

6 March 2015



Mr Mark Arkel

Manager
Spectrum Engineering Section
Australian Communications and Media Authority
PO Box 78
Belconnen Act 2616
Email: freqplan@acma.gov.au

Dear Mark,

RE: Proposal to remake the Radiocommunications (Low Interference Potential Devices) Class Licence 2000 with variations

Communications Alliance welcomes the opportunity to provide comments on the proposal to remake the *Radiocommunications (Low Interference Potential Devices) Class Licence 2000 with variations*.

Communications Alliance has continuing concerns that one of the ranges proposed is 3600 to 4800 MHz, which encompasses the C-Band satellite services, fixed links and various forms of wireless broadband services. We remain concerned that such an allocation may pose a potential risk to these services.

Communications Alliance members note that there still does not appear to be a compelling commercial proposal to create new spectrum allocations for ultra wideband (UWB) devices in the 3600 to 4800 MHz range and which has the potential to disrupt satellite-based and terrestrial applications.

The basis of the ACMA's case to include 3600 to 4800 MHz appears to be that the ACMA has 'not identified verified evidence that indicates that the UWB limitations proposed in the LIPD are not sufficient to provide co-existence with other spectrum uses'. However, this argument would be a non-sequitur (i.e. an argument in which its conclusion does not follow from its premises) if commercial demand is absent or insufficient.

The ACMA also proposes 'to make changes that would otherwise have been included in the regular variation of the class licence, including changes of arrangements to support the use of ultra-wideband (UWB) technology'. Communications Alliance believes that the case has yet to be made which supports the argument for a 'regular variation' to the Class Licence.

Communications Alliance further notes that there is intense activity leading up to the ITU WRC-15 Conference, with considerable uncertainty over the future allocation of C-band (3.4 to 4.2 GHz) services. We feel that the ACMA would be unwise to be taking decisions on service applications until the future international situation is resolved.

In conjunction with this, the proposed conditions associated with UWB (see draft Section 78(a)) introduce a limitation which is a European standard. It is well known that the intentions and the environment in C-band within Europe are different to the Australian environment.

Given the above, Communications Alliance suggests that the ACMA should continue to refrain from making a decision on this matter until there is convincing evidence to:

- demonstrate the technical compatibility of UWB devices with existing services, and
- that there is real demand for this spectrum to be allocated to UWB applications, and
- the international regulatory environment for C-band has stabilised.

If you have any further questions with regard to the points raised in this submission please contact Mike Johns on (02) 9959 9125.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'John Stanton', written in a cursive style.

John Stanton
Chief Executive Officer