

7 August 2023

Mark McGregor

Economics Advisory Section
Australian Communications and Media Authority
PO Box 13112
Law Courts
Melbourne VIC 8010

Dear Mark

RE: Approach to expiring spectrum licences

The Communications Alliance's Satellite Services Working Group (SSWG) wishes to thank the Australian Communications and Media Authority (ACMA) for the opportunity to provide feedback on the *Approach to expiring spectrum licences* Consultation Paper.

The SSWG would like to offer the following comments on the proposed public interest criteria.

Criterion 1: facilitates efficiency

Efficiency can be measured in many ways, with one good measure of efficiency being how well the bands meet the needs of the community and, in particular, of those living in regional and remotes areas (supporting digital inclusion). Where the technical frameworks of spectrum licences define restrictive protection, spectrum cannot be easily shared.

The 2010 – 2025 MHz and 2200 – 2215 MHz bands are particularly suited to sharing with Mobile Satellite Services (MSS) which can provide services to all Australians. However, the technical frameworks, and also *Radiocommunications Assignment and Licensing Instructions* (RALIs) for the Public telecommunications Service (PTS), mean that there would be significant 'dead zones' where no coverage was possible.

When these bands come up for review, technical frameworks should be revised to enhance the ability of complementary services to share the spectrum.

Efficiency would be seen in re-farming the 600+ MHz of expiring spectrum licences for higher generation mobile services (e.g., 4G and 5G), rather than allocating additional spectrum in other bands to mobile services at the expense of incumbent services. The granting of the renewed licences should be tied to a firm commitment of spectrum re-farming to an agreed timetable.

Criterion 2: promotes investment and innovation

The main driver of spectrum licences was the creation of a property right that could be traded. This has not eventuated to any great extent, instead the spectrum is tightly held, which does not promote innovation.

Investment by the licensees should be demonstrated through a firm commitment of improved coverage and capacity for remote and regional communities to an agreed timetable.

Criterion 3: enhances competition

The SSWG has no comment on competition aspects other than the observation that tightly held spectrum and protectionism may act to stifle competition in some cases.

Criterion 4: balances public benefits and impacts

The SSWG believes that cities are over-serviced and regional and remote areas critically under-serviced. Satellite (either fixed or mobile) is the only way all Australians living in rural and remote areas will ever enjoy the same digital experience than those who live in populated areas. However, in many circumstances it is often the satellite services that suffer when satellite spectrum is auctioned to the terrestrial carriers. The severe imbalance between the city and bush-dwelling population leaves many Australians digitally disadvantaged. In the review of the expiring spectrum licence bands, critical consideration is required to ensure that remote and regional communities have their digital gap reduced by the ACMA recognising the importance of satellite spectrum as an enabler to meet the needs of the under-serviced.

Criterion 4: supports relevant policy objectives.

A current and vitally important Government priority is 'Closing the Gap' Digital Inclusion. From a telecommunications perspective this is enshrined in Outcome 17:

Aboriginal and Torres Strait Islander People have access to information and services enabling participation in informed decision-making regarding their own lives.

The SSWG believes that true digital inclusion in the most remote areas can only be delivered by an ecosystem of systems comprising fixed satellite services delivering high throughput data supplemented by mobile satellite 'non-terrestrial network' systems delivering a mobile service comparable with that enjoyed in populated areas. Only satellite can deliver these services and meet this important Government objective.

If you have any questions with respect to this submission, [REDACTED]
[REDACTED]

Yours sincerely,

[REDACTED]

About Communications Alliance

Communications Alliance is the primary telecommunications industry body in Australia. Its membership is drawn from a wide cross-section of the communications industry, including carriers, carriage and internet service providers, content providers, equipment vendors, IT companies, consultants and business groups. Its vision is to provide a unified voice for the telecommunications industry and to lead it into the next generation of converging networks, technologies and services. The prime mission of Communications Alliance is to promote the growth of the Australian communications industry and the protection of consumer interests by fostering the highest standards of business ethics and behaviour through industry self-governance.

For more details about Communications Alliance, see:

<http://www.commsalliance.com.au/>