

**Independent Communications Authority of South Africa**  
Pinmill Farm  
Block B  
164 Katherine Street,  
Sandton, 2146

Attention: Mr Manyapelo Richard Makgotlho

By email: rmakgotlho@icasa.org.za

12 October 2018

Dear Sirs

**SUBMISSION IN RESPECT OF THE DRAFT RADIO FREQUENCY MIGRATION PLAN 2018,  
NOTICE 494 OF 2018**

We refer to the above published as Notice 494 of 2018 in Government Gazette no 41854 on 24 August 2018.

Attached please find the submission of Liquid Telecom.

Kindly acknowledge receipt of this submission.

Yours faithfully

  
**LIQUID TELECOM**

Per: Mike Silber  
General Counsel

**Comments  
on the  
Draft Frequency Migration Plan 2018**

## INTRODUCTION

1. The Independent Communications Authority of South Africa ("**the Authority**" / "**ICASA**") published the Draft Radio Frequency Migration Plan 2018 as Notice 494 of 2018 (the "**Notice**") in Government Gazette no 41854 on 24 August 2018.
2. Liquid Telecom extends its appreciation to for the opportunity to provide these comments in respect of the Notice.
3. This submission comprises four parts:
  - 3.1. this Introduction;
  - 3.2. Part A provides comments on the band 790-862 MHz;
  - 3.3. Part B provides comments on the band 862-890 MHz;
  - 3.4. Part C provides comments on the 3400-3600 MHz band.

## PART A: BAND 790-862 MHz

4. Liquid Telecom largely agrees with the provisions of GG 40145.
5. Our one area of concern is that no provision is made for the migration of Liquid Telecom from the currently used 800 MHz spectrum in the frequency ranges 827.775-832.695 MHz, paired with 872.775-877.695 MHz to suitable spectrum. The lower leg of this frequency band pair falls in the range 790-862 MHz.
6. Liquid Telecom has pointed out, in its submission on the second draft radio frequency spectrum assignment plan (the "**Draft RFSAP**") for the frequency band 825 to 830 MHz and 870 to 875 MHz, published as Notice 648 of 2017 as well as in its presentation at the hearings held by the Authority and in its post-hearing submission on the Draft RFSAP, that migration of Liquid Telecom to the proposed frequency ranges is undesirable and that ICASA should not proceed with the Draft RFSAP. Liquid Telecom pointed out that it is time for ICASA to move from the legacy fixed use of spectrum in this band and also not deploy it for mobile use. Please refer to the arguments in our submission on the Draft RFSAP and our post-hearing submission for more detail in this regard.

7. Liquid Telecom will be critically dependent on IMT800 or IMT700 spectrum to act as a substitute for the abovementioned 800 MHz spectrum. The spectrum will be needed for deploying IMT-based mobile systems.
8. It is proposed that ICASA makes provision in any future ITA for a set-aside to which Liquid Telecom may migrate to. At least 2 x 5 MHz of IMT800 or IMT700 MHz spectrum is required to place the 800 MHz spectrum and is in our view justified. Liquid Telecom views the IMT700 and IMT800 bands as the only bands to which Liquid Telecom can fairly and economically migrate to from the currently used 800 MHz band.

## **PART B: BAND 862-890 MHz**

9. Liquid Telecom would like to draw the Authority's attention to the fact that Liquid Telecom is currently not assigned with the band 880-890 MHz, paired with the band 925-835 MHz, as stated. This is an error. The only assignment to Liquid Telecom in the above range is 872.775-877.695 MHz. This is part of the assignment of 827.775-832.695 MHz, paired with 872.775-877.695 MHz, for Liquid Telecom's currently used CDMA2000 system.

10. We agree with the following proposals of ICASA, however conditionally as indicated in some cases:

**10.1. To align replanning efforts with the 800 MHz band as defined in GG 40145**

Liquid Telecom believes an ITA as contemplated in this band should provide for 2 x 5 MHz portions of spectrum being reserved in either the IMT700 or IMT800 band, as a band to which Liquid Telecom shall migrate. Alternatively, it should not include as auctionable spectrum the portions that ICASA will reserve for Liquid Telecom.

**10.2. To remove the assignment of Wireless Access Services in this band**

When this assignment, more specifically the upper leg of the abovementioned frequency band, is removed, there should be an alternative assignment to which Liquid Telecom shall migrate.

**10.3. To re-plan the entire band to accommodate IMT (terrestrial) as per SADC FAP proposed common sub-allocation utilisation**

This recommendation is fully supported. Liquid Telecom notes that the SADC FAP does not make provision for odd, non ITU-Region 1, IMT frequency bands, such as the band proposed in the Draft RFSAP.

**10.4. To migrate existing users out of the band**

This is supported, provided a band pair of 2 x 5 MHz is indicated in either the IMT700 or IMT 800 band, for Liquid Telecom's migration. Such a band could be indicated in an RFSAP. Liquid Telecom could make inputs on such an RFSAP if required to do so by ICASA.

11. Stressing the importance of our points above, Liquid Telecom again refers ICASA to Liquid Telecom's post-hearing submission on the Draft RFSAP. We have pointed out that there are many problems with the Draft RFSAP, including potential mutual harmful interference between any IMT-based system and the other services, as well as problems of economies of scale that will lead to Liquid Telecom being uncompetitive.

12. It is strongly proposed that no frequency migration takes place on the basis of the Draft RFSAP.

**PART C: BAND 3400-3600 MHz**

13. Liquid Telecom supports ICASA's approach and the adequacy of a well-considered migration plan and RFSAP as per GG 38640 (Notice 278).