



28 February 2023

The Manager
Spectrum Licensing Policy Section
Australian Communications and Media Authority
PO Box 13112
Law Courts
Melbourne VIC 8010

Email: SpectrumLicensingPolicy@acma.gov.au

Dear Sir/Madam,

Review of Scientific Licensing Arrangements

Telstra welcomes the opportunity to comment on the Review of scientific licensing arrangements (consultation IFC 39/2022). The ACMA's scientific licensing framework is a key means by which, in addition to the statutory and policy objectives mentioned in the consultation paper, the ACMA can meet the Minister's Statement of Expectations which includes the promotion of investment, innovation and the adoption of new and emerging technologies.¹

Review of Non-Assigned Scientific Licensing Arrangements

We support the ACMA's proposal to discontinue using the Scientific (non-assigned) Apparatus Licence type, and instead replace it with a Class Licence.

Review of Assigned Scientific Licensing Arrangements

We support the ACMA's position that the current assigned scientific licence framework is working as intended and, at this time, see no requisite for modification.

We also highlight that while we accept the primary purpose of operation of scientific stations should be research, education/training or other testing purposes (i.e., not used for market testing or commercial/business case verification), there will be situations where it is impractical or impossible to prevent commercial traffic entering the test. An example occurred for Telstra in 2020 where some very early mm-wave enabled devices were already operating in Australia while we were conducting scientific testing of mm-wave base stations. While the devices were primarily using n78 (3300-3800 MHz), the devices were also n257/n258 capable, and it was not possible to block them from authenticating onto the mm-wave base stations being tested.

¹ Minister for Communications, Australian Communications and Media Authority – Statement of Expectations, 7 December 2022. Available at: <https://www.infrastructure.gov.au/department/media/publications/australian-communications-and-media-authority-statement-expectations>



We note the Scientific Licence Conditions Determination (LCD)² sets out the legitimate purposes for which scientific stations may *primarily* be operated. Our understanding is that entry of commercial traffic into the test, where that is inadvertent, unexpected, and/or is unable practically to be completely excluded (as illustrated by the above example), does not constitute a breach of the scientific licence conditions because the primary purpose of the operation of the scientific stations remains unchanged and within the legitimate scope of the Scientific LCD. We suggest it would be helpful for the ACMA to clarify this in the next update to the Scientific LCD, which could be achieved through the addition of a Note to Part 2, Clause 7.

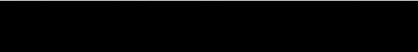
Closing comments

We appreciate the opportunity to comment on the Review of scientific licensing arrangements and look forward to your consideration of the points raised in this letter. Please do not hesitate to contact Bel Clough [REDACTED] if you have any questions about this submission.

Yours sincerely



Brian Miller
Regulatory Principal
Sustainability, External Engagement and Legal



² Radiocommunications Licence Conditions (Scientific Licence) Determination 2015, available at <https://www.legislation.gov.au/Details/F2018C00076>