

Ms Yolisa Kedama
ICASA

By e-mail: ykedama@icasa.org.za

29 February 2012

Dear Madam,

**RE: SUBMISSION ON THE DRAFT ITA AND DRAFT SPECTRUM
ASSIGNMENT PLAN FOR THE COMBINED LICENSING OF 800 MHZ AND
2.6 GHZ BANDS**

1. Orbicom would like to thank the Authority for the opportunity to make representations on the draft ITA and draft spectrum assignment plan for the combined licensing of 800 MHz and 2.6 GHz bands.
2. Orbicom fully supports the Authority's proposed allocation of the freed spectrum from 790-862 MHz to IMT services.
3. However, we are concerned about the Authority's intention to license spectrum in the 800 MHz bands, and to encourage successful applicants for this spectrum to start using it **before** the migration to DTT is complete.

**TIMETABLE FOR FINALIZING SPECTRUM PLAN AND LICENSING
RELEASED SPECTRUM IN 800 MHZ BANDS**

4. It is only on the date when analogue transmission must cease (i.e. the analogue switch-off date) that spectrum in the 800 MHz bands will be released – i.e. that the digital dividend will become available for the licensing to and use by other service providers.
5. The digital migration process is going to be complex. Thus, whilst the Authority's proposed draft spectrum plan looks good on paper, the migration process may give rise to a range of issues and practical difficulties which may necessitate amendments to the spectrum plan. If amendments have to be made to the spectrum plan at a point when the plan has been finalized and spectrum has already been licensed, this will pose problems for the Authority, as well as for the operators to whom the spectrum has been licensed – those operators, relying on their licences, may have already made significant investments.
6. **Orbicom therefore proposes that the spectrum plan be finalized far closer to the analogue switch-off date, when there is likely to be greater**

certainty as to the actual spectrum in the 800 MHz bands which will be freed for licensing.

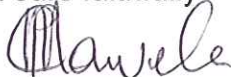
DATE FROM WHEN LICENSED SPECTRUM IN 800 MHZ BANDS MAY BE USED

7. As Orbicom has already indicated, the digital migration process is going to be complex. The focus of the Authority and of the broadcasters required to migrate ought to be on ensuring that the process is as successful as possible, and is completed by the analogue switch-off date.
8. Orbicom is concerned with the Authority's proposal that "successful applicants [for the freed spectrum in the 800 MHz bands] ... consider innovative ways of using the spectrum in co-ordination with broadcasters prior to complete release of the spectrum". This –
 - 8.1 may detract from the above-mentioned objectives;
 - 8.2 give rise to problems and thus further complicate the migration process; and
 - 8.3 thus undermine and delay the migration process.These adverse consequences would be contrary to the interests of everyone: the broadcasters required to migrate, parties to whom the freed spectrum in the 800 MHz bands has been licensed, and the Authority.
9. **Orbicom would therefore urge the Authority to not allow persons to whom the freed spectrum in the 800 MHz bands has been licensed to commence using that spectrum until the analogue switch-off date.**

CO-ORDINATED APPROACH TO INTRODUCTION OF NEW SERVICES IN 800 MHZ BANDS

10. Orbicom has a third concern with the Authority's proposal that successful applicants [for spectrum in the 800 MHz bands] ... consider innovative ways of using the spectrum in co-ordination with broadcasters". **It would be preferable if the introduction, in the 800 MHz bands, of new services, such as IMT services, could be co-ordinated through a central point, namely the JSAC Committee.** This will ensure that the introduction of new services in the 800 MHz bands will occur smoothly, and with little or minimum interference. This would be in the interests of the licensees already using that spectrum, the new licensees, and of the Authority.
11. Orbicom would like an opportunity to participate in any forthcoming public hearings concerning these issues.

Yours faithfully



Calvo Mawela

Regulatory Affairs: General Manager-Orbicom