

MCA COMMENTS ON THE OFCOM CONSULTATION – EXTENDING SPECTRUM TRANSFER TO THE MARITIME AND SATELLITE EARTH STATION SECTORS.

1. It is noted that the consultation forms part of an ongoing commitment to ensure the optimal use of spectrum through Transfer and Leasing, Liberalisation and Administered Incentive pricing. It is also noted that this consultation relates to transfer of licences but not to leasing. It is silent on liberalisation and AIP. The document is also silent on the radio frequencies covered by this consultation; some of it refers to channel bandwidths of 25 KHz which would imply VHF/UHF frequencies other areas refer to L band. However Coast Station Licences (CSL) may be issued for frequencies at MF and HF and it is not clear to what extent these are to be included in this exercise, nor how segmentation and partial/concurrent transfers would take place in these areas.

2. The document differentiates between International and UK CSL and further subdivides these into specific and area defined. Mention is also made of other types of licences – marina, DGPS etc.

3. The document fails to explain the nature of international allocations and the restrictions associated with these. In turn paragraph 4.6 indicates that segmentation would not be permitted either in specific or area defined licences because of channel bandwidth, however no mention is made that were these bandwidths to change a change in use would not be permitted and any further restrictions that would apply.

4. The document fails to explain the current use of UK CSL and how spectrum trading could be achieved in practice. Whilst there are general examples set out in paragraphs 4.3 it is far from clear how these can be achieved within the current maritime usage in particular there appear to be no safeguards for mobile stations using these frequencies, nor any protection against a change of use ashore which may impair their current function.

5. It is understood that assurance has been verbally given to the MCA that the primary intention behind this document is to speed up the transfer of licences for UK maritime frequencies from one party to another and that no change of use is contemplated. However this is not clear from the wording of document nor from a practical perspective how segmentation can be achieved without major changes to coastal and mobile station infrastructure to avoid interference. Indeed the role of the mobile station in this consultation and the impact of the proposals appear to have been overlooked.

6. PES and ESN form an integral part of the GMDSS communication system which is mandated for use in the maritime community internationally. The consultation document does not describe how segmentation or partial transfer of licences can be effected. The critical issue however for the MCA is that such arrangements will not compromise the ability of mobile earth stations (ships) to communicate effectively both with other MES and fixed earth stations through the auspices of Inmarsat and potentially other satellite providers.

6. It is suggested that as a result of this consultation Ofcom publishes further material in relation to these proposals which:

- Clarifies the position with regard to MF and HF maritime frequencies
- Clarifies the usage of radio channels set out in appendix 18 to the radio regulations and how these proposals might impact upon them.
- Clarifies the position of mobile stations in relation to their use of international and UK VHF channels and the impact these proposals may have on these.
- Clarifies how partial transfer involving segmentation could occur in practice for UK VHF channels.

- Clarifies to what extent change of use of existing channels would be permitted under these proposals.
- Confirms that the proposals will not impact upon the ability of the current L Band communication arrangements to meet international requirements. And that any revised communication arrangements will have priority should conflicts occur with other users.

7. On the basis of the foregoing and in respect of the questions posed by the consultation document our responses are:

Question One – No, not until adequate written clarification has been provided to the foregoing.

Question Two - Yes, providing written confirmation is provided as set out in the foregoing.