

[REDACTED]

From: Adam Suckling
Sent: Friday, 22 November 2024 3:46 PM
To: Michael Brealey; [REDACTED]
Subject: FW: Comments on paper for Spectrum Committee [SEC=OFFICIAL]

FYI

From: Anna Brakey [REDACTED]
Sent: Thursday, November 21, 2024 6:11 PM
To: Adam Suckling [REDACTED]
Subject: Comments on paper for Spectrum Committee [SEC=OFFICIAL]

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OFFICIAL

Dear Adam

[REDACTED]

I have reviewed the two Spectrum Committee papers. I have the following comments on the Item 2a. [REDACTED]

[REDACTED]

Item 2a – Expiring spectrum licences Stage 3

I thank staff for the very significant amount of work that has obviously gone into preparing the public document and the accompanying staff paper. The public document is thorough and canvasses a wide suite of issues.

I broadly support staff's preliminary views raised in the staff paper. I note that the current ACMA staff view is to renew licences in such a way that there is no associated risk to service continuity for MNO, meaning that competition outcomes in affected markets such as mobile services and retail broadband are not harmed.

I support the proposed approach to continue to monitor market developments, particular the roll out of LEO Sat direct to mobile services, and for staff to consider how these developments unfold into consideration as necessary. Likewise I support staff being mindful of policy developments (such as recommendations from the 2024 Regional Telecommunications Review) that would potentially impact the ESLs.

I also appreciate staff having had clear regard to nascent developments such as the Optus/TPG network sharing arrangement and the LEOsat direct-to-mobile services and ensuring that these can continue.

I also support staff's proposed shorter timeframe for licence durations. On the one hand, it is important that licence terms are long-enough to provide MNOs sufficient stimulus and time to conduct network

investment. However, it is also important to note that shorter licence terms enable the re-allocation of spectrum to its highest value use more often.

My view is that shorter planning horizons do not necessarily imply lower investments, e.g., if the level of investments required to make use of the spectrum is relatively fixed such that it remains profitable even with a shorter planning horizon. Licenses with shorter durations may also lead to higher investments, at least in the short term because they are more likely to be won by firms who plan to put them to use right away rather than hoarding the spectrum (without investing in complementary assets) for potential future uses.

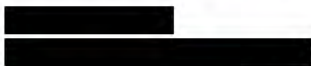
Given the length of the work-in-progress draft of the public document on ACMA preliminary views, I have not been able to go through it in detail. I suggest that the relevant ACCC team get in touch with ACMA staff with any staff-level comments or suggestions on the draft in the first instance before a more finalised paper is considered by the Authority in due course.

Kind regards

Anna

Anna Brakey
Commissioner

Australian Competition & Consumer Commission
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