



**Submission to the Australian Communications and Media Authority information paper:
*Review of the 2.5GHz band and long-term arrangements for ENG: Band plan for
television outside broadcast services***

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Introduction

The Australian Subscription Television and Radio Association (ASTRA) welcomes the opportunity to comment on the Australian Communication and Media Authority's draft band plans for television outside broadcast services.

About ASTRA

ASTRA is the peak industry body for subscription television (STV) in Australia. ASTRA was formed in September 1997 when industry associations representing subscription (multi-channel) television and radio platforms, narrowcasters and program providers came together to represent the new era in competition and consumer choice. ASTRA's membership includes the major STV operators, as well as channels that provide programming to these platforms.

The STV industry is the undisputed leader of digital broadcasting in Australia. A dynamic sector that is constantly evolving and growing, it is received nationally by 34% of Australians through their homes and many more through hotels, clubs and other entertainment and business venues.

The STV sector contributes to the Australian economy in a variety of ways, both directly (in terms of the value it adds to national GDP and employment) and indirectly through providing greater product innovation and consumer choice. The direct economic contribution of STV to the Australian economy in 2009-10 is estimated at approximately \$700 million and over \$5 billion since its inception, employing 7,410 people (including platform outsourcing) in 2010.

In 2010, STV platforms and channels invested \$578.4 million into Australian content, an increase from \$541.4 million in 2009.

Response to the information paper

Supporting television outside broadcast services

ASTRA notes that the proposed new band plan for television outside broadcast (TVOB) services is intended to support the process for reallocating spectrum in the 2.5GHz band as part of the digital dividend by:

- facilitating the transition of services operated by existing licensees (the commercial FTA broadcasters and the ABC); and
- support the development of arrangements that will provide opportunities for STV operators, TVOB production houses and equipment suppliers that use the 2.5 GHz band (either directly or via sub-contracting arrangements) under third party agreements with current licensees; within the 1980-2110 MHz and 2170-2300 MHz bands.

ASTRA further notes that support for commercial FTA broadcasters, and the ABC is proposed to be provided through exclusive access to the bands 2010-2110 MHz and 2200-2300 MHz for ENG and TVOB services, while the ACMA is developing arrangements so that the 1980-2010 MHz and 2170-2200 MHz bands will be available on a shared, non-exclusive basis, with licensees required to self-coordinate usage with other TVOB licensees (intended to support the activities of STV operators, TVOB production houses and equipment suppliers).

As the ACMA is aware, ASTRA and its members have registered strong opposition to these suggested arrangements, given the increasing TVOB spectrum needs of the STV sector but lack of certainty that STV operators will have reliable access to that spectrum through the operation of third-party arrangements with FTA licensees.

In this context, ASTRA acknowledges the ACMA's recognition in this discussion paper of the importance of sufficient spectrum suitable for TVOB being available to the STV sector and other industry participants beyond the existing incumbent licensees, and would refer the ACMA to previous submissions from ASTRA members during this process for details on future STV spectrum requirements. As the ACMA notes in the information paper, increased spectrum demands are likely to arise from a number of activities including high definition (HD) broadcasts, a consideration particularly important to the STV industry in relation to the new AFL broadcast rights agreement meaning all AFL matches will be shown on STV in HD.

ASTRA does submit, however, the proposed licensing arrangements for the 1980-2110 MHz and 2170-2300 MHz bands do not represent an efficient or effective use of this spectrum for TVOB purposes, and maintains operational uncertainty for industry participants other than FTA broadcasters. ASTRA believes that a more balanced approach to spectrum management can be achieved that would provide sufficient spectrum to address any public policy concerns regarding ENG operations, but would also ensure sufficient certainty of spectrum availability for other significant industry users of this spectrum, including STV.

ASTRA therefore submits that consideration should be given to extending the principle of shared spectrum arrangements proposed for the 1980-2110 MHz and 2170-2200 MHz band to the entire 1980-2110 MHz and 2170-2300 MHz bands. A coordinated approach would avoid the potential for spectrum exclusively assigned to the FTA broadcasters to be under-utilised and/or operators other than FTA broadcasters, such as STV, continuing to rely on generally informal third-party arrangements for TVOB spectrum needs.

ASTRA is keen to work with the ACMA over the coming months to develop detailed proposals for shared spectrum management arrangements that would maximise efficient spectrum use in these bands while providing sufficient certainty of access for STV and other industry participants outside of the commercial FTA broadcasters and the ABC.

The issues around use of the higher bands are three fold:

1. The higher operating power required for the same coverage leads to OH&S issues (although, conversely using the same power means less coverage).
2. Commercial OB suppliers would need to have different equipment depending on the client, which is not cost effective.
3. STV OB's should not be required to use inferior TVOB frequency allocations (leading to lower production values), compared with the FTA's.

Fixed links

ASTRA agrees with the ACMA that the utility of the bands 1980-2110 MHz and 2170-2300 MHz for TVOB services is dependent on arrangements for fixed point-to-point links in areas, and notes that the operation of fixed point-to-point links in specified areas must cease by 1 November 2013. ASTRA also notes that no new fixed links assignments will be allowed, with the exception of TVOB services.

ASTRA agrees with the ACMA the requirements and timing of the cessation of fixed point-to-point links are best addressed as specifications in the band plan rather than through existing administrative processes, giving certainty for future TVOB use and for existing fixed-link licensees.

Earth stations

ASTRA notes that TVOB services operating in 2025-2110 bands will not be afforded protection from interference caused by earth stations operating in accordance with licence conditions. In particular ASTRA notes that ACMA analysis indicates that TVOB operations 100 km of the Tidbinbilla Station south of Canberra will require coordination to assess the potential for interference (p.23).

As the ACMA would be aware, a number of planned TVOB events are likely to occur in the Canberra region each year, including in relation to the broadcast of a number of scheduled NRL, AFL, Super Rugby, football and cricket broadcasts.

Variations and revocation of existing band plans

ASTRA supports the revocation of the Mobile-Satellite Service (MSS) Band Plan, the 1900-1920 MHz and 2010-2025 MHz Bands Frequency Band Plans, and the 2.1 GHz Band plan as proposed by the ACMA in the information paper.