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Dear Manager,

**SBS Response to the Coverage Management System Discussion Paper**

SBS appreciates this opportunity to respond to the Discussion Paper. SBS, along with ABC, has the charter to provide radio service to as many Australians as possible. The broadcast radio spectrum is meant for providing radio service and the use of the Coverage Management System appeared to go against that intent and set a precedence against that intent. While SBS feels it is very innovative to use CMS to control the overspill, there are some concerns which SBS would like to Department to consider fully.

SBS understands that the current situation in Geelong is as follows:

- The primary national radio services to Geelong (ABC FM, JJJ, and SBS) are currently transmitted from Mt Dandenong.
- Commercial services from Mt Dandenong are received in Geelong.
- The Geelong commercial services would be usable for bayside and hillside listeners within the Melbourne service area.

The proposal, while described as a Coverage Management System, is in reality a jammer transmitter. SBS is opposed to the installation of jamming transmitters to solve overspill problems.

SBS's objection is based on the following reasons:

1. The current FM services from Mt Dandenong are already available in Geelong. While there may be some objections to this from the Geelong licensee it is a situation that does exist.
2. Waste of broadcast spectrum.

SBS is of the view that the broadcast spectrum is the property of the public with broadcasters given limited access to it on the condition that they provide services for the public. The spectrum is too valuable to be squandered.

3. Adjacent channel interference.  
Local viewers of TV channels 9 and 10, especially those behind the System, are likely to suffer overload from the System. The same problem is likely to occur to DAB listeners attempting to listen to the national services. How will this problem be addressed ?
4. Intermodulation interference  
Every additional transmitter adds to the possibility of intermodulation interference in the local area. The subsequent proliferation of these Systems may compound the intermodulation interference management situation
5. The precedent such a service will set.  
Overspill exists to some in every adjacent service area.
6. National licensing issues.  
The licensing of a radio communications transmitter with the sole purpose of preventing reception would appear to be contrary to intent of the Radio Communications Act.  
Would the license appear in the ACMA database? If so what sort of licence would it be? How would the modulation be specified? What bandwidth would be licensed? What specifications would apply in terms of spurious outputs? (Is not the main signal a spurious output?) If it is a broadcast licence what is the program source? A pseudorandom noise source would make a mockery of the requirement for broadcasters to comply with broadcast regulations.  
The proposal that the metro licensee would hold the license means they would hold out of area licenses.
7. International regulations issues.  
The licensing of a radio communications transmitter with the sole purpose of preventing reception would appear to be contrary the International Telecommunication Union regulations, to which Australia is a signatory.

We cannot rewrite the laws of physics by regulation or legislation. A better solution is to modify the aspects that are not subject to the immutable laws of physics. Redefining the license areas or coming to a commercial resolution are at least within human control. This problem should be better resolved commercially or by regulation.

If the decision is to proceed with the CMS then SBS would like to ensure that the following restrictions are placed on the licenses:

1. The licences be restricted to digital radio and only for cases where the overspill is above a certain high threshold and only where the population impacted is at least 20% of the total population of the licence area.
2. The licences be for short term only. Automatic cancellation after 3 years should force less spectrum wasteful long term arrangements to be determined.
3. Subsequent application for licence to broadcast in the area shall be given priority in place of the Coverage Management System

Summary

SBS objects to the use of Coverage Management System to solve a problem that should be resolved by regulation or commercial negotiation and would welcome any opportunity to expand on this response.

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