**Applicant information pack**

Allocation of area-wide apparatus licences in the 3.8 GHz band in metropolitan, regional and rural Australia

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# Important information

The Australian Communications and Media Authority (ACMA) is inviting applications for area-wide transmitter apparatus licences (AWL tx) in the 3.8 GHz band (3.8–3.95 GHz in metropolitan and regional areas, and 3.75–3.95 GHz in rural areas).[[1]](#footnote-2) Area-wide receive apparatus licences (AWL rx) are available up to 4.0 GHz.

This applicant information pack (AIP) contains information about the available spectrum, how to make an application and matters the ACMA will consider when assessing applications, particularly any competing applications received during the initial 4-week application window. The AIP includes:

* available spectrum and geographic areas
* the applicable technical framework
* pricing arrangements
* the administrative allocation process, including the implementation of allocation limits for AWLs and how the ACMA will process applications.

Applicants are encouraged to familiarise themselves with all the provisions of the [*Radiocommunications Act 1992*](https://www.legislation.gov.au/C2004A04465/latest/text) (the Act), not just those pertaining to licensing, and should be aware that licence ownership and certain use cases may also be subject to:

* the [*Competition and Consumer Act 2010*](https://www.legislation.gov.au/Details/C2023C00043)
* the [*Broadcasting Services Act 1992*](https://www.legislation.gov.au/Details/C2023C00068)
* the [*Telecommunications Act 1997*](https://www.legislation.gov.au/Details/C2023C00163).

Depending on the activity undertaken under a radiocommunications licence, other Commonwealth, state and territory laws may apply.

We recommend that applicants seek the services of an [accredited person](https://www.acma.gov.au/find-accredited-person) to assist with preparing an application that adequately supports the applicant’s business case.

The ACMA is a statutory authority established under the [*Australian Communications and Media Authority Act 2005*](https://www.legislation.gov.au/Details/C2022C00363) to, among other things, administer the Act. In exercising its powers and functions, including those conferred on the ACMA by the Act, the ACMA may be expected to apply its policies, which may change from time to time.

Nothing in this AIP should be taken to bind the ACMA to any particular course of action in relation to the allocation of licences in the spectrum under discussion. The comments made in this AIP about AWLs and AWL rxs reflect the current policies of the ACMA. Prospective applicants should be aware that the policies of the ACMA may change.

Australia is a signatory to the International Telecommunication Union Constitution and Convention, and to other international treaties relating to radiocommunications. The ACMA’s administration of radiocommunications has regard to these conventions and treaties.

Applicants are also advised to seek advice independently of the ACMA on the treatment of radiocommunications licences and other investments under Australian taxation laws, and on the operation of foreign investment laws and policy on proposed investment in communications in Australia.

# Background

The 3.8 GHz band is a key band for the delivery of wireless broadband (WBB) services globally, including for the use of 5G. In Australia, the band is currently used by a mixture of services, devices and applications, including point-to-point (PTP) links, point-to-multipoint (PMP) services, coordinated fixed satellite service (FSS) earth receive stations, radiodetermination and amateur services, and various low power class licensed devices.

In accordance with our commitment in our [Five-year spectrum outlook 2023–28](https://www.acma.gov.au/publications/2023-10/five-year-spectrum-outlook-2023-28) (FYSO), we are allocating AWLs and AWL rxs in the 3.8 GHz band to prioritise access to the spectrum for local-area WBB services (LA WBB) on a shared basis with PTP and FSS use cases.

In June 2023, we consulted on the allocation, technical, pricing, and licensing arrangements for the 3.8 GHz AWL allocation. After reviewing submissions to the consultation, including advice from the Australian Competition and Consumer Commission (ACCC) on whether allocation limits should be imposed, we have finalised these arrangements for the allocation of AWLs in the 3.8 GHz band. We have published our response to submissions in the outcomes paper on [our website](https://www.acma.gov.au/consultations/2023-06/allocation-area-wide-apparatus-licences-38-ghz-band).

## Planning outcomes

In January 2021, we released the [*Replanning the 3700–4200 MHz band – Outcomes paper*](https://www.acma.gov.au/consultations/2020-07/planning-options-3700-4200-mhz-band-consultation-222020) (the 2021 outcomes paper). The 2021 outcomes paper:

* Described the outcomes of a public consultation on planning options for the 3.8 GHz band and the broader 3.7–4.2 GHz bands.
* Examined possible sharing and coexistence arrangements for existing services in the 3.8 GHz band.
* Explained preliminary views about introducing WBB services in the 3.7–4.2 GHz band, using a combination of apparatus and spectrum licences.

In July 2022, we released the [*Proposed spectrum re-allocation declaration for the   
3.4 GHz and 3.7 GHz bands – Outcomes paper*](https://www.acma.gov.au/consultations/2022-03/proposed-spectrum-re-allocation-declaration-34-ghz-and-37-ghz-bands-ifc-102022) (the 2022 outcomes paper). The 2022 outcomes paper revised the 2021 planning decision, as outlined in the 2021 outcomes paper, in relation to the 3.8 GHz band. The ACMA expressed the view that AWLs should be issued in:

* the 3750–3950 MHz frequency range in regional areas (now referred to as   
  rural areas)
* the 3800–3950 MHz frequency range in metropolitan and immediately surrounding areas (now referred to as metropolitan and regional areas).

The 2022 outcomes paper indicated that the 3950–4000 MHz range would be used for restricted cell WBB services, now referred to as ‘highly localised’ services. These will be subject to a separate allocation process that is outside the scope of this AIP.

The technical arrangements included in the [June 2023 consultation](https://www.acma.gov.au/consultations/2023-06/allocation-area-wide-apparatus-licences-38-ghz-band) process   
proposed the use of AWL rx for earth receive stations up to 4000 MHz in the AWL geographic areas.

Planning arrangements in the 3.8 GHz band in metropolitan, regional and rural areas are intended to facilitate new use cases and support a range of existing services by introducing arrangements to support LA WBB services on a coordinated basis with incumbent FSS earth receive licences and licensed PTP services. LA WBB arrangements are intended to facilitate deployments by, for example, wireless internet service providers (WISPs), as well as campus-style and private network deployments by industry vertical and enterprise users.

The 3.8 GHz AWL allocation in metropolitan, regional and rural areas is [one of 4   
mid-band allocation processes](https://www.acma.gov.au/allocating-34-40-ghz-band).

## 1.2 Legislative and policy framework

### 1.2.1 Guiding legislation

The ACMA’s decisions are guided by the object of the Act to promote the long-term public interest derived from the use of the spectrum by providing for the management of the spectrum in a manner that:

1. facilitates the efficient planning, allocation and use of the spectrum
2. facilitates the use of the spectrum for:
   1. commercial purposes
   2. defence purposes, national security purposes and other non-commercial purposes (including public safety and community purposes)
3. supports the communications policy objectives of the Australian Government.

### 1.2.2 Ministerial policy statement

The former Minister for Communications issued the [Radiocommunications (Ministerial Policy Statement – 3.4–4.0 GHz) Instrument 2022](https://www.legislation.gov.au/Series/F2022N00015) (MPS) for the allocation of the spectrum in the 3.4–4.0 GHz band, containing the following objectives:

* supporting the deployment of new and innovative technology, including 5G
* supporting a range of use-cases and users
* supporting digital connectivity and investment in regional Australia
* promoting competitive markets.

Under section 28C of the Act, we must have regard to the objectives of the MPS, which includes supporting a range of use cases and users and supporting the deployment of new and innovative technology, including 5G.

The MPS states that ‘4G and 5G equipment availability in this band may provide opportunities for private enterprise applications, wireless internet service providers and other innovative operators. These services, alongside incumbent fixed satellite and point-to-point services, can be supported by ACMA administering efficient spectrum access arrangements that support a range of use cases and users, including an appropriate balance between wide-area and customised local services’. This, in part, guided the ACMA’s planning decision to implement allocation settings to support the deployment of LA WBB on a shared basis with FSS and PTP use cases.

### 1.2.3 Government communications policy objectives

As part of the government’s October 2022 Budget announcements, the Minister for Communications, the Hon Michelle Rowland MP, [restated the government’s commitment](https://minister.infrastructure.gov.au/rowland/media-release/albanese-government-better-connect-inform-and-empower-australians) to deliver better connectivity to Australians. This includes increasing connectivity for rural, regional, remote and First Nations communities, and enabling us to continue to auction high-value spectrum.

In her [speech to the Radcomms conference in November 2022](https://minister.infrastructure.gov.au/rowland/speech/address-radcomms-2022-conference), the minister noted that the allocation of spectrum in the 3.4–4.0 GHz band will support digital connectivity and investment in regional Australia, as well as its importance for the deployment of new and innovative technology including 5G services.

In its [statement of expectations for the ACMA](https://minister.infrastructure.gov.au/rowland/media-release/albanese-government-sets-expectations-two-key-communications-regulators) (SoE), the government articulated its expectation that the ACMA take a proactive regulatory approach, in particular that we support the government’s communications and media objectives, including:

* promoting investment, innovation and the adoption of new and emerging technologies while continuing to safeguard the interests of consumers and small businesses
* supporting government policies related to regional, rural and remote Australia including by having regard to relevant ministerial policy statements in the planning and allocation of spectrum to support innovation and competition in these areas
* promoting the long-term public interest derived from spectrum, including the benefits of technological developments that improve spectrum utilisation.

### 1.2.4 Guiding objectives for the 3.8 GHz band AWL allocation

Taken together, the [suite of mid-band allocations across the 3.4–4.0 GHz band](https://www.google.com.au/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwiX5Ljgg_-CAxUg1jgGHc03CvwQFnoECAsQAQ&url=https%3A%2F%2Fwww.acma.gov.au%2Fallocating-34-40-ghz-band&usg=AOvVaw0u81XxyHaggnl1Uy-mCKR5&opi=89978449) and different licensing approaches are intended to support the MPS objectives in conjunction with other relevant policy and legislative objectives listed above.

For this allocation of AWLs in the 3.8 GHz band, we consider the following objectives are of most relevance:

* supporting a range of use cases and users
* supporting digital connectivity and investment in regional Australia
* supporting the deployment of new and innovative technology, including 5G
* promoting competitive markets
* supporting the efficient allocation and use of spectrum.

# Product description

## AWLs

We are authorising the operation of radiocommunications transmitters in metropolitan, regional and rural areas in the 3.8 GHz band through the issue of AWLs. The AWL allows applicants to identify areas and frequency ranges specific to their requirements. That is, AWLs provide licensees with ‘building blocks’ – aggregate frequency and area blocks in a single licence, which can foster use cases for a range of network sizes or topographies. As such, AWLs are service or technology-flexible, making them well-suited to support the development of new and innovative technology.

An AWL can authorise the operation of one or more radiocommunications transmitters within a defined geographic area at a frequency or frequencies specified on the licence, subject to the conditions included in the licence. AWLs have previously been issued in the frequency ranges 25.1–27.5 GHz (the 26 GHz band in non-spectrum licensed areas) and 27.5–30 GHz (the 28 GHz band).

An AWL rx can authorise the operation of one or more radiocommunications receivers within a defined geographic area, at a frequency or frequencies specified on the licence, subject to the condition included in the licence.

## Available spectrum

Applicants may apply for AWLs in:

* Metropolitan and regional areas between 3.8 GHz and 3.95 GHz.
* Rural areas between 3.75 GHz and 3.95 GHz.

These areas are defined in Schedule 3 to the [Radiocommunications (Area-Wide Licences – Limits, Authorisations and Transfers) Determination 2024](https://www.legislation.gov.au/F2024L00156/latest) (allocation limits determination).

Applicants may apply for AWL rx licences in:

* Metropolitan and regional areas between 3.8 GHz and 4.0 GHz.
* Rural areas between 3.75 GHz and 4.0 GHz.

Please note:

* Unless an applicant can demonstrate satisfactory coordination with other licensed services, we will not generally issue an AWL authorising the operation of radiocommunications transmitters in the 15 MHz of spectrum directly adjacent to a spectrum licence. Spectrum licences have been issued up to 3.75 GHz in rural areas and 3.8 GHz in metropolitan and regional areas.
* There is reduced spectrum availability in some areas with high incumbency (such as metropolitan areas). We have reserved spectrum options for affected point-to-multipoint apparatus licences previously operating in the 3.4–3.575 GHz band (see section 2.2.1 below). The ACMA has also preserved some incumbent services such as earth receive and point to point licences (see sections 2.2.2 and 2.2.3 below). We recommend applicants and/or their accredited persons review the [Register of Radiocommunications Licences](https://web.acma.gov.au/rrl/register_search.main_page) (RRL) to consider whether there are incumbent licences within a geographical area when developing an application.

Licences will be aggregable as 10 MHz wide channels for AWLs (not applicable for AWL rx) across the 3.8 GHz band. AWL rxs can have any assigned frequency and bandwidth within the relevant range for the geographic area.

Licences will be allocated in aggregable geographic cells down to Hierarchical Cell Identification Scheme (HCIS) level 0 (an area of approximately 1800m x 1800m in size) for the purpose of issuing AWL txs and AWL rxs. The available spectrum is intended to support a range of spectrum use cases, including but not limited to:

* Private networks operating over limited areas, such as rail corridors, hospitals, educational precincts, mines or industrial facilities, either as an ‘industry vertical’ or as a service by an enterprise provider.
* Dedicated (for example, government only) WBB networks.
* Internet of Things (IoT) networks.
* Machine-to-machine (M2M) communications.
* Mobile broadband services.
* Fixed wireless access (FWA) services.

The spectrum and associated use cases are likely to be of interest to the following types of spectrum users:

* Mobile network operators.
* Wireless internet service providers.
* Enterprise service providers.
* Wholesale infrastructure providers.

### 2.2.1 Preservation of spectrum options for affected PMP licences

Amendments have been made to Radiocommunications Assignment and Licensing Instructions (RALI MS47) to preserve options for PMP licences affected by theRadiocommunications (Spectrum Re-allocation – 3.4 GHz and 3.7 GHz Bands) Declaration 2022 ([re-allocation declaration](https://www.legislation.gov.au/Details/F2022L00983)) to transition services into the 3.8 GHz band. These changes are intended to prioritise spectrum in defined areas to enable the affected licensees to apply for AWLs in the 3.8 GHz band before the end of the   
re-allocation period (that is, before 16 July 2027), as specified in the re-allocation declaration. The relevant provisions are likely to be reviewed and removed at the   
end of the re-allocation period, as their existing licences will have been surrendered/cancelled. The list may be periodically updated as affected PMP licensees apply for AWLs and transition their services.

We have identified 31 PMP licences operating in the 3475–3520 MHz frequency range to which these provisions are proposed to apply. Other prospective licensees will be required to coordinate with these PMP licensees. The coordination criteria defined in RALI MS47 for PMP licences in the 3400–3700 MHz frequency range are proposed to be applied.

The ACMA has written to all affected PMP licensees and confirmed that they wish to take up the offer of transitioning to the 3.8 GHz band. Part 4.8 of RALI MS47 details the affected PMP licences and licensees as well as the proposed reserved frequency ranges to coordinate within the 3.8 GHz band. Those frequencies:

* represent the lowest frequency ranges available at the location of each licence
* maintain the existing licence frequency separations at each PMP site
* implement a 15 MHz frequency separation with the adjacent frequency spectrum licence space (to enable coexistence without the need for synchronisation).

### 2.2.2 Incumbent earth receive licences

There are incumbent earth receive licences in the 3.8 GHz band in metropolitan, regional and rural areas. For licences issued before [Embargo 78](https://www.acma.gov.au/publications/2023-10/rules/embargo-78) was established, we will generally allow ongoing renewal. Applicants should consider coexistence with devices registered under these licences in the context of the technical framework.

Licences issued after Embargo 78 was established, by way of exemption to that embargo, generally include a note advising that we will not be minded to renew, with the latest proposed expiry date of 31 March 2024. There may be opportunities for the applications provided by these temporary licences to transition to the use of AWL rxs, to earth receive licences above 4000 MHz, or to relocate to remote areas or ESPZs in some cases.

A list of incumbent earth receive licences, correct at time of publication of this AIP, is contained in [Appendix A](#_Appendix_A_–). Applicants are encouraged to consult the ACMA’s [RRL](https://web.acma.gov.au/rrl/register_search.main_page) to check the currency of this information and if any of these licences might impact   
an application.

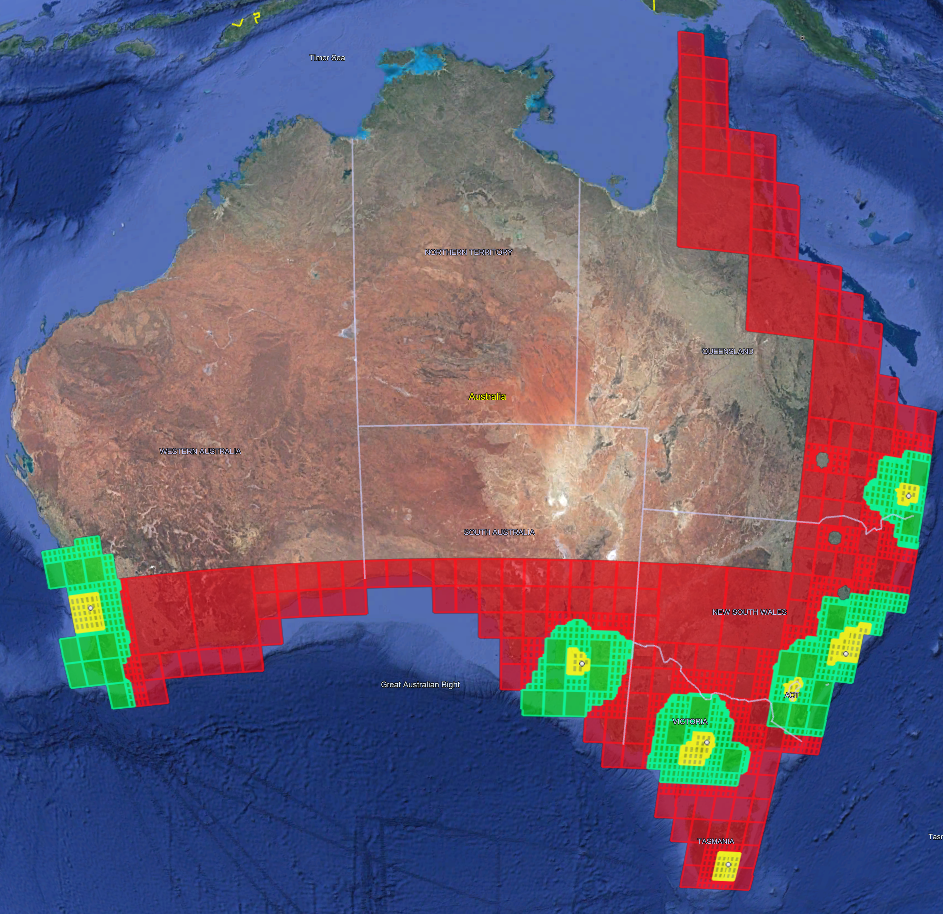
### 2.2.3 Incumbent fixed (point to point) licences

There are existing fixed point-to-point licences in the 3.8 GHz band in metropolitan, regional and rural areas, for which the ACMA will generally allow ongoing renewal. Applicants must ensure coexistence with devices registered under these licences in the context of the technical framework.

## Geographical areas

We have defined geographical areas for the 3.8 GHz band that were used in the planning decisions process. A brief description of each follows:

* **Metropolitan areas:** Covers all capital cities. These are the metropolitan areas as defined in the allocation limits determination. Metropolitan areas are available for AWL allocation in the part of the spectrum from 3800–3950 MHz. These areas are marked yellow in Figure 1 below.
* **Regional areas (previously referred to as areas ‘immediately surrounding’ metropolitan areas):** These are the regional areas as defined in the allocation limits determination. Regional areas are available for AWL allocation in the part of the spectrum from 3800–3950 MHz. These areas are marked green in Figure 1.
* **Rural areas (previously referred to as ‘regional’ areas):** These are the rural areas as defined in the allocation limits determination. Rural areas are available for AWL allocation in the part of the spectrum from 3750–3950 MHz. These areas are marked red in Figure 1.

**Figure 1: Map of metropolitan, regional and rural areas**

## 2.4 Technical framework

### 2.4.1 Elements of the technical framework

The technical framework for AWLs (and where relevant, AWL rxs) in the wider frequency range 3.4–4.0 GHz sets out the licence conditions and policy arrangements that enable coexistence with other services operating in and adjacent to AWL ranges. The licence conditions and device coordination arrangements are set out in:

* The [Radiocommunications Licence Conditions (Apparatus Licence) Determination 2015](https://www.legislation.gov.au/Details/F2019C00870), which indicates licence conditions that apply to all apparatus licences, of which AWLs are a type.
* The [Radiocommunications Licence Conditions (Area-Wide Licence) Determination 2020](https://www.legislation.gov.au/Series/F2020L00070) (AWL LCD), which indicates licence conditions that will apply to all AWLs (not applicable to AWL rxs), unless specified on the licence. This includes in-band and unwanted emission limits for transmitters operating under an AWL.
* A revised [Radiocommunications Assignment and Licensing Instruction MS47: Frequency coordination and licensing procedures for AWLs in the 3400–4000 MHz band](https://www.acma.gov.au/publications/2023-06/instruction/rali-ms47-licensing-and-coordination-procedures-area-wide-licences-awl-3400-4000-mhz-band) (RALI MS47), which provides ACMA policy for the issuing of AWL tx and AWL rx, and for the coordination of devices to be registered under   
  those licences.
* The [Radiocommunications Advisory Guidelines (Managing Interference from Spectrum Licensed Transmitters — 3.4 GHz Band) 2015](https://www.legislation.gov.au/Series/F2015L00728), (RAG Tx) is referenced by RALI MS47 and provides additional guidance. Of note are requirements for coordination of spectrum licences and AWLs with earth receive stations licenced under earth receive licences, and notes on coordination of spectrum licences   
  with AWLs.
* The [Radiocommunications (Unacceptable Levels of Interference – 3.4 GHz Band) Determination 2015](https://www.legislation.gov.au/Series/F2015L00727) (ULOI) is referenced by RALI MS47 and also provides additional guidance. It provides the definition of a device boundary criterion (DBC) that is used in RALI MS47.
* Any special conditions on individually issued licences.

For the purposes of this section only, the following definitions are used to avoid ambiguity:

* **AWL or AWL tx:** The term refers to area-wide licences for transmitters, not to area-wide receive licences.
* **AWL rx or AWL rxs:** The term refers to an apparatus licence that authorises the operation of an area wide receive station.

Technical planning arrangements will apply to support a wide variety of uses. In summary, it is intended to manage, relevant to this allocation:

* Coexistence between transmitters operating under AWLs.
* Coexistence with devices operating under spectrum licences in the frequency range 3.4–3.8 GHz in defined areas.
* Coexistence with earth receive stations under earth receive licences in parts of the frequency range 3.4–4.2 GHz.
* Coexistence with incumbent PMP services in parts of the frequency range   
  3.4–4.0 GHz.
* Coexistence with fixed PTP services operating in the frequency range   
  3.58–4.2 GHz (3.8 GHz PTP band).
* Coexistence with aeronautical radionavigation (radio altimeter) services operating in the frequency range 4.2–4.4 GHz.
* Coexistence with earth station protection zones.
* Coexistence with the Radio Quiet Zone (RQZ).
* Coexistence with services deployed in and around Darwin and Geraldton.
* Coexistence with specified devices operating under the Radiocommunications (Low Interference Potential Devices) Class Licence 2015, such as ground and wall penetrating radar, building material analysis transmitters and ultra-wideband transmitters, operating across various ranges including the frequency range   
  3.1–4.8 GHz.

The intended outcome of the application of licence conditions and other elements of the technical framework is to support a wide range of new and existing uses of the spectrum, and to deliver benefits to consumers in terms of quality and range of services. The ACMA has endeavoured to make the AWL technical framework as similar as possible to the 3.4 GHz spectrum licensing technical framework.

Applicants should engage an [accredited person](https://www.acma.gov.au/what-accredited-person-does) to ensure the proposed AWL satisfies the technical requirements needed for the services envisaged by the applicant.

### 2.4.2 AWL Licence Condition Determination (LCD)

The [AWL LCD](https://www.legislation.gov.au/F2020L00070/latest/text) contains conditions that apply to all AWL txs.

Schedule 4 to the AWL LCD contains conditions specific for radiocommunications transmitters authorised to operate in the 3.4–4.0 GHz band, including:

* maximum permitted total radiated power, and equivalent isotropically radiated power limits that apply only above 3700 MHz.
* limits on unwanted emissions outside the frequency range authorised by   
  the licence.
* deployment restrictions to manage coexistence with other services.
* requirements for all radiocommunications transmitters to be included in the RRL, other than those with specified operating parameters (i.e., registration-exempt transmitters).

**2.4.3 Radiocommunications Assignment and Licensing Instructions (RALIs)**

RALIs are administrative policy documents that support licensing and device coordination in a band and assist accredited persons when assigning frequencies and coordinating devices. RALI MS47, revised for this allocation, sets out the ACMA’s guidance on issuing new AWLs and the coordination of devices operating under an AWL with other services.

RALI MS47 includes a specified channel raster for AWL txs and limitations on assignments in certain areas. Exceptions to this policy will be considered on a case-by-case basis. In general, AWL txs (but not AWL rxs) are to be assigned using contiguous channels of 10 MHz with the following guidance:

* AWL txs issued to existing spectrum licence holders in the 3.4–4.0 GHz band should preferably be contiguous with existing spectrum licences, and be below 3.8 GHz.
* AWL txs issued to persons who do not hold spectrum licences in the 3.4–4.0 GHz band should preferably be contiguous with any existing AWL licences held by them, and be above 3.8 GHz.
* In ascending frequency order, but subject to the above 2 points.

For AWL rxs, assignment is preferably in descending order (highest frequency available) but recognising that assignments will be determined by a range of factors.

These arrangements are aimed at improving spectral efficiency, maximising spectrum availability for prospective licensees, and enabling the prospect of contiguous spectrum holdings across geographic boundaries. This approach supports the efficient allocation and use of spectrum and a range of use cases and users. Alternative ways of assigning spectrum can be considered on a case-by-case basis by the ACMA where they are deemed to improve the efficiency in use and allocation of spectrum.

An AWL authorises the operation of radiocommunications transmitters within a frequency range and geographic area specified on the licence. AWLs authorising operation in the 3.4–4.0 GHz range will generally only be issued in geographic areas that are located outside those embargoed frequencies and areas defined in RALI MS03 and RALI MS26. In addition, RALI MS47 specifies a relevant coordination zone, the Geraldton coordination zone, where AWLs will generally not be issued.

In the defined rural, regional and metro areas:

* No new earth receive licences will generally be issued.
* In rural and regional areas, PTP apparatus licences above 3800 MHz will continue to be issued. A policy that no new PTP licences will generally be issued in metropolitan areas has been adopted.
* No new transmitter licences for PMP or PTS services will generally be issued in the 3.4–4.0 GHz range.
* Incumbent PMP licences would generally be allowed to continue to operate in the band, but would be encouraged to apply for AWLs and a transition path would be provided.
* An AWL tx will generally not be issued if it would authorise the co-frequency operation of transmitters within 20 km of a PMP transmitter, or within 5 km if the proposed AWL tx is adjacent in frequency by 10 MHz or less, unless the licensee of the PMP service transmitter agrees otherwise in writing.
  + 1. **Radio altimeter coexistence measures**

RALI MS47 includes several licence special conditions that give effect to interim mitigations to manage coexistence of AWL tx areas with aeronautical radionavigation services (radio altimeters) that operate in the 4200–4400 MHz band. Further details on the basis for these special conditions can be found in the [Wireless broadband and radio altimeters coexistence outcomes paper](https://www.acma.gov.au/5g-and-aviation-services-australia). In summary, they are:

* For deployments above 3700 MHz in the vicinity of identified runways:

exclusion zones, where transmitters will not be permitted to provide   
WBB services

restricted zones, except in the 3950–4000 MHz range in metropolitan and regional areas, with a power flux density (PFD) limit in the restricted zones.

* For all deployments above 3700 MHz:

any antenna system used for WBB services must direct its main beam, using mechanical or fixed electrical tilts, to below the horizon at all times

grating lobes of antenna systems used for WBB services must be minimised as much as is practically achievable.

Further details on these mitigations and the identified runways are contained in   
RALI MS47. The ACMA will remove the interim mitigations requirements after   
31 March 2026.

**2.4.5 Other coordination requirements**

RALI MS47 also sets out the coordination requirements that must be met before a transmitter can be registered in the RRL. This includes arrangements for coordination between stations operated under other AWLs, and between stations authorised by an AWL and other radiocommunications devices or services in, and adjacent to, the   
3.4–4.0 GHz band. Requirements detailed in other applicable RALIs and [business operating procedures](https://www.acma.gov.au/business-operating-procedures-spectrum) are also set out in RALI MS47, including, relevant to this allocation, protection and coordination requirements for:

* fixed links (RALI FX03)
* earth station protection zones (RALI MS44)
* the RQZ (RALI MS32).

Unless an exception is granted, a transmitter must comply with the coordination requirements in RALI MS47 in order to be registered in the RRL.

**2.4.6 Incumbent services in the 3.75–4.0 GHz range areas**

AWL applicants will need to coordinate with incumbent services including PMP, earth receive and PTP.

The ACMA does not propose to issue new PMP licences in the 3.4–4.0 GHz range within the [Australia spectrum map grid](https://www.acma.gov.au/australian-spectrum-map-grid).

A summary of licensing arrangements in the 3.75-4.0 GHz band in relevant areas is at Table 1.

A range of other non-WBB technologies also use the 3.4–4.0 GHz band in Australia under specific conditions, including radiodetermination services and FSS that represent significant public interest. An advisory note will be placed on AWLs concerning the potential interference from radiolocation systems operated by the Department of Defence in the 3.1–3.3 GHz and 3.3–3.6 GHz bands. Reception of satellite communications in remote areas is not authorised under AWL rxs and will continue to be licensed under earth receive apparatus licences.

1. Summary of relevant licensing arrangements in 3.7–4.0 GHz in rural, regional and metropolitan areas

|  |  |  |  |
| --- | --- | --- | --- |
| **Geographic area** | **3750–3800 MHz** | **3800–3950 MHz** | **3950–4000 MHz** |
| Rural | AWL tx, AWL rx  Incumbent FSS, PTP | AWL tx, AWL rx, PTP  Incumbent FSS | WBB t.b.d.[[2]](#footnote-3)  PTP  AWL rx  Incumbent FSS |
| Regional | SL | AWL tx, AWL rx, PTP  Incumbent FSS | WBB t.b.d.  PTP  AWL rx  Incumbent FSS |
| Metropolitan | SL | AWL tx, AWL rx  Incumbent FSS | WBB t.b.d.  AWL rx  Incumbent FSS, PTP |

AWL tx – Area wide licence for transmitters; WBB – local area wireless broadband (licence type t.b.d.); AWL rx – area-wide licence for earth receive stations; FSS – fixed satellite service (earth receive licence type);   
PTP – point-to-point (fixed apparatus licence type).

## 2.5 Licence tenure and renewal

### 2.5.1 Licence tenure

The Act enables us to issue apparatus licences for a period of up to 20 years. An overview of our approach to licence duration is outlined in our [licensing and allocation information paper](https://www.acma.gov.au/publications/2021-03/rules/our-approach-radcomms-licensing-and-allocation) (the information paper). The information paper defines long-term licence duration (up to 20 years), medium-term licence duration (up to 10 years) and short-term licence duration (up to one year).

We consider that AWLs (and AWL rxs) in the 3.8 GHz band in metropolitan, regional and rural areas best satisfy the stated criteria for medium-term licence duration. We intend to facilitate a range of users and use cases in the band. However, the extent of demand for AWLs in the band remains uncertain, reflecting the early development of business cases for service deployment. A medium-term licence duration may allow licensees to deploy network solutions to test and develop their business cases.

A medium-term licence duration will also facilitate a holistic approach to longer-term arrangements for the broader 3.4–4 GHz band. Generally limiting the duration for   
3.8 GHz AWLs to no longer than 13 December 2030 ensures a consistent licence duration approach to that taken with licences issued as a result of the 3.4–4.0 GHz remote AWL allocation and the spectrum licences in the 3.4 and 3.6 GHz bands.

Applicants are able to specify any licence period up to the maximum allowed under the Act. We will consider the anticipated use case and business needs of the applicant, competing demand for the spectrum and the policy framework outlined in section 1.2 of this pack when deciding the duration of the licence we issue to an applicant.

### 2.5.2 Licence renewal

Section 129 of the Act also includes processes for the renewal of apparatus licences, including the inclusion of public interest statements on licences. The ACMA does not intend to include renewal statements or public interest statements on AWL txs and AWL rxs in the 3.8 GHz band in metropolitan, regional and rural areas.

If a renewal statement is not included on a licence, the default renewal application and decision-making periods applicable to apparatus licences will apply. The default renewal application period for apparatus licences begins 6 months from expiry and ends 60 days after the licence expires. The decision-making period is 90 days.

To address the risk that initial licence allocations may not ultimately be used as planned, and the potential that licence holders may not have adequate incentive to return unused licences or unused portions of licences to the market, we intend to place an advisory note on each AWL tx and AWL rx. This will outline that the ACMA, when deciding whether to renew a licence, may have regard to whether the spectrum has been used and whether there is unmet demand for licences in the 3.8 GHz band. This approach supports the efficient use of spectrum.

We may decide not to renew a licence, or to renew the licence with different conditions (including a reduced quantum of spectrum or different geographic areas).

If we consider that unmet demand in the band will require a consideration of   
spectrum use at renewal, we intend to communicate this to the licensee no less   
than 6 months before the expiry date of its AWL tx or AWL rx.

We may also renew licences with different conditions and renewal statements, including in relation to re-planning decisions or for other reasons. More information about [apparatus licence renewal](https://www.acma.gov.au/policy-apparatus-licence-renewals) is available on our website.

## 2.6 Pricing

There are 2 types of fees applicable to AWL txs and AWL rxs:

* Administrative charges to recover the direct costs of spectrum management.
* Annual apparatus licence taxes to recover the indirect costs of spectrum management and provide incentives for efficient spectrum use. Indirect costs are those that cannot be directly attributed to individual licensees. Apparatus licence taxes are determined in the [Radiocommunications (Receiver Licence Tax) Determination 2015](https://www.legislation.gov.au/F2015L00321/2021-06-03/text)and the [Radiocommunications (Transmitter Licence Tax) Determination 2015](https://www.legislation.gov.au/F2015L00322/latest/text). Both are available on the [Federal Register of Legislation](https://www.legislation.gov.au/Details/F2012L01820) website.

### 2.6.1 AWL tax arrangements in the 3.8 GHz band

The ACMA is implementing $/MHz/pop apparatus licence tax arrangements for AWLs in the 3.8 GHz band. It is noted that allocation of AWLs will apply to different frequency ranges across metropolitan and regional areas:

* AWLs in metropolitan and regional areas in the 3.8–3.95 GHz range.
* AWLs in rural areas in the 3.75–3.95 GHz range.
* AWL rxs in metropolitan and regional areas in the 3.8–4.0 GHz range.
* AWL rxs in rural areas in the 3.75–4.0 GHz range.

The apparatus licence tax rate is $0.0041/MHz/pop. Total annual licence tax is therefore calculated as follows:

AWL tax = $/MHz/pop price x bandwidth (MHz) x population of geographic area

where:

* ‘$/MHz/pop’ price is the tax rate for one MHz of spectrum per head of population.
* ‘bandwidth’ is the total amount of spectrum in MHz authorised by the licence.
* ‘population’ (based on the 2021 Census) is the population of the geographic area authorised by the licence. The area is defined in terms of the HCIS system. The population is based on the aggregate population of all the geographic cells to be authorised by the licence. The effective population of a single HCIS 0 cell (the minimum cell size) for the purposes of tax calculations will be determined by taking the average population of all HCIS 0 cells in the broader HCIS 1 cell that the particular HCIS 0 cell is located within. There are 25 HCIS 0 cells within one   
  HCIS 1 cell. We maintain on our website a document that sets out the population   
  of each HCIS cell or block.[[3]](#footnote-4)

The minimum tax constraint will be applied to the aggregate cost of the AWL and will be equivalent to the minimum annual tax for apparatus licences (currently $41.37, scheduled to increase to $41.86 on 5 April 2024). Where the tax worked out using the method outlined above is less than the minimum annual tax, the tax will be the minimum annual tax. Total taxes are rounded to the nearest dollar.

#### Examples of taxes

To assist applicants, the following examples are provided using 3 locations, based on 10 MHz of bandwidth and 6 geographic areas of different sizes (one HCIS 0 cell,[[4]](#footnote-5) 4 HCIS 0 cells, one HCIS 1 block,[[5]](#footnote-6) one HCIS 2 block,[[6]](#footnote-7) one HCIS 3 block,[[7]](#footnote-8) and one HCIS 4 block).[[8]](#footnote-9) The locations chosen have relatively large populations at the HCIS 1 level to highlight how to calculate the taxes. Other locations may have lower populations and therefore taxes will be lower.

The following examples use the $0.0041/MHz/pop tax rate in several different regions located in metropolitan and regional areas included in this allocation.

* HCIS 1 cell NV7M6 is in Sydney and has a population of 372,076 on the 2021 Census date, which was the most populous of all HCIS 1 cells. Based on the $0.0041/MHz/pop tax rate, the AWL tax for this area is $15,255. We have calculated the taxes for 6 different-sized geographies in and around the NV7M6 Sydney area, shown in Table 2 below.
* HCIS 1 cell IW3L4 is in the Adelaide Hills and has a population of 7,924 on the 2021 Census date. Based on the $0.0041/MHz/pop tax rate, the AWL tax for this area is $325. We have calculated the taxes for 6 different sized geographies in and around the Adelaide Hills area (but excluding central Adelaide), shown in Table 2.
* HCIS 1 cell LQ1O9 is in Cairns and has a population of 45,776 on the 2021 Census date. Based on the $0.0041/MHz/pop tax rate, the AWL tax for this area is $1,877. We have calculated the taxes for 6 different sized geographies in and around the Cairns area, shown in Table 2.

Table 2 details the annual tax amounts for the examples above, noting that the taxes are rounded to the nearest dollar and the minimum annual tax also applies.

1. $/MHz/pop annual transmitter licence taxes (using 10 MHz) in various metro and regional locations

|  |  |  |  |
| --- | --- | --- | --- |
| Price ($0.0041/MHz/pop) | HCIS 1 cell | | |
| Inner Sydney (NV7M6) | Adelaide Hills (IW3L4) | Cairns (LQ1O9) |
| 1 HCIS 0 cell | $610 | $41\* | $75 |
| 4 HCIS 0 cells | $2,441 | $52 | $300 |
| 1 HCIS 1 block (equivalent to 25 HCIS 0 cells) | $15,255 | $325 | $1,877 |
| 1 HCIS 2 block | $87,074 | $937 | $4,692 |
| 1 HCIS 3 block | $129,294 | $44,573 | $6,541 |
| 1 HCIS 4 block\*\* | $160,421 | $61,425 | $11,172 |

\* Tax amounts were lower than $41.37 minimum tax, causing the minimum tax to be applied (rounded to the nearest dollar, which means it is rounded down to $41). The minimum tax is scheduled to increase to $41.86 on 5 April 2024, which will round up to $42.

\*\* The tax amounts for HCIS 2/3/4 blocks use the population of the corresponding HCIS block that the HCIS 1 block is located within (e.g., for Inner Sydney cell NV7M6, the population of NV7M is used for HCIS 2, and NV7 is used for HCIS 3). In some cases, the population figure for a HCIS 4 block was not available, so the sum of the populations of all HCIS level 3 cells with the same prefix was used instead.

Population information for the HCIS system can be found on the [ACMA website](https://www.acma.gov.au/convert-hcis-area-description-placemark).

We have developed an [AWL tax calculator](https://www.acma.gov.au/publications/2023-06/guide/area-wide-licence-awl-calculators) to help applicants work out how much tax must be paid for the combination of spectrum and geographic area desired.

### 2.6.2 Tax arrangements for FSS earth receive in the 4.0–4.2 GHz band

While not part of this application process, for completeness of information, apparatus licence taxes for space receive licences or site-based earth receive licences in the 4.0–4.2 GHz frequency range will be priced at the minimum annual tax. This new tax arrangement provides an alternative to FSS earth receive operators in the 3.8 GHz band. This new pricing arrangement will commence on 5 April 2024.

### 2.6.3 Payment of tax

Apparatus licence tax is payable before a licence is issued. If the licence duration is more than one year, the annual amount for each year can be paid upfront. Alternatively, the tax amount can be paid by annual instalments, but the instalment amounts may differ each year due to adjustments like updated Census population data, annual indexation of taxes (for minimum annual tax), or any changes to taxation that may occur due to pricing reviews. For example, in the FYSO, we have flagged a review of taxes in the 2.69 GHz to 5 GHz frequency range in 2024–25. More information about the timing of that review will be included in the draft Five-year spectrum outlook 2024–29.

### 2.6.4 Charges

A cost-recovery charge will be payable for considering an application for the issue of an AWL or an area-wide receiver licence (AWL rx).[[9]](#footnote-10) This charge is payable whether or not the application results in the issue of a licence. The charge recovers the direct costs of the ACMA spectrum management activities in considering the applications. Different charges are applicable to different types of apparatus licences (see Table 3).

Charges

|  |  |  |
| --- | --- | --- |
| **Fee type** | **Description** | **Fee** |
| AWL | Considering an application for an AWL (if applicable). | $847.00 |
| AWL rx | Considering an application for an AWL rx (if applicable). | $847.00 |
| AWL – further charges | Further charges related to processing an application for the issue of an AWL (the first application),where the ACMA is required to assess the first application against one or more other applications for a standard AWL or for an AWL rx.  Note: If further charges are applicable, we will apportion the charge so that all applications that are assessed against each other will incur the same additional charge, determined using the hourly rate. | The amount is calculated using the following formula:  THR  N  **where:**  *THR* is the total hourly rate (the hourly rate multiplied by the time taken to assess each of the first application and any other application against which the first application is assessed)  *N* is the number of applications for the licence against which the first application is assessed |
| AWL rx– further charges | Further charges related to processing an application for the issue of an AWL rx (the first application),where the ACMA is required to assess the first application against one or more other applications for a standard AWL or for an AWL rx.  Note: If further charges are applicable, we will apportion the charge so that all applications that are assessed against each other will incur the same additional charge, determined using the hourly rate | The amount is calculated using the following formula:  THR  N  **where:**  *THR* is the total hourly rate (the hourly rate multiplied by the time taken to assess each of the first application and any other application against which the first application is assessed);  *N* is the number of applications for the licence against which the first application is assessed |

# 3. Allocation process

## 3.1 Stage 1: Application window

The ACMA will initially invite applications from eligible parties during a 4-week application window. The application window will **open at 10 am (Australian Eastern Daylight Time) on 28 March 2024 and close at 2 pm (Australian Eastern Standard Time) on 2 May 2024**. All applications received during the application window will be considered by the ACMA to have been received at the same time and will accordingly be assessed simultaneously rather than on a ‘first-in-time’ basis, as is the case for the majority of administrative allocations for apparatus licences.

The application window will assist us in managing demand for AWLs in the 3.8 GHz band in metropolitan, regional and rural areas by:

* establishing the initial level of demand
* identifying any excess demand in specific geographical locations and frequency segments where competing applications are received.

**Table 4: Summary of AWL application window process**

|  |  |
| --- | --- |
| **Stage** | **Process** |
| **Application window** | Applications received.  Applicants are encouraged to provide any supporting information such as explaining their use case and the proposed service area. |
| **Step 1:**  **Compliance against allocation limits** | Applications are assessed against the imposed allocation limits and the associates test.  If an application is compliant with the allocation limits and associates test, the application will progress to  Step 2.  If an applicant is not compliant with the allocation limits and associates test, then the application will be refused. |
| **Step 2:**  **Identifying competing demand** | The application is then considered against other applications as to whether there is competing demand (e.g., if there is an overlap between applications in the same frequency range and geographic areas).  It should be noted that applications received during the application window will be assessed collectively in order to resolve instances of competing demand (if any) before licences are issued. |
| **Step 3:**  **Request for further information** | If there is competing demand in a part of the spectrum, the ACMA may request further information from applicants.  This may include further information relating to the applicant’s use case. We may also request information to assist our decision on licence issue in alignment with our legislative and policy framework outlined at section 1.2 of this AIP as well as our allocation principles.  Further information we may request includes (but is not limited to):   * the types of services the applicant wishes to deploy (for example, 4G or 5G technologies for telecommunications, mining or agricultural use, etc.) * the minimum amount of spectrum the applicant requires for its business case * the minimum geographic area the applicant requires to provide its services * preferred frequency ranges within the 3.8 GHz band (if those requested in the applicant’s application are not available) * technical specifications of the equipment the applicant seeks to deploy * any other information we consider useful in making a decision about issuing a licence.   We may also invite applicants to make claims against the allocation principles set out in Table 5 below. |
| **Step 4:**  **Proposed allocation** | The ACMA will consider each application against the ACMA’s legislative and policy framework (section 1.2 of this pack).  We will be guided by the allocation principles (section 3.4 of this pack), the additional information provided by the applicant in Step 3.  The ACMA must also consider any other matters it considers relevant pursuant to section 100 of the Act.  Based on these considerations, the ACMA may seek commentary from the applicant on an alternative proposed spectrum allocation. This will be done on a case-by-case basis. |
| **Step 5:**  **ACMA decision** | The ACMA may decide to issue the applicant a licence, taking into account the RALI procedures for AWLs in the 3.8 GHz band (RALI MS47) and any other applicable RALI.  If the applicant is satisfied with the alternative allocation, then the ACMA may make a decision to issue a licence, taking into account the RALI procedures.  If the applicant is not satisfied with the alternative spectrum allocation, the ACMA may make a decision not to issue a licence. This will depend on the elements of the alternative spectrum allocation the applicant is not satisfied with, and whether the issue can be rectified. The ACMA will endeavour to accommodate all applications. |

## Stage 2: First-in-time process

Once the application window has closed, applications for AWLs and AWL rxs in 3.8 GHz band in metropolitan, regional and rural areas will be processed on a first-in-time basis. This means that applications will be assessed in the order in which they are received, and licences, where the ACMA decides to issue them, will be issued accordingly. Applicants should note that allocation limits will continue to apply for a period of time as outlined below in section 3.3 of this AIP.

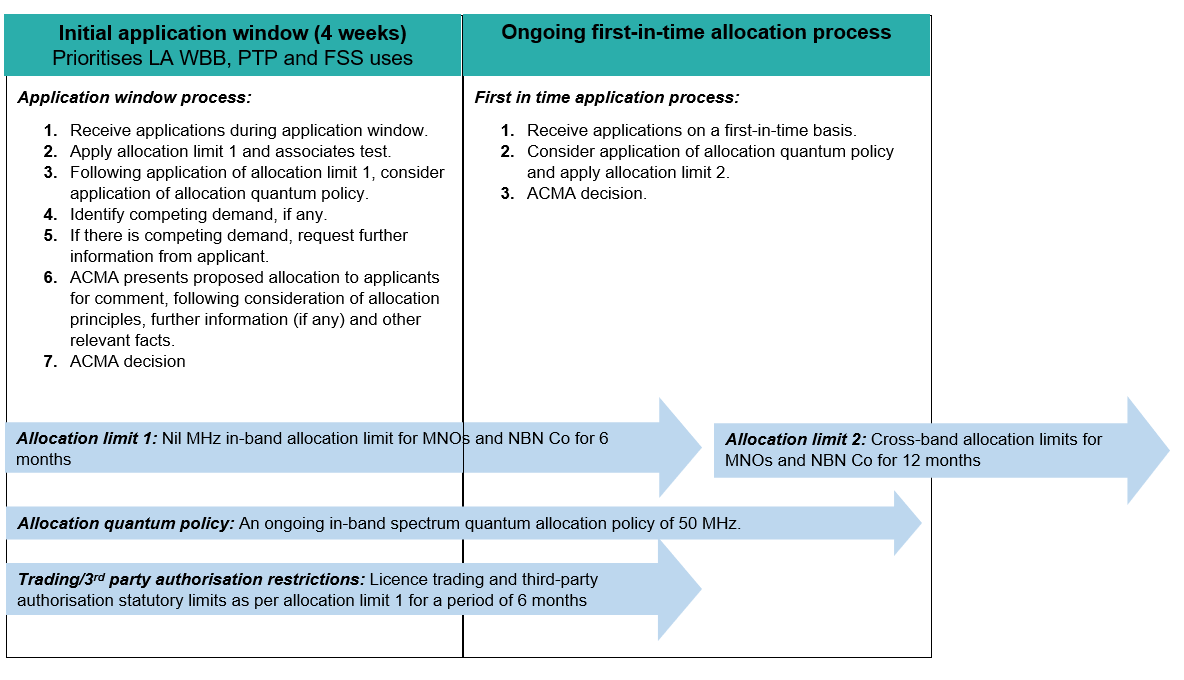
Our intention is to complete the assessment of applications received during the application window and issue licences before assessing applications received after the application window has closed. The timeframes for how long it will take to assess applications and issue licences from the application window may vary depending on the level of demand expressed and the number of competing applications.

## Allocation limits

We have made the allocation limits determinationunder subsections 102G(1), 115(1) and 131AC(1) of the Act. The allocation limits determination:

* Sets a temporary limit of 0 MHz on named persons, meaning those persons cannot acquire spectrum in the 3.8 GHz band allocation while the 0 MHz limit is in place (this limit is referred to as the nil limit).
* Restricts the transfer of 3.8 GHz band AWLs and third-party authorisations for the use of those AWLs for the duration of the nil limit.
* Sets a temporary limit of 140 MHz in metropolitan areas and 160 MHz in regional and rural areas in the broader 3.4–3.95 GHz band, that any applicant can acquire as a result of the allocation (this limit is referred to as the cross-band limit). This limit will commence immediately upon the cessation of the nil limit.

Figure 2: Allocation limits



### 3.3.1 Nil limit and restrictions on trade and third-party authorisations

The allocation limits determination prevents named persons and their associates[[10]](#footnote-11) from acquiring spectrum for a period of 6 months from the opening of the application window. The nil limit will apply to the following persons and their associates:

* NBN Co Ltd (ACN 136 533 741)
* Optus Mobile Pty Ltd (ACN 054 365 696)
* Telstra Ltd (ACN 086 174 781)
* Mobile JV Pty Ltd (ACN 628 500 916).

As represented above in Figure 2, the nil limit will be in force, commencing on the day after the allocation limits determination is registered in the Federal Register of Legislation, and ending on 30 September 2024.

In support of the nil limit, the allocation limits determination also restricts licence transfers and third-party authorisations to named persons and their associates of licences acquired through the 3.8 GHz allocation. As a supporting legislative mechanism to the nil limit, the licence transfers and third-party authorisations provisions will cease to have effect at the same time as the nil limit on   
30 September 2024.

### 3.3.2 Cross-band limit

Immediately following the cessation of the nil limit, the allocation limits determination will impose limits on the amount of spectrum that can be allocated to named persons and their associates across the broader 3.4–4.0 GHz frequency range. The cross-band limit will apply to the same named persons as specified for the nil limit, being:

* NBN Co Ltd (ACN 136 533 741)
* Optus Mobile Pty Ltd (ACN 054 365 696)
* Telstra Ltd (ACN 086 174 781)
* Mobile JV Pty Ltd (ACN 628 500 916).

Under the cross-band allocation limit, as a result of the 3.8 GHz band AWL allocation, no named person can hold more than 140 MHz in metropolitan areas and 160 MHz in regional and rural areas in the 3.4–3.95 GHz band.

The cross-band limit will commence on 01 October 2024 and cease on   
30 September 2025.

### 3.3.3 Associates test

To support the integrity of the allocation limits, the ACMA will apply an associates test. For the purposes of the allocation limits determination, in relation to both the nil and cross-band limits, associates are defined as:

* a related body corporate of the named person
* a director or secretary of the named person
* a foreign company for which the named person is a local agent.

‘Foreign company’, ‘local agent’, and ‘related body corporate’ all have the same meaning as defined in the [*Corporations Act 2001*](https://www.legislation.gov.au/Details/C2023C00180).

For the nil limit, associates of a named person cannot be issued an AWL in the 3.8 GHz band. For the cross-band limits, named persons and their associates together cannot exceed the applicable allocation limit.

Potential applicants and/or their accredited persons should satisfy themselves prior to seeking to submit an application that they are not associates for the purposes of the allocation limits determination*.* The application portal to be used by applicants and/or accredited persons when applying for an AWL, will seek an indication from the applicant or their accredited person that they are not associates.

## 3.4 Allocation quantum policy and allocation principles

The ACMA has adopted an allocation quantum policy (AQP) setting out that generally, we will not issue an AWL in the 3.8 GHz band in metropolitan, regional or rural areas that authorises more than 50 MHz in any HCIS level 0 cell. We consider an AQP of   
50 MHz is suitable for the likely use cases to be deployed under an AWL and will facilitate at least 3 licenses in metropolitan and regional areas, and at least 4 licensees in rural areas.

The ACMA will consider a range of factors when determining whether or not to issue of an AWL in the 3.8 GHz band. These factors will include, but not be limited to, matters set out in the RALI MS47, the AQP as discussed above, licensing arrangements (if any) that exist in the spectrum being applied for, likely technologies and deployment scenarios that are proposed be employed in the band, the necessary conditions for co-existence of services, and any matters the Act requires us to consider.

In addition to these matters, we will have regard to when deciding whether to issue a licence, we have developed a set of allocation principles to use, particularly where there are competing applications for spectrum in the same frequency range in a geographic area.

Table 5: Allocation principles

|  |  |
| --- | --- |
| **Allocation Principle 1** | Geographical area of each licence should be consistent with the proposed use-cases of the application received |
| **Allocation Principle 2** | Each licence should promote the efficient use of spectrum in a manner consistent with the technical arrangements supporting planned uses. |
| **Allocation Principle 3** | Allocation will seek to accommodate all applicants. |
| **Allocation Principle 4** | Consider for each applicant the extent to which a refusal to issue the licence applied for would affect the ability of the applicants to deploy services |

## 3.5 Application portal

An online application portal for AWLs and AWL rxs will be available on the ACMA website on 28 March 2024.

The application portal will be available from the opening of the application window.   
To submit an application using the portal, the applicant must sign in using their myGovID account.

In addition to basic information about sought after spectrum and geographic area, the portal enables/invites applicants to provide additional information including but not limited to:

* a description of the proposed use case
* the nature of the service provision (for example, industry vertical, enterprise, MNO)
* supporting documentation for applications seeking spectrum in excess of the ACMA’s 50 MHz AQP
* any general documentation that applicants consider would support their application and assist the ACMA in making a decision in relation to the potential issue of   
  a licence.

All information collected on the application portal, except information that is required to be recorded on the RRL, will be treated as commercial-in-confidence. However, confidential information may sometimes be required or authorised to be disclosed under Commonwealth laws (for example, the [*Freedom of Information Act 1982*](https://www.legislation.gov.au/Details/C2023C00079)).

### 3.5.1 Accredited persons

An accredited person is a person accredited by us to undertake frequency assignment and related activities. Accredited persons hold radiocommunications or related qualifications and are familiar with the ACMA’s rules and processes for apparatus licensing. Accredited persons may assist applicants with preparing and submitting licence applications.

The ACMA does not set or regulate the costs charged for services provided by an accredited person.

We recommend that applicants seek the services of an accredited person to assist with preparing an application that adequately supports the applicant’s business case.

Details of accredited persons can be found on the [ACMA website](https://www.acma.gov.au/find-accredited-person).

# 4. Common terms

### 3.8 GHz band

For the purposes of this allocation, the 3.8 GHz band is the frequency ranges   
3.8–3.95 GHz in metropolitan and regional areas, and 3.75–3.95 GHz in rural areas. These areas are defined in Schedule 3 to the allocation limits determination.

### Apparatus licence

A licence that authorises the use of either a radiocommunications transmitter or radiocommunications receiver.

### AWL or AWL tx

Area-wide transmitter apparatus licence.

An AWL authorises one or more radiocommunications transmitters in a geographic area and frequency specified in the licence, as area-wide stations. The licence may be used for a wide range of purposes, uses, services, applications and technologies.

### AWL rx

Area-wide receive licence.

A licence that authorises the use of one or more radiocommunications receiver for an area-wide station.

### Fixed satellite earth receive licence (FSS ER)

A licence that authorises the operation of one or more earth receive stations that operates principally for receiving communications from a space station via downlink on frequencies specified in the licence.

### Point-to-multipoint service (PMP)

A licence that authorises the operation of a fixed station that operates principally for communication with mare than other fixed station on frequencies specified in the licence.

### Point-to-point service (PTP)

A licence that authorises the operation of a fixed station that operates principally for communication with 1 other fixed station on frequencies specified in the licence.

### Spectrum licence

A licence that authorises the use of a range of radiocommunications devices specified in the area and frequency range of the licence.

# Appendix A – List of incumbent earth receive licences

Specific incumbent earth receive licences that are likely relevant for potential coordination consideration are listed in this Appendix. Please note that this list is current at time of publication. Applicants are encouraged to consult the ACMA’s Register of Radiocommunications Licences prior to making an application.

The licences in this table are ordered according to lower frequency, from lowest   
to highest.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Licence no. | Licensee name | Lower frequency (GHz) | Upper frequency (GHz) | Site name | State |
| 1965128/1 | INMARSAT SOLUTIONS B.V. (Aerospace) | 3.71250000 | 3.71350000 | Perth ITC 9 m Antenna 620 Gnangara Road LANDSDALE | WA |
| 10405024/1 | INMARSAT SOLUTIONS B.V. (Aerospace) | 3.71250000 | 3.71350000 | Perth ITC 9 m Antenna 620 Gnangara Road LANDSDALE | WA |
| 10342705/1 | TELSTRA LIMITED | 3.72989900 | 3.73400100 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 1960598/1 | AngloGold Ashanti Australia Limited | 3.73262500 | 3.73297500 | AngloGold Ashanti Tropicana Gold Mine KALGOORLIE | WA |
| 1983528/1 | AngloGold Ashanti Australia Limited | 3.73282500 | 3.73317500 | Sunrise Dam Office Block  50 km S of LAVERTON | WA |
| 10370642/1 | TELSTRA LIMITED | 3.76777000 | 3.77057000 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10370650/1 | TELSTRA LIMITED | 3.77057000 | 3.77437000 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10573364/1 | Preparatory Commission for the CTBTO | 3.77315000 | 3.77435000 | Geoscience Australia cnr Jerrabomberra Avenue & Hindmarsh Drive SYMONSTON | ACT |
| 10370633/1 | TELSTRA LIMITED | 3.77551000 | 3.77595000 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10370621/1 | TELSTRA LIMITED | 3.77595000 | 3.78165000 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10377161/1 | TELSTRA LIMITED | 3.79143570 | 3.79243570 | Telstra Satellite and Microwave Site 620 Gnangara Road LANDSDALE | WA |
| 10346625/1 | TELSTRA LIMITED | 3.79150125 | 3.79688125 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10377162/1 | TELSTRA LIMITED | 3.79260240 | 3.79360240 | Telstra Satellite and Microwave Site 620 Gnangara Road LANDSDALE | WA |
| 10492050/1 | TELSTRA LIMITED | 3.79329000 | 3.80004000 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10377163/1 | TELSTRA LIMITED | 3.79376900 | 3.79476900 | Telstra Satellite and Microwave Site 620 Gnangara Road LANDSDALE | WA |
| 10362055/1 | TELSTRA LIMITED | 3.79688250 | 3.80226500 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10370605/1 | TELSTRA LIMITED | 3.79804600 | 3.80164600 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10377151/2 | TELSTRA LIMITED | 3.79824730 | 3.80079730 | Telstra Satellite and Microwave Site 620 Gnangara Road LANDSDALE | WA |
| 10377158/1 | TELSTRA LIMITED | 3.80204700 | 3.80424700 | Telstra Satellite and Microwave Site 620 Gnangara Road LANDSDALE | WA |
| 10343824/1 | TELSTRA LIMITED | 3.80223760 | 3.80264460 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10978313/1 | SPEEDCAST AUSTRALIA PTY LIMITED | 3.80455020 | 3.80568980 | Speedcast Teleport 12 Park Way MAWSON LAKES | SA |
| 10979010/1 | SPEEDCAST AUSTRALIA PTY LIMITED | 3.80505000 | 3.80580000 | Speedcast Teleport 12 Park Way MAWSON LAKES | SA |
| 10655185/1 | TELSTRA LIMITED | 3.80569000 | 3.80686000 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10627801/1 | TELSTRA LIMITED | 3.80675000 | 3.81325000 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10673199/1 | TELSTRA LIMITED | 3.80686000 | 3.80745000 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10372212/1 | TELSTRA LIMITED | 3.81049000 | 3.81220000 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10944496/1 | SPEEDCAST AUSTRALIA PTY LIMITED | 3.81340000 | 3.81460000 | Speedcast Teleport 44 Clavering Road BAYSWATER | WA |
| 10370629/2 | TELSTRA LIMITED | 3.81460000 | 3.81553000 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 3456/1 | CHANNEL SEVEN SYDNEY PTY LIMITED | 3.81600000 | 3.83400000 | Seven Network Studios 8 Central Avenue EVELEIGH | NSW |
| 10276983/1 | Bureau of Meteorology | 3.82200000 | 3.85800000 | Met Bureau Wilson Avenue H M A S CERBERUS | Vic |
| 10376649/2 | TELSTRA LIMITED | 3.82696500 | 3.83343500 | Telstra Satellite and Microwave Site 620 Gnangara Road LANDSDALE | WA |
| 10757671/1 | TELSTRA LIMITED | 3.83046000 | 3.83163000 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10757673/1 | TELSTRA LIMITED | 3.83163000 | 3.83178000 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10979011/1 | SPEEDCAST AUSTRALIA PTY LIMITED | 3.83178670 | 3.83248630 | Speedcast Teleport 12 Park Way MAWSON LAKES | SA |
| 10767944/1 | TELSTRA LIMITED | 3.83246000 | 3.83374000 | Telstra Satellite and Microwave Site 620 Gnangara Road LANDSDALE | WA |
| 10378123/6 | TELSTRA LIMITED | 3.83340458 | 3.83486458 | Telstra Satellite and Microwave Site 620 Gnangara Road LANDSDALE | WA |
| 10372145/4 | TELSTRA LIMITED | 3.83488458 | 3.83618458 | Telstra Satellite and Microwave Site 620 Gnangara Road LANDSDALE | WA |
| 10371741/2 | TELSTRA LIMITED | 3.84197650 | 3.84564650 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10370606/1 | TELSTRA LIMITED | 3.84564810 | 3.84679810 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10370609/1 | TELSTRA LIMITED | 3.84679720 | 3.84778220 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10362499/2 | TELSTRA LIMITED | 3.85069500 | 3.85330500 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10942815/1 | SPEEDCAST AUSTRALIA PTY LIMITED | 3.85410785 | 3.85799215 | Speedcast Teleport 44 Clavering Road BAYSWATER | WA |
| 10371743/1 | TELSTRA LIMITED | 3.85674250 | 3.85695750 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10370604/1 | TELSTRA LIMITED | 3.85704600 | 3.85715400 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10370638/4 | TELSTRA LIMITED | 3.86102500 | 3.86672500 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10355058/2 | TELSTRA LIMITED | 3.87270000 | 3.87650000 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10376642/3 | TELSTRA LIMITED | 3.89099840 | 3.89340840 | Telstra Satellite and Microwave Site 620 Gnangara Road LANDSDALE | WA |
| 10629231/1 | TELSTRA LIMITED | 3.89225000 | 3.90775000 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10376641/3 | TELSTRA LIMITED | 3.89340320 | 3.89669320 | Telstra Satellite and Microwave Site 620 Gnangara Road LANDSDALE | WA |
| 1931593/1 | CROSSLANDS RESOURCES LTD | 3.90201600 | 3.90298400 | Jack Hills Mine Berringirra Road CUE | WA |
| 1931900/1 | CROSSLANDS RESOURCES LTD | 3.90201600 | 3.90298400 | Crosslands West Perth 18 Richardson Street WEST PERTH | WA |
| 10628437/1 | TELSTRA LIMITED | 3.93100000 | 3.94900000 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10975899/1 | SPEEDCAST AUSTRALIA PTY LIMITED | 3.93100485 | 3.93313515 | Speedcast Teleport 12 Park Way MAWSON LAKES | SA |
| 10370646/1 | TELSTRA LIMITED | 3.93435000 | 3.93625000 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10370647/1 | TELSTRA LIMITED | 3.93625000 | 3.93751000 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10370648/1 | TELSTRA LIMITED | 3.93751000 | 3.93800000 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 1978259/1 | INMARSAT SOLUTIONS B.V. (Aerospace) | 3.94687500 | 3.94712500 | Intelsat 20 m Antenna 620 Gnangara Rd LANDSDALE | WA |
| 1978265/1 | INMARSAT SOLUTIONS B.V. (Aerospace) | 3.94687500 | 3.94712500 | Intelsat 20 m Antenna 620 Gnangara Rd LANDSDALE | WA |
| 1975982/1 | INMARSAT SOLUTIONS B.V. (Aerospace) | 3.94687500 | 3.94712500 | 18m Antenna 620 Gnangara Rd LANDSDALE | WA |
| 10064911/1 | INMARSAT SOLUTIONS B.V. (Aerospace) | 3.94687500 | 3.94712500 | Intelsat 20 m Antenna 620 Gnangara Rd LANDSDALE | WA |
| 12275496/1 | INMARSAT SOLUTIONS B.V. (Aerospace) | 3.94691000 | 3.94709000 | Intelsat 20 m Antenna 620 Gnangara Rd LANDSDALE | WA |
| 12204557/1 | INMARSAT SOLUTIONS B.V. (Aerospace) | 3.94700000 | 3.95300000 | Intelsat 20 m Antenna 620 Gnangara Rd LANDSDALE | WA |
| 1978260/1 | INMARSAT SOLUTIONS B.V. (Aerospace) | 3.94927500 | 3.94952500 | Intelsat 20 m Antenna 620 Gnangara Rd LANDSDALE | WA |
| 1975983/1 | INMARSAT SOLUTIONS B.V. (Aerospace) | 3.94927500 | 3.94952500 | 18m Antenna 620 Gnangara Rd LANDSDALE | WA |
| 10628438/1 | TELSTRA LIMITED | 3.95005000 | 3.96995000 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 1978261/1 | INMARSAT SOLUTIONS B.V. (Aerospace) | 3.95047500 | 3.95072500 | Intelsat 20 m Antenna 620 Gnangara Rd LANDSDALE | WA |
| 1975984/1 | INMARSAT SOLUTIONS B.V. (Aerospace) | 3.95047500 | 3.95072500 | 18m Antenna 620 Gnangara Rd LANDSDALE | WA |
| 1978266/1 | INMARSAT SOLUTIONS B.V. (Aerospace) | 3.95287500 | 3.95312500 | Intelsat 20 m Antenna 620 Gnangara Rd LANDSDALE | WA |
| 1978262/1 | INMARSAT SOLUTIONS B.V. (Aerospace) | 3.95287500 | 3.95312500 | Intelsat 20 m Antenna 620 Gnangara Rd LANDSDALE | WA |
| 1975985/1 | INMARSAT SOLUTIONS B.V. (Aerospace) | 3.95287500 | 3.95312500 | 18m Antenna 620 Gnangara Rd LANDSDALE | WA |
| 10064913/1 | INMARSAT SOLUTIONS B.V. (Aerospace) | 3.95287500 | 3.95312500 | Intelsat 20 m Antenna 620 Gnangara Rd LANDSDALE | WA |
| 12275497/1 | INMARSAT SOLUTIONS B.V. (Aerospace) | 3.95291000 | 3.95309000 | Intelsat 20 m Antenna 620 Gnangara Rd LANDSDALE | WA |
| 1137689/1 | Optus Satellite Network Pty Limited | 3.96301800 | 3.96318200 | Optus Site Optus Lot 4 Altone Rd LOCKRIDGE | WA |
| 10365384/2 | TELSTRA LIMITED | 3.96414620 | 3.96683740 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10370610/2 | TELSTRA LIMITED | 3.96619180 | 3.96888300 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10370599/2 | TELSTRA LIMITED | 3.96888300 | 3.97048300 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10980041/1 | SPEEDCAST AUSTRALIA PTY LIMITED | 3.97049340 | 3.97128380 | Speedcast Teleport 12 Park Way MAWSON LAKES | SA |
| 10980042/1 | SPEEDCAST AUSTRALIA PTY LIMITED | 3.97128400 | 3.97235400 | Speedcast Teleport 12 Park Way MAWSON LAKES | SA |
| 10628430/1 | TELSTRA LIMITED | 3.97225000 | 3.98775000 | Telstra Earth Station Oxford Falls Road 995 Oxford Falls Rd West OXFORD FALLS | NSW |
| 10980043/1 | SPEEDCAST AUSTRALIA PTY LIMITED | 3.97235800 | 3.97375000 | Speedcast Teleport 12 Park Way MAWSON LAKES | SA |
| 10980054/1 | SPEEDCAST AUSTRALIA PTY LIMITED | 3.97375400 | 3.97447000 | Speedcast Teleport 12 Park Way MAWSON LAKES | SA |
| 10980096/1 | SPEEDCAST AUSTRALIA PTY LIMITED | 3.97447260 | 3.97554540 | Speedcast Teleport 12 Park Way MAWSON LAKES | SA |
| 10980098/1 | SPEEDCAST AUSTRALIA PTY LIMITED | 3.97985725 | 3.98086555 | Speedcast Teleport 12 Park Way MAWSON LAKES | SA |
| 10980099/1 | SPEEDCAST AUSTRALIA PTY LIMITED | 3.99171240 | 3.99268760 | Speedcast Teleport 12 Park Way MAWSON LAKES | SA |
| 12205125/1 | TELSTRA LIMITED | 3.99616000 | 3.99798000 | 2.4 m earth station antenna, on Leight Creek Aerodrome Road LEIGH CREEK | SA |
| 12205124/1 | TELSTRA LIMITED | 3.99798000 | 3.99980000 | 2.4 m earth station antenna, off the Eyre Highway  5.3 WSW of Gilgerabbie Bore NULLABOR | SA |

1. In previous consultations on the 3.8 GHz band, these were referred to as the metropolitan and immediately surrounding areas, and the regional areas. HCIS area descriptions for the metropolitan, regional and rural areas available in the 3.8 GHz band allocation can be found at Schedule 3 to the Radiocommunications (Area-Wide Licences – Limits, Authorisations and Transfers) Determination 2024. Please note that the spectrum available for allocation in this process in rural areas is also referred to as the extended   
   3.8 GHz band in the instrument. [↑](#footnote-ref-2)
2. Arrangements for wireless broadband services in this range are being considered as part of the highly localised technical liaison group process currently underway. [↑](#footnote-ref-3)
3. See [Hierarchical Cell Identification Scheme (HCIS) - List of Population Data](https://www.acma.gov.au/convert-hcis-area-description-placemark). [↑](#footnote-ref-4)
4. Approximately 1.8 km x 1.8 km. [↑](#footnote-ref-5)
5. Equivalent to 25 HCIS 0 cells, approximately 9.25 km x 9.25 km. [↑](#footnote-ref-6)
6. Equivalent to 225 HCIS 0 cells, approximately 27.75 km x 27.75 km. [↑](#footnote-ref-7)
7. Equivalent to 3600 HCIS 0 cells, approximately 111 km x 111 km. [↑](#footnote-ref-8)
8. Equivalent to 32400 HCIS 0 cells, approximately 333 km x 333 km. [↑](#footnote-ref-9)
9. Comprehensive information about the related charges for area-wide licences and relevant apparatus licences in this allocation can be found in the [Radiocommunications (Charges) Determination 2022](https://www.legislation.gov.au/Details/F2022L01245). [↑](#footnote-ref-10)
10. See section 4 of the allocation limits determination for definition of ‘associates’. [↑](#footnote-ref-11)