

Brendon Agpasa

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21 February 2025

The Manager, Broadcasting Carriage Policy Section
Australian Communications and Media Authority

via on-line submission at: <https://www.acma.gov.au/consultations/2025-01/proposal-make-vast-available-mildurasunraysia-tv1-licence-area>

Dear Madam/Sir,

Proposal to make VAST available in Mildura/Sunraysia TV1 licence area

Brendon Agpasa welcomes the opportunity to provide a response to the Proposal to make VAST available in Mildura/Sunraysia TV1 licence area.

We propose to make the Viewer Access Satellite Television platform in Mildura/Sunraysia TV1 licence area.

We want to make Network Ten television services available in the Mildura/Sunraysia TV1 licence area through Viewer Access Satellite Television (VAST) to include digital TV channels (10, 10 Bold Drama, 10 Peach Comedy).

After the closure of 10 Mildura operations and the MDT license was handed back to the Australian Communications and Media Authority in June 2024, the Australian Communications and Media Authority (ACMA) has approved the transfer of 10 Mildura from Mildura Digital Television (50% joint venture with WIN Corporation and Seven West Media) to a new supplementary service of TV licence owned entirely by WIN Corporation (which broadcasts Channel Nine Mildura via WIN TV in the region), in partnership with their regional TV affiliate of Paramount Australia and New Zealand.

The ACMA is requesting access Network Ten television services in Mildura/Sunraysia through VAST to receive free-to-air digital channels such as 10, 10 Bold Drama, and 10 Peach Comedy. We consider this may mean that the number of commercial television broadcasting services being provided terrestrially in Mildura is 'deficient' under paragraph 130ZH(1)(a) of the BSA. But we are required to declare the Mildura/Sunraysia TV1 licence area a service-deficient area under subsection 130ZH(1) of the BSA. The effect of making the declaration would be that viewers in the Mildura/Sunraysia TV1 licence area are eligible to access commercial television broadcasting services such as Seven, Nine and 10 via the Viewer Access Satellite Television (VAST) service. Broadcaster WIN Television has partnered with Paramount Australia and New Zealand's Network 10 is licensed under section 38C of the BSA to supply commercial FTA television service in the South Eastern Australia TV3 satellite TV licence area, covering the Mildura/Sunraysia and the Mallee regions.

Under subsection 130ZH(1) of the BSA, we must declare an area to be service-deficient if we are satisfied that the number of commercial broadcasting television services in the area is 'deficient', the area is within a terrestrial licence area, and that terrestrial licence area is wholly included in the licence area of a section 38C commercial television licensee.

The effect of making the declaration is that the residents in the area will be eligible to access the VAST service to receive television broadcasting services provided by the relevant section 38C licensee by satellite.

We need to consider the Network Ten television services that are provided terrestrially in the Mildura/Sunraysia TV1 licence area is 'deficient' under paragraph 130ZH(1)(a) of the BSA, but we must declare the Mildura/Sunraysia TV1 licence area to be a service-deficient area, would receive free-to-air digital TV channels such as main Network 10 channel.

On successful completion of the Mildura/Sunraysia TV1 licence area, viewers in Mildura/Sunraysia to access Network Ten services via satellite through VAST, terrestrial FTA transmission through WIN, and IP through Foxtel pay TV subscribers.

Yours Sincerely,

Brendon Agpasa