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Bridget Kerans

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Dear Bridget

RE: Variation to the Low Interference Potential Device Class Licence consultation

Communications Alliance welcomes the opportunity to comment on the ACMA's *Variation to the Low Interference Potential Device Class Licence* consultation. The following responses are to three questions of interest to our members, as listed in the consultation paper.

RLAN radiocommunications transmitters in the 5150–5250 MHz band

Question 1: Should a separate new item be introduced to facilitate higher-power RLAN transmitters in 5150–5250 MHz, or should existing item 61 be modified?

Communications Alliance is opposed to class licensed, outdoor RLANs in this band due to the high likelihood of generating significant aggregate noise in licensed MSS feeder uplink satellite receivers over Australia used by Globalstar and possibly others. Globalstar feeder uplinks have used the 5091 – 5250 MHz band for the past 23 years in complete harmony with the huge population of RLANs in the 5150 – 5250 MHz segment operating under the maximum 200 mW (23 dBm) e.i.r.p., indoor only, rules. We note and fully concur with the recent decisions of the CEPT in Europe (in its ECC/DEC/(04)08 of July 2022), and of the United Kingdom's OFCOM in its September 2022 SRD decisions, to not allow fixed outdoor RLANs in this band due to the serious risk of causing harmful interference to incumbent, co-band services (including MSS feeder uplinks). We also note the decisions taken by the Saudi Arabia¹ and the Arab States, the African nations and by the RCC due to the same interference concerns.

The response to Question 1 does not represent the views of Telstra.

Underground Wireless Broadband

Question 10: Have third-party access arrangements to spectrum-licensed bands been explored?

Should we consider the introduction of arrangements in the LIPD class licence to facilitate underground communications in the 700 MHz, 800 MHz and/or 900 MHz bands? What technical limitations should be included in these arrangements if they are introduced?

Communications Alliance recommends that these arrangements should not be in the LIPD class licence as these bands, which are mobile telephone bands, would then

¹ Communications and Information Technology Commission (CITC) WLAN Regulations 2022
<https://www.cst.gov.sa/en/RulesandSystems/RegulatoryDocuments/OtherRegulatoryDocuments/Documents/PL-PM-002-E-WiFi%20Regulations.pdf>

become subject of the Short Range Equipment Standard, which could cause confusion amongst equipment manufacturers. Communications Alliance would support the creation of a separate class licence for such devices.

Radiocommunications receivers communicating with satellites in the 915–928 MHz and 2400–2483.5 MHz bands

Question 11: Should we consider the introduction of arrangements to facilitate systems that utilise space-based transmitters that operate in the bands 915–928 MHz and 2400–2483.5 MHz at power levels higher than currently permitted under the LIPD class licence? If so, what matters should be considered in the regulatory framework? In particular, comment is sought on:

- **What is an appropriate power for such services so that there is no impact on other services? While some might operate at power levels slightly higher than those currently supported under the LIPD class licence, others could at operate higher levels. The impact also depends on other technical parameters such the orbital characteristics, number of satellites and what types of services are sharing the band. Such considerations suggest a case-by-case approach (more akin to an apparatus licensing regime) may be required.**
- **What effect, if any, will the proposed use have on existing services such as the amateur-satellite services and services authorised under the LIPD class licence? For example, Wi-Fi, Bluetooth and radio frequency identification devices (RFID).**
- **Do systems need to be brought under the scope of the Radiocommunications Act via variations to the Radiocommunications (Australian Space Objects) Determination 2014 or the Radiocommunications (Foreign Space Objects) Determination 2014?**
- **Is the LIPD class licence or the communication with space objects (CSO) class licence the appropriate legislative instrument to be used to facilitate such systems?**
- **If apparatus licensing is used, are the current apparatus licence fees and taxes appropriate? (Assuming the entire band is licensed, for the 915–928 MHz band, the annual tax for an Australia-wide space licence is estimated as \$36,673; for the 2400–2483.5 MHz band, the annual tax for an Australia-wide space licence is \$235,194.)**

Communication Alliance suggests that the LIPD class licence is not the appropriate legislative instrument for these devices and that the CSO class licence is the appropriate legislative instrument.

If you have any questions with respect to this submission, please contact Mike Johns at Communications Alliance on 0414 898 841.

Yours sincerely,



John Stanton
Chief Executive Officer

About Communications Alliance

Communications Alliance is the primary telecommunications industry body in Australia. Its membership is drawn from a wide cross-section of the communications industry, including carriers, carriage and internet service providers, content providers, 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/>