



nbn's submission on the ACMA's Five Year Spectrum Outlook 2021-26 consultation draft

5 May 2021



Thank you for the opportunity to comment on the Australian Communications and Media Authority's (ACMA) consultation draft version of its 'Five Year Spectrum Outlook 2021-26', March 2021.

We set out our comments below and would be happy to provide further information. [C-i-C] [C-i-C]

nbn's spectrum requirements are developed, and refined, to enable it to meet the Government's Statements of Expectations and our new obligations as Statutory Infrastructure Provider. This includes the Federal Government's expectation that all Australians have access to very fast broadband as soon as possible, at affordable prices, and at least cost to taxpayers, and that upgrade paths are available as required.¹ The flexibility of the multi-technology mix approach enables nbn to build the network using the technology best matched to each area of Australia, and spectrum requirements are determined in this context.²

The critical role that nbn's fixed wireless and satellite network services play in the community generally and the value of connectedness has been highlighted during the COVID-19 crisis. As at 22 April 2021, there were approximately 615,000 and 425,000 active fixed wireless and satellite service respectively.³

nbn is required by legislation to operate as a wholesale only, open access, non-discriminatory operator. In doing so, nbn has developed wholesale products that Retail Service Providers (RSPs) use as inputs to their own retail products.

nbn has completed the initial build of the network and we are planning a series of upgrades. As announced in our last Corporate Plan, we are implementing a number of key initiatives that we believe will have a significant impact on lifting the digital capability of Australia.⁴ In particular, we wish to highlight the following:

- An enhanced commitment to rural and regional Australia will involve targeted investments in fixed wireless and satellite networks, including spectrum, capacity enhancements, network security and new customer connections driven by heightened demand. A dedicated \$300 million fund for regional co-investment will also be used to invest alongside governments and local councils to improve broadband services for rural and regional communities in circumstances where those investments would otherwise be sub-commercial.
- Another key initiative is to support the digitisation of small and medium businesses by investing up to \$700 million to improve the affordability and accessibility of our business-grade fibre services.

nbn appreciates the ACMA's decisions over the past financial year that are critical to upgrade paths for, and ultimately the customer experience delivered on, nbn's fixed wireless and satellite network. In particular we appreciate the following efforts:

- **3.4/3.5GHz band.** The ACMA's resourcing of its decision to enable defragmenting of the 3.4/3.5 GHz bands which, for historic reasons, is fragmented and inefficiently configured. The optimisation will result in broader benefits for industry due to the improved spectral efficiency and consequently increase the overall public benefit derived from the relevant spectrum.
- **28 GHz band.**

¹ See page 1 of NBN Co Ltd Statement of Expectations 24 August 2016 at <https://www1.nbnco.com.au/content/dam/nbnco2/2018/documents/Policies/soe-shareholder-minister-letter.pdf>

² <https://www.nbnco.com.au/blog/the-nbn-project/what-is-the-nbn-multi-technology-mix>

³ <https://www.nbnco.com.au/corporate-information/about-nbn-co/corporate-plan/weekly-progress-report>

⁴ <https://www.nbnco.com.au/content/dam/nbnco2/2020/documents/media-centre/corporate-plan-2021/nbnco-corporate-plan-2021.pdf>



- The ACMA's decision to allocate **nbn** with area wide apparatus licences for its fixed wireless upgrade path. **nbn** recently achieved a world record for long-range 5G transmission using mmWave as it develops new options to further optimise the performance and customer experience of **nbn**'s fixed wireless network.⁵
- The ACMA's decision enabling **nbn** to change the type of its satellite apparatus licences in the 28GHz band to area wide apparatus licences with corresponding licensing cost decreases.

nbn makes the following comments in relation to the ACMA's proposed forward work plan:

- **[C-i-C] [C-i-C]**
- **Defragmentation of the 3.4/3.5GHz band.** We appreciate the ACMA's resourcing of the conversion of **nbn**'s apparatus licences to spectrum licences to enable the defragmentation.
- **3.4/3.5GHz urban area excise.** **nbn** reiterates its view that the interference management framework to be developed needs to ensure that there is no increase in interference potential to **nbn** sites, and does not limit future deployment and technical planning options relevant to capacity augmentations for **nbn**.
- **Apparatus licence taxes based on the tax formula for services above 5GHz.** We support the ACMA amending apparatus licence taxes to take into account the first proposed changes in Q2 2021CY. This will ensure that Australian network operators can realise the benefits of licensing prices being more comparable to those incurred by network operators in other jurisdictions in a timely manner.

⁵ <https://www.nbnco.com.au/content/dam/nbnco2/documents/media-centre/2021/nbn-co-media-release-5g-mm-wave-final.pdf>