

## Protocol

The subscription television industry has been exclusively allocated 32MHz (4 x 8MHz slots) within the 2268-2300 MHz band. As FOX SPORTS will be the most frequent user of this spectrum for its television outside broadcasts, it will hold, and pay for, the spectrum licence. It will make the use of the spectrum available to the STV sector on the terms of this protocol.

FOX SPORTS will manage and administer the spectrum using specialised scheduling software (ScheduALL). STV participants may book the spectrum on a first come, first served basis. If a STV participant wishes to book spectrum it is encouraged to plan ahead and make the bookings as far in advance as possible bearing in mind that FOX SPORTS and other sports broadcasters are likely to be able to plan ahead and request an allocation of spectrum for an entire football season or horse racing carnival prior to their commencement.

Bookings will be handled by the FOX SPORTS OB Services Department during business hours (0900-1700 Monday to Friday). Contact:

- David Ward:  
[David.ward@foxsports.com.au](mailto:David.ward@foxsports.com.au)  
Tel: 02 9776 2504
- Todd Procter:  
[Todd.procter@foxsports.com.au](mailto:Todd.procter@foxsports.com.au)  
Tel: 02 9776 2474

Parties seeking to use the spectrum will need to provide details such as the time, type of equipment to be used and venue. Parties must use their reasonable endeavours to give at least 90 days prior notice of their booking but in any event must not give less than 72 hours' notice.

FOX SPORTS will endeavour to advise a target date for issuing allocations (usually no later than 4 weeks before the event) and design a frequency plan to match other STV participants' requirements for the available spectrum with the minimum risk of interference. This may mean that it is not possible to assign the exact frequencies requested or even the number of frequencies requested. Although FOX SPORTS will endeavour to accommodate all requests, it may not always be possible to meet all the requests. Late applications will be at the most risk of missing out.

In determining the frequency plan, FOX SPORTS will act reasonably at all times and will consult with any affected STV participants. Should there be any disagreement among STV participants in relation to the frequency plan proposed by FOX SPORTS, an affected STV participant may escalate the matter by giving written notice to the CEO of ASTRA (with a

copy to David Ward and Todd Proctor at Fox Sports (details above). The contact details for the ASTRA CEO are:

- Andrew Maiden:  
[Andrew.maiden@astra.org.au](mailto:Andrew.maiden@astra.org.au)  
Ph: + 61 2 9776 2685

The ASTRA CEO will act reasonably at all times and consult with all affected parties. Factors that the ASTRA CEO will consider include:

- Whether to give priority to the party which has host broadcaster obligations for a particular event when other STV participants may also wish to cover the event.
- Where two events are being held within close proximity of each other and different STV participants are covering each event, whether to give the event that is likely to attract the highest ratings the higher priority.
- Equipment requirements need to be considered to ensure that a STV participant is able to use its equipment in the allocated band.
- Any other contractual obligations of the STV participant to use a particular item of equipment which can only be operated through use of the spectrum.

Following that consultation, the decision of the ASTRA CEO will be final.

At this stage, Fox Sports will manage any notification requirements with local regulatory bodies. If this approach is to change, Fox Sports will issue an updated version of these protocols. STV participants are otherwise responsible at all times for ensuring that they comply with any government and regulatory requirements relevant to the use of the spectrum from time to time. STV participants are also responsible for ensuring that they comply with any licence conditions of the spectrum (which can be found at <http://www.acma.gov.au/Industry/Spectrum/Spectrum-planning/Current-APs-info-and-resources/rali-fx21-tv-ob-services>) including the condition that the spectrum is not to be used to provide links for air-borne technology. This protocol will be reviewed by Fox Sports as required to take account of any necessary changes, including regulatory changes.

Should the requirement arise in the future, a self-service online booking system may be made available.

At the time of these Protocols, FOX SPORTS will not charge STV participants a fee for the use of spectrum or the administrative costs associated with that. However, FOX SPORTS

# TOB Spectrum Management



reserves the right to introduce such fees in the future, having regard to all the circumstances including actual usage, costs of the relevant licence and the time and resources involved for FOX SPORTS to administer the system.

