

mSP-review-and-regional-non-national-allocation-discussion-document

Response from Mike Lancaster ARE #20

13th July 2021

Introduction

I welcome the opportunity to respond and believe it is prudent and timely for RSM to review the MSP process. This is my personal view.

I have taken the liberty to expand the scope of some questions and would be happy, in moderation, to expand or elaborate on any points. Some are deliberately vague...

More notice of the imposed hiatus on MSP applications would have been appreciated, however I do understand the implications of a 'last minute' rush.

Question Responses

Question 1: *Do you think that co-operation is feasible in the Managed Spectrum Park?*

Somewhat, underlying challenges are:

1. There is a variable attitude to share, or not, that varies across applicants and holders; parties that are open to coordination should be allowed to do so where practical.
2. Technology compatibility can make coordination challenging e.g., proprietary vs standards based.
3. Bandwidth allowed based on technology. Many technologies such as LTE support Carrier Aggregation and can broadcast 2 adjacent 20 MHz from same radio + antenna. Re-use of 1 is normal for LTE, the current MSP licencing situation forbids CA licences which is unfair and unreasonable. A licence can clearly show 2 x 20MHz channels being transmitted.
4. 20 MHz is not enough in 2.6 GHz when looking out 10-20 years – MNO will be offering plans with multiple CA and customer expect fast speeds with adequate capacity to support evening video streaming. 40 MHz is essential and potentially more in future allocations.

Question 2: *When considering MSP spectrum allocations, what allocation method(s) would be preferable to you?*

5. Regional single party – subject to adequate business plan coverage/take up – if not split the region to encourage most usage – i.e., administrative allocation
6. Administrative allocation

Question 3: *What are your thoughts on the level of technical requirements/rules in relation to MSP licenses?*

7. Some regional boundaries have RF overlap as not 'terrain limited' these require coordination.
8. Having an explicit technology and product type expectation defined is helpful and should be based on current users' responses.

9. It is important to consider technology changes and evolution over the life of the MR/offer supporting 5–10-year review/industry input.

Question 4: *What are your thoughts on the best method(s) for future regional/non-national spectrum allocations?*

10. Review regional allocation vs current 2.6 usage and WISP ‘patches’ – this may show a better division of regions.
11. Align to suit service/population boundaries not necessarily TLA.
12. Note large cities may require special consideration as the dense urban regions are not the natural habitat for WISP currently and the surrounding rural may support multiple WISP.
13. Price based on value = benefit / population, or consider a price per site model?
14. Consider ongoing annual fee to cover compliance costs – this is valuable asset and encourages active usage (and hence revenue generation) e.g., price per site model with initial application fee based on business plan and ‘reserved allocation area’.
15. 6-year initial term subject to ongoing compliance, and clear renewal process with notice to support ongoing investment by operators
16. Deployment should cover a fair percentage of area allocated – or be a ‘shared’ self-managed model (see below) with similar ‘usage’ – i.e., allocate to 2 or more parties and allow them to self-manage.

Question 5: *Should priority be given to incumbents over new entrants?*

17. Have preparatory process, registration of interest, MBIE to consider interested parties’ proposition and current/planned usage.
18. New entrants and incumbent WISP/ISP can apply.
19. preference given to parties who chose to submit a ‘geographic’ shared and coordinated proposal.
20. MBIE decision on allocation is final – the Manager must manage

Question 6: *Is the market big enough to support sub-regional competition?*

21. competition already exists between unlicensed wireless, licensed spectrum operators and Tier 1 wireless operators (mobile/FWA)
22. As such RSM supporting a single reliable, capable regional wireless Tier 2/3 operator with adequate bandwidth, is appropriate.
23. MBIE should also support/prioritise service providers who may be participating in other govt funded initiatives in fulfilling their obligations (PGF, RBI2, CIP RCU etc)

Question 7: *Should spectrum allocation rules be used to limit consolidation (mergers or take-overs) of regional players.*

24. Yes
25. Also, robust ‘use it or lose it’ – this means a ‘reasonable’ number of customer connections, sites and consumption dependent on population covered.
26. Deployment starts in < 6 months.
27. Regular updates to RSM during deployment phase
28. RSM retains right to limit/reduce or withdraw spectrum offer with appropriate warning process.

29. RSM ongoing annual review and ability to confidentially audit and confirm CPE locations, network performance, customer experience and product types/uptake.
30. Also consider rules for 'selling/transferring' spectrum. It appears that various approaches have been allowed/disallowed over past decade. It needs to be clear cut – e.g., going concern sale of compliant and in use spectrum that does not breach limits is OK.

Question 8: *What are your thoughts on how to protect regional rights for regional use?*

31. Robust RSM technical definition, support of majority of current users, appropriate allocation process and ongoing audit process
32. Strong RSM support of awarded parties (subject to full compliance)
33. Retain a mediation process in shared operator situation, with RSM as final arbiter.
Preferably never allow it to get to this state as we're talking about parties who've invested \$\$ and have real customers.