

Authority submission

Meeting date: 13 March 2025

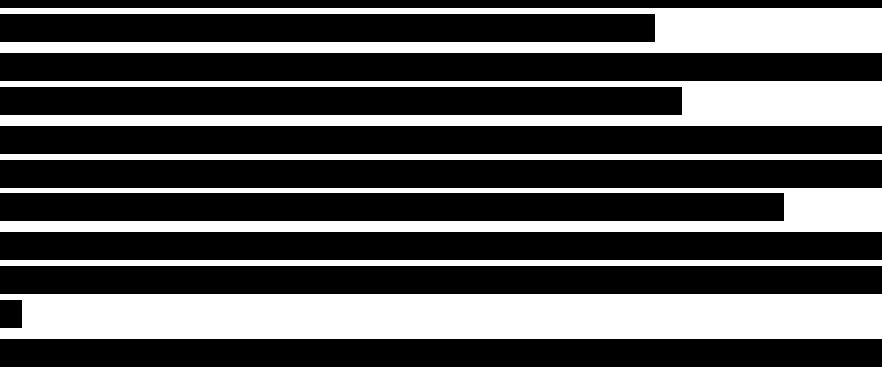
Agenda item no: (Authority Secretariat to insert number)

Title: Expiring spectrum licences (ESL) stage 3 preliminary views consultation

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B) AGREES to the following preliminary views on core aspects of the ESL process:

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8) Direct benchmarking should be used as the primary valuation methodology to value ESL spectrum and identify preliminary \$/MHZ/pop price ranges for the renewal of ESLs

9) \$/MHZ/pop price ranges for each ESL frequency band with preliminary views of renewal as set out in Paper 4 at **Attachment E**.

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ESL stage 3 preliminary views consultation

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- f. \$/MHz/pop price ranges for each ESL frequency band with preliminary views of renewal for WA WBB or FWA use (set out in **Attachment A** and **Attachment E**), which are derived from a direct benchmarking approach, and preliminary pricing considerations for rail safety and TOB use. The \$/MHz/pop prices are generally lower than previous \$/MHz/pop prices paid.

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23. The PV 4 paper sets out the ACMA's views on the way to determine the market price of spectrum in each band. It is essential to determine this price before considering the impact of other policy settings, discounts, incentives and payment arrangements. The PV 4 paper notes that these issues remain under consideration, but that matters such as public interest discounts and instalment arrangements have historically been subject to ministerial decision.

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Prospective alternative licensees and other stakeholders

27. Prospective alternative licensees (e.g. Pivotal, Connected Farms) will likely be critical of the preliminary views on use-cases and band options. These stakeholders viewed the ESL process as an opportunity to gain access to ESL spectrum, particularly low-band spectrum that they perceive is unused or underused by incumbent licensees. Many of these stakeholders also supported the introduction of alternate licensing conditions like 'use it or lose it' or 'share it' (UIOLI/SI). The preliminary views do not support these aspirations. Equipment/infrastructure vendors (such as OneWiFi and Omnitouch) that stand to benefit from prospective alternative users gaining access to spectrum may also be critical of our preliminary views.
28. Other stakeholders, such as the Australian Communications Consumer Action Committee and New South Wales Telco Authority, who also expressed support for UIOLI/SI, rollout requirements (and, in the case of the latter, re-allocation of ESL spectrum for a dedicated Public Safety Mobile Broadband capability) are likely to express similar criticisms.
29. As noted in Supporting paper 2 competing and complementary demand (**Attachment G**), demand for ESL spectrum held by the MNOs is primarily from small, regionally focussed users seeking to operate place-based and private network solutions, particularly in areas where, they argue, spectrum is underutilised by MNOs.
30. In our view, the secondary licensing model that we proposed in our advice to the Minister on alternative licensing conditions, if implemented, would better provide these users with opportunities to access unused spectrum while maintaining flexibility for incumbent licensees.

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