



Submission in response to
ACMA Consultation Paper

**Proposal to remake the
Public Safety and
Emergency Response
Class Licence**

Public Version

July 2023

OPTUS FEEDBACK

1. Optus welcomes the opportunity to provide feedback to the Australian Communications and Media Authority (ACMA) consultation paper: *Proposal to remake the Public Safety and Emergency Response Class Licence*.
2. The ACMA proposes to:
 - (a) Remake the *Radiocommunications (Public Safety and Emergency Response) Class Licence 2013* due to sunset on 1 October 2023; and
 - (b) Include amendments to provide specific authorisation and technical conditions for public safety bodies (PSBs) to better enable 5G technologies, in addition to the existing technologies allowed under the current class licence conditions.
3. In general, Optus supports the ACMA's preliminary view to remake the PSER Class Licence. We consider it is important that "a framework for PSBs to deploy communications infrastructure to support defence, national security and public safety activities"¹ continues to be supported within a defined technical framework.
4. Optus notes that while we have limited visibility of how PSBs use the PSER Class Licence, we consider that the class licence framework provides an adequate means for PSBs to operate within the 4940-4990 MHz band at this time. Importantly, as acknowledged by the ACMA,

"Within the authorisation and technical framework established by the class licence, we expect PSBs to coordinate between themselves to achieve desired levels of coexistence or interference protection."²
5. It follows that where PSBs may require additional protections or exclusivity both within or in adjacent bands, this falls outside the scope of the class licensing framework which strictly operate under a 'no interference, no protection' basis.
6. Optus' position is based on the understanding that the ACMA's consideration of the 4.0 GHz band (4400-4990 MHz) more generally remains at the Monitoring stage.³ We may reconsider our position if there are any further international developments and changes reflected in the ACMA's Five Year Spectrum Outlook (FYSO). Furthermore, as the PSER Class Licence band currently sits within the "mid-band" spectrum toolbox, we therefore wish to be kept abreast of the ACMA's developments.
7. While not directly related to this consultation, Optus acknowledges that the Government recently committed \$10.1 million towards the establishment and delivery of a Public Safety Mobile Broadband (PSMB) capability, led by the National Emergency Management Agency.⁴ Optus notes that any decision relating to the use of spectrum held by MNOs for such purpose must be developed in consultation with MNOs.

¹ ACMA, Proposal to remake the Public Safety and Emergency Response Class Licence, Consultation Paper, June 2023, p.3

² Ibid., p.4

³ Draft FYSO 2023-28, p.32

⁴ [Release of the Public Safety Mobile Broadband Review and the Government Response | Department of Infrastructure, Transport, Regional Development, Communications and the Arts](#)