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Dr Stephen Mncube
Chairperson
ICASA Council
164 Katherine Street
Sandton

10 February 2012

For attention: Ms Yolisa Kedama
Email: ykedama@icasa.org.za

Dear Dr Mncube,

Submission in response to the invitations to make written representations as published in Notices 911 and 912 in Government Gazette No 34872 on 15 December 2011.

1. The written submission is made by the South African SKA Project Office (SASPO) on the following matters:
 - 1.1. The Draft Spectrum Assignment Plan for the combined licensing of the 800 MHz and 2.6 GHz bands.
 - 1.2. The Draft Invitation to Apply for Radio Frequency Spectrum Licences to provide mobile broadband wireless access service for urban and rural areas using the Complimentary Bands, 800 MHz and 2.6 GHz.
2. The South African SKA Project Office has been established by the Department of Science and Technology and the National Research Foundation to facilitate the establishment of new radio astronomy operations in South Africa as approved by the South African Cabinet.
3. Two radio astronomy projects have been so approved. Firstly, the MeerKAT project which is a South African undertaking with international support with an establishment cost in the order of R 2-billion, and secondly, the SKA project which is an international venture with an establishment cost in the order of R 18-billion where South Africa is in a competitive bid with Australia to become the host.
4. We would like to make reference to the letter of support by the Minister of Communications for the South African bid to host the SKA addressed to the Minister of Science and Technology on 22 November 2011 (attached as Annexure A) in which it is stated that ICASA, the SABC and Sentech have been requested to collaborate with the South African SKA Project Office, and officials from the Department of Communications to ensure that all necessary measures are put in place to protect the SKA and the MeerKAT.



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5. The MeerKAT radio telescope and the core of the SKA radio telescope will be established in the vicinity of Carnarvon and Williston in the Northern Cape Province. The first phase of the MeerKAT roll-out, the KAT-7 has been completed during 2011. The decision on the location of the SKA is due to be taken early in 2012 with a start of Phase 1 construction in 2016 and full science operations by 2020.
6. The protection of radio astronomy observations against radio frequency interference caused by radio communications and electromagnetic interference is critical for the South African bid and for the on-going operations of the MeerKAT and the SKA. The Astronomy Geographic Advantage Act (Act No. 21 of 2007) provides for the required protection and gives the Minister of Science and Technology the authority to restrict the use of radio frequency spectrum and activities capable of causing radio frequency interference within declared core or central astronomy advantage areas.
7. During 2010 the Northern Cape was declared as an astronomy advantage area and the three farms purchased by the NRF in the vicinity of Carnarvon and Williston as the Karoo Core Astronomy Advantage Area. The central astronomy advantage areas in the Northern Cape are due to be declared during 2012.
8. The Astronomy Geographic Advantage Act also provides that ICASA must not issue a broadcasting service licence or a radio frequency spectrum licence after the coming into force of the Act (came into operation on 24 April 2009) where radio frequency interference would be caused in a core or central astronomy advantage area unless the conditions in the licence make provision for the protection of such areas.
9. There are no geographical restrictions included in the Draft Spectrum Assignment Plan on the use of the spectrum. If the plan is implemented to its fullest potential without any geographical restrictions it is likely that interference will be caused to the radio astronomy operations in the Northern Cape Province.

It is proposed that a sub item 5.14 or 9.11 is added to the Spectrum Assignment Plan stating that:

"All frequency assignments in terms of the Spectrum Assignment Plan in the Northern Cape Province will be subjected to the restrictions prescribed by the Astronomy Geographic Advantage Act, 2007 (Act No. 21 of 2007)".

10. There are no conditions included in the Draft Invitation to Apply for Radio Frequency Spectrum Licence that would prevent radio frequency interference to be caused in core and central astronomy advantage areas declared or intended to be declared in terms of the Astronomy Geographic Advantage Act. ICASA is obliged in terms of section 22(6) of the Astronomy Geographic Advantage Act not to issue a radio frequency spectrum licence where the service to be licenced would cause radio frequency interference in a core and central astronomy advantage area, unless the conditions set out in the licence make provision for the protection of such areas.

It is proposed that the following clause is included in sub item 1.26 under Table 1, stating that:



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"The use of the spectrum in Table 1 in the Northern Cape Province will be subjected to the restrictions prescribed by the Astronomy Geographic Advantage Act, 2007 (Act No. 21 of 2007). This condition will be included in any applicable frequency licence to be issued in response to the Invitation to Apply".

Thank you for the opportunity to make this contribution.

Regards

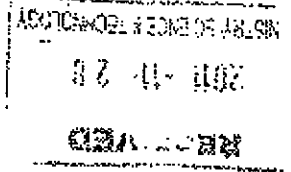
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Annexure A





**MINISTRY: COMMUNICATIONS
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Dear Colleague

SUPPORT FOR SOUTH AFRICAN BID TO HOST THE SKA

Further to the letter written to you in September 2010, by Gen. Siphwe Nyanda expressing the Minister of Communication's continued support to ensure that South Africa wins the bid to host the SKA project, and following the meeting between our respective Deputy Ministers in Cape Town on 1 June 2011, I wish to re-iterate our support for the SKA bid.

To this effect, I have requested, the Chairpersons of the Independent Communications Authority of South Africa (ICASA), the SABC and Sentech to collaborate with the South African SKA Project Office, and officials from the Department of Communications to ensure that all necessary measures are put in place to protect the SKA and MeerKAT

radio telescopes, to the greatest extent possible, from interference caused by electronic communication and broadcasting services in South Africa.

Yours sincerely



MS DINA PULE, MP
MINISTER OF COMMUNICATIONS
22 NOVEMBER 2011