

**Submission**

**to the**

**Australian Communications and Media Authority**

**on the**

**Licensing arrangements for femtocell deployment**

**Submission by:**

**Australian Mobile Telecommunications Association and  
Communications Alliance**

**17 September 2012**

# 1. Introduction

---

## The Associations

- 1.1 Communications Alliance Ltd is the primary telecommunications industry body in Australia. Its membership is drawn from a wide cross-section of the communications industry, including telecommunications carriers, carriage and internet service providers, content providers, search engines, equipment vendors, IT companies, consultants and business groups. Its vision is to provide a unified voice for the telecommunications industry and to lead it into the next generation of converging networks, technologies and services. The prime mission of Communications Alliance is to promote the growth of the Australian communications industry and the protection of consumer interests by fostering the highest standards of business ethics and behaviour through industry self-governance. For more details about Communications Alliance, see <http://www.commsalliance.com.au>.
- 1.2 The Australian Mobile Telecommunications Association (AMTA) is the peak industry body representing Australia's mobile telecommunications industry. Its mission is to promote an environmentally, socially and economically responsible, successful and sustainable mobile telecommunications industry in Australia, with members including the mobile Carriage Service Providers (CSPs), handset manufacturers, network equipment suppliers, retail outlets and other suppliers to the industry. For more details about AMTA, see <http://www.amta.org.au>.
- 1.3 The Associations welcome the opportunity to respond to the Australian Communications and Media Authority (ACMA) Consultation Paper on the Licensing arrangements for femtocell deployment.

## 2. Industry comments

---

The Associations would like to make the following comments on the proposed licensing arrangements for femtocells.

### Apparatus Licensing Approach

- 2.1 The Associations support in principle the ACMA's proposed Public Telecommunications Service (PTS) apparatus licensing approach as the most appropriate approach to balance efficient deployment while managing any potential interference as femtocells will be deployed in bands that are both spectrum and apparatus licensed.
- 2.2 This support is conditional on the ACMA agreeing to modify the proposed apparatus licensing arrangements so that femtocell type devices can only be licensed within the area covered by a Public Mobile Telecommunications Service (PMTS) base station licence.

### Amendment to the Radiocommunications (Interpretation) Determination 2000:

- 2.3 The Associations suggest that the intent of 2.2 may be achieved by modifying the PTS Licence definition in Schedule 1 of the *Radiocommunications (Interpretation) Determination 2000*.
- 2.4 In addition, it is observed that the proposal to broaden the PTS licence definition in 1(b)(ii) appears to imply that mobile stations (i.e. mobile handsets and devices), are part of a carrier's network used for the supply of a PMTS.
- 2.5 It is noted that mobile stations are customer equipment (CE) as defined in Section 21 of the *Telecommunications Act 1997* and are located outside the network boundary of a carrier's network. Consistent with Section 22 (1)(c) of the *Telecommunications Act 1997*, mobile stations as CE are used to or intended to **connect** to a PMTS or other types of carriage services.
- 2.6 Accordingly to address the above two points, the following amended PTS licence definition is offered for consideration:

**PTS licence** means an apparatus licence:

- (a) issued for a service that consists of one or more stations that are operated for the provision of a public mobile telecommunications service; and

- (b) which may also authorise the operation of one or more additional stations (the licensed stations), where:
- (i) the licensed stations communicate with mobile stations; and
  - (ii) the mobile stations are ordinarily used for connecting to a public mobile telecommunications service, but when used in conjunction with the licensed stations, are not used for connecting to a public mobile telecommunications service.

*Note: Paragraph (b) of the definition of PTS licence recognises that some stations may be used to deliver a carriage service to an end-user's mobile device, but that service will not be a public mobile telecommunications service within the meaning of the Telecommunications Act 1997.*

## **Record keeping**

- 2.7 The Associations suggest that the 15 km radius zone in which femtocell type devices are exempt from record keeping needs to be modified, so that it is more flexible and can be appropriately aligned with the shape and size of the coverage area for the associated PMTS base station licence.

## **Charging arrangements**

- 2.8 The Associations seek the ACMA's assurance that a large number of existing spectrum accesses for which an applicant is seeking to have conditions 'C0' and 'C1' attached to existing spectrum accesses can be updated as a 'single job lot' rather than each change being charged on an individual basis for each spectrum access update. The Associations believe that the ACMA should charge for the real elapsed time taken to process the entire job lot, not \$197 per spectrum access update.

## **Frequency Coordination and Licensing Procedures for Apparatus Licensed Public Telecommunications Services in the 2 GHz Bands (RALI MS33)**

- 2.9 The Associations note that the *Additional Information* section on the consultation page for [ACMA IFC 29/2012](#) refers to the ACMA undertaking a separate consultation on amendments to RALI MS 33 that define coordination requirements for the deployment of low-powered indoor devices such as femtocells.
- 2.10 The Associations note that the proposed section 4.13 of the draft RALI MS33 refers to how interference management would be assessed between a 'low power ubiquitous device' and an 'authorising base station' that is not operating on the same channel.

- 2.11 The Associations observe that the proposed amendment suggests the possibility of a femtocell being deployed 'stand-alone' and not in association with a macro base station or an existing PTS licence.
- 2.12 The Associations note femtocell deployment will generally occur within the footprint of existing PTS licences so carriers may not take full advantage of such a provision.