

The Manager
Major Spectrum Allocations Section
Australian Communications and Media Authority (ACMA)
PO Box 78
Belconnen ACT 2616



Via e-mail: SpectrumAllocations@acma.gov.au

4 May 2022

Dear Manager – Major Spectrum Allocations Section,

SBS submission to the ACMA – Proposed spectrum re-allocation declaration for the 3.4 GHz and 3.7 GHz bands - IFC 10/2022 consultation

The Special Broadcasting Service (SBS) appreciates the opportunity to respond to the ACMA's consultation paper on this topic.

C-band continues to be important for SBS into the future

SBS has been a user of the 3700–3800 MHz sub-band in NSW metro areas, as part of its significant utilisation of the broader 3700–4200 MHz band (**C-band**) via fixed satellite service (**FSS**) facilities. Through C-band, SBS receives international news programs in more than 30 languages, as well as an extensive range of other international content—via FSS facilities operated by SBS's service provider Telstra Broadcast Services. The main location for the FSS ingest of content for SBS is at Belrose, NSW (Oxford Falls Telstra facilities).

These international programs and content form part of core SBS content offerings, which deliver on SBS's Charter obligations to the Australian public. Accordingly, there are significant and ongoing public interest benefits arising from SBS's utilisation of C-band spectrum. This is particularly important as SBS is expanding its multilingual news services through an upcoming launch of a new free-to-air television channel, SBS WorldWatch, planned for 23 May 2022. The channel will focus principally on broadcasting these international news programs and content to audiences across Australia.

SBS's use of C-band spectrum and facilities is significantly more cost-effective than alternative delivery of these programs and content to SBS. This efficiency is material for a public broadcaster. It is relevant to note that the C-band facilities are particularly effective in the Asia-Pacific climatic environment of high rainfall.

Re-allocation of the 3700–3800 MHz sub-band could potentially impact SBS operations

SBS is currently performing an analysis of its specific use of the 3700–3800 MHz sub-band, to identify individual programs that would be impacted by the proposed spectrum re-allocation. In either Option 1, Option 2, or Option 3 proposals outlined in the consultation paper, SBS would be impacted in the same way. We are happy to discuss and share this analysis once finalised.

Should any negative impact on SBS materialise, SBS would require sufficient additional funding to explore and procure alternative delivery technologies and required expertise. Should these options remain under consideration following this consultation process, SBS would appreciate early engagement with the ACMA and the Department to explore these potentially detrimental impacts further, including in relation to a range of practical and funding considerations.

SBS should not be paying for, or be passed on, any capital or ongoing costs arising from the 3700–3800 MHz spectrum re-allocation. It would be very undesirable if SBS had to reduce vital services it currently provides to all Australians to pay for such costs—of which eventual beneficiaries are incoming commercial WBB and 5G operators. Should one of the proposals proceed as proposed, additional funding for SBS to mitigate any impact, and the funding source(s), must be considered by the Government as part of the overall process.

Special Broadcasting Service

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Example of the potential scenario

For a number of programs, re-routing of content feeds via Earth Station Protection Zones (**ESPZs**) may be the only alternative, as other alternatives such as fibre-optic or internet protocol (**IP**) deliveries may not be offered by a number of SBS's overseas partners/originating broadcasters.

Therefore, should relocation of FSS earth stations to ESPZs be required, funding source for this work must also be identified. Telstra, SBS's service provider and an incumbent licensee in the 3700–3800 MHz sub-band, may potentially face higher operating costs arising from relocation of FSS earth stations.

Re-allocation timeframe should be flexible for SBS, taking into account public interest benefits

Relevant to SBS, the proposed re-allocation timeframe of five years (from the commencement of the re-allocation declarations) should be able to be extended, taking into account public interest benefits. For example, the timeframe should be extended if procurement of alternative content feeds for SBS would be substantially required and would take longer to realise than anticipated.

SBS supports the ACMA's proposed protection of incumbent operations

SBS supports the ACMA's proposal that spectrum licensees 'operate around incumbent services throughout the re-allocation period (that is, spectrum licensees may operate if they afford protection to and do not cause interference to incumbent services during the reallocation period)'.¹

SBS supports the exclusion of the ESPZs near Moree (NSW), Quirindi (NSW), Roma (Qld) and Uralla (NSW) from 3.7 GHz spectrum re-allocation declaration.

The protection of existing FSS receiver services above 3800 MHz, from interference from future WBB and 5G use of 3700–3800 MHz sub-band, is important. This should be the responsibility of incoming new licensees.

Further consultation is required

SBS appreciates the ACMA's ongoing commitment to consultation with SBS and the industry on this spectrum re-allocation work, and looks forward to engaging further with the ACMA once the analysis of impact on SBS is completed.

Should you have any queries, or would like any further information relevant to this consultation, please do not hesitate to contact Michael Coonan – SBS Head of Regulatory and Government Affairs, at Michael.Coonan@sbs.com.au.

Yours sincerely,

Clare O'Neil
Director, Corporate Affairs

¹ The consultation paper, page 42