

4 May 2022

The Manager
Major Spectrum Allocations Section
Australian Communications and Media Authority
PO Box 78
Belconnen ACT 2616

By email: SpectrumAllocations@acma.gov.au

Dear Sir/Madam

ASTRA welcomes the opportunity to comment on the *Proposed spectrum re-allocation declaration for the 3.4 GHz and 3.7 GHz bands consultation paper* (the **Paper**).

ASTRA endorses the separate submission made in response to this Paper by the Communications Alliance. In addition to this support, ASTRA wishes to make the below comments in response to the Paper.

ASTRA use of C-Band spectrum

ASTRA's members rely on access to C-Band spectrum in the 3.7 GHz band, as it is the most reliable and cost-effective means of receiving international programming into Australia, ensuring a rich diversity of programming is available to Australian customers. This includes Fox Sports who receives a broad range of international sports programming via C-Band downlinks and relies on those links to bring in major and niche sporting events from Europe, Asia and the UK.

ASTRA members will continue to make extensive use of C-Band downlink earth stations to receive a broad range of diverse international programming, well into the lifespan for 5G mobile standards.

Program streams currently downlinked for broadcast to Australians on the Foxtel platform include CNN, BBC World News, CNBC, various Discovery channels and Bloomberg. We note that some of these signals are also on-supplied to other television providers in Australia, such as Fetch TV.

Consequently, ASTRA's position regarding any future replanning of the 3.7 GHz band is that existing arrangements in the 3.7 GHz band should be retained.

However, ASTRA acknowledges the need to facilitate access to the 3.4 GHz and 3.7 GHz bands by new services and applications. Such access could be provided where the below requirements are met, to protect existing licensed C-band earth stations:

- Retain access to the 3.7 GHz band for existing licensed C-band earth stations and ensure the incumbency of these services; and
- Introduce effective interference protection mechanisms to protect existing licensed C-band earth stations from interference from new services including mobile broadband.

Ultimately earth stations need to retain access to the 3.7 GHz band in order to ensure continued reliable and low cost access to international programming. Alternative spectrum bands offering

comparable cost-effectiveness and adequate characteristics have not been identified. Furthermore, STV licensees are not always in a position to dictate the transponder used to receive international feeds, as those feeds are uplinked on available satellite capacity.

C-band reallocation

Acknowledging the need to accommodate competing demands for spectrum, ASTRA supports access to the 3.4 GHz and 3.7 GHz bands by new services and applications, and the development of sharing arrangements to support access to those bands for both FSS earth stations and other services.

However ASTRA's support for this access is strictly contingent upon continued interference protection for incumbent FSS earth stations in the 3.7 GHz band, given both the plethora of services provided via these stations, and the unique suitability of C-Band spectrum for those services.

Relocation/re-tuning costs

ASTRA's position is that particularly due to the number of licensed C-Band users and the unique suitability of C-Band spectrum for FSS earth stations and other services, existing arrangements in the 3.7 GHz band should be retained. However, where relocation and/or re-tuning is necessary, ASTRA requests that the ACMA consider arrangements for the relocation and/or re-tuning costs of incumbent C-Band licensees in the 3.4 GHz and 3.7 GHz bands.

As suggested in previous submissions relating to C-Band arrangements, ASTRA supports proposals for relocation and/or re-tuning where the costs of relocation and/ or re-tuning are reimbursed by government and if not, that they are negotiated and agreed between incumbent C-Band licensees and incoming spectrum licensees.

ASTRA again notes that in the FY 2013 Federal Budget national and commercial broadcasters received significant funding to support the restack of television broadcasting services to new channels and ENG clearance from the 2.5 GHz band. This spectrum was apparatus licenced spectrum which became spectrum licenced for MBB i.e., whilst the money was paid to broadcasters for assistance with broadcasting services, circumstantially and cost wise this case was very similar to the challenge which C-Band spectrum satellite operators and users are currently faced with due to forced relocation.

Where Government compensation is unable to be obtained, ASTRA argues that the ACMA should at the very least facilitate the negotiation of relocation and/or retuning costs of incumbent C-Band licensees agreed between and with incoming spectrum licensees in the 3.4 GHz and 3.7 GHz bands.

If you have any queries or would like to discuss the issues raised in this submission, please contact me (Lynette.Ireland@foxtel.com.au).

Yours sincerely

Lynette Ireland
On behalf of ASTRA