

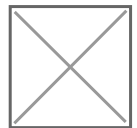
# 16 December 2011: Installation of relay masts - Mobile telephony

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**The *Autorité de la concurrence* recommends that the *Agence nationale des fréquences* (ANFR – French frequencies agency) should take certain precautions to avoid operators having cognizance of their competitors' deployment strategy and to avoid penalizing new entrants**

> Version française



Referred to for an opinion by the minister for the economy, the *Autorité de la concurrence* has just delivered an opinion concerning information exchanged under the aegis of the *Agence nationale des fréquences* (ANFR – French frequencies agency).

## **ANFR authorizes the siting of any radio equipment**

The *Agence nationale des fréquences* (ANFR – French frequencies agency) coordinates and authorizes the siting of radio stations in France, whether they are relay masts for mobile telephony, radio and television transmitters or weather radars, etc. Its remit is both to ensure the best use is made of available sites and to enforce public electromagnetic field exposure limits.

As part of the compatibility studies it conducts, ANFR collects and issues all the technical characteristics of the installation under consideration, inter alia to mobile phone operators, including: the type of the antenna and height of the mast, the frequency used, the address of the installation...

## **Mobile phone operators are in a position to find out the deployment strategies of their competitors**

Therefore the compatibility study allows operators to inform themselves about applications for installing relay masts filed by their competitors. Each operator can thus monitor in real time the deployment policy their competitors are considering: areas covered, network quality, type of clientele targeted, etc.

As a result there is a risk that the deployment policy framed by operators is no longer unbiased but rather adapted to factor in the policy of their competitors. As operators think about deploying their fourth generation networks, this situation raises concern, since the quality and coverage of a network are key factors that enable them to differentiate themselves from one another.

### **The *Autorité*'s recommendations**

Without casting doubt on these compatibility studies, which ANFR needs in order to perform its tasks, nor on legitimate public access to information, the *Autorité* proposes certain adjustments:

#### - Restrict operator access to the strategic information of their competitors

Disclosure of information to mobile phone operators should be restricted or limited to ensure that operators frame their deployment policy in an unbiased manner.

#### - Grant new entrants access to the same level of information

Since new entrants have by definition entered the market only recently, they do not have access to the consolidated information of the operators already in place, whereas the latter know about the applications of new entrants. This imbalance could therefore be rectified by granting new entrants access to this consolidated data.

#### - Find a balance between public information and these concerns

Although the public is legitimately entitled to know the locations of relay masts, the information on the public web site could be updated only when the

installations are brought into service – if ANFR deems that this is compatible with the public information obligation devolved on it by law –, to avoid operators using this data to pre-empt the strategy of their competitors.

**> Full text of Opinion Nr 11-A-20 of 15 December 2011 relating to a request for an opinion by the Minister for the Economy, Finance and Industry regarding the conditions governing the disclosure of information on the radio sites of mobile operators**

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