



Gate One Position Paper on the ATM Data Services Provision Concept

This position paper on the ATM Data Services Provision (ADSP) concept contains Gate One ANSPs' expert insight and recommendations, which the Gate One Members believe should be taken into consideration in the interim and final reports of the study on the "Legal, economic and regulatory aspects of ATM data services provision and capacity on demand as part of the future European airspace architecture," commissioned by the European Commission.

Gate One Members support the overarching objective of the European Airspace Architecture Study (EAAS) aimed at addressing the current capacity issues and at preparing the European ATM system for the future traffic growth. Gate One Members believe it is pivotal to have a roadmap of actions the European Commission is undertaking not only following the publication of the final report of the study in June 2020, but also in relation to the future evolution of the Single European Sky.

Based on the events related to the study and the available information so far there are several aspects of the study that Gate One would like to appreciate:

- Common ATM data service layer would enable enhanced ANS flight and other information management capabilities where clear business case exists.
- Possibility for ANS providers to choose from which ATM data service provider to purchase data and further automated functions – or retain this functions in their portfolio – could give them more freedom.
- Creation of an ADS market could bring new business opportunities for today's ANSPs, which can provide their services also externally – on their own, in cooperation with other ANSPs and/or the industry, while fostering innovation & development of new services and applications for the benefit of all stakeholders.

Gate One Members would like to express their views on some key points that should be addressed in the interim and final reports of the study:

1. **Safety first** - To ensure safety, quality, service continuity, efficiency, (cyber)security etc. of the operations, ADSP should fulfil the ATM/ANS Common requirements and should be subject to the corresponding certification process. Liability issues (e. q. data quality) must be legally solved.
2. **Realistic expectations:** - The goal of the ADSP concept should be set realistically, including defining clearly the specific problems the concept aims to address. It should be clearly elaborated how the ADSP concept would enable in a more efficient way Virtual centres and Capacity-on-demand concepts compared to the current ANS provision, where cross border operations, data sharing and virtualisation become more and more explored. There should also be a clear analysis, including appropriate business case, with regards to the benefits of decoupling to the key performance areas. The current and future costs of the ATM data processing are also subject to realistic assessment and the voluntary principle and freedom to

choose a business model should be considered therein. Clear definition of “ATM data service” boundaries should be set to enable that.

3. **Clear rules for data sharing:** - The applicable legislation for data sharing shall be further assessed against the various topics as described above, to provide a transparent picture and a basis for regulatory improvements and harmonisation. This shall include questions with regards to military and conditions and costs for providing raw data.
4. **Fair and Robust Regulatory Framework:** - The ADSP concept should be integrated in the Performance & Charging Scheme subject to a thorough analysis of various factors. Any integration should not affect the performance of the ANSPs and should not change the assumptions already in place for the on-going RP3. For the next period, balanced regulatory framework must be prepared. It is important to identify and explain how incentives for early movers, outlined in the EAAS, will be provided in the future ADSP regulatory regime.
5. **Freedom to choose the business model** - The ANS providers should have the possibility to choose between contracting external ADSP and maintaining internal service provision as is today. The current ANS providers should have equal right to act as ADSP as the industry. In addition, models of ADS provision considered by the study vary substantially, especially with introduction of the union-wide model. It should be analysed and supported by a clear business case, which model - including financing mechanism - will be preferred, as it will affect decision-making of ANSPs.
6. **Protected competition:** - The risk for a potential market monopolisation stemming from the ADSP concept and entry of new aggressive competitors should be thoroughly assessed and mitigated. Only then the goals for efficiency and technological advancement could be achieved.

Gate One is a regional coordination platform established in 2013. comprising of 13 ANSPs (ANS CR, Austrocontrol, BHANSA, BULATSA, Croatia Control, Hungarocontrol, LPS SR, M-NAV, Oro Navigacija, PANSA, ROMATSA, Slovenia Control, SMATSA). The purpose of the coordination platform, is to promote the efficiency of European Air Traffic Management through enhanced cooperation among the participating service providers, as well as to ensure a more powerful and coordinated advocacy of the region in the European decision-making processes.