

19 December 2014



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Dear Eleanor

Re: ACMA Five-year spectrum outlook 2014–18

The Communications Alliance Satellite Services Working Group (SSWG) welcomes the opportunity to provide comments on the 2014–18 Five-year spectrum outlook (the Outlook). Our members recognise the importance of the ongoing engagement with the ACMA on spectrum issues and see the Outlook as an important facet of those interactions.

The SSWG is a grouping of satellite-related companies active in the Australian market and includes satellite operators, satellite service providers, manufacturers and ground-segment installers. In providing this industry response we note that some of our members may be submitting their own responses.

The SSWG acknowledges the resources that the ACMA attributes to maintaining the Outlook and the significant role that the Outlook performs in informing industry on the ACMA's approach in developing its spectrum management strategy, identifying key priority areas and in developing its five-year work plan. The SSWG acknowledges the challenges that the ACMA faces in effectively managing the radiocommunications spectrum are real and complex, particularly with respect to the increasing demand for spectrum and the changing technologies requiring the use of this spectrum.

In noting the value that the Outlook currently provides to industry, the SSWG would like to provide the following constructive comments to the ACMA for consideration for future iterations of the document. The comments centre on two main areas:

- the ongoing role of the Outlook; and
- the extent to which the work carried out by the WRC is assisting the objectives of the Outlook.

Role of the Outlook

Although the Outlook does provide sufficient granularity of the ACMA work tasks and the assigned priorities for the next two years, it does not adequately address the

emerging and long term trends over the five years that would be expected in a strategic document spanning this timeframe. There is also opportunity for the Outlook to include more focus on operational strategies and priorities.

The Outlook is presented as a short-term work program document, rather than a longer-term strategic document. As a strategic document, the Outlook has a number of shortcomings, including its focus on micro issues, containing content that has not changed over time, deadlines that have passed and is based on assumptions that are outdated (e.g. from *Towards 2020* paper). Having said that, we are pleased to note that the ACMA is updating the public strategy on mobile broadband spectrum matters that is currently outlined in the *Towards 2020* paper.

We suspect that the ACMA has already recognised the inherent inertia that a rolling five-year plan brings to a strategic document as seen by the changes to the current iteration of the Outlook. The SSWG would argue that the Outlook has outlived some of its utility in its current format and that there may be ways to recast the report to better serve the industry. We suggest that the Outlook should focus its attention on the following two areas:

- what is on the ACMA agenda in the short term, say for the next 12 months, that industry can immediately engage with the ACMA on; and
- the longer strategic view, to provide an indication of the direction of the ACMA's thinking

The Outlook goes partially to address these two needs but the SSWG believes this may be an opportune time to revisit the objectives of the Outlook and how it is meeting those objectives. As an example, if one of the objectives is tied into annual report to the Minister, then as part of the Budget process, this simpler approach may go to addressing this reporting requirement. It would also be useful if some explanation was given on the rationale behind the prioritisations of each of the work programs in Schedules 1 and 2 of the Outlook was given so that industry could better understand the ACMA's basis for setting its priorities vis-a-vis each work program.

The World Radio Conference

The SSWG welcomes that the 'WRC-15 preparation/Agenda items' has been recognised as one of the 13 key priority areas under the theme of ensuring the national interest.

We see a need to place a greater emphasis in the Outlook on tying the work program more closely to the WRC cycle. Currently the Outlook is not WRC study-based and has evolved over the years to reflect issues at a micro issue level.

We applaud the initiatives taken by the ACMA to host the 4th Asia-Pacific Regulators Roundtable in July 2014 in Sydney, the ACMA's active involvement in the third Asia-Pacific Telecommunity (APT) Preparatory Group Meeting (APG3) in Brisbane in June, and recognise that the ACMA has been generally active in APT discussions on regional positions for the WRC, as well as organising a regional meeting of regulators

in conjunction with APG3 to mentor other regulators in the WRC processes and complexities.

Nonetheless, industry further urges the ACMA to continue strong efforts of this type, much in the way that the former Australian Communications Authority (ACA) would establish groups to influence views about the WRC.

Suggested components that would support tying in the ACMA work program to the WRC cycle could include continuing or initiating:

- the development of a wider government strategy on Australia's international spectrum interests which can be used to guide the WRC preparatory work programme undertaken by the ACMA and industry. Such a strategy would probably be led by the Department of Communications and should help to address difficulties in reaching consensus with incumbent government spectrum stakeholders.
- the ACMA publishing the Australian Radiofrequency Spectrum Plan (ARSP) at the start of the WRC cycle, which would allow time for the study of macro and micro level issues.
- a framework that would allow for industry to monitor the WRC cycle and the required studies, then at the end of the cycle to review performance against measures and look at the impact on regulators and industry.
- a report to and debriefing of Australian stakeholders after the WRC.

The SSWG understands that the ACMA may be seeking to withdraw from providing secretarial support to the ARSGs. The provision of secretarial support by the ACMA (joint note taking and development of minutes) is important for supporting and avoiding placing undue burden on the industry volunteers who chair and participate in those groups, and help ensure that quality advice is delivered to the ACMA in relation to progressing positions for the various ITU-R World Radio Conferences and other international meetings.

Relationship to other activities

The SSWG suggests that further consideration could be given to how the Outlook fits in with other reporting requirements and how it compares to approaches taken in other jurisdictions. For example, the ACMA annual report may supersede Part 3 of the Outlook or it could be a duplication of existing work. One option is that the Outlook could be contained in an annual review, created in consultation with industry.

The Outlook also needs to be considered in the context of the whole of the spectrum review, to which Communications Alliance provided a submission to the recent Department of Communications *Spectrum Review - Potential Reform Directions* Consultation Paper.

Ofcom's 10 year *Spectrum Management Strategy*, which establishes the UK's strategic approach and priorities for managing radio spectrum, raises some

interesting questions, including what may be the optimum length time for the strategic plan and also what industry sectors have been included in the considerations. It is noted that M2M/IoT (Machine to-Machine/ the Internet of Things) is noticeably absent in the Outlook but covered by Ofcom in their strategy.

Industry engagement

The SSWG wishes to reinforce the importance of engagement with industry in spectrum planning and acknowledges the effort that the ACMA has made to seek industry's input on a wide range of issues.

As with any engagement process, there is always scope for improvement in specific areas to make the engagement more effective. The SSWG would like to draw the attention of the ACMA to the following suggestions.

With respect to the Outlook, the annual production cycle allows for little or no feedback by the ACMA on the comments provided by industry. The SSWG would like to see a more engaging process with industry in the development of the Outlook.

It is also noted that this cycle also results in a lag of twelve months from the time that the industry submits comments and the time that the next iteration of the Outlook is released. By that time, the industry input that was submitted the previous year may be out-of-date.

We are giving some thought as to whether Communications Alliance could usefully organise an industry-based event/workshop to promote healthy debate and broadly-based consultation with the ACMA on spectrum planning. We have some templates from existing events that we hold throughout the year. We will further develop this idea and – if we think it would be a useful channel – will discuss the concept with the ACMA before taking any concrete steps.

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