

## Cover sheet for response to an Ofcom consultation

### BASIC DETAILS

Consultation title: **Licence Exempt Framework Review**

To (Ofcom contact): **Reza Karimi**

Name of respondent: **Michael Lynch**

Representing (self or organisation/s): **IEEE 802**

Address (if not received by email):

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Name: Michael Lynch      Signed (if hard copy)

# IEEE 802 Response to the Ofcom Licence Exempt Framework Review

## 1. Summary

The purpose of this document is to provide IEEE 802's response to questions of the License Exempt Framework Review.

## 2. Responses to specific questions

*Question 1: Do you agree that the spectrum commons model should be the preferred approach for licence-exempt use of spectrum, and that application-specific allocations should only be considered where technical constraints or safety issues require this?*

IEEE 802 agrees that licence exempt use on a commons model should be the preferred approach, rather than an application specific basis. The commons model allows technological innovation to flourish, and consumers have widely benefited from this technological innovation.

Spectrum commons models are preferable to application-specific allocations except where required by technical constraints or safety issues. As an example, several different technology standards were developed with the intention of using the 2.4 GHz band, including HomeRF, HIPERLAN & IEEE 802.11, and it was left to market forces to determine which became the preferred technology in the band.

*Question 2: Do you agree with the proposal for multiple classes of spectrum commons?*

IEEE 802 supports the proposal for multiple classes of spectrum commons where those classes simplify and clarify the regulations.

*Question 3: Do you agree with the distinction made between the licence-exemption and light-licensing regimes?*

We understand principle of light licensing to include some conditions where for example, registration of terminals is required, both to provide the ability to identify the location and operation of terminals for the protection of existing (primary) users, and also to enable co-ordination to be undertaken if interference is experienced between lightly licensed users. In the case of licence-exemption, no such registration and coordination is required and devices must contend on their own for spectrum usage. While the latter is most convenient for the licence exempt user, the former is most convenient for the primary user to resolve interference conditions.

IEEE 802 prefers that end users (consumers) are not burdened with licensing requirements.

*Question 4: Do you agree with the view that the licence-exemption and light-licensing regimes will converge in the future?*

It is not clear that the two regimes will converge in the future. The various conditions of the primary and secondary (or tertiary) users of the bands will in some cases necessitate continuance of light licensing for sharing resolution. Taking the 5725 – 5875 MHz band as an example, this band would not have been made available for wireless access applications, had the lightly licensed process not been available, due to the concerns of interference to MoD systems. Furthermore, the presence of a lightly licensed process continues to provide some confidence to primary users of the band that significant interference problems were to be experienced, then there may be an opportunity to identify and co-operate with the fellow users of the band, to everyone's mutual benefit. In the alternate context, spectrum that is not shared with a primary user, may be satisfactory with a licence exempt scheme.

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Consequently, it seems that both the licence exempt and the light licensing regime are appropriate in various circumstances. Hence, we support the retention of both schemes as alternative applications when conditions warrant. We also support an ongoing review of the balance between light licensing and licence exempt regimes, as technology develops.

If it is the intention for light licensing to be used as a transition to licence exempt operation, it would be advisable to notify the licensees of this from the outset, or well in advance of this transition, as it may affect deployment and technology development decisions for the operators and equipment manufacturers.

**Question 5:** *Do you agree with the proposed mixture of licence-exempt and light-licensed use of the 105–275 GHz spectrum? Do you agree with the bands that have been identified for such use?*

We agree that there should be a mixture of licence exempt and light licensing, but have no comment on the proportions.

**Question 6:** *Do you agree with the view that the use of the 275–1000 GHz spectrum should be licence-exempt?*

At this time there are significant technical challenges to widespread use of the 275-1000 GHz spectrum. IEEE 802 does not see any advantage to proposing specific regulations for these bands at this time.

**Question 7:** *Do you agree with the view on the levels of future demand for licence-exempt usage in the 40–105 GHz spectrum? Do you agree that the Group-A bands identified above should be considered for licence-exempt use? Do you agree that licence-exempt and light-licensed use of the Group-C bands identified above should only be considered when there is evidence of demand for such use?*

IEEE 802 supports the 8 GHz identified as Group A bands, with particular support for the 59 – 64 GHz band, since there is ongoing standards development work on multi-gigabit WPANs in these bands in IEEE 802.15 for licence exempt use.

Looking at the Group C bands, we would favor making these bands licence exempt, as far as possible.

**Question 8:** *Do you think it could be desirable for transmissions at levels below certain power spectral density limits to be exempt from licensing?*

(no comment)

**Question 9:** *Do you agree with the transmission limits proposed in this document?*

(no comment)

**Question 10:** *Do you agree with the harmonisation strategy discussed above in the context of licence-exempt devices?*

The IEEE 802 supports the harmonisation strategy proposed by Ofcom.

**Question 11:** *Do you agree with the view that no additional regulatory instruments, beyond those available today, are required for the protection of licence-exempt equipment?*

(no comment)

END

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