

Consultation on the Class License for the Provision of Public Telecommunications Services On-board Aircraft

(November 9, 2017 to January 4, 2018)

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

CRARAC 2018/04/05 (B)

April 5, 2018

On 9th November 2017, the Communications Regulatory Authority (CRA) launched a public consultation on the revision of the “Class License for the Provision of Public Telecommunications Services On-board Aircraft” and requested written comments from interested parties.

Six responses were submitted by the following parties (listed in alphabetical order):

1. Access Partnership
2. Inmarsat
3. Ooredoo
4. SitaOnAir
5. Viasat
6. Vodafone Qatar

As part of the consultation process and in the interest of transparency and public accountability, the CRA is herein publishing its responses with regards to the comments received.

Inputs Received and CRA's Position

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

Consolidated Key Comments from all Respondents			
Question No.	Subject	Key Comments Received	CRA Response
	General Comments made	<ul style="list-style-type: none"> There was general support for CRA's efforts to update and modernize the regulatory framework, particularly those related to provisioning of public telecommunication services on-board aircraft. Most respondents pointed out that a number of countries have permitted in-flight Wi-Fi internet services without an altitude limit. No respondents had concerns with the possibility of interference with terrestrial telecommunications networks or with radio equipment of aircraft as a consequence of allowing internet services to be offered onboard aircraft below 3000 meters. Most respondents also agreed with maintaining the altitude restriction on mobile communications below 3000 meters and considered that the CRA had taken into consideration <i>"all the relevant issues and debates with regards to this service"</i> A number of respondents were concerned that the License only applied to aircraft registered in the State of Qatar and not foreign registered aircraft in Qatari airspace and were of the strong opinion that <i>"Wi-Fi IFC provision on board foreign registered aircraft whilst in Qatari airspace should also be allowed at altitudes below 3,000m, including gate-to-gate"</i> 	<ul style="list-style-type: none"> CRA is grateful to respondents who took the time to express their opinions and concerns with respect to this Consultation. The CRA agrees that gate-to-gate connectivity should be allowed on aircraft registered in the State of Qatar and will update the License to reflect this. The CRA also agrees with maintaining the altitude restriction on mobile communications below 3000 meters and will maintain the current restriction in the License. It is the CRA's understanding that the cabin space inside an aircraft belongs to the state in which the aircraft is registered, regardless of where the aircraft is located. Hence this is why the License applies only to aircraft registered in the State of Qatar. While the CRA cannot prevent foreign aircraft from offering internet services below 3000 meters whilst in Qatari airspace, it will monitor the equipment on foreign aircraft used to do so, so that no interference issues arise.
1	Agree with CRA observations on telecommunications services above 3000 meters?	<ul style="list-style-type: none"> There was no disagreement with CRA observations on telecommunications service above 3000 meters. In response to the CRA's discussion of the Ku-Band in the Consultation Document (CD), Inmarsat brought to the attention of the CRA that <i>"National Regulatory Authorities (NRAs) around the world have been approving the use of Ka-band terminals"</i> 	<ul style="list-style-type: none"> No requirement for any amendments to the License for telecommunications services above 3000 meters. The CRA acknowledges Inmarsat's comments regarding the KA-band. The CRA is technology neutral and does not have any bias towards frequency bands. The CRA also wishes to acknowledge the provision of inflight connectivity by Inmarsat.
2	Any important information not considered by CRA for services above 3000 Meters?	<ul style="list-style-type: none"> There was no disagreement from respondents for this question. SitaOnAir considers that some relevant reports such as the ECC report 140 "Compatibility between RLAN on board aircraft and radars in the bands 	<ul style="list-style-type: none"> No requirement for any amendments to the License. The CRA acknowledges SitaOnAir's comments.

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		<p>5250-5350 MHz and 5470-5725 MHz should have been referred to in the in the CD.</p> <ul style="list-style-type: none"> SitaOnAir also raised the point that Qatar Airways still uses the Swift Broadband ("SBB") services provided by Inmarsat and which operates in the L-band. 	
3	Any important information or debates to bring to CRA attention on telecommunications services above 3000 meters?	<ul style="list-style-type: none"> Ooredoo submitted that in the absence of specific and harmonized agreements in Qatar and in the Region, Air to Ground (ATG) as discussed in the CD be excluded from being provided in Qatar 	<ul style="list-style-type: none"> No requirement for any amendments to the License. The CRA discussed ATG in the consultation document for illustrative purposes only. Nothing should be inferred from the inclusion of this discussion.
4	Agree with the CRA's decision to allow onboard internet services below 3000 meters?	<ul style="list-style-type: none"> There was strong support for allowing onboard internet services below 3000 meters There was concern that this proposed amendment to allow onboard internet services below 3000 meters only applied to aircraft registered in the State of Qatar and not foreign registered aircraft in Qatari airspace. 	<ul style="list-style-type: none"> The License was amended to allow onboard internet services below 3000 meters. It is the CRA's understanding that the cabin space inside an aircraft belongs to the state in which this aircraft is registered, regardless of where the aircraft is located. Hence this is why the License applies only to aircraft registered in the State of Qatar. While the CRA cannot prevent foreign aircraft from offering internet services below 3000 meters whilst in Qatari airspace, it will monitor the equipment on foreign aircraft used to do so, so that no interference issues arise.
5	Agree with the CRA's decision to not allow onboard mobile services below 3000 meters?	<ul style="list-style-type: none"> There was support for not allowing onboard mobile services below 3000 meters 	<ul style="list-style-type: none"> The License was not amended to allow onboard mobile services below 3000 meters.
6	Any challenges, if 'gate to gate' internet services are made available?	<ul style="list-style-type: none"> No respondent did foresee any challenges on allowing internet service being available from the gate. Ooredoo was "<i>not aware of any particular technical challenge resulting from the removal of the altitude restriction</i>" 	<ul style="list-style-type: none"> The License was amended to allow onboard internet services below 3000 meters
7	Any restrictions to gate-to gate connectivity should apply?	<ul style="list-style-type: none"> Ooredoo stated that the internet service (since an aircraft cabin space is considered territory of the State) should be subject to the applicable regulatory framework throughout all phases of the flight. 	<ul style="list-style-type: none"> The CRA agrees with Ooredoo that the internet service should be subject to the applicable regulatory framework throughout all phases of the flight.

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		<ul style="list-style-type: none"> Viasat had a concern that the proposed amendments to the current Class License were limited to aircraft registered in the State of Qatar. 	<ul style="list-style-type: none"> With respect to aircraft registered in the State of Qatar please see CRA's response to Question 4
8	Any negative effects on the terrestrial internet service market in Qatar?	<ul style="list-style-type: none"> Vodafone had concerns that should customer's mobile device connect to the on-board cellular network, then the customer will be charged the roaming rates. SitaOnAir stated that inflight internet services will not enter into competition with local internet service provider as the passenger will not be able to connect to an access point located inside the airport due to aircraft attenuation. As well, no interference will be experienced due to the low power level and the attenuation due to the aircraft and the airport walls. 	<ul style="list-style-type: none"> If a customer's phone is not in 'flight mode' it will automatically connect to the onboard mobile service when it becomes active as a consequence of the aircraft's altitude above 3000 meters. Customers, however will only be charged roaming rates for outgoing calls, SMS and Data as a consequence of the customer making use of these services. However, the customer may also be charged roaming rates from incoming calls. Bill shock while on-board aircraft can be reduced by the supply of sufficient information by the Service Provider to the customers so that they may make informed decision as to whether to access internet services onboard aircraft.
9	Additional state security issues likely to arise as a result of 'gate to gate' connectivity?	<ul style="list-style-type: none"> Ooredoo submitted that the applicable regulatory framework should apply. Vodafone stated that they did not see any state security issues arising as a result of gate to gate internet services. Viasat sought CRA's guidance on what measures service providers can take to meet this requirement given the system architecture of different networks. SitaOnAir stated that security issues were only relevant when the aircraft is within the Qatari airspace and that once the aircraft leave Qatar airspace, it is out of the Qatari jurisdiction 	<ul style="list-style-type: none"> No requirement for any amendments to the License
10	Any other issues or concerns that should be brought to the attention of the CRA with regards to onboard connectivity services?	<ul style="list-style-type: none"> Ooredoo were concerned that when 5G will be commercially launched the option to avail mobile service via WiFi could be available. Both Viasat and Access Partnership were concerned that limiting the option of offering G2G services to Qatari registered aircraft may encourage other regulators around the globe to apply the same measures against foreign (i.e., Qatari registered) aircraft. 	<ul style="list-style-type: none"> Notwithstanding that voice services can currently be provided over WiFi using Apps such as Whatsapp, Viber and Messenger, the CRA is not able to predict the full extent of services that will be available in Qatar as a consequence of the introduction of 5G. Therefore the CRA has not amended the License to address Ooredoo's concern with 5G services. The CRA will revisit this issue should it arise after 5G services have been introduced in Qatar. The CRA does not intend to limit gate-to-gate connectivity in Qatari airspace only to airlines register in Qatar. Foreign airlines will be allowed to offer gate-to-gate connectivity for WiFi Internet at all altitudes and mobile services at altitudes of above 3000 meters only. Were possible the CRA will continue to monitor the usage of Telecommunications

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			Services in all aircraft to avoid interference issues with terrestrial networks.
11	Any comments on amendments made to the Class License?	<ul style="list-style-type: none"> Ooredoo had concerns that the term “Service Provider” was used in two different occurrences in the document <ul style="list-style-type: none"> In article 23 in reference to a mobile service provider and In the definition of Class License in reference to the aircraft operator. Viasat requested that the CRA issue a waiver to all non-Qatari registered aircraft given such aircraft meet the safety and technical requirements in their registry and home market countries. 	<ul style="list-style-type: none"> With reference to Ooredoo’s concern, the CRA has made corrections in the License. With respect to foreign aircraft being able to offer gate-to-gate internet services, the CRA has clarified its position in this response document. The CRA has also introduced text into the License that will make it clear that foreign owned aircraft can offer gate-to-gate services at any altitude whilst in Qatari airspace but can only offer mobile services above 3000 meters.

Conclusion

The consultation process has revealed agreement with the CRA’s proposal that the License be amended to allow on-board Internet services below 3000 meters. The Consultation process also confirmed the CRA’s position that the License not be amended to allow on-board mobile services below 3000 meters.

Annex A: List of Questions Proposed by CRA

1. Question 1: Do you agree with the CRA's observations on the provision of inflight telecommunications services above 3000 meters? Please clarify your position if you do not agree?
2. Question 2: Is there important information the CRA has not taken into consideration when describing inflight telecommunications services above 3000 meters? If so please clarify your position?
3. Question 3: Is there currently any important issues or debates regarding inflight telecommunications services above 3000 meters that should be brought to the attention of the CRA?
4. Do you agree with the CRA's decision to allow onboard internet services below 3000 meters on aircraft registered in the State of Qatar? If not please provide a detailed reason?
5. Question 5: Do you agree with the CRA's decision not to allow onboard public mobile services below 3000 meters on aircraft registered in the State of Qatar? If not please provide a detailed reason?
6. Question 6: Do you foresee any challenges, if 'gate to gate' internet services are made available on aircraft registered in the State of Qatar i.e. from the boarding gate of the departure airport until the disembarking gate at the arrival airport?
7. Question 7: If 'gate to gate' internet services are made available on aircraft registered in the State of Qatar should any restrictions to the service apply?
8. Question 8: Do you think that allowing internet services below 3000 meters on-board aircrafts will have any negative effects on the terrestrial internet service market in Qatar?
9. Question 9: Are there any additional state security issues likely to arise as a result of 'gate to gate' internet services being made available on aircraft registered in the State of Qatar?
10. Question 10: Are there any other issues or concerns that should be brought to the attention of the CRA with regards to onboard connectivity services being made available below 3000 meters on aircraft registered in the State of Qatar?
11. Question 11: Do you have any comments on amendments made to the Class License for the Provision of Public Telecommunication Services On-board Aircraft as contained in Annex II of this document?