

Australian Communications and Media Authority

Comments of EchoStar Global Australia Pty Ltd on

Response to implementation of the Spectrum Pricing Review: Consultation follow-up and consideration of submissions

February 17, 2021

EchoStar® Global Australia Pty Ltd (EchoStar Global), an Australian satellite operator, thanks the Australian Communications and Media Authority (ACMA) for the opportunity to submit comments concerning the above-referenced consultation paper.¹ EchoStar Global is a Mobile Satellite Service (MSS) non-geostationary orbit (NGSO) satellite operator. EchoStar Global holds Overseas Payload Permits for both satellites from the Australian Space Agency and its system is filed with the International Telecommunications Union (ITU) through Australia for the 1980-2025 MHz and 2170-2200 MHz frequency bands ("2 GHz band").²

EchoStar Global is a subsidiary of EchoStar Corporation, which is a global satellite and technology company. EchoStar Global's sister company, Hughes Network Systems, provides satellite broadband services throughout the Americas serving over 1.5 million customers, is a global system's integrator and satellite ground infrastructure manufacturer.³ Furthermore, EchoStar Global's sister company, EchoStar Mobile Limited, provides state of the art MSS services throughout Europe.⁴ Accordingly, EchoStar Global and its affiliates have extensive experience in spectrum pricing structures for space-based communications services having provided satellite services in markets around the world.

EchoStar Global supports ACMA's proposal to adopt a 'systems' approach for 'earth stations with multiple co-located, co-frequency antennas, managed under the same licence' that communicate with related ITU satellite filings.⁵ This proposal will reduce administrative burdens on operators and ACMA by allowing for a single licence for "antenna farms" where multiple antennas communicate with related ITU satellite filings.

In addition, EchoStar Global urges ACMA to also look to other ways to reduce administrative burdens and costs for operators. Specifically, EchoStar Global urges ACMA to expand the use of its Communicating with Space Objects Class Licence (CSOCL)⁶ to re-include MSS operators in the 2 GHz band.⁷ Under the current CSOCL rules, the 2 GHz band is not included, having been removed some years ago, whereas other frequencies that permit MSS are.⁸ This

¹ Australian Communications and Media Authority, *Response to Implementation of the Spectrum Pricing Review: Consultation follow-up and consideration of submissions* (rel. December 2020) ("*Spectrum Pricing Consultation*").

² EchoStar Global was granted two Overseas Payload Permit's for EG-1 and EG-2 by the Hon. Karen Andrews, Minister for Industry, Science and Technology on 23 March 2020; *see also*, The coordination request for the Sirion-1 ITU filing was published by the ITU on December 11, 2018 in IFIC 2885, in Special Section CR/C/3364 M1.

³ *See generally*, EchoStar Corporation Form 10-Q, at 50 (Nov. 5, 2020) (showing number of subscribers for HughesNet across the Americas as of September 30, 2020).

⁴ *See generally*, <https://echostarmobile.com/>.

⁵ *Spectrum Pricing Consultation* at 13.

⁶ *See* Radiocommunications (Communication with Space Object) Class Licence 2015, Revised 2020.

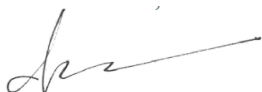
⁷ *See* Radiocommunications (Communication with Space Object) Class Licence 1998 (previously, portions of the 2 GHz band were included as part of the CSOCL regime, but were removed as part of the 2015 update to the rules).

⁸ *See* Radiocommunications (Communication with Space Object) Class Licence 2015, Revised 2020.

discrepancy should be addressed. The 2 GHz band is allocated to MSS via the Radio Regulations and the Australian Radiofrequency Spectrum Plan,⁹ and ACMA, in its recent Replanning the 2 GHz band proceeding, has proposed the entire band be made available for MSS either narrowband or with complimentary ground component services (CGC).¹⁰ Accordingly, in the 2 GHz band licensees will be operating these ubiquitous MSS services on an exclusive basis.¹¹ To individually licence handsets is untenable and overly complex, a situation which would reduce the efficiency of the spectrum allocation significantly and likely increase costs to the end user. Therefore, the 2 GHz band should be included within the CSOCL regime similar to how other MSS bands are included in the current CSOCL regime.¹²

Accordingly, EchoStar Global supports the ACMA's proposal to adopt a 'systems' approach to licensing earth stations. In addition, EchoStar Global would urge the ACMA to extend its existing CSOCL regime to include 2 GHz to MSS operators in the 2 GHz band.

Respectfully submitted,



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⁹ See Australian Radiofrequency Spectrum Plan 2017 (15 December 2016) (showing the

¹⁰ See Australian Communications and Media Authority, *Replanning the 2 GHz band (1980-2010 and 2170-2200 MHz)*, Outcomes Paper (January 2021). (The ACMA has decided to replan the 2 GHz band in the following manner: 1980-2005 MHz paired with 2170-2195 MHz for Australia wide MSS with CGC; 2005-2010 MHz and 2195-2200 MHz for narrowband MSS.

¹¹ At this time the specifics regarding CGC operations in the 2 GHz band have not yet been finalized and therefore, EchoStar Global does not address CGC use at this time.

¹² See Radiocommunications (Communication with Space Object) Class Licence 2015 (For example, portions of the 1 GHz band have been included in the current CSOCL Regime).