by CHF 4.3 million on the previous year. This is primarily attributable to the fact that with the implementation of the Confederation's new accounting model the internal federal cost allocation increased by CHF 3.4 million. Above all, this relates to allocated costs by the Federal Office for Buildings and Logistics and the Federal Office for IT, Systems and Telecommunication. In addition, the personnel costs within OFCOM rose by CHF 1 million, as a result of the general wages measures by the federal administration.

Subsidies in radio and television were up CHF 8.3 million in total on the previous year. This is attributable particularly to the fact that the contributions for the SRG's foreign offering (swissinfo, arte, 3sat, TV5) were increased by CHF 14.5 million under the new RTA. Compared with this increased cost, the contributions listed in the profit and loss account to local and regional radio and television broadcasters (fee-splitting) were CHF 7.7 million lower than in the previous year. This was only because under the new RTA, since 1 April 2007, they are no longer shown in the government's accounts and therefore no longer appear in OFCOM's profit and loss account. Since then, fee-splitting has been removed from the state's accounts.

Moreover, CHF 0.8 million, which could not be used in 2007 because of delayed projects, was placed in the reserves designated for special purposes. These resources will be used in 2008 in accordance with the purpose envisaged in the preceding year.

Operating account (cost and activity accounting)

Compared with the previous year, the rate of cost recovery for the three product groups combined fell from 62% to 49%. This is because on the one hand revenue fell by CHF 5.4 million (discontinuation of the compensation from radio and television reception fees for financing frequency management in the broadcasting sector) and on the other hand costs rose by CHF 3 million (internal federal cost allocation, general wage and salary measures by the federal government, higher material expenditure).

Special finance

The following changes occurred under the new RTA with regard to the cases of special finance in the radio and television sector:

Fee-splitting, local and regional radio and television broadcasters

The revenue and expenditure relating to radio and television reception fees and fee-splitting for local and regional broadcasters can no longer be shown in government accounts under the new RTA. Consequently, the funds shown under the old law in the government accounts for previous years were wound up by the end of March 2007, as far as possible. Corresponding contributions to local and regional broadcasters were paid out to local and regional broadcasters under the old law. The remaining CHF 0.2 million still in the fund will now be transferred into a new fund which will be managed outside the government accounts. The remaining resources will then go to the entitled under fee-splitting according to the new law.

Licence fees, radio and television broadcasters

Under the new RTA, licence fees are paid only by licensed radio and television broadcasters. Broadcasters who retransmit programme services are no longer licensed and therefore do not have to pay fees any more. Revenue according to the new law is strictly earmarked for special purposes and may only be used for financing media research (as before), the archiving of programmes and for investment contributions for the roll-out of new technologies relating to the construction of transmitter networks. For this reason, from April 2007 a new special-purposes fund was boosted by paying into it revenue which exceeded costs. In 2007 – according to the new act – revenue exceeded expenditure by CHF 1.6 million. This amount was placed in the new fund.

Under the new RTA, training and professional development of programme-makers is no longer financed from licence fees but from the general federal budget.

Financial development in the period 2004 - 2007

(according to the Confederation's New Accounting Model NAM)

	adapted to the Confederation's new accounting model					
1. Profit and loss account (revenue, expenditure)	2004 (CHF mill.)	2005 (CHF mill.)	2006 (CHF mill.)	2007 (CHF mill.)	Change on previous year (CHF mill.)	%
1.1 Revenue						
Function revenue – global budget	-32.4	-33.9	-33.13	-28.2	4.9	-15%
Administrative fees + resolution of reserves holiday/overtime credits	-32.4	-33.9	-33.1	-28.2	4.9	-15%
Revenue outside global budget	-37.5	-41.8	-46.2	-33.2	13.0	-28%
Radio licence fees	-17.4	-22.0	-26.2	-26.0	0.2	-1%
Revenue from administrative penalty procedures	-1.9	-0.5	-1.1	-0.6	0.5	-45%
Fee-splitting, local and regional broadcasters	-13.5	-13.5	-13.5	-3.4	10.1	-75%
Licence fees, radio and television	-4.7	-5.8	-5.4	-3.2	2.2	-41%
Total revenue	-69.9	-75.7	-79.4	-61.4	18.0	-23%
1.2 Expenditure						
Function expenditure – global budget (incl. ComCom)	58.4	56.1	53.0	57.3	4.3	8%
Personnel costs (effective on financing)	38.0	38.1	37.4	38.4	1.0	3%
Material expenditure (effective in financing)	9.3	8.3	7.6	8.6	0.1	1%
Withdrawal from reserves for specific purposes	2.1	1.3	0.9			
Depreciation (not effective on financing)	3.1	3.1	2.5	2.3	-0.2	-8%
Confederation, cost allocation	5.9	5.3	4.6	8.0	3.4	74%
Expenditure outside global budget (subsidies)	38.6	30.0	25.0	33.3	8.3	33%
Contributions to international organisations	5.1	5.6	5.3	6.0	0.7	13%
Contribution to SRG offering for foreign countries	19.6	7.0	2.0	16.5	14.5	100%
Training of programme-makers (up to 2006 incl. media research)	1.9	1.9	1.4	0.7	-0.7	100%
Contribution to media research				1.0	1.0	100%
New broadcasting technology				0.0	0.0	0%
Programme archiving				0.0	0.0	0%
Contribution to broadcasting of programmes in mountain regions				0.5	0.5	100%
Contributions to local and regional broadcasters (fee-splitting)	11.0	14.5	16.3	8.6	-7.7	-47%
MEMORJAV contribution	1.0	1.0				
Total expenditure	97.0	86.1	78.0	90.6	12.6	16%
1.3 Balance (revenue + expenditure = financing requirement)	27.1	10.4	-1.4	29.2	30.6	-2238%

2. Investment account (revenue, expenditure)	2004 (CHF mill.)	2005 (CHF mill.)	2006 (CHF mill.)	2007 (CHF mill.)	Change on previous year (CHF mill.)	%
Revenue	0.0	0.0	0.0	0.0	0.0	0%
Expenditure	2.0	1.5	1.5	2.0	0.5	33%
Balance (revenue – expenditure)	2.0	1.5	1.5	2.0		

adapted to the
Confederation's new
accounting model

3. Operating account (revenue, costs)	2004 (CHF mill.)	2005 (CHF mill.)	2006 (CHF mill.)	2007 (CHF mill.)	Change on previous year (CHF mill.)	%
Revenue (administrative fees)	-32.4	-33.9	-33.1	-27.7	5.4	-16%
Costs	58.9	56.5	53.3	56.3	3.0	6%
Balance (revenue + costs)	26.5	22.6	20.2	28.6	8.4	42%
Level of cost coverage	55%	60%	62%	49%		-13%

Special finance

4. Special finance, radio and television	2004 (CHF mill.)	2005 (CHF mill.)	2006 (CHF mill.)	2007 (CHF mill.)
4.1 Fee-splitting, local and regional radio and television broadcasters				
Revenue, related to specific purposes	-13.5	-14.5	-16.3	-8.6
Proportion of fees from radio and television reception fees	-13.5	-13.5	-13.5	-3.4
Additional withdrawal from reserves for specific purposes	0.0	-1.0	-2.8	-5.2
Expenditure, specially financed	13.5	14.5	16.3	8.6
Contributions to local and regional broadcasters (fee-splitting)	11.0	14.5	16.3	8.6
Deposit into funds for specific purposes (end of year)	2.5	0.0	0.0	0.0
Balance of funds for specific purposes (end of year)	9.2	8.2	5.4	0.2
4.2 Licence fees, radio and television broadcasters				
Revenue, related to specific purposes	-4.7	-5.8	-5.4	-3.2
Licence fees, radio and television	-4.7	-5.8	-5.4	-3.2
Additional withdrawal from reserves for specific purposes				0.0
Expenditure, specially financed	1.9	1.9	1.4	2.6
Training of programme-makers	1.9	1.9	1.4	
Contribution to media research				1.0
New broadcasting technology				0.0
Programme archiving				0.0
Deposit into funds for specific purposes (end of year)				1.6
Balance of funds for specific purposes (end of year)				1.6

Employees

Number of staff

In the reporting year, we employed 295 people, including 102 women. In the preceding year we employed 304 people (107 women). This corresponds to a female proportion of 34.6%, 0.6% less, compared to the previous year.

Linguistic distribution

About 60% of OFCOM employees speak German as their mother tongue; 33% speak French and 4% Italian. Other languages, such as Arabic, English, Laotian, Portuguese, Russian, Spanish and Thai represent approximately 3%.

Average age

The average age is 44 years.

Apprenticeships

In July 2006, for the first time, four apprentices (two German-speaking in the study area mediamatician, and two French-speaking in commercial,) successfully concluded their apprenticeship at OFCOM. We are currently training 13 apprentices. This year, unfortunately, one apprenticeship had to be terminated after an extended trial period.

The collaboration with the Lugano Trevano Art and Vocational School enabled us to offer a two-day work experience for four apprentices specialising in multimedia electronics at our facility in Gudo. We hope to be able to repeat this collaboration in 2008.

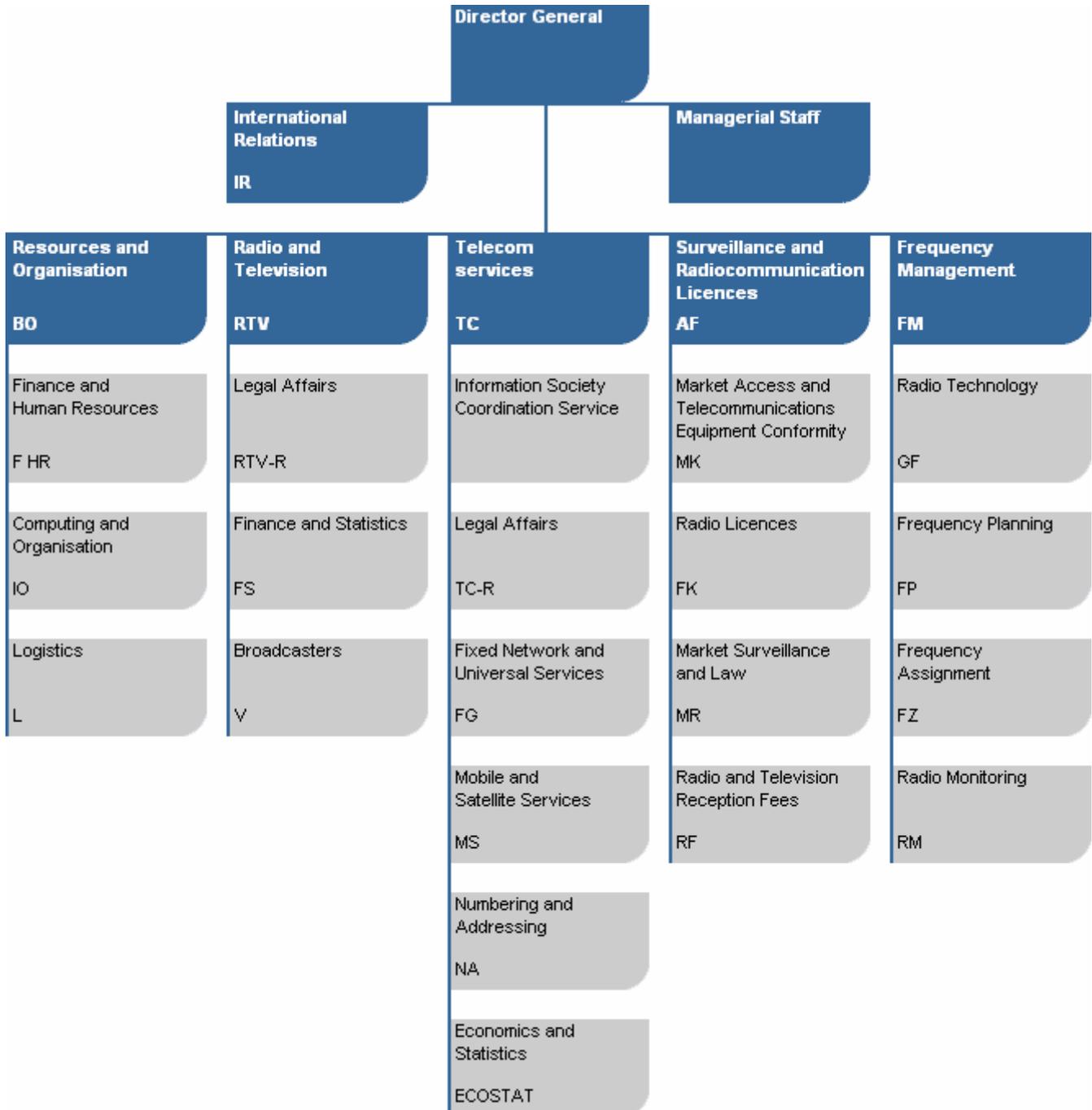
Interest in training at OFCOM has increased, so we can expect that another four new apprentices will be joining us in 2008.

Management

The management of OFCOM consists of: the Director Dr. Martin Dumermuth, the Vice-Director and Division Head Licences and Equipment Véronique Gigon, the Vice-Director and Division Head Radio and Television Matthias Ramsauer, the Vice-Director and Division Head Telecom Services Philipp Metzger, the Division Head Frequency Management Peter Pauli, the Vice-Director, International Relations Service Frédéric Riehl, the Managerial Staff Head Andreas Sutter, the Head of Communications Dr. Roberto Rivola and the Head of Finances and Human Resources Christine Fuchs.

Organisation chart

(As of 1.11.2007)



Personnel

(As of 1.11.2007)

Organisational unit	Name	Telephone +41 32 327
Management		
Director	Martin Dumermuth	5501
Head of managerial Staff	Andreas Sutter	5503
Head of Communications	Roberto Rivola	5650
International Relations		
Vice-Director	Frédéric Riehl	5454
Deputy Head	Anja Siebold Bucher	5595
Resources and Organisation		
Finance and Human Resources	Christine Fuchs	5707
Computing and Organisation	Bruno Frutiger	5520
Logistics	Peter Lendenmann	5456
Radio and television		
Head and Vice-Director	Matthias Ramsauer	5510
Legal Affairs	Susanne Marxer Keller	5948
	Carole Winistörfer	5449
Finance and Statistics	Peter Marti	5544
Broadcasters	Marcel Regnotto	5535
Telecom services		
Head and Vice-Director	Philipp Metzger	5599
Information Society Coordination Service	Philipp Metzger	5599
Legal Affairs	Annalise Eggimann	5582
Fixed Network and Universal Services	Armin Blum	5579
Mobile and Satellite Services	Urs von Arx	5856
Numbering and Addressing	François Maurer	5576
Economics and Statistics	René Dönni	5543
Surveillance and Radiocommunication Licences		
Head and Vice-Director	Véronique Gigon	5448
Market Access and Telecommunications Equipment Conformity	Gerhard Käser	5565
Radio Licences	Beat Scheidegger	5830
Market Surveillance and Law	Olivier Pauchard	5430
Radio and television Licence Fees	Daniel Büttler	5445
Frequency Management		
Head	Peter Pauli	5700
Radio technology	Daniel Vergères	5720
Frequency Planning	Philippe Horisberger	5411
Frequency Assignment	Konrad Vonlanthen	5583
Radio Monitoring	Silvio Rubli	5730

Contact

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A map and directions to our location, Zukunftstrasse 44 in Biel can be found at

<http://www.bakom.admin.ch/org/adresse/index.html?lang=en>

Locations

OFCOM has support points throughout Switzerland. This enables us to exercise our regulatory function in the interest of markets which operate satisfactorily.

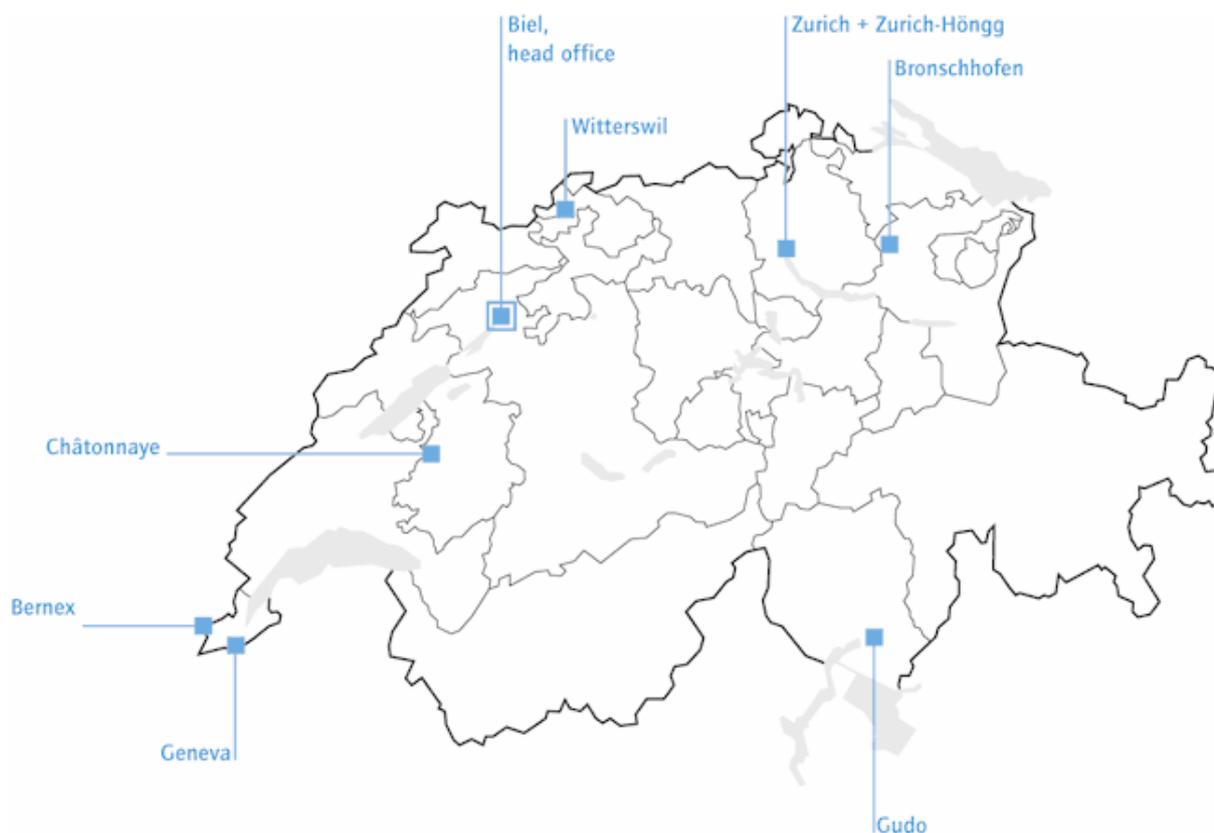


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