



**BT Response to the Ofcom Consultation:  
Freedom 4 application for licence variation**

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## **1. Introduction**

BT welcomes the opportunity to comment on Ofcom's consultation on the proposed variations to Freedom4's BWA licence in the bands 3 605-3 689 MHz and 3 925-4 009 MHz.

BT's comments principally relate to the accuracy of some statements in the consultation document and also the need to seek reassurances for ongoing protection of BT's UK services in the band 3 625 – 4 200 MHz (earth stations); and 3 695 – 3 875 MHz / 4 015 – 4 195 MHz (point-to-point fixed links).

BT does not oppose the granting of the licence variations but requires some further clarification from Ofcom on a number of points in relation to safeguarding the use of the band for other services.

## **2. Specific comments on proposals**

The following comments and queries are raised on specific paragraphs in the consultation:

### **Statements that require clarification by Ofcom**

- §3.8: The last sentence is an incorrect statement. In the band above 3600 MHz, IR2015 permits a maximum eirp of 14 dBW/MHz with 3 dBW/MHz being the normal level (IR2015: *"The carrier power shall be less than +3 dBW/MHz, however powers up to but not exceeding +14 dBW/MHz will be considered on a case-by-case basis. See the relevant co-existence guidelines for details."*)
- §5.5: It is not clear how the change of licence can permit Freedom4 to provide connections to "anywhere in the UK" as there must be areas where a BWA operator cannot deploy without causing unacceptable interference into earth stations and point-to-point fixed links.
- §5.7: UK Broadband is not assigned spectrum in the frequency range 3500-3580 MHz as this paragraph states.

### **Sharing with satellite services**

- §5.10: BT notes that the licence variation allows between 9 and 20 dB additional EIRP from base stations than is allowed at present in accordance with IR2015 and this materially changes the sharing situation with satellite services at UK earth station sites. We are of the view that the continuation and expansion of satellite services on a shared basis in this band should be facilitated
- §5.27-5.31: BT notes that Ofcom is reviewing the present approach to coordination of BWA base stations with earth stations (presumably that in OfW188) and also that the intention is to reduce both Freedom4 and Ofcom's burden. BT considers coordination to be essential for the full ongoing protection of existing earth stations and point-to-point fixed links and we would not wish to see any relaxation of the coordination methods. It is also not clear whether

Ofcom is intending to involve all relevant stakeholders (i.e. users of this spectrum) in the coordination review. BT would welcome Ofcom's comments on this.

- §5.29: BT would like clarity on how Ofcom will ensure that the shared use of the band will be managed in a way that enables new fixed point-to-point link and earth station proposals to be accommodated in future. Will Ofcom ensure that geographical areas are not blocked out by speculative requests to register BWA base stations or Earth stations? Will Ofcom enforce a minimum time period to deploy networks so as to avoid locking up areas to keep other services out? What measures can be taken to protect a limited number of Earth station sites in the UK to ensure that international satellite traffic can continue into the UK in this band.
- §5.30: Ofcom will be aware that providing assignment data for satellite earth stations may not be a one-off application as earth stations are subject to change of satellites and hence pointing direction and elevation angle. In addition, the allocation of satellite transponder frequencies is in the hands of the satellite operators rather than the earth station operators and hence subject to change with time.
- §5.31: Can Ofcom comment on whether it is the intention to permit closer geographical spacing between BWA cells and earth stations when the frequencies in use are not currently co-channel? One factor is that receiver blocking may occur when a BWA cell is very close to an earth station where traffic is not co-channel but in the required pass-band of the front-end Low Noise Amplifier. BT would welcome Ofcom's comments on this.

#### **Licence fee**

- §3.11-3.13 & §6.24-6.26: As a principle we believe that AIP levels should be carefully reviewed when spectrum is "liberalised" and this should therefore also be done for the bands that are the subject of this consultation. This seems important for several reasons including the need to avoid competitive distortions with similar bands that may have been auctioned as well as to ensure efficient spectrum use (and that all spectrum assigned is used).

### **3. Answer to consultation question**

*Q. Are there any reasonable grounds why Ofcom should not grant Freedom4's request to vary its licence as soon as practicable? If so, please explain your reasoning for this.*

A. BT does not object to the licence variations if Ofcom can provide assurances on the points raised above.

**End of document**