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What do you want Ofcom to keep confidential?:

Keep nothing confidential

If you want part of your response kept confidential, which parts?:

Ofcom may publish a response summary:

Yes

I confirm that I have read the declaration:

Yes

Ofcom should only publish this response after the consultation has ended:

You may publish my response on receipt

Additional comments:

Question 1: Do you agree with the list of proposed RSA parameters for assessing interference and for setting fees for receive-only earth stations? Are sufficient parameters defined for a grant of RSA? If you disagree, please give your reasons and suggest alternatives.:

The WiMAX Forum agrees with the list of technical parameters but believes that other economic factors need to be considered in setting fees for the grant of RSA for receive-only earth stations. The WiMAX Forum membership is particularly interested in accelerating the market take up of broadband wireless access (BWA) products and the frequency range 3600-3800MHz is a key band for WiMAX technology and identified as Band Class 5 for the development of WiMAX Certification procedures. The WiMAX Forum notes that the UK has awarded spectrum user rights in 168MHz of spectrum in the 3600-4200MHz range for BWA applications some time ago and that this spectrum could be a major contributor to satisfying the Digital Britain needs for broadband roll out.

The WiMAX Forum believes that the grant of RSA could lead to constraints upon the roll out of BWA services which may lead to either extra costs or potential loss of revenue for the BWA operator in certain areas as well as the denial of service to consumers. The WiMAX Forum would like to see this aspect taken into account when setting the RSA fees in the range 3600-4200MHz especially when the affected bandwidth covers the BWA assignment frequencies.

Question 2: Do you agree with the proposals for introducing fees for RSA for receive-only earth stations in the bands concerned on the basis of parity with existing PES fees (with a minimum fee of £500) and that the full fees be implemented from the date of grant of RSA? If you disagree, please give your reasons and suggest alternatives:

Yes, the WiMAX Forum agrees with the proposals to introduce fees for RSA for receive only earth stations. However, the WiMAX Forum does not believe that the Fixed Link basis for setting PES fees is appropriate for spectrum already block licensed for BWA operation in the range 3600-4200MHz. As stated under Q1, the WiMAX Forum believes that the grant of RSA could lead to constraints upon the roll out of BWA services which may lead to either extra costs or potential loss of revenue for the BWA operator in certain areas. The WiMAX Forum would like to see this aspect taken into account when setting the RSA fees in the range 3600-4200MHz especially when the affected bandwidth covers the BWA assignment frequencies.

Question 3: Do you agree that grants of RSA in the bands should normally be on a rolling annual basis, with a 5-year revocation period?:

The WiMAX Forum understands the rationale for the Terms of Grant proposed but requests a means for Ofcom (or the affected BWA spectrum rights holder) to ensure that the earth station granted RSA is a valid user of the “protected” spectrum especially where this might be blocking the deployment of terrestrial BWA services.

Question 4: Do you agree that grants of RSA in the bands should be tradable and that grants of RSA and WT licences should be inter-convertible? If so, do you agree with our proposal to model the process for trading and conversion on that for RSA for radio astronomy? :

No. The WiMAX Forum believes that trading and/or conversion of the RSA into WT licences is inappropriate in BWA spectrum where block spectrum rights have already been awarded to a terrestrial operator. The WiMAX Forum recognizes that space services share the frequency ranges on an equal basis with fixed or mobile services according to the European

common allocation table. But the WiMAX Forum cannot accept the uncertainty that the possibility to trade or change the use of spectrum within the awarded BWA blocks brings to the development of BWA services, especially where this may introduce alternative transmitting applications.

Question 5: Do you agree with our proposed procedure for considering applications for the grant of RSA to receive-only earth stations. If you disagree, please give your reasons and suggest alternatives? :

The WiMAX Forum believes that in BWA spectrum, the location of existing Base Stations is not enough information for assessing the impact of a potential earth station RSA. BWA operators may well have a phased roll out plan based upon the local business circumstances in any specific area which may not be complete but part of an evolving business plan. The sudden introduction of a constraint from the grant of a RSA could have a negative impact on the BWA business viability. The WiMAX Forum proposes that Ofcom consults with the local BWA operator whenever RSA in BWA spectrum is under consideration. This might also be a part of the fee setting process.

Question 6: Do you agree that RSA for receive-only earth stations could provide greater security against interference and help promote optimal use of the 1690 - 1710, 3600 - 4200 and 7750 - 7850 MHz bands? If not, please explain why and describe any alternative mechanism that you consider to be necessary.:

The WiMAX Forum understand the advantages that RSA for receive only earth stations could bring for the earth station operator. The WiMAX Forum also believes that the process can be manageable if (as suggested in the consultation document) the likely number of RSA grants remains relatively low and based upon large PES. The WiMAX Forum seeks assurances that RSA would not be extended to temporary or transportable earth stations or mass deployed or domestic C-Band installations.