[AT] Decision on Frequency Sharing

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Peter Strothmann
Institute of European Media Law (EMR), Saarbrücken/Brussels

On 19 January 2003, the Austrian broadcasting regulatory authority, KommAustria, decided to reallocate a frequency in the dispute between Österreichischer Rundfunk (the Austrian public-service broadcasting company - ORF) and the private channel, PULS CITY TV. From July onwards, when PULS CITY TV is due to start broadcasting, channel 34 - which is currently used for terrestrial broadcasting of ORF 2's analogue programmes - will be used for most of the day in the Vienna area by PULS CITY TV. ORF will only be switched back to for a three-minute news slot and an evening news programme. KommAustria refused ORF the further broadcasting time it wanted to use for the parallel transmission of regional advertising on channel 34. It also held that special programmes which are of particular regional interest to the population of Vienna (e.g. reports on elections to the National Assembly and the Landtag), could still be broadcast by ORF. The equally vexed issue of the compensation to be granted for the joint use of ORF's broadcasting installations by PULS CITY TV was decided on the basis of a report drawn up in the course of the proceedings. KommAustria took its decision with reference to article 19, paragraph 3, read in conjunction with article 5 of the Privatfernsehgesetz (the Private Television Act). ORF is obliged at times to allow private operators to use certain frequencies on which ORF programmes are duplicated. In Vienna this affects ORF 2, which is currently broadcast on two channels in parallel (including channel 34).

Pressemitteilung der KommAustria vom 24. Januar 2003

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