

CHALMERS



The role of business associations in EU radio spectrum policy-making: A company perspective

Bachelor Thesis in Industrial Engineering and Management

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Preface

This bachelor's thesis was written in the spring of 2018 at the Department of Technology Management and Economics at Chalmers University of Technology.

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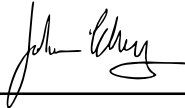
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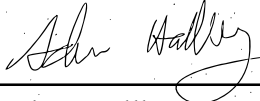
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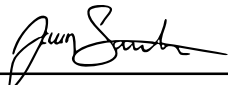
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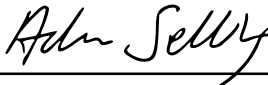
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Abstract

This bachelor's thesis looks into EU business lobbying in the policy field of radio spectrum. Companies try to influence the decision-making process in order to promote their interests. At the same time, politicians rely on companies' expertise to take informative decisions and to defend the interest of the EU citizens. The relevance of radio spectrum policy has been highlighted by the policy discussion currently ongoing in the EU revolving around the deployment of the fifth generation of mobile technology (5G). Politicians have recognized the economic and social growth that 5G can contribute to, and at the same time, companies have identified new business opportunities which will be generated by 5G.

The purpose of this thesis is to investigate the role of EU business associations. When lobbying the EU, companies often take part in business associations, pulling their resources together in order to represent their shared interests. In the context of radio spectrum policy, a way for business interests to influence EU policy outcomes is by responding to the public consultations organized by the Radio Spectrum Policy Group (RSPG).

The study relies on both secondary data collected from the responses of selected EU business associations to consultations organized by the RSPG and on primary data collected by interviewing experts from companies to capture their view on the role of business associations in radio spectrum policy. Together, both primary and secondary data are analyzed with regard to a theoretical framework describing how lobbying is generally performed within the EU.

The data shows that business associations play an important role for the companies and the benefits revolve around providing weight to opinions, protective shields against sensitive topics and credibility. On the other hand, drawbacks concern the compromises the company has to make in the formulation of opinions, global business control (global companies having great influence over the associations) and that broad associations are watering down the opinions of individual companies. In addition, the data shows that EU business associations are working in line with the theories, when it comes to the provision of information to the RSPG. However, the opinions of the experts do not fully match existing theories.

Keywords: European Union, radio spectrum, 5G, lobbying, business associations

List of abbreviations

5G	Fifth Generation Mobile Technology
CEPT	European Conference of Postal and Telecommunications
Commission	European Commission
Council	European Council
CS	Citizen Support
ECC	Electronic Communications Committee
EK	Expert Knowledge
EP	Economic Power
ERT	European Round Table of Industrialists
ETNO	European Telecommunications Network Operators Association
EU	European Union
GHz	Gigahertz
GSMA	Global System for Mobile Communications Association
ICT	Information and Communication Technology
IDEI	Information about the Domestic Encompassing Interests
IEEI	Information about the European Encompassing Interests
ITU	International Telecommunications Union
KHz	Kilohertz
Parliament	European Parliament
RSPG	Radio Spectrum Policy Group
WRC	World Radiocommunication Conference

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1. Introduction

In this bachelor's thesis, EU business lobbying in the policy field of radio spectrum is investigated. On the political arena, laws are first drafted and later voted upon on a democratic basis. Voting procedures are well known among citizens, at least in the part of the world where democracy applies. But rather few are aware of the often long process that leads to the draft of a law, before it is approved or rejected. On the political level, where democracy applies, decision-makers are advocated by the citizens to defend their interests. At the same time, a wide range of stakeholders try to shape the decision-making process, in order to safeguard and promote their interests.

The most important task of a politician is to reform already existing laws or create new ones. During this process of law-making, politicians and companies need each other. Politicians need to hear the voices of all stakeholders that are involved, in order to make informed decisions. In addition, companies can contribute to the legislative process by providing their expert knowledge. Politicians can use this expert knowledge to find relevant information supporting the legislative process, and thus companies get the chance to affect the outcome.

When a decision is made, there often are winners and losers in society. For this reason, companies will exercise their influence on decision-makers in order to maximize the chance of ending up on the winning side of the decision. An uprising and very relevant discussion among decision-makers and companies at EU level is the one around the deployment of 5G. Politicians have realized that 5G may create new business opportunities which will generate economic and social growth across the EU. At the same time, different companies from the Information and Communications Technology (ICT) industry are aware of the business potential of 5G.

Against this background, this thesis investigates business lobbying in the specific policy field of radio spectrum, as this is a key enabler for 5G deployment in the EU. In particular, the analysis focuses on business lobbying in the initial phase of the legislative process, during which a new law is formulated.

1.1. Background and problem statement

Since the 1950s, European countries have been involved in a process of integration, whereby the power to formulate various policies have been gradually extended to a supranational level. Over time, European integration has given rise to a new political, economic and social order, currently referred to as the EU. Currently, EU institutions are involved in almost every area of public policy (Buonanno & Nugent, 2013). Although the content of the EU policy portfolio has been expanding, the creation of the so-called EU single market has remained one of the core policy objectives of the EU. Creating the internal market means creating “the EU as one territory without any internal borders or regulatory obstacles to the free movement of goods and services” (European Commission, 2018). The internal market is intended to stimulate trade and competition, improve efficiency and quality, and guarantee lower prices (European Commission, 2018).

Due to the impact of EU policy-making on business activities, corporate lobbying has become progressively more popular at EU level, companies trying to influence the EU decision-making process in order to promote their interests. The expression corporate lobbying is difficult to define, however most scientific resources agree that lobbying revolves around attempts by non-decision-makers to influence decision-makers, either directly or indirectly (Strömbäck, 2011). In particular, business interests are often organized in formal collective entities. According to EURACTIV, an independent pan-European media network specialized in EU policies, 950 EU business associations, from a total of 1400 EU interest groups, operate at EU level (EURACTIV, 2010). Collective action is, therefore, important for companies in order to promote their interests, as pooling resources together generally helps promoting shared interests in the policy arena (Greenwood, 2017).

There exists a wide variety of EU business associations. These constantly interact with EU institutions, through various processes set up at EU level to facilitate and encourage the engagement of specialized stakeholders in EU policy-making. In particular, the Commission requires external assistance in order to produce sound legislative proposals. Because of this, the Commission often organizes public consultations to gather stakeholders’ views. For this reason, public consultations are considered by business interests an important channel to participate in the policy debate (Hermansson, 2016).

In radio spectrum policy, public consultations are often organized by the RSPG, which is a counselling group responsible for the development of radio spectrum policy in the EU. This thesis is focused on the consultations carried out by the RSPG, which generally take place before the legislative procedure has begun. During the drafting stage of a new law, it is crucial for interest groups to influence the direction of the policy discussion (Greenwood, 2017).

In recent years, increasing attention has been put by the EU institutions on the creation of the so-called Digital Single Market (DSM). The EU DSM is an initiative intended to create free movement of goods, services, people, capital, and data within the EU, allowing people and companies easy and fair access to online goods and services regardless of where they live or come from (European Commission, 2015). For the creation of the EU DSM, the EU institutions have recognized the need to promote EU-wide coordinated use of the radio spectrum, which is the basis for all types of wireless communications. According to the Commission, “the radio spectrum should be managed by Member States under a more harmonized framework that is consistent with the need for a Digital Single Market” (European Commission, 2015).

In the context of radio spectrum policy, several EU associations have been created to represent specific sector interests at EU level. Examples of relevant EU associations are the Global System for Mobile Communications Association (GSMA), which represents the interests of the global mobile industry; the European Telecommunications Network Operators’ Association (ETNO), which brings together electronic communications network and service providers; and DIGITALEUROPE, which is a heterogeneous group representing various business interests in the digital technology industry. Given their active participation in radio spectrum policy debates, it appears relevant to better understand the role of these EU associations in the EU decision-making process for radio spectrum regulation.

EU radio spectrum regulation is currently under review as it is expected to change in order to accommodate 5G spectrum needs. In light of recent technological development pertaining to cellular mobile technology, the EU aims to reform its radio spectrum regulatory framework to enable the deployment of 5G (5G-PPP, 2016). 5G is envisioned to be the backbone of a “hyper-connected” society, enabling the digitalization of several industries, such as logistics, manufacturing, and healthcare (Massaro, 2017).

1.2. Purpose and research questions

The purpose of this thesis is to investigate the role of EU business associations in relation to the legislative process for radio spectrum policy. The relevance of this policy area has been increasing over time, in particular since it became clear that radio spectrum plays a key role for the creation of the so-called EU DSM (Massaro, 2017). In addition, since the EU interacts with a wide range of groups representing external interests, it appears meaningful to explore the concept of business representation in the policy field of radio spectrum, not in the least because business representation is an area where studies so far have been relatively few (Dellis et. al, 2017). Nevertheless, the recent introduction of the transparency register by the Commission offers opportunities to empirically investigate EU business representation (Transparency Register, 2018).

The project intends to look at the role that EU business associations play in the legislative arena, from a company perspective. In particular, the focus of the thesis is the participation of business associations in EU public consultations. These consultations are a tool for interest parties to try to reach out to the policy debate and influence the decision-making process. In addition, the business interests related to radio spectrum of large multinational companies operating in the ICT sector are taken into consideration. More precisely, the goal is to answer the following research question: To what extent do existing theories on EU corporate lobbying accurately describe the activities of real world EU business associations, in radio spectrum policy? Two sub-questions are formulated, in order to answer this research question:

- What information do business associations provide during public consultations?
- What are the benefits and drawbacks of being part of EU business associations?

In order to answer these research questions, a theoretical framework, based on various theoretical contribution regarding EU corporate lobbying, has been used to analyze primary data collected by means of expert interviews and secondary data collected from EU official documents. The subjects have extensive knowledge regarding radio spectrum policy in the EU and are employees of multinational companies in the ICT sector.

1.3. Scope and delimitations of the thesis

In this thesis, a company perspective is adopted to understand the role of EU business associations in the EU decision-making process for radio spectrum policy. The company used as a point of reference is a well-established multinational company within the ICT sector. The reason why a company of this character was selected is because ICT multinational companies play a vital role for the development of 5G (ITU, 2017).

In addition, multinational ICT companies are connected to EU business associations at different levels, such as: a full member, an associate member, or an observer. By limiting the scope of this thesis to big multinational ICT companies, the conclusions of this thesis cannot be generalized to other types of companies, such as mobile operators. In addition, the analysis conducted focuses on three business associations: GSMA, ETNO, and DIGITALEUROPE. Although these associations are among the largest ones, as well as among the most frequent responders to RSPG consultations, there is a wider range of EU business associations which have not been included in this study.

1.4. Structure of the thesis

The remainder of the thesis is structured as follows: chapter 2 aims to provide the reader with a basic level understanding of key concepts for this thesis, such as the EU legislative procedure, the lobbying phenomenon, and the radio spectrum; chapter 3 describes the theoretical framework which includes a set of theories relating to the topics of lobbying and influence that will be utilized later in the study; chapter 4 explains the methodology used to carry out this thesis, as well as which analytical tools have been used; chapter 5 presents the results generated from the study, which are then analyzed and discussed in chapter 6; chapter 7 concludes this thesis by suggesting possible directions for future research.

2. Key concepts

In this section the different key concepts that used in this thesis are explained. These concepts are related to each other and are introduced to understand the impact the different concepts have on the legislative process in the EU.

2.1. The European Union

After the end of World War II, many European countries realized that cooperation across borders was a vital step towards preventing future wars. This led to the creation of the European Communities, which in their early phase were created to build common markets after the war. Over the next few decades, more European countries joined the organization, and in 1993 it was officially named the EU (European Union, n.d.).

Since the 1990s, the EU has been working on increasing the bonds between its member states, allowing easier travel and communication. Today, the EU consists of 28 member states, and is the largest trade bloc in the world, as well as the world's biggest exporter of goods and services (European Union, 2018). The EU is now a supranational entity, which means that, in certain policy areas, EU member states have agreed to transfer, to some extent, regulatory power to the EU institutions (European Parliament, 2017). As a result, EU regulations permeate many parts of the society and therefore affect markets both within and outside of the EU.

2.1.1. Key EU institutions involved in the production of EU laws

The EU generally pursues its policy objectives by drafting new laws (Massaro, 2017). Three institutions are primarily involved in the legislative process: The Commission, the Parliament, and the Council.

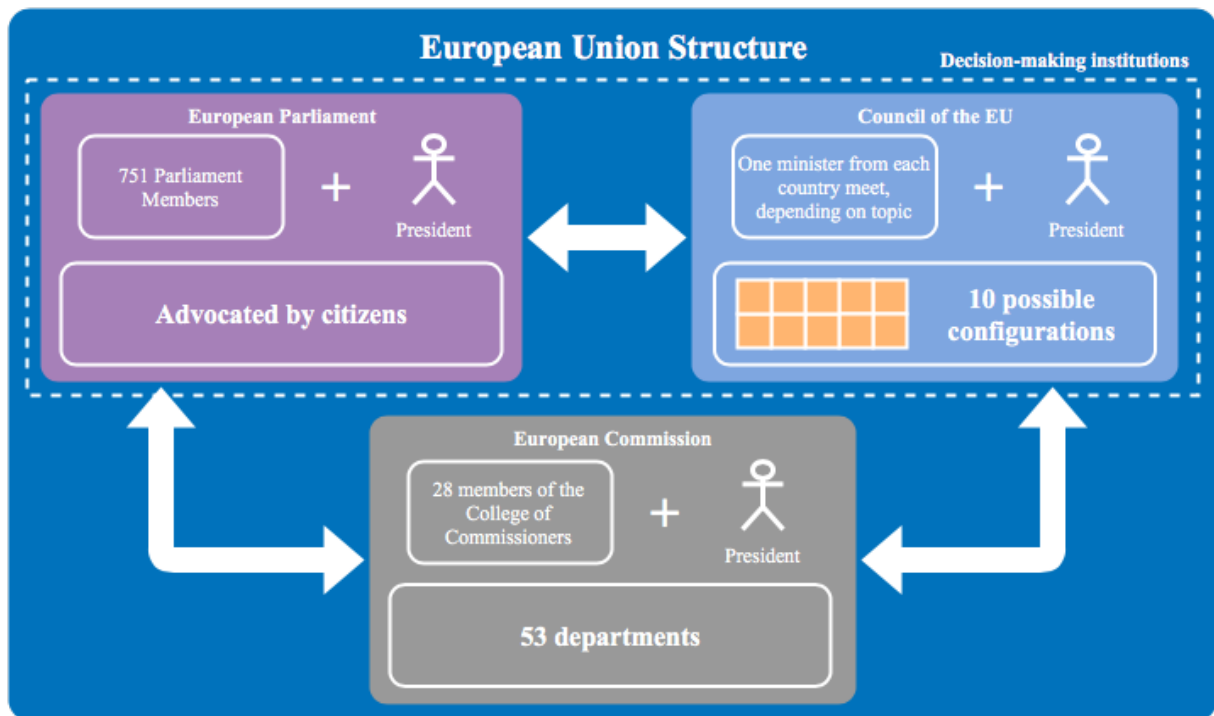


Figure 1. Structure of the European Union

The Commission has the power to initiate legislative proposals. As stated in the Treaty on the EU “*The Commission shall promote the general interest of the Union and take appropriate initiatives to that end*” (European Union, 2008). In fact, the role of the Commission is to “*defend the interests of the EU as a whole*” (European Commission, n.d.). The Parliament and the Council can request the Commission to draft a legislative proposal, however they cannot do the initiating themselves (Nugent, 2010).

The Commission is composed of the College of Commissioners and several policy departments, called Directorates-General (European Commission, 2018). The College of Commissioners counts 28 commissioners, one from each member state, and it is led by a president, currently Jean-Claude Juncker from Luxembourg (Nugent, 2010). The DGs have the responsibility to propose laws but also take initiatives, and manage EU programmes within their respective policy area (European Commission, n.d.). Examples of DGs are Agriculture and Rural Development, Energy, and Environment (European Commission). Members of the College provide the DGs with guidelines and instructions, in accordance with the overall strategy of the College (European Commission, 2014).

The Parliament is one of the two decision-making institutions in the legislative process, the other being the Council. The Parliament and the Council have to agree on the legislative

proposal put forward by the Commission, in order for this to be adopted (Council of the EU, 2018). The Parliament consists of 751 Members of Parliament (MEPs), and one President, currently Antonio Tajani from Italy. The MEPs are directly elected by domestic voters in so called EU-elections, and they represent the political interests of their voters. The Parliament is divided into eight political groups, which the MEPs can be a part of (European Parliament, 2018). The two biggest parties are EPP (European People's Party - a right-leaning party of Christian Democrats) (European People's Party, 2018), and S&D (Socialists and Democrats - a left leaning party of socialists and democrats) (Socialists and Democrats, 2018).

The Council, often referred to as the Council of Ministers, is one of two main decision-making bodies of the EU, together with the Parliament. As mentioned above, the role of the Council is, together with the Parliament, to vote on proposals put forward by the Commission. The Council consists of government ministers from each EU member state. There are ten different Council configurations: which ministers are present at the Council changes as the topic of discussion changes (The Council of the EU, 2018). Unlike the Commission and the Parliament, which, to a large degree, focus on the EU's common interests, the Council represents national interests (The Council of the EU, 2018).

2.1.2. The ordinary legislative procedure

Generally, new EU laws are adopted by following the so-called ordinary legislative procedure, as disciplined in the Treaty of Lisbon (European Union, 2007). In this procedure, the role of the Commission is to propose new laws, and it is the only EU institution empowered to do so. The Commission's legislative proposals must be agreed upon by the Parliament and the Council in order to be adopted.

The ordinary legislative procedure is divided into several steps, involving the legislative proposal, the first and second readings, the conciliation, and the third reading, as shown in Figure 2.

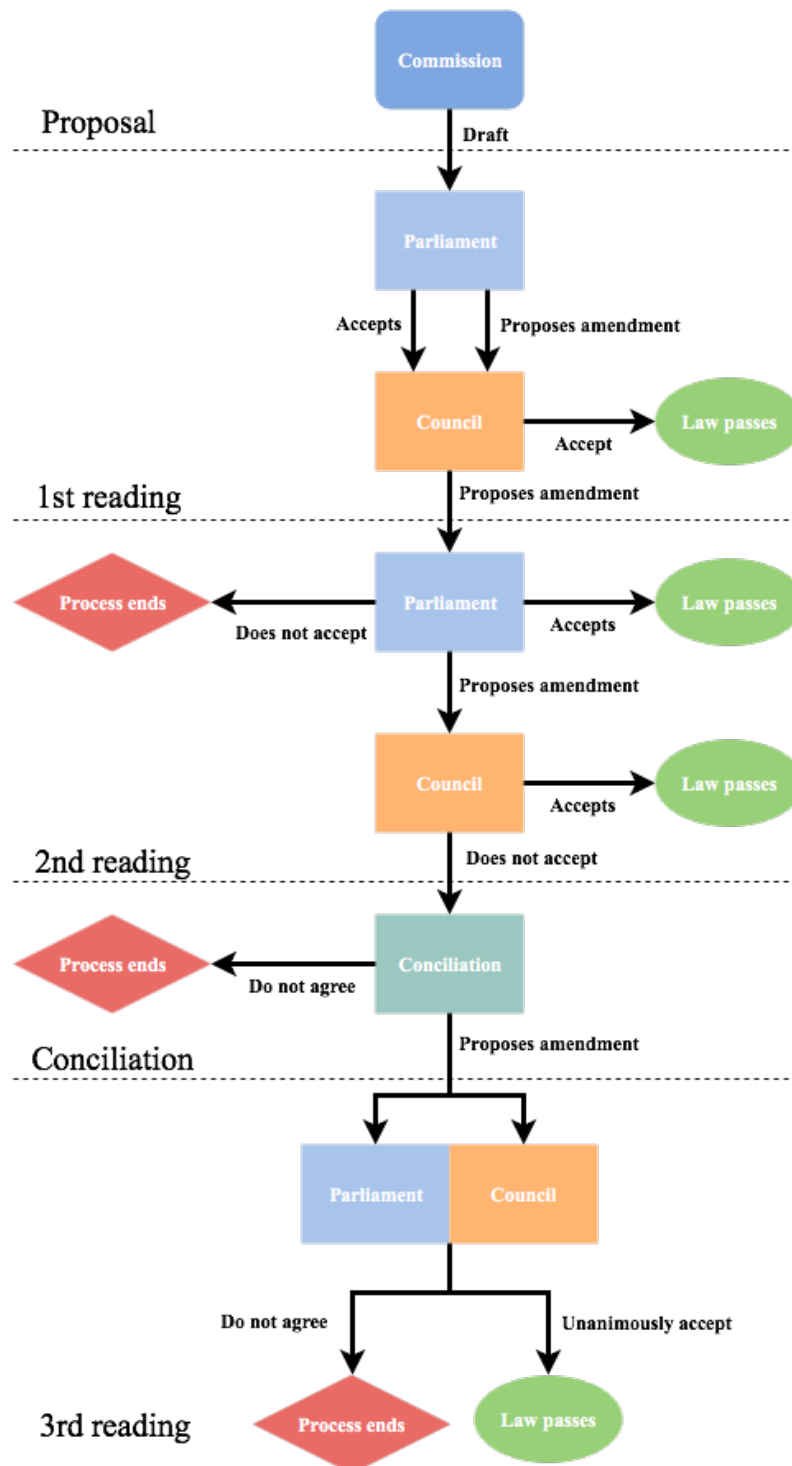


Figure 2. EU legislation process

The process is initiated when the Commission submits a legislative proposal. This proposal is reviewed by the Parliament at first reading. During this reading, the Parliament can choose to either accept the proposal or amend it. After the Parliament's first reading, the proposal is examined by the Council which can choose to either accept the Parliament's position, which means the legislative act is adopted, or amend the proposal. If the Council decides to amend, it is sent back to the Parliament for a second reading.

During the second reading the Parliament examines the Council's proposal and can choose to either accept it, which means the legislative act is adopted, reject it, which means the act will not be adopted and the entire procedure is ended, or make amendments and return it to the Council. The Council can then choose to either approve the Parliament's amendments, which means the legislative act is adopted, or reject the amendments, which leads to the formation of a conciliation committee. The committee has to agree on a proposal to be agreed upon by both Parliament and Council, the committee comprising an equal amount of members from both institutions. If the committee cannot agree on a proposal, the proposal is not adopted and the legislative procedure is ended. If the committee manages to agree on a proposal, that text is sent to the Parliament and the Council for a third reading.

During the third reading, both the Parliament and the Council have to agree on the text submitted by the conciliation committee in order for the proposal to be accepted and adopted as a new law. If one of these bodies rejects the proposal, it will not be adopted, and the procedure is ended.

The ordinary legislative procedure is generally quite slow. Therefore, the EU institutions have created informal processes to speed the procedure up. It is common for the Commission, the Parliament and the Council to have informal meetings, called trialogues, with the purpose of getting the Parliament and the Council to reach an agreement on the legislative proposal, usually at first reading (Council of the EU, 2018).

2.2. Radio spectrum for mobile communications

The radio spectrum forms the basis for all wireless types of communication e.g. Wi-Fi and cellphones. It is the part of the electromagnetic spectrum between 9 kHz and 3000 GHz, with wave lengths varying from a single millimeter to several thousand kilometers (PTS, 2014). As more and more technologies make use of wireless communications, the radio spectrum can be used in a wide range of areas, e.g. transport, industry and television broadcasting. However, the radio spectrum is a limited natural resource, and the increased demand for access has increased the importance of coordinating spectrum use for maximum efficiency (PTS, 2014).

According to the EU, coordinated use of radio spectrum is important for the creation of the DSM. With the emerging development of 5G technology, and an increasing number of

products (e.g. smart connected products) and services demanding it, the discussion on how the radio spectrum should be regulated in the EU has become particularly intense. An important aspect is guaranteeing EU-wide availability of spectrum, which is necessary for the deployment of 5G across Europe.

2.2.1. The importance of 5G in the EU

As the connected society is rapidly growing on a global level, it is of the utmost importance to find international solutions that allow for an effective use of new technologies. With the introduction of the Internet of Things (IoT), which requires a huge technical expertise of manufacturers and amount of resources, 5G will be an important part of supporting a sustainable mobile infrastructure worldwide. IoT will affect most areas of society: healthcare, industry, energy, automotive and media/entertainment (European Commission, 2017). The characteristics of current 4G networks are considered not sufficient to make this “hyper-connected” society a reality.

According to a study forecasting 5G socioeconomic benefits, the introduction of 5G in the automotive, health, transport and energy sectors will create 2.3 million jobs in the EU (European Commission, 2016). According to ABI Research, which delivers digital business initiatives to companies, mobile broadband operators involved in 5G will acquire revenues of around \$225B annually by 2025, of which \$113B are within the EU (ABI Research, 2016).

The EU is already at work with implementing 5G through the 5G Infrastructure Public Private Partnership (5G-PPP). This initiative is a cooperation between the Commission and the European ICT Industry (European Commission, 2016). The 5G-PPP describes the main issues of 5G implementation as well as its necessities as follows:

- Providing 1000 times higher wireless area capacity and more varied service capabilities compared to 2010.
- Saving up to 90% of energy per service provided. The main focus will be in mobile communication networks where the dominating energy consumption comes from the radio access network.
- Reducing the average service creation time cycle from 90 hours to 90 minutes.
- Creating a secure, reliable and dependable Internet with a “zero perceived” downtime for services provision.

- Facilitating very dense deployments of wireless communication links to connect over 7 trillion wireless devices serving over 7 billion people.
- Ensuring for everyone and everywhere the access to a wider panel of services and applications at lower cost.

The importance of 5G in the EU is hence not only of economic value, but also social.

2.2.2. Radio spectrum regulation in the EU

Although national institutions still decide on the use of the spectrum in their national territories, EU institutions have gradually acquired certain powers to regulate aspects of radio spectrum use. The main institution involved in developing radio spectrum policy at EU level is the Commission. The Commission aims to promote coordination among EU member states with regard to radio spectrum management and use, for the benefit of the DSM. With the aim to promote coordination among EU member states. To achieve this, the Commission started the Radio Spectrum Policy Programme (RSPP) in 2012.

RSPP contains guidelines for how the radio spectrum should be used now and in the future (European Commission, 2018). The following definition is given on the Commission's website:

“The programme [RSPP] aims to enhance the efficiency and flexibility of spectrum use, as well as preserving and promoting competition. By supporting specific spectrum needs (such as for wireless broadband communications, transport, environment protection, Earth surface monitoring or research and space exploration), the RSPP objectives are rooted in the overall goals of the EU's Radio Spectrum Policy.”

The Commission has two advisory bodies dedicated for this matter. The RSPG and the Radio Spectrum Committee (RSC). The RSPG is an advisory group which looks not only on the technical benefits of implementation of policies, but also questions regarding e.g. social, cultural and economic matters. The RSC is more focused on harmonization conditions across Europe (European Commission, 2018). These bodies are very important for regulations regarding policies and regulations in the radio spectrum. The importance of coordination between EU member states is vital in maintaining existing areas of communication, for

example radio-communications in the aviation sector and developing new areas of communication such as the 5G.

The RSPG is a counselling group responsible for the development of the radio spectrum policy (European Commission, 2018). RSPG is defined by the following paragraph, taken from the Commission's website:

“The RSPG contributes to the development of a Radio Spectrum Policy in the Community that takes into account not only technical parameters but also economic, political, cultural, strategic, health and social considerations. The high-level advisory group also considers the various potentially conflicting needs of radio spectrum users with a view to ensuring that a fair, non-discriminatory and proportionate balance is achieved.”

RSPG supports the Commission by providing advice and counselling in questions regarding the radio spectrum (RSPG, 2018). In order to do this the RSPG often seeks support from external parties, both commercial and non-commercial. RSPG does this by opening up consultations on their website, to which anyone can respond. All answers are made public and can be read by anyone interested. After consultations have been completed, the RSPG advises the Commission in the questions. These consultations comprise the lobbying activities in the radio spectrum area in the EU, since this is where individual actors try to influence politicians.

2.2.3. Spectrum regulations from national to EU level

In the recent legislative proposal to review the EU regulatory framework for electronic regulation, which pertains radio spectrum regulation as well, the Commission sought more coordination by the member states (5G-PPP, 2018). This is to provide more unified regulations for the future coordinated use of radio spectrum frequencies. Without coordination between the member states, a homogenous radio spectrum and the opportunities arising with the 5G-technology will become difficult to optimize and, in worst case scenario, hold back innovation and further development to reach trans-EU networks.

The regulation on radio spectrum exists at three different levels: international, regional and national (Massaro, 2017). The International Telecommunications Union (ITU) regulates the distribution of radio spectrum at international level. The ITU organizes World

Radiocommunication Conferences (WRC) every third or fourth year where representatives of countries members of the ITU discuss the radio regulations. All the EU member states are also members of the ITU. The ITU is also divided into regions and the member states in the different regions have started organizations to improve cooperation and contribute with discussion in the regions. For instance, the European Conference of Postal and Telecommunications Administration (CEPT) coordinates cooperation on regional level between countries in Europe (Massaro, 2017).

The EU also has the ability, to control and affect radio spectrum use to a certain extent. On the first level, the EU influences the radio spectrum framework by the presence of the Commission (Massaro, 2017). The Commission has the opportunity to attend the international negotiations about radio spectrum regulations and can see the impact and actions of the member countries. The EU can also affect the regional level. Here they encourage accessibility throughout the EU and use political elements that are legally binding for the countries that are members. Then CEPT and the Commission cooperate to contribute to harmony and understanding in the EU. The EU can also affect the national level regulated spectrum. Although the NRA still has the primary responsibility to decide, the EU can still affect national legislation by encouraging member states to adopt specific instruments that are regulated.

2.3. The lobbying phenomenon: A review of previous studies

The following section concentrates on further strengthening the background information presented in this study, solidifying the reliability of the conclusions eventually drawn from the study. More specifically, this chapter goes into detail explaining the phenomenon of lobbying, by looking back at how it has been utilized historically. The purpose of this is allowing discussion in later chapters to use patterns from the past as a guideline towards understanding business lobbying towards the Commission, when formulating legislative proposals.

2.3.1. What is lobbying?

Lobbying is defined as the activity in which external actors, often referred to as interest groups, attempt to exert influence over legal decisions within the political government. The name derives from the early days of government, when attempts to influence decision-makers often took place in the lobby of the building with the legislative chamber (National Museum

of American History, n.d.). These attempts can take many different forms, depending on who is lobbying, what is being decided on, and who the target of the lobbying action is. Interest groups can be anything from individuals, to private corporations, or legislators themselves, while the targets are usually individuals or agencies wielding regulatory or legal power - the end goal of the lobbyist generally being ensuring the outcome of the topic falls in line with a desired agenda (National Museum of American History, n.d.).

With lobbying, a discussion of morality and ethics usually follows close behind. Whether or not powerful private actors should be allowed to use their own social or economic status to steer legislature in a direction that protects their interests at the expense of equality is a topic that's been brought up for discussion since as long as lobbying has been around. Many argue that lobbying and corruption are two sides of the same coin, as evidenced by many powerful figures throughout history controlling governmental agencies through bribes – for instance the Italian mob in the United States in the early 20th century. Nevertheless, many others disagree with the correlation established between the two concepts (Stahl, 2011), claiming that lobbying practices are a constitutional right of all people, protected by the First Amendment to the United States Constitution, which among other things states that any individual must be allowed to petition for a governmental redress of grievances. Essentially, this points to the fact that attempting to influence politicians in a legal manner is part of every person's right to address their concerns regarding the flaws of society (Byrd, 1987). The constitutional rights are obviously limited to the United States, but understanding the First Amendment and its impact on the American society is key in the discussion about whether lobbying should be allowed – not in the least because lobbying has historically been more prominent in the United States than in other countries and groups (Lowery et al, 2008). However, the same debate is taking place all across the free world, further complicating an already complex legislation process (Byrd, 1987).

Additionally, decision-makers as a general rule do not have the time to personally delve deep into the intricate details of each individual issue being handled by them. Lacking knowledge means that the person in charge will not be able to unilaterally come to the most well-informed and logical conclusion (Meyers and Associates, 2015). Therefore, relying on the expertise of external stakeholders with a high grade of experience within the area in question is an absolute necessity. This, however, comes with its own trade-off, as these advisors all hold their own personal agendas, meaning that lobbying is not necessarily limited to actors

completely external to the decision-making process. This essentially means that no matter how strictly a government attempts to regulate away from outside influence, there will always be a certain degree of subjectivity and individual preference present in legislative processes, positing the question of whether it is even theoretically possible to entirely remove influence from legislation (Meyers and Associates, 2015).

Moreover, lobbying can be performed by accessing decision-makers through a variety of different channels. There is the obvious option of directly lobbying a decision-maker (Hansen, 1991), but also through manipulating public interest is a way of getting to the politicians (Kollman, 1998), or getting involved in the election process stage in order to ensure that the elected official has the same views (Fordham and McKeown, 2003). All of these are forms of influence activity, but it can be hard to quantify and compare outside their respective categories (Dür, 2008).

To make matters even more complex, there's also the phenomenon of counteractive lobbying. This means that even when an interest group on paper seems to have been unsuccessful in getting their preferences through on a certain issue, they could still have impacted the process by avoiding an even worse outcome attempted by a rivaling lobby group, meaning that lobbying can be present even in situations where the data doesn't explicitly show it. This can also be true on the other side of the spectrum: if an interest group's preferences fall in line with public opinion, the group's actual impact on the outcome can be overestimated (Austen-Smith & Wright, 1994).

Finally, there are also several different phases of the legislative process where lobbying can be attempted. Everything from how the initial agenda for a certain issue is put together, to the actual decision-making process, to the implementation of the legislation is subject to influence from external actors. The level of influence from an interest group can therefore seemingly disappear, if it took place early on (Dür, 2008).

2.3.2. Lobbying in the EU

A solid basic level of understanding of the lobbying phenomenon is a necessary building block towards the analysis following later in the study. Nevertheless, it does need to be more concretized to the topic actually covered in this study. Therefore, it is important to link

lobbying to the area studied: the EU. The EU brings with it new opportunities and problems, which will be considered in this subchapter.

As previously stated in section 2.3.1, lobbying has traditionally been most prominently featured in the United States. According to Lowery et al (2008), *“There seems to be hardly any research dealing specifically with the policy consequences of interest representation in the European Union.”* As a result, the reliability of conclusions drawn from any new influence study looking at the EU is put into question, due to limited amount of previous research available for backing up results.

However, in spite of this, the number of interest groups frequently appearing in relation to the EU has been steadily increasing since the 1980s (Greenwood, 2003). These have the ability to provide resources such as knowledge, information, money, or expertise, to the decision-makers within the EU, in exchange for being granted access to policy making (Dür, 2008). The level of influence power a certain group carries can depend on any number of factors, which can be broken down into two categories (Kohler-Koch, 1994):

- The value that the group’s resources provides to the decision-maker.
- The supply of alternative sources for the resources provided.

Providing useful resources to the decision-makers, at its core, comes down to how lobbyists can help strengthen bids for re-election, or implementing a certain policy in accordance with preference. Simplified, how the interest group can be of direct or indirect benefit to the politician in question. It thus becomes a competition of interest groups trying to cater to the needs of the decision-makers, with those that manage to diversify themselves and offer something exclusive – either better resources, timing, or similar - generally having the most success (Dür, 2008).

Interestingly, however, most studies tend to indicate that influence attempts from interest groups toward the EU are generally unsuccessful. Why this seems to be the case is not necessarily easily explained. Dür (2008) attempts to do so by looking at some definite obstacles for lobbying the EU:

- Once elected, decision-makers are more unwilling to change their stance on an issue.
- The public has the ability to punish politicians for unpopular decisions.

This stems from the fact that if politicians have publicly stated their opinion on a certain issue, it can be difficult to suddenly turn around without seeming indecisive – causing confusion or even distrust among the voters. This is especially true for topics where the public has a very strong opinion. Choosing between the benefits of working with a small interest group against the large public can thus be a tricky balancing act between personal and public interests (Princen and Kerremans, 2008). This is one of the reasons some researchers claim that interest groups are only ever able to influence smaller technical details of legislation – never core aspects (Dür, 2008).

2.3.3. The Transparency Register

As explained in the previous subchapter, the most commonly discussed issue with lobbying rotates around the concepts of morality and ethics. Companies do not necessarily like to admit their lobby activities, due to general public distrust toward lobbying. In this regard, measures have already been made within EU to take lobbying activities in consideration, the transparency register being one example. In the transparency register, various information on interest representation in the EU can be found (Transparency Register 2018). The Transparency Register was founded to make the decision-making process in the EU as transparent as possible to give citizens an insight in the process.

The register is built on initiatives by the Commission and the Parliament and was first set up by the Commission as the register of Interest Representatives in 2008. It was not until 2011, when the Parliament joined, that it became a Transparency Register. As decisions made within the EU affect many citizens, it is important that all information is made available to everyone, as a way to shed light on the processes. All interactions with external interests must be disclosed, to make sure everything is up to code. All involved parties have profiles containing information about field of interest, contact, legal responsibility, goals and missions, people involved, organization memberships, and economic status. Due to the Transparency Register, any interested party is able to find out about a certain group's involvement in all matters revolving the EU.

2.4. Business Associations

Business interests are often organized in formal collective entities to promote shared interests. Three business associations active in the policy field of radio spectrum are GSMA, ETNO, and DIGITALEUROPE.

GSMA is an organization representing the interests of mobile operators from all over the world. GSMA's roots trace back to 1982 and the Group Special Mobile (GSM) – a group formed by CEPT to design future pan-European mobile technology. By becoming a member of GSMA, companies can communicate with peers all over the world, as well as gain access to new industry intelligence and information, and market data, among other things.

There are three different types of memberships in GSMA – full member, associate member, and rapporteur member. Full memberships are limited to mobile operators only, whereas associate members accept members from the broader mobile ecosystem, such as device manufacturers and software companies. Currently GSMA has nearly 800 full members, and roughly 300 associate members.

GSMA has three main industry programmes: future networks, identity, and Internet of Things. The future networks programme seeks to guide the usage of Internet Protocols in the mobile industry, in order to reduce transferal costs while maintaining customer satisfaction. The identity programme discusses questions regarding privacy and security online. The IoT-programme *“is an initiative to help operators add value and accelerate the delivery of new connected devices and services in the IoT.”*. GSMA supports the implementation of these programmes, as well as other interests of their members, by engaging with governments and regulators, as well as NGOs and foundations. Furthermore, GSMA organizes several major events every year, such as the Mobile World Congress, the biggest mobile industry convention, and the Mobile 360 Series conferences.

ETNO is a smaller organization consisting of 39 members and observers from 35 countries. Members are European actors who offer electronic communications networks and services. Observers, on the other hand, can be entities involved in the European telecommunications sector who are allowed to attend the activities of the association. Much like GSMA, ETNO provides working groups and task forces in order to support their members achieve their goals

regarding digital policy in the best way possible. Members of ETNO can vote in the General Assembly, which is the main decision-making entity of the association, where decisions are reached by consensus. The executive board of ETNO is responsible for reviewing and promoting the proposals from the General Assembly. ETNO represents their members' interests by presenting ETNO positions to EU institutions, as well as other European organizations.

DIGITALEUROPE covers a broader spectrum of the digital technology industry and represents the digital technology industry as a whole (DIGITALEUROPE, 2018). DIGITALEUROPE consists of 60 corporate members in sectors such as IT, electronics and telecommunications, as well as 37 national trade associations. According to DE, their goal is *“A European Union that nurtures and supports digital technology industries, and that prospers from the jobs we provide, the innovation and economic benefits we deliver and the societal challenges we address”*. Their mission is to foster business, policy, and a regulatory environment that realizes the vision of their members. This mission will be achieved by working with institutions of the European Union, as well as other European and global bodies.

3. Theoretical framework

This chapter intends to explain the theoretical basis of this thesis. In particular, three theories have been used to look at lobbying organizations and their activities. These theories are: the theory of access for business interests developed by Pieter Bouwen (2002), an extended version of Bouwen's theory of access developed by Heike Klüver (2013), and the curve of legislative influence and financial cost, developed by Daniel Guéguen (2007).

Bouwen and Klüver seek to explain how actors get access to the different EU institutions. The difference between these two theories is that Klüver expands Bouwen's theory of access by studying lobbying coalitions instead of individual actors. Guéguen's theory describes how financial cost and the ability to influence decision-makers relate to one another. This theory is important for analyzing the organizations' behavior, as it can be applied in order to understand when and why the different organizations are lobbying. Also, the organizations' behavior can be connected to a financial perspective, and from there it is possible to further understand their incentives when lobbying. Essentially, the work from Guéguen will be used to show the importance of being early in the lobbying process when analyzing the organizations, which also explains why these associations participate in the consultations organized by the RSPG.

The thesis builds on three separate theories because a systematic approach to study interest groups has only recently been emerging. For instance, there is still no common understanding of the concept of interest group and how interest groups can be classified (Beyers et al., 2009). A careful search on Google Scholar and Chalmers library showed that numerous research articles build upon the contribution of Bouwen (e.g. Eisin, 2007) and Klüver (e.g. Bunea & Baumgartner, 2014). In addition, the theory developed by Guéguen has been chosen as it presents a nuanced view of how the ability to influence and the cost to influence relate to one another. Furthermore, Guéguen shows the importance of being early in the decision-making process and also the incentives of when and why the associations and companies are lobbying.

3.1. Bouwen: The Theory of Access

The theory of access, originally coined by Bouwen in his journal article *Corporate Lobbying in the EU: The Logic of Access* (2002) seeks to illustrate the different ways whereby interest

groups can get access to the EU institutions. For actors (consisting of both private and public interest groups), getting access to the EU institutions is of great interest, due to their capabilities to influence the decision makers in the legislative process. However, it is also beneficial for the Commission, which relies on the information provided by the different actors in order to formulate legislative proposals, as well as for the Parliament and the Council, which aim to take informed decisions upon the Commission's legislative proposals. One important thing to note is that access does not implicitly equal influence. Nevertheless, there is a close relationship between them in the sense that a company needs access in order to influence the decision-making process (Bouwen, 2004).

The theory of access focuses mainly on the supply and demand of three different types of access goods defined by Bouwen, all with a common characteristic: information. Access goods represent different types of information that is shared by public and private actors with EU institutions (Bouwen, 2004). These three access goods are:

- Expert Knowledge (EK): The technical information EU gets from private actors in order to understand a certain market. EK is needed by the policy makers, due to their lack of specific knowledge within a certain policy area or industry.
- Information about the European Encompassing Interest (IEEI): The information that is provided by private and public actors on their needs and interests on the EU internal market.
- Information about the Domestic Encompassing Interest (IDEI): The information that is provided by private and public actors on their needs and interests on a certain domestic market.

According to Bouwen, an interest is encompassing “when many interest parties are involved in the formulation of the interest” (Bouwen p. 370, 2004). For instance, telecom associations consist of multiple companies, they are representing the encompassing interest for these companies. As stated by Bouwen, there are three organizational forms whereby business interests are represented: individuals (such as individual companies), collectives (such as associations) and third-party representation (such as consultants). The ability to provide access goods depends on the size of the company. Generally, such ability is greater with large firms than with small firms, due to the resource asymmetry between the larger and the smaller companies (Bouwen, 2004).

Additionally, Bouwen identifies which types of access goods are provided by the different organizational forms. In particular, individual firms are most suited to bring forth EK as access good. This is due to their nature, as their existence as a company and their business relies on EK in the industry they operate in. Also, consultants are providers of EK, as they are often specialized in specific industries (Bouwen, 2004). Furthermore, the access goods provided by associations are generally IEEI or IDEI. This derives from the fact that these associations consist of several companies with a shared interest. If the association is European (thus supranational), the access good becomes an IEEI, as companies share EU-wide interests. On the other hand, if the association is domestic, the access good best provided becomes IDEI, due to the fact that the companies' shared interest comes from a domestic point-of-view (Bouwen, 2004). The different organizational forms' ability to provide access goods is summarized in Table 1 below:

	Best Provided Access Good	Ranking of Capacities to Provide Access Goods
Individual Firm	EK	EK > IDEI > IEEI
European Association	IEEI	IEEI > EK > IDEI
National Association	IDEI	IDEI > EK > IEEI
Consultant	(EK)	

Table 1. Stakeholders and access goods provided by them

Source: Bouwen (2011), p. 378

The Commission has a more technical role in the legislative process and therefore greatly demands EK. In order to formulate the initial legislative proposal, a need for expertise in a certain policy area arises. Particularly in emerging policy areas, the need for EK is vital. According to Bouwen, the second most needed access good for the Commission is IEEI, as the Commission is the most supranational institution in the EU decision-making process. With IEEI, the Commission can increase its legitimacy with the IEEI as support for their proposals (Bouwen, 2011).

Bouwen also analyzes the demand for access goods from the different EU institutions. To start with, the Parliament mostly needs IEEI. This is due to the fact that the Parliament's role in the legislative process is at the stage when the Commission has already provided a technical proposal. Therefore, the need for market encompassing interests is much greater

than for EK. As the Parliament's role is to evaluate the legislative proposals from an EU point-of-view, the access good most requested is IEEI. (Bouwen, 2004).

The Council is of highly intergovernmental character, which means that the Council's agenda in the legislative process is to reconcile the purposes and powers of the EU member states. Therefore, it is crucial for the representatives of the different member states to identify their own national and international interests. In order to do so, they need IDEI, with which they can identify their international standpoints based on their national interests. The Council also demands IEEI, concerning the fact that the Council needs to come to an agreement that all, or at least a majority of the EU member states, find satisfying (Bouwen, 2011). The demands from the respective institutions can be summarized in Table 2 below, together with the ranking of dependencies for each institution:

	Critical Resource	Ranking of Dependencies
European Commission	EK	EK > IEEI > IDEI
European Parliament	IEEI	IEEI > IDEI > EK
Council of Ministers	IDEI	IDEI > IEEI > EK

Table 2. EU institutions and access goods demanded by them

Source: Bouwen (2011), p. 382

3.2. Klüver: Theory of Access and Lobby Coalitions

Klüver (2013) expands Bouwen's theory of access by identifying three access goods which are crucial to access the EU institutions. These are: citizen support (CS), economic power (EP), and policy-relevant information. The latter can be regarded as the EK good included in Bouwen's theory. A key difference between Bouwen's and Klüver's approaches is that Klüver's research focuses on coalitions rather than individual actors. Klüver defines the lobby coalition as a group of actors with a similar opinion on a certain topic. However, the group is neither intended as an official alliance nor as a formal organization (Klüver, 2013).

Citizen support (CS) is needed by EU institutions, such as the Commission, as the priority for national governments is to be re-elected and the commissioners are dependent on their respective governments. Therefore, if the public is against a policy-decision, the national government might pay for that in the long run whenever the next election takes place. Hence,

it is of the utmost interest for the commissioners to take such opinions into consideration as the interest groups with a large membership base brings with it a large number of voters (Klüver, 2013).

Economic power (EP) is also needed to be taken into consideration by the institutions, since their decisions might influence companies in a negative way with loss of jobs, bankruptcy and other economic hardships. Therefore, decision-makers and commissioners have to take the opinions of large companies into consideration when making decisions, as it can affect both the commissioners and the companies in a negative way if the outcome of the decision is bad in general (Klüver, 2013).

EU institutions also demand policy-relevant information. In particular, the Commission needs technical expertise to make an appropriate legislative proposal to the Parliament and the Council. Thus, the more information the coalition can provide the institutions with, the greater the probability is that the coalition can influence policy outcomes (Klüver, 2013).

Furthermore, Klüver denotes that the three types of access goods described above are much more effective in the formulation part of the legislative proposal, rather than during the decision-making process. Again, this highlights the importance of being early in the process in order to be influential. As the process progresses, the chance to be influential decreases (Klüver, 2013).

3.3. Guéguen: Curve of Legislative Influence and Financial Cost

Guéguen's theory revolves around the ability to be influential and the probability of being influential during the decision-making process. Additionally, Guéguen denotes the importance of being early in the process from a financial point of view. It is of great interest to look at the financial cost a company incurs in order to be influential in the decision-making process, as illustrated in the two curves, the so-called curve of legislative influence and financial cost, shown below.

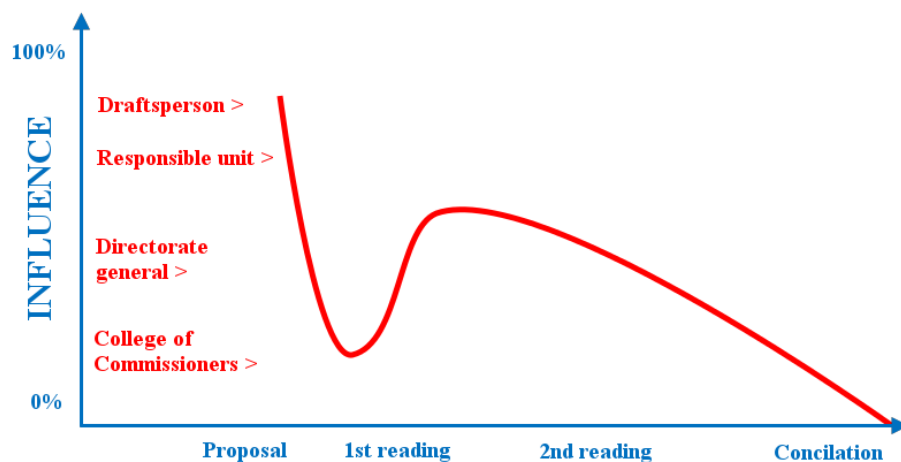


Figure 3. Curve of legislative influence

Source: Guéguen (2013), p. 99

Figure 3 seeks to explain how influence exercised by interest groups fluctuates when lobbying the EU and during which stage of the decision-making process the ability to influence is at its highest. The earlier business interests start to carry out lobbying activities, the stronger is the ability of business interests to influence policy outcomes. Thus, lobbying efforts should, according to Guéguen, be as early as possible in the decision-making process: *“The more you anticipate, the stronger your ability to influence”* (Guéguen, 2013, p. 99).

Seeking to influence the draftsperson is more likely to be successful than trying to influence a commissioner, as the draftsperson is more open to outside opinions. However, as the proposal is being transferred from the Commission to the Parliament and the first reading, the ability to influence is higher once again but not as high as it once was, due to the fact that the proposal passes through to the Parliament and the Council. Naturally, the ability to influence decreases as the process progresses and it is considered non-existent at the conciliation phase.

In Figure 4, Guéguen relates influence to the financial cost related to lobbying activities.

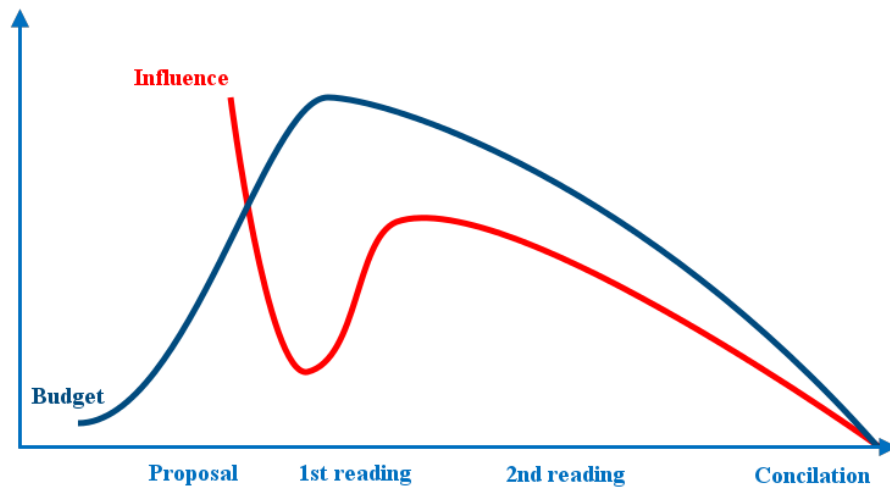


Figure 4. Curve of legislative influence and financial cost

Source: Guéguen (2013), p.100

Here, the financial cost increases as the ability to influence decreases. Therefore, a company should be as early as possible in the decision-making process both from a cost point-of-view and an influence point-of-view. However, the ability to influence increases after the first reading, as does the cost. Therefore, the company can still be influential, though at a greater cost than before.

Overall, with regard to the two figures above, a company should try to be as early as possible in trying to influence the decision-making process, both in optimizing the cost and the ability to influence. However, if a company decides to influence the first reading, it is still possible to do so but at a greater financial cost. As the process progresses, the ability to influence decreases and ceases to exist at the conciliation.

4. Methodology

In this section, the methodology chosen for the thesis is described. In particular, a qualitative research strategy of inquiry was adopted. Secondary data was gathered from official documents, in particular RSPG consultations, complemented by primary data collected by means of interviews with area experts. After a description of the different parts of the research strategy, this section concludes with reflections on methodological limitations.

This thesis relies on a qualitative research approach, meaning data has been collected in a non-numerical way. The information collected has then been interpreted and the researchers have acquired a deeper understanding of the subject (Maxwell, 2012). In qualitative research, the subject can be closely examined, which is appropriate for this study. Wallén (1996) presents several reasons for when a qualitative methodology is prudent, such as when information is incomplete and requires interpretation, combining different parts into one. Hence, the use of a qualitative study in this thesis is reinforced by the importance of being able to interpret different parts into one. This is especially important when examining the various consultations in order to draw general conclusions from what is gathered and also to link the answers.

According to Wallén (1996), the type of study conducted is based on the relation between the theory and the empirical data. A deductive approach is based on theories that are tested through observations, thus making conclusions about particular observations based on general or universal premises. The inductive approach is the other way around where a theoretical framework is based on observations made, thus making a general conclusion from particular instances or observations. The third alternative is abduction, in which both theories and observations are mutually affecting each other, thus making it both a deductive and an inductive study.

In this study a variety of empirical data from a wide range of sources has been collected, including secondary data from associations and consultations, together with primary data from interview subjects. Therefore, due to its complexity, both deductive and inductive approaches were appropriate for this thesis, thus making this an abductive study. Through the use of pre-defined access goods defined from the theoretical framework, it is considered as a deductive approach. Furthermore, the identification of benefits and drawbacks with business

associations from empirical data, are put in the pre-defined categories of access goods. Therefore, it is simultaneously also an inductive study.

4.1. Planning

During the planning phase the purpose and research questions were defined. This phase ultimately led to the creation of a planning report, which focused on the purpose and research questions, as well as methodology and a time plan for the project. In the time plan all the expected activities were defined, as well as estimations of when these activities should be completed. This was done to create an even load of work throughout the project.

4.2. Review of relevant literature

Google Scholar and Chalmers library have mainly been used in order to source the different theories used in the theoretical framework, by searching for keywords such as: lobbying, interest representation, EU, and radio spectrum policy. Furthermore, these websites were used in order to gain relevant information and knowledge about the topic of this thesis. Additionally, the project supervisor provided relevant literature regarding the radio spectrum and the EU. Finally, relevant EU websites, such as the websites of the institutions and the transparency register, as well as websites of the chosen associations, such as GSMA, ETNO and DIGITALEUROPE, were also used to gather information.

The subject is quite vast and therefore there is a lot of information to be gathered and analyzed, when reading prior research. Therefore, a lot of reading has been required - articles, books, scientific journals, among other sources - in order to fully understand both the topic of the thesis and the theories within the research area. Literature regarding lobbying, EU, radio spectrum, and radio spectrum policy were the focus when writing the background and theoretical framework. However, while there is a substantial amount of literature revolving around the legislative process within the EU, most of it does not concern the area of external influence. Thus, there has been a limited number of theories to choose from when writing about interest groups within the EU. Each article has been individually examined and analyzed when selecting the theories to be used. This reviewing process has been iterative and permeated throughout the whole process of writing and working with this thesis.

4.3. Collection and analysis of RSPG consultations

The opinions of the selected EU associations regarding radio spectrum policy was gathered by reading responses to public consultations organized by the RSPG. Since the subject of 5G was introduced by the Commission in 2012, all consultations between 2012 and 2017 were collected. The consultations were downloaded from the website of RSPG and analyzed using the software NVivo.

4.4. Expert interviews

In order to obtain a company perspective, data was gathered by conducting semi-structured interviews with five experts on radio spectrum policy working for large multinational companies in the ICT sector. Three of the five experts interviewed worked at the same company. These companies are of interest since they are members of the EU associations analyzed in this thesis, and because they have invested heavily in the development of 5G.

The interviews were conducted in the following order. First, the three experts working at the same company were interviewed. Subsequently, two other experts from different companies were identified and interviewed. The answers obtained in these two last interviews were then compared to the answers from the first three experts. This comparison was used as a validation that the answers provided were views held by companies in the sector as a whole, rather than specifically by the first company. The importance of using multiple sources of information is highlighted by Bowen, as this strengthens the credibility of the result (Bowen, 2009). Conducting additional interviews could have further strengthened the conclusions, however since the area of focus in the thesis is narrow, there is a limited group of individuals that are of interest to be interviewed.

The interviews were conducted in a semi-structured matter, as this allowed the subject to answer freely to the questions. The subjects were encouraged to go on tangents and discuss topics not specified clearly in the questions, as the experts possess in-depth knowledge on radio spectrum policy that the researchers of this study do not share. Thus, using an alternative method of interviewing, such as structured interviews, would create the risk of missing critical information. The interview guide presented below was created in accordance with the information put forth by (Robson, 2011) to make sure the questions were relevant,

had a good flow, and the necessary flexibility to give the subjects the freedom to explore additional relevant issues.

- Why is your company part of European associations, such as DIGITALEUROPE, ETNO and GSMA? What are the advantages and disadvantages of being part of these EU associations?
- In your opinion, are EU associations' action and individual company action equally important? Is the former or the latter preferred for specific purposes?
- Can you think of an episode where the activities of these associations have had an impact on the EU legislative process?
- What are the "key contacts" in the EU institutions for EU associations and in which stage of the EU legislative process? A key contact can be a Commissioner, a member of the Parliament, etc.
- In the context of 5G, what are the most important channels for businesses to make sure that their interests are represented in policy discussions on future spectrum use in the EU and internationally? What role do EU associations play with respect to these other entities? Channels can be any European entities involved in EU policy-making (both EU institutions and bodies, e.g. RSPG), but also broader entities such as CEPT, ITU etc.
- Do these EU associations always represent all of their members' interests?
- What other relevant aspects have we missed?
- Would you recommend other persons we should talk to?

Robson (2011) also highlights the importance of being knowledgeable in the area of discussion. This was taken into account by conducting all interviews after the theoretical framework and background had been written. Furthermore, the interviews were recorded in the three cases where the subject allowed it. Two of the interviews were also transcribed, while the remaining three were not due to time constraints.

The result of the interviews was discussed and analyzed from the perspective of the theoretical framework. As for the consultations, also the analysis of the interviews was performed by using NVivo.

4.5. Result analysis method

NVivo is a software that allows the user to mark different parts of a document, and sort them under nodes. Nodes are categories that the user creates in order to structure the findings of the text and make analysis easier. In this project, the nodes were based on the access goods previously mentioned in the theoretical framework section: EK, CS, IDEI, IEEI and EP. The structure of the program and workflow is described in the section below, together with screenshots providing the reader with an understanding of how the program functions and how the analyzing process is designed. As an example, Figure 6 shows how a 2015 consultation response from DIGITALEUROPE is analyzed. A part of the text is identified as expert knowledge and is therefore marked as EK.

2.2.The 1.0-1.7 GHz range

This frequency range is interesting both from a capacity and coverage perspective since it is intermediate band between 1 GHz and 2 GHz. In addition, the L-band has a unique opportunity to provide some large channel (e.g. 20 MHz or 40 MHz). The various sub-bands within this range have different status due to various legacy applications at national as well as regional levels. DIGITALEUROPE thus considers important to assess specific candidate bands within this range taking into account CEPT allocations and requirements. Those bands would subsequently be made available in a phased and compatible manner.

Figure 5. Example of EK from DIGITALEUROPE

Once all the documents were read and analyzed, all pieces of marked text were automatically sorted under their respective nodes, as illustrated by Figure 6.



	2015		
		0	0
	CS-20	4	9
	EK-20	7	31
	EP-20	2	2
	IDEI-	4	6
	IEEI-2	3	8

Figure 6. Distribution of access goods from 2015 consultations

All pieces of marked text can then be found in these nodes, as is shown in Figure 7.

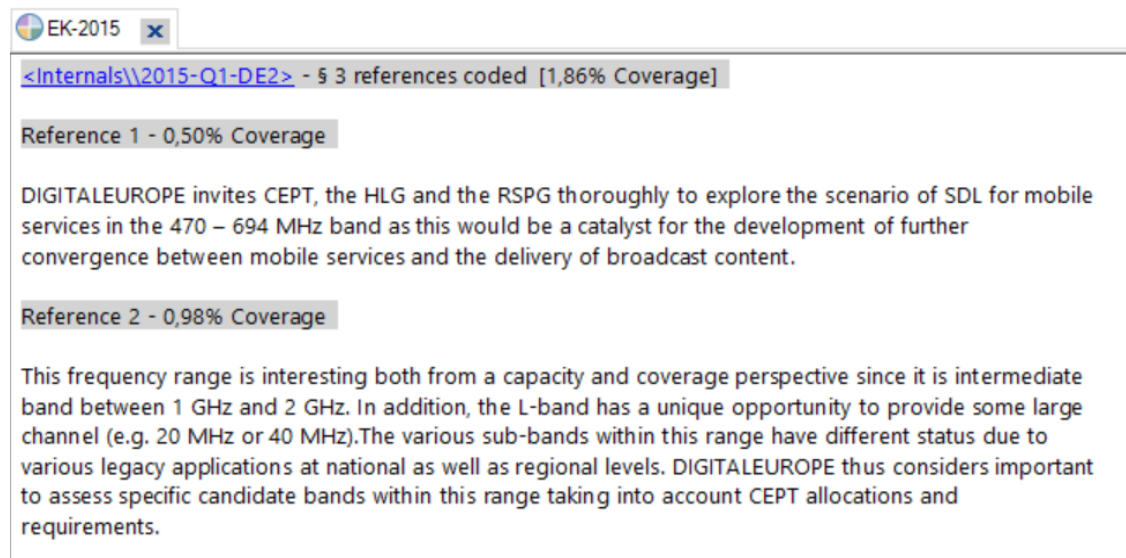


Figure 7. Examples of EK from 2015 consultations

The information gathered from every node from each year, responding to a certain access good, was then compiled. This gave an overview of the occurrence of each access good over the time period that was studied, which facilitated the presentation of the results.

Once the results from the consultations had been compiled in NVivo, they were analyzed using the theoretical framework. By comparing the actual results to the theories presented, differences were highlighted and discussed. Furthermore, the results of the interviews were analyzed, and differences between the results of the consultations and the interviews were discussed, as well as differences between the interviews and the theoretical framework.

4.6. Sustainability

Lobbying from an ethical perspective is something to be considered, since it in high regard intertwines with questions regarding democracy. One could argue that it strictly contradicts the idea of a democratic society as it allows for an unequal impact on policy regulations between citizens. For instance, through EP, a company or a business association can have more influence than an average individual citizen. On the other hand, the importance and necessity of lobbying could be argued due to the complexity of certain subjects and areas of expertise. As an example, the subject discussed in this thesis could be applied. In order to have an informed opinion on specific technical issues regarding radio spectrum use, certain prerequisite knowledge – not possessed by most of the population - is needed. In order for legislative institutions to make the best possible decision, this type of EK provided by companies can assist and facilitate the process and decision making.

The subjects interviewed work with companies that are highly invested in the technology industry, which is heavily subjected to competition. In the interviews, discussions occasionally revolved around questions that could be considered as being of a sensitive nature, from a company perspective. Therefore, they asked to remain anonymous. This has been taken into consideration and therefore neither the names of the subjects nor the companies are mentioned. The reason for this was that only the topic should be examined, not the actors involved in the interviews.

Semi-structured questions were conducted, in order not to lead the subjects into certain directions and, additionally, leave them free to cover matters they considered to be relevant for our study. Credible answers are obviously of importance, and by asking semi-structured questions, the subjects can respond without being influenced by the interviewer. This is, again, due to the fact that the purpose of the thesis is simply to investigate the subject matter, not to evaluate any involved actors.

When it comes to sustainability in the common sense of the word, there is not really that much to take in consideration for this specific project. This is due to the fact that it revolves around the investigation of a political process rather than something more concrete such as a production chain for a certain product. To give some sense of a thought process regarding sustainability, the matter of how the interviews were conducted could be brought up. All the interviews were conducted through Skype. This was done partly because it is easier to perform interviews if the interviewer and the subjects do not need to be in the same place. Moreover, it is more time-efficient and sustainable if a certain number of interviews are to be collected in a certain amount of time. This method is also less impactful on the environment, using Skype instead of causing emissions by travelling to meet with subjects.

4.7. Critical discussion of research methodology

With regard to qualitative research, literature studies always bring with them the question of how much needs to be analyzed before it can be assured that valid sources have been identified. In this case, the problem was initially made smaller by the fact that only a limited amount of previous research was conducted within the area of business interest representation in the EU. Hence, there were only a few previous works to consider, simplifying the task of

picking out the relevant ones. In the end, theory selection came down to which previous studies were often referred to by other authors, acting as recommendations.

Arguments can be made regarding the usefulness of the Transparency Register as a source, due to the fact that there is no legislation that forces companies and associations to be completely honest with the information that they add to the register. However, as there are definite public image incentives to appear as transparent as possible, it is believed that the information available on the Transparency Register is still trustworthy enough to be used in the context of the study, especially as all information gathered has been possible to back up from other sources. Additionally, the register has mostly been utilized as a starting point for collecting initial information regarding the EU associations selected for this study.

It is also worth mentioning the fact that consultations were consciously limited to those from 2012 and forward, despite the fact that the RSPG records go back further. A more exhaustive study might have covered everything from earlier as well, but as the thesis is focused on the 5G development discussion, and consultations before this project's initialization were considered not relevant. Alternatively, expanding the scope of the paper to also cover other material than RSPG consultations would not have been possible within the fixed time frame of this bachelor's thesis project.

On the positive side, NVivo was universally believed to be a useful tool for the analysis of the consultations, by offering a simple and efficient way to work through many hundreds of pages of text and collecting the relevant parts for later usage. What might be called into question is the fact that no standardization for how to mark access goods was established before the analysis, meaning that the percentage of marking does not necessarily provide an accurate representation. However, since the results are based on number of nodes as opposed to percentage of marked text, this has no effect on the outcome of the study.

The chosen set of business associations can also be quite logically explained. GSMA, ETNO, and DIGITALEUROPE are the three most prominently featured associations in RSPG consultations, and also represent a vast majority of both tech companies, ICTs, operators, and network providers. Other organizations, for instance Global Mobile Suppliers Association (GSA), were also considered due to their position within the field, but were ultimately left out because they do not feature regularly in consultations.

Finally, the interviews provided an important real-world perspective to contrast the models presented in the theoretical framework. The subjects all possessed relevant knowledge, due to occupying positions closely related to the processes analyzed in the study, and could offer relatively wide answers as a result of the freedom allowed by the semi-structured interviews. In some cases, however, the semi-structured form also led to answers not quite within the scope of relevance. Also, a larger sample size and spread of companies among the interview subjects would have offered additional validity to the results presented from the interviews. For example, it would have been interesting to interview experts from e.g. the mobile operator sector, to analyze differences between the different sectors. However, due to the time limitation of six months, this was left outside the scope of this thesis.

5. Empirical findings

In the following section, the empirical findings of the thesis are presented. The section is divided into two parts. The first part illustrates the findings from the consultations and the second part is dedicated to the interviews. This is because consultations and interviews have been processed differently, and should therefore be presented separately.

5.1. Consultations

In this chapter, the results gathered from the consultations are presented, together with figures showing the amount of evidence found for each access good throughout the consultations. The access goods are: EK, EP, CS, IEEI, and IDEI. A definition for each of the access goods can be found in the theoretical framework.

All consultations that have been analyzed through NVivo are summarized in Figure 8, showing the percentage of nodes for each access good. These figures are solely based on the amount of nodes and not the content size of each node. Therefore, this type of approach focuses more on the idea that information should not be valued only on its length, but rather on the type of information that is provided in the consultation. Thus, the access goods presented below gives an indication of what kind of information is expected to be found in the consultation and naturally what kind of information the RSPG values in their drafts.

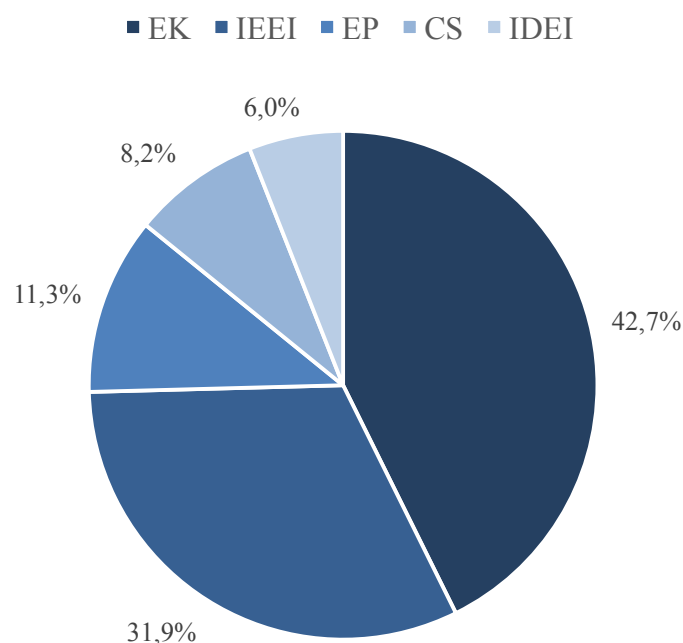


Figure 8. Reference distribution in consultations

5.1.1. Expert knowledge

Most evidence for the provision of EK has been found. This represents 42.7% of the information shared in the consultations. Due to the kind of information needed by the RSPG, the EK mostly concerns knowledge about spectrum use for 5G. An example of a typical kind of EK is the following quote from a consultation made by ETNO in 2017 concerning Public consultation on the Strategic spectrum roadmap towards 5G for Europe (ETNO, 2017): *“Large enough contiguous bandwidths and spectrum also in higher bands are crucial in order to provide proper 5G-experience. Preferred bandwidth per network is at least 100 MHz in 3.5 GHz band, and at least 800 MHz in 26 GHz band.”* This shows the type of information, concerning EK, that is transferred through the consultations to RSPG and the Commission.

5.1.2. Information about European encompassing interest

IEEI is the secondary most found access good. IEEI represents 31.9% of the information found in the consultations. As IEEI revolves around the common interest of the members of the association, with information about how the European market is developing and information related to that specific area. Thus, a typical kind of IEEI is shown in the quote below from a consultation in 2013 concerning ETNO Reply to the Draft RSPG Opinion on Licensed Shared Access (ETNO, 2013): *“ETNO believes that the frequencies awarded to mobile network operators (individual rights of use) are already very well efficiently used, as operators have to maximize the return on associated investments. As a consequence, the mobile industry is a clear example of high technical and economic efficient use of spectrum.”*

5.1.3. Economic power

The third most found type of information is information concerning EP, which represents 11.3% of the information transferred through the consultations to the RSPG. The kind of information regarded as EP mostly regarded information about the economic advantages and disadvantages for example in a certain bandwidth, how certain bands have economic consequences for different industries or parts for the society, and so forth. In the following quote, from a consultation in 2012 concerning GSMA Europe response to the draft RSPG opinion on Review of Spectrum Use, a typical EP information is shown (GSMA, 2012): *“It is of utmost importance for the mobile industry to avoid a shortfall of spectrum which would endanger the growth of the whole mobile business.”*

5.1.4. Citizen support

On the second last place, information on CS is found. CS serves for 8.2% of the information flowing through the consultations. CS revolved mostly around how certain decisions affect the EU citizens and how that, indirectly and not literally stated in the text, has an influence on the likelihood that the politicians, responsible for the decision, are being re-elected. Below, a quote from a consultation in 2015 concerning GSMA Europe Response to the RSPG Draft Opinion for Public Consultation on A long-term strategy on the future use of the UHF band (470-790 MHz) in the European Union has been chosen, as it symbolizes the general type of CS supplied in the consultations (GSMA, 2015): *“These numbers capture the direct, indirect and productivity impact of the mobile industry as a whole, but do not include much of the positive impact from mobile services, which are improving welfare in the region. These include the role of mobile services in helping to modernize access to public services such as the health system, and the development of new products in a range of markets including transport and energy.”*

5.1.5. Information about domestic encompassing interest

Last in place, information regarded as IDEI is found. IDEI represents 6.0% of the information mediated in the consultations towards the RSPG. The IDEI found in the consultations usually concerned information about domestic markets, spectrum use within the borders of a member state etc. The following quote below, from a consultation in 2017 concerning GSMA Europe Response to the RSPG Draft Opinion for Public Consultation on Spectrum Aspects of the Internet-of-things (IoT) including M2M, represents an example of how associations mediates information regarding domestic interests (GSMA, 2017): *“The GSMA notes that in this respect, as reported in the minutes of the June 2016 ECC meeting, a license variation has been requested in the UK.”*

5.2. Interviews

In this section, the results from the interviews are presented. The purpose of the interviews was to get opinions about what kind of access goods they find to be most relevant to provide when answering RSPG consultations, in order to be influential and whether companies find EU associations beneficial for their lobbying strategy.

5.2.1. Access goods

The access goods that the companies found to be most in demand by the RSPG were EP and CS, as shown in Figure 9.

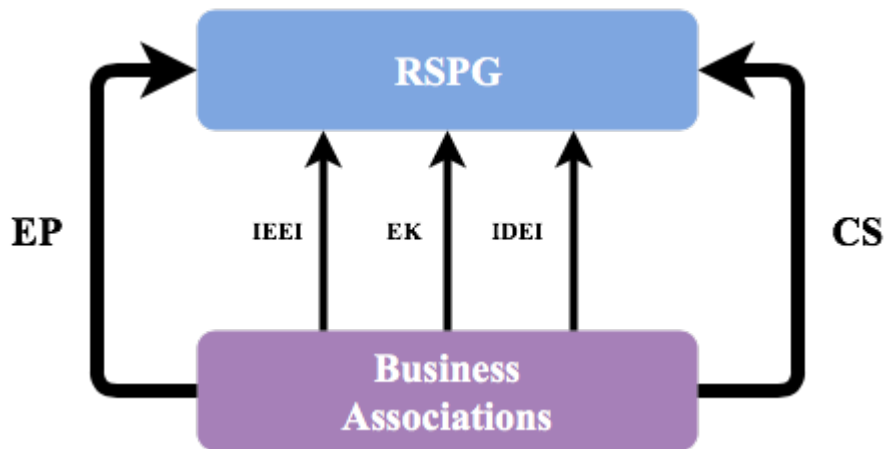


Figure 9. Companies' perceived relative importance of access goods

In general, the subjects agree that the access goods most demanded by the RSPG (and thus the Commission) are EP and CS. However, the subjects claim that it is due to the fact that RSPG is quite high up on the political scale and therefore the EK provided by the companies need to be modified into EP and CS in order to making it more useful for the RSPG. According to one of the subjects, one of the reasons why the RSPG (and the Commission) values EP and CS the most, is due to the fact that the politicians want to have incentives stemming from the voters in the EU and how a certain decision affects the population economically, for instance.

Therefore, the companies try to have their opinions expressed in forms of what is socially beneficial. If a company's stance is justified only on the basis of economic advantages for the company itself, the likelihood of that stance being influential in the decision-making process is low. A subject also denotes that this mindset relies on the fact that the representatives in the Commission have a certain view that the national authorities, governments and institutions are more representative of the opinions of EU citizens, rather than the companies.

Another one of the subjects also stated that the technological perspective is often not as highly regarded in the RSPG. Instead, the RSPG focuses more on the "soft" side of things, meaning that some technological insights, that would otherwise be beneficial to the Commission, might be lacking in the RSPG. In order for the EK to be influential, the RSPG is not regarded as the best gateway amongst some of the subjects. If a company wants to use EK and influence the Commission, the organization CEPT (Conférence Européenne des Administrations des Postes

et Télécommunications) is more open to EK. Naturally, this derives from the fact that CEPT holds a more technical role than the RSPG. The Electronic Communications Committee (ECC) formulates decisions which are used by the Commission to formulate policies for spectrum harmonization. Therefore, according to the subjects, the best way to leverage EK is to be early in the formulation process in CEPT and thus indirectly influence the Commission. Furthermore, the companies regarded CEPT as more welcoming towards them and that the companies were more welcome to take part in the formulation process of the ECC decisions rather than formulation proposals together with the RSPG. However, the same subject also noted that there is a struggle between the EU and the ECC related to the balance of power and how conflicts may arise when they are working towards different directions.

In all of the interviews, the access goods of IEEI- and IDEI-characteristics mostly revolved around a certain nation's interests, and not strictly about a domestic and international market, from a more commercial perspective. For instance, the French satellite industry was mentioned several times through the interviews and that the nation's interest often weighs heavier than the interest of a company. The subjects likewise mentioned the fact that the EU many times favored the nations different interests, as they regarded them as more important and more in line with their political agenda. This reflects back on the high amount of EP and CS that was mentioned in the interviews, as a broad spectrum for the French satellite industry would reflect back on the French citizens and their satisfaction with the EU politicians.

Furthermore, several of the subjects claimed that all bodies of the EU are equally important when influencing the decision-making process and their lobbying activities are not only tied to the Commission and organizations revolved around the Commission. Therefore, the companies try to be part of the whole process and influence through the whole lifespan of a specific policy initiative.

With the answers from the interviews in mind, a chart depicting the flow of access goods in the EU has been created. This roadmap, presented in Figure 10, shows how the different access goods are used and how the companies, according to themselves, are using them to influence the decision-making process.

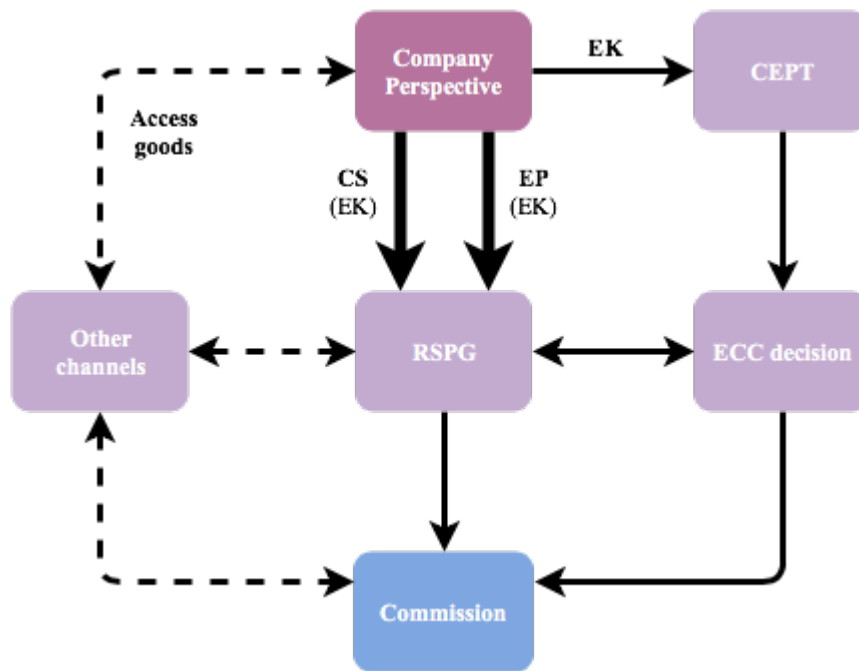


Figure 10. Flow of access goods

The companies see the access goods and how they are exchanged for influence in the different parts related to the Commission (including CEPT). Depending on what the company wants to influence, there are different ways to do it together with the different access goods. Other channels can be used, such as official or unofficial meetings, workshops, among others.

5.2.2. Being a member of an EU business association: benefits and drawbacks

According to the experts questioned, there are several benefits and drawbacks for a company with regard to being member of EU associations. The benefits and drawbacks identified are summarized in Figure 11.

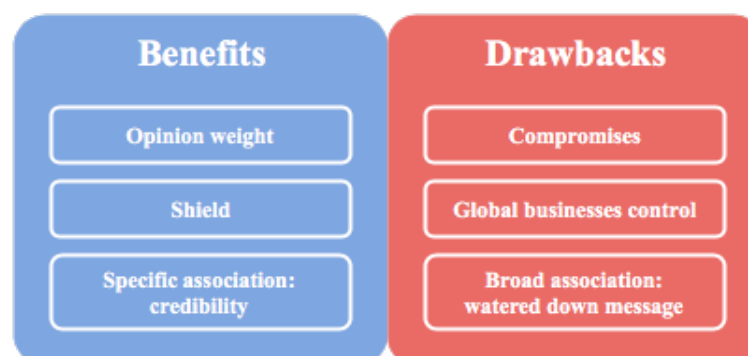


Figure 11. Benefits and drawbacks of business association membership

5.2.2.1. Benefits

Overall, one benefit of being a member of EU business associations is that a business association's opinion is more likely to have a bigger impact on RSPG and the Commission, compared to an opinion from a single company, especially when it comes to questions regarding big financial impacts on multiple industries spanning over the EU. In this regard, one subject brought up an example of an association contributing with this kind of heaviness, which is the European Round Table of Industrialists (ERT). ERT is an association with 50 members, where each member is a Chief Executive and Chairman of major multinational companies within the EU (ERT, 2018). With this type of association, lobbying on topics that affect multiple industries and sectors might be more open for opinions stemming from ERT rather than DIGITALEUROPE.

Even if the area is quite technical, it still can be preferable and optimal to lobby together with an association such as ERT, rather than a more technical association such as ETNO. However, the same goes the other way, for very technical questions a more condense and technical association could have more effect for that very question. It all depends on the situation and what the politicians are demanding in terms of access goods. Therefore, according to the subjects, one association is not better than the other regardless of their size or interests when it comes to lobbying. In addition, the experts claim that it's not possible to conclude that a big business association is always more influential than a smaller business association.

Regarding minor business associations, a beneficial aspect is where these business associations can be very clear with in their opinions since they have a smaller scope of business sectors within its member base. This means that it is easier to formulate opinions for the topics as the business interests of the individual companies are very much alike. With this scenario, formulating opinions is much easier. Therefore, minor business associations can be at least as powerful as bigger associations, as the companies' likelihood to get along, in certain questions, is much greater. Hence, for the individual company, a smaller association might be better suited in some questions where the opinion expressed by the association is more coherent with the opinion of the individual companies. Thus, compromising is not that present in those types of associations.

The last beneficial result is the usefulness of a business association when it comes to both discussing certain topics within the association where they have legal protection and also that the opinions of a business association protect companies from revealing their opinions themselves. Some opinions might be conflicting with those of the clients of the company, and in this case the organization can become a protective barrier for the company as the opinion is officially stated by the organization and not the company. Due to the fact that multiple companies stand behind a certain opinion, it becomes less of a single company statement and if the rest of the industry is behind the same opinion it does not affect the clients as much.

5.2.2.2. Drawbacks

A big business association that covers a wide scope of business sectors always carries the responsibility to take every, or at least the majority, of the opinions into consideration when formulating an opinion to a consultation. This naturally leads to the companies having to compromise in formulating the opinion, as many business interests are needed to be taken into consideration. In so doing, each individual company might feel that its opinion is being diluted among other opinions. Furthermore, the subjects claim that the bigger an association gets, the more the opinions differ among the members. Naturally, the business interests become more and more diverse as the members are spanning over multiple industries. In some questions, what might be beneficial to one industry is at the same time a substantial drawback for the other. Thus, compromises are essential in order for associations to formulate opinions, and the bigger the organization is, the greater the cost of compromise is.

In some associations, like DIGITALEUROPE, there are also multiple companies from outside the EU. With respect to this, opinions stemming from these non-EU companies might influence the formulation of the opinions of the association. This is especially true in the cases where the companies are representing a business from outside the EU and the views that they have are generally not shared by companies having their business inside of the EU borders. This leads to a wide-spread focus and ultimately letting global businesses control the opinions to some extent. Therefore, the focus might move to a non-EU perspective and potentially harm the optimization and harmonization of the radio spectrum within the EU.

Another unanimous result is the fact that a big business association actually can be negative in the perspective that too many different business sectors may increase the risk of an opinion to be watered down. This relates closely to the fact that compromising is permeated through the

work by the associations, especially bigger ones. The compromises naturally lead to the opinion being debilitated, as the associations need to take consideration to all opinions of its members. Therefore, the wider the business interests are (and also the bigger the association is) the more opinions are needed to be considered - thus, watering down the final opinion adopted by an EU association.

6. Analysis and discussion

The empirical findings illustrated in the previous chapter allows to conclude that the theories on EU corporate lobbying considered for this study are useful to understand what type of access good EU business associations in the policy field of radio spectrum provide during RSPG public consultations. In addition, interview data provides evidence with regards to benefits and drawbacks for a company of being part of EU business associations.

What information do business associations provide during public consultations?

Bouwen's theory of access accurately predicted that EK and IEEI would be the most common access goods provided by a EU business association. However, where Bouwen suggested that IEEI would be most common, it appears from the result that EK is actually more prominent. A possible explanation for this is that the radio spectrum is a highly technical area of policy and that the companies building the technical infrastructure are also the companies with the highest stakes at play for the deployment of 5G. One could also argue that, by following the previous statement, because of the technological complexity of the subject, EK is more of an inherent quality.

EP and CS together only make up roughly 20% of the information put forward by the EU associations considered. The reason for this low number could be explained by the fact that EP and CS are inherent qualities that interest groups possess, and not something that is typically clearly stated in a consultation response. However, this does not mean that these are not important qualities. It is likely that the recipients of the consultation responses take the inherent EP and CS of the responders into account when reading the response, even though it is not clearly stated in the text. In fact, the importance of EP and CS are highlighted later on in this section.

IDEI only makes up roughly 6% of the responses, which is clearly in line with the ranking of access goods put forward by Bouwen. Therefore, this result is of no alarm and seems to be in line with the expectations from the theoretical framework.

What are the benefits and drawbacks of being part of EU business associations?

All the subjects agreed that the benefits greatly outweigh the drawbacks of being a part of an EU business association. The logic of the effectiveness of business associations can be

understood by looking at the incentives of politicians in the EU. It is the politicians' job to represent the interests of the public. When business associations express opinions on certain subjects, pressure is exerted on the politicians, as these associations represent companies that collectively employ thousands of individuals and greatly contribute to the economic power of the EU. This is due to the fact that if the politicians do not listen to the business associations, there is a risk of lost jobs and impaired economic power for the EU. This would make the politicians unpopular in the public's opinion and would therefore mean a lowered chance of getting re-elected. Therefore, the fact that all subjects agreed that being a part of a business association gives heavier weight to opinions put forward is easily understood.

The idea that being a part of a business association can work as a "shield" is also quite easily understood. As discussed in the section of sustainability, lobbying is something that the public could possibly view in a negative way, and as an impediment to democracy. Therefore, by being one of many actors presenting an opinion, the company can protect their brand from negative opinions of the public.

An interesting discussion regarding the weight of opinions put forward by different types and sizes of business associations arose during the interviews. Being part of a smaller association in a specific niche can give greater weight to opinions related specifically to that area, as that association is viewed by the politicians' as the premier expertise on the niche in question. Larger associations covering a broader spectrum of business areas typically have a harder time coming up with clear opinions, as a great degree of compromise is required in order to make all members content. This means that larger associations sometimes do not put forward any opinions at all, or that their opinions are debilitated through compromises. However, this also means that when large and wide associations manage to come up with clear and precise opinions, they potentially carry greater weight than those of smaller, more narrow associations, as this means that a larger number of actors in a broader spectrum of sectors all stand behind the message.

Another interesting point is the fact that several of the business associations operating within the EU are, in fact, global associations. This could influence the politicians' view of these associations, as their opinions could be construed as representing the interests of actors outside the EU. Since the politicians want to advocate the best interests of the EU, and not

e.g. China and the U.S., this could potentially mean that they are more hesitant towards opinions expressed by global business associations.

Overall, to what extent do existing theories on EU corporate lobbying accurately describe the activities of real world EU business associations, in radio spectrum policy?

The most interesting result of this study is the fact that there appears to be a difference between the views of the experts interviewed, the theoretical framework and the results from the consultation responses. While there was a clear alignment between the way business associations work and the theoretical framework, the interviewed experts seemed to disagree that EK and IEEI were the most important access goods in order to gain access to the EU legislative procedure. Instead, CS and EP were highlighted as the most effective access goods when trying to influence the Commission. This is likely explained by using the same reasoning as was previously used when describing the importance of business associations; politicians have to take the opinions of the public into account in order to get re-elected, and are therefore probably more likely to take opinions of business associations into account if they manage to highlight the impact on the public of their opinions. Therefore, business associations that succeed in disguising their own business interests as interests of the public are, according to the subjects, more likely to influence the legislative process.

Several of the subjects also highlighted that EK is generally not highly regarded in the Commission, as the technical details are not as important to the politicians as the political aspects of a decision. Instead, several subjects claim that EK is a more highly valued in the CEPT, which is a much more technical institution. This is, again, in contrast with the theory of access by Bouwen, who claims that EK is highly important when trying to reach the Commission. Several subjects claim that the best way to use EK is to indirectly influence the Commission through CEPT. Together with the theory of Guéguen about being as early as possible in the process supports this statement, due to the fact that many times CEPT is before RSPG in the process. Therefore, the probability to be highly influential is higher in CEPT than in RSPG, if the situation is as described above. Moreover, the companies also regarded CEPT as more welcoming towards companies than RSPG. Hence, it is more natural for the companies to work with CEPT, if it is a technical topic that is.

Another interesting difference between the result of the interviews and the theoretical framework, is that the subjects seem to regard all of the EU institutions as roughly equally

important to interact with when trying to influence the legislative process. This is in stark contrast with the curve presented by Guéguen, who argues that the ability to influence is much greater in the earliest phases of the legislative procedure. This could possibly be explained by the complexity of the EU. The ordinary legislative procedure is not as linear as presented in the theories, which can be visualized by the fact that MEPs are often asking Commissioners to initiate a legislative procedure on a certain topic, as highlighted by one of the subjects. Therefore, a MEP can potentially be equally important to influence as the RSPG, in order to have an impact early on in the legislative process. What can be seen is that the higher the company or association climb on the political scale, from CEPT at the bottom to the Parliament and the Council at the top, the more political the lobbying has to be.

7. Concluding remarks

In the following section, the conclusions made from this thesis are presented, including recommendation for further studies.

The outcome of this thesis project paints an ambivalent picture of existing research on EU business lobbying. On one hand, the theories considered for this study regarding business interest representation in the EU accurately explain the activities of business associations. Their responses to public consultations were predicted fairly accurately by the theoretical framework. On the other hand, it appears that experts working with radio spectrum policy to some extent disagree with the literature, claiming that CS and EP play a greater role than EK when trying to access and influence the legislative procedure. Furthermore, several of the subjects claimed that all institutions were more or less equally important when trying to influence the EU legislative procedure. This is contradicting the theoretical framework, as both Klüver and Guéguen argue for the importance of being early in the policy formulation process, and therefore, of addressing the Commission.

The subjects also highlighted that the RSPG is only one of several ways of influencing the radio spectrum policy formulation. For example, CEPT was regarded as an important institution when trying to influence the technical details of radio spectrum policy. Another institution that was brought up was ERT, which due to its heavy economical weight, can greatly influence the policy formulation in the EU, and is therefore of great importance for companies to interact with. However, there is no winning recipe when choosing which association to be part with, as there is no golden rule for when a certain association is more preferable than another.

Membership of business associations come with both benefits and drawbacks. The subjects all highlighted the importance for a sector to present a unified front to the legislators, as this gives greater weight to their message. Furthermore, by presenting opinions as a part of an association, a much larger number of actors stand behind the message, which forces the legislators to pay attention to it. Another potential benefit from joining an association is the fact that it allows companies to shield themselves when discussing subjects that their client

might find sensitive. An additional benefit is the fact that expert associations can provide opinions of greater reliability when discussing subject related to their area of expertise.

One potential drawback when joining a business association is that large associations often require heavy compromises between the members in order to reach consensus. This can often lead to messages that are watered down and lack the edge that the individual company might have preferred to present. Another drawback appears when joining a global association, as the messages presented by these can be regarded by the legislators as not primarily representing the interests of the EU. This could lead to legislators being a bit more hesitant towards the information presented by these organizations.

In conclusion, the benefits a company gains from a membership in EU business associations are greater than the drawbacks. Therefore, in order for a company to continue to lobby effectively - an association is one of the key parts of this phenomenon and represents a crucial part of the lobbying within the EU. However, the business associations do not access the EU legislative process by its full potential according to the companies. Although the associations are acting in ways supported by the theories, the companies do not share this view of how the theories depict the reality.

Further research, based on the conclusions of this thesis, is recommended in measuring the influence of the European business associations. This study has not been focusing on measuring the influence and the measuring of influence could then strengthen the findings of this study. Another topic to be considered is the comparison of RSPG and CEPT, as this was something touched upon in the interviews. Therefore, a study revolving around the benefits and drawbacks for participation in RSPG and CEPT from both a business association and a company perspective could be useful in context with this study. Furthermore, the roles of informal access points (like unofficial meetings or workshops) is also of high interest and could be beneficial in further understanding the whole process and how lobbying affects the chain starting from CEPT and RSPG to the Council in ways excluding official documents like consultations.

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