

Wireless Internet Service Provider Association
of Australia Inc

**Response to ACMA - Future use of the 26 GHz
band**



The Manager - Major Spectrum Allocations Section
Spectrum Allocations Branch
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Thank you for the opportunity to provide a response to the Future use of the 26 GHz band 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.

We welcome the acknowledgement by the ACMA of the damage done to the FWA industry from the recent refarming of the 3.6 GHz spectrum, we see the 26 GHz band as a valuable for entry into new markets, however must stress it in no way substitutes for the loss of 3.6 GHz and reiterate the need for the ACMA to provide a suitable alternative, for example the 3.3 - 3.4 Ghz band.

This response paper is laid out in the following format, first general observations then we will quote the portion of the paper subject to WISPAU comments we will then explain our position.

The table below shows WISPAU's understanding of the proposed allocations in a summarised format, we felt it necessary to break down the ACMA's **Figure 1** to clearly show the sections relevant to Type 2 users.

		24.25 24.3 24.35 24.4 24.45 24.5 24.55 24.6 24.65	24.7 24.75 24.8 24.85 24.9 24.95 25 25.05	25.1 25.15 25.2 25.25 25.3 25.35 25.4 25.45 26.45 26.5 26.55 26.6 26.65 26.7 26.75 26.8 26.85 26.9 26.95	27 27.05 27.1 27.15 27.2 27.25 27.3 27.35 27.4 27.45	
		450 MHz		400 MHz	1900 MHz	500 MHz
ACMA Table		Class-licensed for indoor use (Australia-wide)	Class-licensed for indoor and outdoor user (Australia-wide) Apparatus Licensing (Australia Wide)	Spectrum licensing deviced areas, Includes additional conditions to protect SRS earth stations. Apparatus licencing (Australia-wide, except defined areas). Includes additional conditions to protect SRS earth stations.	Spectrum licensing with additional FSS coexistence conditions within certain areas Apparatus licensing with additional conditions to protect FSS uplinks (Australia wide except defined areas).	
Simplified						
Defined areas	Indoor	Class-licensed	Class-licensed Apparatus-licensed	Spectrum-licensed	Spectrum-licensed	
	Outdoor	Restricted	Class-licensed Apparatus-licensed			
Australia-wide	Indoor	Class-licensed	Class-licensed Apparatus-licensed	Apparatus-licensed	Apparatus-licensed	
	Outdoor	Restricted	Class-licensed Apparatus-licensed			
Colour Coded						
Defined areas	Indoor	Class	Class Apparatus	Spectrum	Spectrum	
	Outdoor		Class Apparatus			
Australia-wide	Indoor	Class	Class Apparatus	Apparatus	Apparatus	
	Outdoor		Class Apparatus			

Key observations

1. The introduction of “defined areas” allows Type 1 users to dominate key regional population centres without the ability for Type 2 users to effectively compete.
2. The proposed allocations restrict the effective use of Apparatus licenses within defined areas due to the requirement to share the 24.7 - 25.1 GHz band with Class licensed users.
3. Apparatus Licenses issued in the 24.25–25.1 GHz band within the defined areas carry additional restrictions the higher bands are not subject to, diminishing it’s effectiveness and the ability of Type 2 users to compete with Type 1 operators in ‘defined areas’.
4. Type 1 users have been granted an extraordinary quantity of bandwidth (2400 MHz) compared to other user types, this will only lead to the perpetuation of the triopoly that is the telecommunications industry, Wireless ISP’s are in a unique position to be able to compete head to head with conventional Mobile Network Operators (MNO’s) in the fixed wireless space if not for ACMA regulations favouring MNO’s over WISPs.

Comments

5. ACMA : *“While the ACMA intends to pursue class licensing in part of the 26 GHz band, it does not see an immediate appetite for a class licence to be applied co-frequency with spectrum licences in defined areas.”*

WISPAU : We must then ask why Class and apparatus licensed allocations are proposed to use the same spectrum within defined areas, if the above statement is true, we would expect to see a smaller allocation made to Class licensed and some protection afforded to Apparatus licensed.

6. ACMA : *“defined areas’ for spectrum licensing, which would comprise either major metropolitan areas only, or metropolitan areas and regional centres”*

WISPAU : We must genuinely question the motivation for such a deviation from customary density boundaries, we see this as nothing more than bowing to pressure from Type 1 users and an attempt to secure major market segments for the highest bidder at the next round of auctions.

7. ACMA : *Geographical segmentation - “Submissions to the options paper indicated support for the defined regional areas to consist of towns/cities with a population over 50,000” , “The ACMA agrees and has formed the preliminary view that these areas proposed in submissions should be subject to spectrum licensing”*

WISPAU : We can clearly see the ACMA’s position however no adequate explanation for the position is given.

8. ACMA : *“In less densely populated regions (outside of the defined areas), it is expected that there will be less demand overall for 26 GHz spectrum. The ACMA will aim to facilitate all parties’ access to the spectrum using apparatus licensing.”*

WISPAU : This statement shows the ACMA has an understanding of the need to “facilitate all parties” outside populated regions or “defined areas”, why then is the less effort made to accommodate the needs of all parties within the defined areas.

9. *ACMA : States "WISPAU supported option 5, which would incorporate co-frequency class licensing for type 3 services."*

WISPAU : This is factually incorrect and misrepresents our submission by omission, which clearly indicated a preference for a modified version of Option 5 which would see the three classes of licenses (class, apparatus and spectrum) be kept in separate bands, which the ACMA has ignored.

The following is an excerpt from the 26 GHz WISPAU Response Paper (9th Nov 2018)

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

Answer : 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 separate bands in an attempt to avoid interference.

10. *ACMA : Class licence conditions—preliminary views - Services must not cause interference to, or claim protection from, other licensed services (including co-frequency apparatus-licensed services in the 24.7–25.1 GHz range).*

WISPAU : The ACMA clearly acknowledges the very real potential for Class licenses to interfere with apparatus licenses within the 24.7 - 25.1 GHz range, we must encourage the ACMA to review the preliminary decision to have these two groups coexist and make the 24.25 - 24.7 GHz range dedicated to class licenses and the 24.7 - 25.1 GHz range dedicated to apparatus licenses within "defined areas".

11. *ACMA : Apparatus licence conditions—preliminary views - Licence bandwidth not to exceed 100 MHz in the range 24.7–24.8 GHz, 150 MHz in the range 24.8–25.1 GHz and 400 MHz in the range 25.1–27.5 GHz.*

WISPAU : We fail to see a justification for these restrictions, typically the higher frequency bands are used to deliver services with maximum bandwidth, this is difficult to achieve with artificially limited bandwidth allocations.

Regards,
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