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Dear Lawrence Green,

Introducing Recognised spectrum Access

Further to the consultation document dated July 2002 our responses to the questions raised are given below.

If you have any queries please contact me.

Regards

Dave Hall

Question 1: Do you agree in principle that RSA should be introduced?

It is considered that RSA should be introduced and it will form a valuable addition to the tool kit for ensuring efficient use of spectrum.

Question 2: For which satellite services and in which bands should RSA be introduced?

It is considered that RSA should potentially be applicable to all satellite services and bands though initially it should only be applied to services and bands where there is significant demand for spectrum..

Question 3: How should the recognition granted by RSA be defined and what technical and other factors should be included?

Sections 4.3.1 to 6 and Annexes C –E list a number of recognition and technical factors that should form the basis of RSA. The ITU-R performance requirements should form the baseline for performance standards but the parties involved should be able to specify different performance levels and the value of spectrum adjusted accordingly. It may be appropriate to develop computerised expert systems and models to determine the way that fixed links and satellite services will work together. The computerised system could be used to provide an indication of expected performance levels that would form the basis of the RSA.

Question 4: Would tradability of RSA and interchangeability with licences be advantageous and how useful would it be in practice?

It is considered unlikely that there would be many cases where RSA rights would be traded for licence rights. It is considered that there would be benefits in the tradability of RSA. An aspect not considered in the consultation document relates to the same entity holding RSA for a satellite downlink and a licence for a fixed link in the same frequency band. It is considered that this situation should not be permitted as it could lead to inefficient use of spectrum.

Question 5: Should RSA be perpetual or fixed term and what factors should be taken into account in deciding security of tenure?

It is considered that RSA should be fixed term with the expectation of renewal subject to possibly revised terms and conditions. This implies a degree of security of tenure but this would be decided on how efficiently the spectrum is used, for what purpose, and it would be for newcomer to prove that

they would make better use of the spectrum. It is a complex issue but it may be appropriate that the newcomer pays some compensation to the previous user.

Question 6: How should spectrum pricing principles apply to RSA

Consider that pricing should be based on opportunity cost and applied through administrative pricing. It is considered that auctions are not an appropriate means for the valuation of RSA.

Question 7: How should administrative incentive pricing fees be calculated in practice?

The preferred option should be based on the fee that would have been paid by the displaced terrestrial service (fixed link or mobile). However there may be some situations where cost recovery may be a more appropriate method.

Question 8: Are there services other than satellite for which application of RSA could be advantageous?

It is considered that there are other services that RSA could be applied to and radio astronomy is an obvious example. If RSA was granted to radio astronomy frequency bands this would increase the protection provided to this service and reinforce the protection afforded by other measures. It is considered that if spectrum pricing is applied to RSA then in the case of radio astronomy the RSA should be granted without payment or only a minimal nominal amount should be charged.