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Cesar Guitierrez
Ofcom
Spectrum Policy Group
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20 November 2009

NON CONFIDENTIAL

Dear Mr Guitierrez,

Hutchison 3G UK Limited ("3UK") response to "Crown Recognised Spectrum Access in 3400 to 3600 MHz", dated 20 November 2009 (the "Consultation")

This response provides 3UK's current views on Ofcom's proposals for new grants and licences to use the spectrum at 3400 - 3600MHz (the "Spectrum Band"). 3UK is still in the process of rolling out its 3G network and therefore has a significant interest in the Spectrum Band being awarded appropriately, either directly or in relation to an award involving a potential supplier or competitor.

3UK continues to believe that additional spectrum is an important resource for the future development of mobile broadband. Therefore a part of the provision of the next generation of broadband access in the UK: which regulators and policy makers are identifying as a key issue for the UK's future competitiveness. This Spectrum Band in particular could represent a significant additional resource for the mobile broadband industry which could play a part in



the provision of significant improvements in the capacity and user speed. Further spectrum would allow operators to deploy new network technologies such as Long Term Evolution (LTE) and LTE-Advanced.

The 3400-3600MHz frequencies available from the released Ministry of Defence (MOD) spectrum offer excellent capacity benefits, allowing networks to carry more data. In particular, higher frequency spectrum can be deployed to provide additional capacity to highly populated urban areas where Mobile Broadband is likely to be used. In a data hungry market, acquisition of such spectrum will increase the viability of mobile operators to provide speed and capacity, benefiting both the consumer and the mobile operator.

3UK would welcome a fully harmonised spectrum band plan so that this spectrum is developed within standardised interference parameters set by the ECC and 3GPP. Currently the ECC PT1 is looking into channelling arrangements between member states for the Spectrum Band in order to fully standardise this band allocation. We note that there are still several services operating within this band. 3UK believes it would be appropriate for this Spectrum Band to be fully cleared of all uses [so that this spectrum can be made available for mobile use in the future]. All of these services need to be defined and then given a clearance date (which has been aligned to the EU timeline).

This spectrum is clearly of interest to 3UK for possible future mobile use. Therefore 3UK actively encourages Ofcom to work with the European standardised bodies to fully standardise and harmonise this band across all member states. There should be complete band harmonisation in order to deploy equipment on a globally harmonised basis. This will also allow equipment manufacturers to achieve economies of scale which would mean cheaper devices to operators.

Ofcom will appreciate that bidders need to have full information on the in-band and adjacent band use of spectrum in order to determine reliable estimates of spectrum value. The interference environment, regulatory status of the spectrum award, associated co-frequency and adjacent frequency users are all needed for these estimates. 3UK urge Ofcom to clarify this point as soon as possible.



We agree that UK Broadband should be commercially protected and not placed under any commercial disadvantage, but at the same time, new services that begin to occupy the Spectrum Band should also be protected from any interference caused by UK Broadband. As we understand UK Broadband has been using TDD in this Spectrum Band to deploy WiMAX technologies. 3UK believe this will cause a significant amount of interference in places where FDD deployment takes place adjacent to the UK Broadband band. If UK Broadband continues to use this band for TDD deployment then there should be necessary guard bands put in place to protect the adjacent FDD technologies. 3UK believes that this spectrum should be made available for mobile use as soon as possible. 3UK notes that the spectrum is to be made available on a service and technology neutral basis, subject to meeting interference requirements.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Shital Patel'.

Shital Patel
Economist