

19 December 2014

The Manager
National Infrastructure, Government and Space Section
Australian Communications and Media Authority

By email: Spectrum.outlook@acma.gov.au

Dear Sir/Madam

Response to Five Year Spectrum Outlook 2014–18

The Australian Subscription Television and Radio Association (ASTRA) is pleased to comment on the Five Year Spectrum Outlook 2014–18 (the Outlook), released in September 2014.

As in previous years, the spectrum issues of immediate interest to ASTRA members are implementation of new arrangements for outside broadcasting and the protection and siting of C-Band Earth Stations.

Other issues of interest for ASTRA members include: taxation arrangements for satellite services; the revision of the ACMA's mobile broadband strategy; and, upcoming ACMA research studies on the value of broadcasting, satellite services and whitespaces.

ASTRA acknowledges, and welcomes the fact that the ACMA has sought to simplify the format of the Outlook focusing on the sequence of key reviews the ACMA will undertake in relation to spectrum, rather than dealing with all spectrum uses or particular issues in detail. ASTRA's response similarly highlights those issues of interest to ASTRA, rather than outlining detailed positions.

Outside broadcasting – new spectrum allocation

ASTRA member FOX SPORTS was pleased to have confirmed earlier in 2014 that from 2016 it will be licensed to use spectrum in the 2268–2300 MHz band for television outside broadcasting (TVOB). FOX SPORTS will use this spectrum at live outside broadcasts of sporting events, with technologies such as wireless cameras and video links using the spectrum.

The Outlook notes that the ACMA has previously committed to reviewing apparatus licence taxation arrangements associated with TVOB, and that the review is expected to commence in 2016 (at the end of the current transition of free-to-air (FTA) broadcasters from the mid-band gap).¹

Given that FOX SPORTS will only commence holding its licence in 2016, ASTRA submits that it would be preferable to bring this review forward so that FOX SPORTS is not required to plan financially for one licensing arrangement only to have it superseded soon after being granted the licence.

Confirming FOX SPORTS' licensing arrangements, including the fees it can expect to pay over *the life of the licence*, by mid-2015 would assist FOX SPORTS to plan with certainty,

¹ Outlook, page 23.

and keep costs associated with the allocation process down. Keeping administrative costs down in this way is consistent with the ACMA's mandate to reduce red tape for industry.²

C-Band Earth Stations

ASTRA members use the 3.7–4.2 GHz band (C-Band) for satellite downlinks. For example:

- Foxtel uses a licensed C-Band Earth Station located at North Ryde in Sydney to receive more than 20 international channels, including Al Jazeera, BBC World News, ESPN and FOX News. These channels are then distributed to subscribers from North Ryde.
- Telstra operates two major satellite Earth Stations in Australia that are strategically located at Gnangara in Western Australia and Oxford Falls in New South Wales. These stations are part of infrastructure which provides access to over 20 major C- and Ku-Band satellite systems that cover the area from the Indian Ocean to the Pacific Ocean. They support a range of services including those used to fulfil the USO (such as the delivery of services to Christmas and Cocos Islands), important services to the Australian Government, and services that support the telecommunications needs of a number of countries, including Pacific Island nations.

The Outlook notes that the ACMA is consulting on regulatory responses to non-compliance in relation to Earth station licensing.³ While this is not an issue for licensed facilities, ASTRA is interested in the related statement that consultation has commenced on development of a long-term strategy for 'sustainable siting of Earth stations'.⁴

While it is acknowledged that this is listed as a longer-term work task for the ACMA, we note that ASTRA has not recently been consulted on this strategy. ASTRA would be pleased to be involved in this consultation as it progresses, particularly as any proposed relocation of metropolitan C-Band Earth station facilities could have a substantial and adverse impact on members' infrastructure and ongoing operational costs.

Opportunity to comment on other issues of interest

Identified below are other aspects of the ACMA's indicative work plans that are of interest to ASTRA and its members. ASTRA would appreciate being contacted when consultation on these matters commences.

Satellite services taxation

The Outlook also refers to discussions already underway with Communications Alliance about reviewing taxation arrangements for satellite services, with the review expected to be completed in 2014–15.

This review is of interest to ASTRA members who, through third party satellite operators, use satellite capacity to receive international channel feeds (via C-Band) and provide direct-to-home satellite services.

² ASTRA was pleased to note that the ACMA's work program is informed by the government's deregulatory agenda and that the ACMA is committed to assisting the government to further reduce the burden that regulation and red tape places on individuals, businesses and community organisations – Outlook, page 16.

³ Outlook, page 47.

⁴ Outlook, page 48.

Mobile broadband strategy

ASTRA is also interested in the ACMA's mobile broadband strategy both because our members deliver news and entertainment services via mobile broadband, and because of the need to plan appropriately for future spectrum demand for mobile services in a way that also considers other valuable uses of spectrum—such as satellite downlinks and spectrum for TVOB operations.

In particular, we note with interest that in 2015–16 the ACMA is likely to consider future use of the 1980–2010 and 2170–2200 MHz bands, which are currently used by STV for TVOB, during the mobile broadband strategy review.⁶

The Outlook indicates that the ACMA is already in the process of refining its 'Towards 2020' mobile broadband strategy, a process which is expected to be completed in Q1 2015.⁷ ASTRA is interested to participate in consultation processes associated with this activity.

Upcoming spectrum research

Finally, ASTRA notes with interest a number of ACMA spectrum research processes that are relevant to subscription media:

- Research into online streaming of broadcast services (scheduled for 2014–15)
- The value of broadcasting services (scheduled for 2014–15)
- A report examining the issue of spectrum whitespaces (scheduled for 2015–16)
- A report assessing the value of satellite services (scheduled for 2015–16)

ASTRA welcomes these studies and encourages the ACMA to continue to conduct research into developing spectrum uses (such as spectrum sharing for machine-to-machine technology). ASTRA encourages the ACMA to engage, whether formally or informally, with industry on the design of these studies so that they have maximum utility.

Please feel free to contact me if you wish to discuss further anything in the above.

Yours sincerely



Andrew Maiden
CEO

⁶ Outlook, page 39.

⁷ Outlook, page 20.