

11th September 2020

The Manager
Spectrum Outlook and Strategy Section
Australian Communications and Media Authority
PO Box Q500
Sydney NSW 1230

APPARATUS LICENCES IN THE 26 GHz AND 28 GHz BANDS

Licensing, technical framework and pricing arrangements consultation paper

BAI Communications Australia (BAI) welcomes the opportunity to provide input on the proposed licensing, technical framework, and pricing arrangements for the apparatus license in the 26 GHz and 28 GHz bands.

BAI Communications is a neutral host communications service provider in Australia, USA and Canada, and provider of communications services in Hong Kong. In Australia, BAI provides managed services and portal services to broadcasters as well as site access arrangements to telecommunications and radiocommunications operators. In the USA and Canada, BAI Communications companies provide neutral host communications services including telecommunications, Wi-Fi, and emergency services communications within the New York City and Toronto subway systems. As an operator in both the broadcast and telecommunication markets BAI Communications has a view across a very broad range of spectrum bands managed and regulated by ACMA.

BAI agrees with the intent and the details of the recommendations put forward by ACMA. One additional point BAI believes would be useful is to give licensees the option to "hand back" spectrum before the renewal date of the license. BAI believes this would further drive the efficient use of the spectrum and could be encouraged by ensuring the licensee no longer incurs the license tax on the spectrum once it is handed back to ACMA.

Attached are our answers to the specific questions raised in the consultation paper.

Kind regards,



Stephen Farrugia
Chief Technology Officer
BAI Communications Australia

Head Office
Level 10, Tower A
799 Pacific Highway
Chatswood NSW
Australia 2067
P +61 2 8113 4666
F +61 2 8113 4646
W baicommunications.com

BAI Communications Pty Ltd
ABN 99 086 048 562

APPENDIX

Below are BAI's comments on the specific questions set out in the consultation paper:

1. The ACMA is proposing to use a two-stage administrative allocation for apparatus licences in certain segments of the 26 GHz band and in all of the 28 GHz band. Do stakeholders agree with this approach? If not, please explain why.

BAI agrees with the two-stage administrative allocation approach suggested by ACMA.

2. Do stakeholders have any concerns with the licence duration and renewal policy for AWLs in the 26 GHz and 28 GHz bands?

BAI agrees with the license duration and renewal policy for AWLs proposed by ACMA. However, we would also suggest a surrendering option for licensee holders to hand back spectrum before the renewal date and not incur future license taxes on the spectrum that is surrendered. This will encourage the industry to make spectrum available for the most efficient use.

3. The ACMA is proposing that AWLs be available for issue for the operation of FSS earth stations in the 27–29.5 GHz range. Do stakeholders support this proposal? If not, please explain why.

BAI agrees with this approach.

4. The draft technical framework is optimised for both wireless broadband and FSS earth stations. Fixed earth stations in the range 29.5–30 GHz are still authorised under a fixed-earth apparatus licence. We are seeking views on a proposal to authorise FSS in the 29.5–30 GHz range with AWLs. Do stakeholders have any comments about this proposal?

BAI does not have a comment on this proposal.

5. Do stakeholders have any specific comments about the draft AWL LCD or RALI [new] or updated RALI MS 38?

BAI supports the proposed documents as published as part of this consultation.

6. Do stakeholders agree with the proposed apparatus licence tax? As explained in [Appendix A](#), at this time in Australia there is limited information about the value of the spectrum on offer for administrative allocation. The ACMA is open to reviewing the apparatus licence tax for AWLs in light of developments in domestic markets that have occurred or will occur over time. What considerations should the ACMA take into account?

BAI agrees with the proposed apparatus licence tax.