

**Parliamentary Joint Committee on Law Enforcement**  
**Inquiry into spectrum for public safety mobile broadband**  
**Answers to Questions on Notice**  
**Australian Communications and Media Authority**

**Question No: 1**

**Program No. Australian Communications and Media Authority**

**Hansard Ref: In Writing**

**Topic: Respond to the comments of Motorola Solutions regarding ITU Resolution 646**

**Senator NASH asked:**

Please respond to the comments of Motorola Solutions regarding ITU Resolution 646 and specifically the evidence which states that the resolution was drafted to harmonise narrowband operations and that there is no current agreement in the region as to what part of spectrum is to be used for public safety mobile broadband.

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**Mr Hill:** Yes, I can comment on that, but you have to excuse me because I am not an expert on the actual spectrum—our experts are overseas at the moment—but we do attend the APT and ITU meetings and contribute to those. The ITU resolution 626 was drafted many years ago. It was originally drafted to harmonise spectrum for narrowband operations. By narrowband operation I mean voice operations for two-way radio types of operations. In our region at the moment there is no agreement and that is part of the work that ACMA is doing with the APT and the ITU and to which we are also helping to contribute. But there is currently no agreement in the region as to what part of spectrum is to be used for public safety for broadband. So resolution 626 only applies to narrowband operations in that 800 megahertz band.

**Answer:**

When Mr Hill refers to ITU Resolution 626, the ACMA presumes that his reference should have been to ITU-R Resolution 646. ITU-R Resolution 646 (Rev. WRC-12) was first adopted at the World Radiocommunication Conference (WRC) in 2003 to strongly recommend administrations to use regionally harmonised bands for public protection and disaster relief (PPDR) to the maximum extent possible.

The ACMA is currently involved, through the Asia-Pacific Telecommunity, in developing harmonised frequency arrangements for PPDR applications in the 800 MHz. The ACMA is also proactive in studying the technical and operational issues relating to broadband PPDR so that ITU-R Resolution 646 (Rev. WRC-12) can be amended to better reflect the trend in PPDR communications toward higher bandwidth applications.

Significant progress within Region 3 (comprising Australia and the majority of Asia and the Pacific) has been made towards the development of a regionally harmonised band plan to support broadband PPDR in the 800 MHz band; however, no endorsed band plan is currently in place. A shift in Australia's support for a regionally harmonised PPDR band plan in the 800 MHz band to the 700 MHz band would require a major change in the work being conducted within the Asia-Pacific region.

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In recent years, it has been recognised that broadband technologies are becoming important for PPDR operations. This trend towards broadband PPDR technologies is reflected in the original (Resolution 646 (WRC-03)) and 2012 revision (Resolution 646 (Rev. WRC-12)), where it states in *considering f*) that:

*“although there will continue to be narrow-band requirements, many future applications will be wideband (indicative data rates in the order of 384-500 kbit/s) and/or broadband (indicative data rates in the order of 1-100 Mbit/s) with channel bandwidths dependent on the use of spectrally efficient technologies.”*

It is true that initial spectrum harmonisation work under Resolution 646 focussed on narrow-band requirements, but the rapid adoption of broadband technologies has quickly meant that the focus of harmonisation work under Resolution 646 has shifted to broadband requirements.

**Question No: 2**

**Program No. Australian Communications and Media Authority**

**Hansard Ref: Page 12 of Proof Committee Hansard of 24 June 2013**

**Topic: Engagement with other government departments**

**Senator NASH asked:**

Did you receive any representations from the department of broadband, the minister's office or department of finance on maximising the return to the Commonwealth from the sale of this spectrum?

**Answer:**

The ACMA was involved in a number of discussions with a number of agencies on the auction for the 700 MHz band conducted in April 2013, including DBCDE, PM&C, Finance and Treasury. Although the Authority did not itself ultimately make a decision on the setting of any reserved prices for the 700MHz spectrum, as part of those discussions the ACMA communicated to DBCDE its dispositions about setting reserve prices for the auction, based on various scenarios as they then presented themselves.

At no stage was the ACMA involved in discussions with any agency on maximising the return to the Commonwealth from the auction in the 700 MHz band.

The ACMA was solely guided in its auction preparations by the objectives of the Radiocommunications Act 1992, which include:

- Maximising, by ensuring the efficient allocation and use of the spectrum, the overall public benefit derived from using the spectrum; and
- Providing an efficient, equitable and transparent system of charging for the use of the spectrum.

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Ultimately, the amount the successful bidders were willing to pay for the spectrum depended on the market conditions at the time of the auction. When demand is weak relative to the number of lots, reserve prices become important in determining revenue outcomes. VHA's withdrawal from the 700MHz sale, prior to the Minister's direction on reserve prices, contributed to such a weak market here in Australia. In any event, the Minister himself decided to set the reserve prices for the 700 MHz band.

**Question No: 3**

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**Topic: Public Safety Mobile Broadband Joint States and Territories Submission**

**The CHAIR asked:**

Do you know if ACMA was present in the steering committee that received the joint submission from the states and territories? Was ACMA in attendance at that meeting when it was discussed?

**Answer:**

The Public Safety Mobile Broadband Joint States and Territories Submission was prepared in response to a resolution from the Steering Committee on Police and Emergency Management (SCPEM) that the Public Safety Mobile Broadband Steering Committee (PSMBSC) would:

*“reconvene to explore any further evidence jurisdictions may wish to provide to consider further the adequacy of the 10 MHz reservation announced by the ACMA.”*

The deadline for consideration of this matter had been set to the end of February 2013 by SCPEM, and to allow sufficient time to consider the new evidence, the ACMA requested its submission to the PSMBSC by the end of January. Prior to the 16<sup>th</sup> meeting of the PSMBSC, held on the 14<sup>th</sup> February – some two weeks after the submission had been requested – the ACMA had not seen any such submission and was not aware that any would be forthcoming.

It was advised at that meeting by State and Territory representatives that a submission was in the process of being developed and would be provided to SCPEM for consideration by 28<sup>th</sup> February. The committee co-chair, Mr. Sheehan of the Attorney-General's Department, noted that if the additional evidence were to be submitted in parallel to SCPEM without being first assessed by the ACMA, it may lose some of its value.

The ACMA received the submission via email from the Public Safety Mobile Broadband Steering Committee (PSMBSC) Secretariat on Friday 1 March. This also included the Deloitte Discussion Paper as an attachment. Following the submission of the additional evidence, the next meeting of the PSMBSC was scheduled for the 10<sup>th</sup> April, but was subsequently postponed, with the 17<sup>th</sup> meeting eventually scheduled for the 9<sup>th</sup> May.

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The ACMA advised, through the PSMB Inter-Departmental Committee (IDC) on 23 April that it would be unable to attend the 17<sup>th</sup> PSMBSC meeting on 9<sup>th</sup> May due to the date clashing with a meeting of the ACMA Authority which required attendance from the senior staff who would normally attend the PSMBSC. The ACMA members as the IDC suggested either rescheduling the meeting or that it would be happy to accept questions on notice which might arise at the meeting. The IDC members decided to proceed with the meeting as planned as there was no special requirement to warrant ACMA being at the 17<sup>th</sup> meeting.

The ACMA is not a member of SCPEM and therefore does not attend any of its meetings.

**Question No: 4**

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**Topic: Tabling of ACMA correspondence with the PFA**

**Senator PARRY asked:**

Just in relation to that last matter, Ms Cahill, are you happy to table or provide that correspondence?

**Answer:**

Attachment A contains the requested email correspondence between Ms Cahill and Ms Dianne Gayler between Monday 22 April and Friday 17 May 2013.