Wireless Internet Service Provider Association of Australia Inc

Response to ACMA - *Options paper Wireless broadband in the 26 GHz band*

Dear ACMA, 09th November 2018

Thank you for the opportunity to provide a response to the 26GHz options paper, the Association represents a wide variety of carriers in Metropolitan and Regional areas, typically smaller operators who have limited or no access to spectrum.

1. **Does the three-type model constitute an appropriate high-level representation of potential usage of the 26 GHz band? If not, are there any use cases that should be included, excluded or omitted?**

   WISPAU Comments : We believe all three levels should be included, with specific attention being paid to availability of apparatus licensed spectrum in the Type 2 which would allow access by our members. We must stress the importance of having multi-point licensed spectrum available for the Tier 2 carriers, the economic models are vastly different than Tier 1 carriers and as a result any bands offered under the spectrum licencing model are economically out of reach, preventing Tier 2 carriers from serving segments of the market typically uneconomical for Tier 1 carriers.

2. **What are the implications for 26 GHz wireless broadband in Australia of the Electronic Communication Committee of CEPT (ECC) decision on emission limits to protect passive EESS?**

   WISPAU Comments : No Comment

3. **Are the proposed defined geographic areas for wide-area licensing appropriate?**

   WISPAU Comments : The ACMA would need to conduct a review of the utilisation of spectrum from previous allocations in these regional centres, using a previous allocation as justification for future action would only be valid if it was demonstrated that the spectrum was actually used efficiently by incumbents.
   We fear that this spectrum allocation initiative is just more of the same, whereby valuable spectrum is sold to the highest bidder and gets left unused by the owner as a way to keep out competition.

4. **What is the expected proliferation of—or demand for—services deployed under type 2 (apparatus-licensed) and/or 3 (class-licensed) models?**

   WISPAU Comments : Our members currently have no spectrum available in any band or geographic location, we would expect the demand for Type 2 spectrum allocation to be extremely high in all areas, including Metropolitain.

   This would provide some much needed competition to the traditional mobile network operators, and allow our members to offer unique services to markets typically underserved.

5. **Comment is sought on preferred option(s) for configuring and licensing the 26 GHz band.**

   WISPAU Comments : It is interesting that all options presented (2-5) include spectrum licencing, in practise this licensing method is a foregone conclusion, the real question is simply one of degrees.

   Will the ACMA continue down the path of stifling innovation, locking WISPs out of the market and pander to traditional mobile network operators OR finally take some leadership and provide an equitable environment where free market competition can facilitate the best outcome for all Australians in Metropolitan and Regional markets.

   We would primarily support the introduction of *Option **5—Combination of spectrum, apparatus and class licensing*** , as it provides the best opportunities for our members and facilitates private use, we do however suggest that the three classes of license be kept in seperate bands in an attempt to avoid interference.

   We note the condition of only allocating apparatus licenses outside the spectrum-licensed areas for wireless broadband deployments, again this seems the decision on how the band will be allocated is already made, we would advocate a portion of the band being made available for both spectrum-licensed and apparatus-licensed in

Metropolitan and having only apparatus-licensed and class-licenses in regional areas.

Our second preference would be ***Option 3—Combination of spectrum and apparatus licensing*** as this option still accommodates Type 2 operators in smaller geographic areas.

6. **If options 3 or 5 (all variants) are preferred, how much of the band should be available for spectrum licensing and apparatus licensing?**

   WISPAU Comments : As stated above we suggest that in Metropolitan areas that spectrum-licensed and apparatus-licensed allocated be given equal access to the available spectrum i,,e 50/50, and in regional areas there be apparatus-licensed only, as this would provide equitable access for all parties.

7. **If options 4 or 5 (all variants) are preferred, how much of the band should be available for class licensing?**

   WISPAU Comments : Class-licencing should be allocated a maximum of ⅓ of the available bandwidth in any particular area, in practise the use of class licensed spectrum would be very localised, and potentially on private property, so the actual usage requirements may be even lower, similar to that of class licensed WIFI.

8. **If options 4 or 5 (all variants) are preferred, what conditions should be applied to a class licence to protect co-frequency spectrum-licensed operations (in defined areas)? Would it be appropriate to define a means of making class-licensed use visible (for example, through a form of voluntary device registration)?**

   WISPAU Comments : Class-licenced devices should be allocated a separate band and not required to register their devices, the process of registration of class-licensed devices places an unrealistic burden on users, take WiFi as an example, it would not be a viable proposition for the ACMA to require all members of the public to register all wifi devices, the compliance costs would be astronomical with little to no value for the exercise.

9. **Are there any other replanning options that should be considered?**

   WISPAU Comments : We would also strongly advise the ACMA to consider introducing Dynamic Spectrum Licencing Management (DSLM) similar to the Citizens Broadband Radio Service (CBRS) licensing system introduced by the United States Federal Communications Commission.

10. **Is there likely to be sufficient demand for type 1 services in regional centres outside metropolitan areas, and if so, what centres (either explicitly listed or by population threshold) should be included in the expanded licence areas?**

    WISPAU Comments : In the event there is demand from traditional mobile network operators in select regional centres, there is no reason these operators couldn't secure spectrum via apparatus licencing methods.

    Should a spectrum licencing regime be adopted in regional areas there is a very high risk of spectrum being sold off as part of a larger lot that will never be occupied, thereby locking up spectrum and preventing service being delivered where market demand exists and Wireless ISPs capable of serving this demand.

    We would only support the introduction of apparatus licensing in regional areas, thereby putting all carriers on a level playing field, giving equal access to spectrum on equal terms.

Regards,

Dainen Keogh
president@wispau.org