

26 June 2020

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Australian Communications and Media Authority
Benjamin Offices
BELCONNEN ACT 2616

Dear Sir / Madam

Implementation of Spectrum Pricing Review, Consultation Paper March 2020

Thank you for the opportunity to provide a submission to the ACMA Implementation of Spectrum Pricing Review Consultation Paper (March 2020). We encourage ACMA to undertake regular updates to spectrum pricing.

Cingulan is an Australian satellite ground segment company, servicing Australian and international customers. Accordingly, our submission is focused on the satellite earth station apparatus licence and associated satellite filing policy, process and pricing frameworks.

Our comments on questions posed in the consultation paper are as follows:

Question 1

Do stakeholders have any views about the status of the ACMA's role in implementing the recommendations of the Spectrum Pricing Review?

ACMA should seek to ensure full transparency of spectrum pricing policy. ACMA should seek to expedite streamlining of legislation. ACMA should, with government, review the direct charges framework relating to the ACMA satellite filing review process, to remove the current fixed-fee charge of some \$36,000. A cost-recovery charge is a fairer basis and provides a more policy-neutral setting for the industry.

Question 2

Do stakeholders have any views on the legislative and policy environment that may be relevant to the pricing issues outlined in this paper?

ACMA should seek to ensure that the legislative and policy settings allow a responsive and flexible framework as needed by the Space 2.0 sector, due to the new and sometimes unique requirements now, as compared to historic requirements of the satellite sector. Whilst not strictly an explicit pricing issue, we invite ACMA to consider a review of the extant policy whereby ACMA Board approval is required for proposed new satellite operators. An alternate policy is proposed, whereby an ACMA Executive Manager level approval should, with the existing due diligence, be sufficient. This reduces the regulatory burden to the Space 2.0 sector - reduces cost, improves schedule - without necessarily increasing risk to Australia.

Question 3

Do stakeholders have comments on the ACMA's draft spectrum pricing guidelines including the relevant spectrum pricing decisions, guiding principles and process for changing prices?

ACMA should consider the timing of reviews to spectrum pricing to support the growth and development of the fast-moving Space 2.0 sector, considering the economic benefits that government has acknowledged the space economy brings to Australia.

Question 5

Do stakeholders have views on:

- **prioritising the features of the tax formula and other taxes by considering different focus areas**
- **the criteria for prioritising the focus areas**
- **other matters or focus areas that should be considered as part of the ACMA's work program.**

ACMA should consider the holistic policy, procedures, approvals, licensing, fees and charges that are applicable to space-related (spacecraft and earth station) activities in Australia, to ensure that any perceived and real barriers are identified and addressed.

Question 7

How can taxes be designed to account for multiple devices? Under what circumstances do stakeholders believe that one tax should relate to many devices and/or there should be 'discounts' for multiple devices authorised under one licence?

We strongly recommend that the ACMA should progress Focus Area 1, and consider that only a single tax be applied to a single satellite earth station apparatus licence (earth-receive or fixed-earth) for all its NGSO operation across a given frequency range. This is because the satellite earth station that is tracking NGSO spacecraft will only track one spacecraft at a time and therefore the spectrum utilisation is limited to one instance at any given point in time. Further, we also recommend that the ACMA should consider only a single tax be applied to multiple collocated NGSO tracking earth stations that are operating within the same frequency range. This is because a single apparatus-licensed earth station, under certain conditions, can be considered to define a single spectrum denial envelope under which all other collocated earth stations operate over time.

Question 8

While the current low power discount provides for a significant reduction in taxes of 90 per cent, the ACMA is interested in considering further incentives to promote the greater sharing of spectrum. Do the lower potential denial areas of different services provide a case for considering different or additional low power discounts?

ACMA should consider the discounting of earth station licensing where spreading technology is used in the communications link with spacecraft, on the basis that the spectrum denial may be lower compared to non-spreading technologies.

Question 15

Do stakeholders have views on:

- **the current pricing arrangements for scientific-assigned licences for new technologies?**
- **the proposal for new short-term scientific-assigned licence trials and alternative pricing proposals?**

ACMA should continue to make scientific-assigned licences affordable, simple and easy to access, so as to promote the trial and evaluation of new technologies for deployment in Australia for the purpose of new and improved services and greater sharing of spectrum.



We request that the ACMA seek to expedite improvements to the spectrum pricing arrangements so as to support Australia's Space 2.0 industry development, in line with government's stated objective of growing Australia's space economy and promoting Australian high-technology industry and sovereign space capability.

Thank you again for the opportunity to make a submission. Should you wish to discuss any of these in more detail, please feel free to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read "Keith Rosario".

Keith Rosario
CEO

