

Toby Youell  
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Dear Toby,

We write in response to Ofcom's consultation *3.8 to 4.2 GHz band: Opportunities for Innovation*. As a satellite teleport operator who heavily uses C-Band downlink services, we are an incumbent user of this spectrum. Accordingly, we are confining our response to three specific points, principally relating to the issue of legacy services in the 3.8-4.2 GHz band.

- Ofcom states in paragraph 3.12 that it would weigh costs to incumbent users against benefits to new sharing opportunities in making decisions on spectrum sharing proposals. We consider that Ofcom should also adopt the principle that any such incremental costs should not be borne by those incumbent users. Moreover, the existing services should not be left in a worse position as a result of new sharing arrangements in terms of any increase in the risk of harmful interference;
- We welcome the proposal set out in paragraph 3.10 that existing users should be able to grow their businesses as Tier 1 licensees on a first-come-first-served basis; and
- Ofcom may have underestimated the number of receive only earth stations (ROES) as part of its analysis – appearing to have included only the BBC Monitoring ROES. An example of this is the question of whether legacy TVRO ROES stations associated with International Businesses and Hotels have ever been registered. Comsys understand there to be over 60,000 VSAT terminals in the UK, although there is no information regarding their frequency band. The majority will be Ka and Ku-band but Ofcom may wish to consider whether some of these may be operating at C-band and require protection at receive frequencies, including in the 3.8-4.2 GHz band.

Please do contact me if you have any queries on the above.

Yours sincerely

John Canavan