TELUS COMMUNICATIONS COMPANY

Comments for

CONSULTATION on RENEWAL PROCESS FOR 2300 MHz and 3500 MHz LICENCES

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Executive Summary

1. TELUS appreciates the opportunity to provide its comments.

2. The WCS and FWA spectrum bands were auctioned together by the department in 2004 (and the leftovers subsequently). Their renewal consultations arise at the same time and the Department has combined them in one consultation. However, as the consultation explains and as the RABC submission to DGSO-006-12 explains, WCS and FWA are markedly different bands. WCS is a small band of 30 MHz, FWA is a large band of 175 MHz. WCS is mobile spectrum, albeit currently with technical restrictions\(^1\) due to the adjacent SDARS licences. FWA is fixed spectrum.

3. For various reasons, neither band has developed as the Department originally envisioned. Deployment levels in Canada are extremely low as detailed in the consultation paper\(^2\). At the end of 2012, there is more clarity on where these two distinct bands are going. Both bands have future potential as mobile broadband spectrum, albeit on scales of a different order of magnitude and via markedly different paths.

4. WCS looks to have the potential to be a limited (i.e., one carrier per market) ecosystem in Canada, presumably leveraging a forecasted AT&T equipment and device ecosystem. For this to happen, the Department would have to relax a technical restriction on mobile transmit in the 2305-2315 / 2350 – 2360 portion of the WCS band. As noted in the consultation, the Department is already updating the technical rules for WCS, and harmonization with the FCC rules is a possibility that is being considered.\(^3\) Since the consultation paper was written, the FCC has issued a new decision\(^4\) paving the way for the WCS band to be used for 10+10 mobile LTE in the US and in turn, increasing the likelihood that Canada will follow.

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\(^1\) There is a restriction on mobile transmit currently in the WCS band as noted in IC Consultation para 34.

\(^2\) See IC Consultation, para. 40 and Table 2 – Deployment for licences in the 2300 MHz band as of July 2011 for WCS, where it is identified that 97.7% of licence areas have no deployment and para. 53 and Table 3 – Deployment for licences in the 3500 MHz band as of July 2011, where it is identified that 74.1% of licence areas have no deployment.

\(^3\) IC Consultation, para. 37.

\(^4\) FCC 12-130, Order on Reconsideration, October 17, 2012, WT Docket No. 07-293, Amendment of Part 27 of the Commission’s Rules to Govern the Operation of Wireless Communications Services in the 2.3 GHz band.
5. TELUS notes that the Department has recently informally reported the WCS band as 20\(^5\) MHz of its 548 MHz of current and planned spectrum by 2014\(^6\). The RABC notes that synergies with 3GPP TDD profiles deployed in Asia should be considered, but TELUS is of the view that alignment with the US makes the most sense for Canadian WCS spectrum.

6. FWA, on the other hand, requires a fundamental reallocation to mobile service. 3400 – 3600 MHz was first identified for mobile at WRC07\(^7\). Both the Department in the consultation and the RABC submission essentially note that there is no clear path forward at present for Canada and, at the appropriate time in the future, a mobile transition consultation is required. The Department and the RABC also note that developments in various sub ranges of the band 3400 – 3800 MHz are progressing steadily by regulators and industry actors motivated to achieve long term commercial mobile spectrum release targets and exploit opportunities to further the trend toward increasing global harmonization. In the consultation, the Department has now provided advance notification that changes to the existing allocation and band plan for FWA may be considered in the next two to three years.\(^8\)

7. While TELUS has a general bias toward harmonization with the US, the recent FCC NPRM and Order\(^9\) on the 3550 – 3650 MHz band in the US supports the development of a US mobile broadband ecosystem that relies on access to only 40% of the US population and potentially leaves the use of 75 MHz of Canadian spectrum (3475 – 3550 MHz) undefined. On the other hand, current and emerging European and Asian band plans do not align well with the current Canadian allocation either. TELUS notes that the Department has recently informally reported that the 3500 MHz band could possibly

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\(^5\) This 20 MHz presumably being the 2305-2315 / 2350 – 2360 portion of the WCS band.
\(^7\) WRC-07 allocated the band 3400-3600 MHz to the Mobile, except Aeronautical Mobile, Service on a primary basis in a number of countries in Region 1 subject to provisions of RR 5.430A
\(^8\) IC Consultation, para. 52.
represent 100-175 MHz of the extra 400-600 MHz of future mobile spectrum that the Department reports is needed in Canada by 2022\textsuperscript{10}.

8. It is within this context above that TELUS makes the following specific recommendations which are more fully explained in the body of this response document. In Summary:

   a. TELUS supports the spectrum deployment COL wording proposed for both WCS and FWA with two minor administrative recommendations.

   b. TELUS does not support fixed links not servicing an end user directly as means to satisfy deployment requirements for either WCS or FWA (and as such the Department need not determine whether 15 or some other number of links per million pops is the appropriate metric. It is not applicable in TELUS’ view).

   c. TELUS supports, for 2300 MHz, an extension to December 2017 for all licensees because, as the Department has identified, there is a likelihood of a material mobile LTE ecosystem emerging in this band\textsuperscript{11}. Given the developments in the US since the consultation was released, that likelihood has increased. The development of a new AT&T driven mobile LTE ecosystem would presumably support deployment in Canada by a December 2017 deadline. This is an aggressive but achievable date in TELUS’ view.

   d. TELUS supports, for 3500 MHz, an extension to December 2017 so that current licensees will not be forced to make temporary fixed service deployments in order to secure temporary renewals while the Department takes the industry through a mobile transition of the FWA band. The entire FWA band should expire and be recalled on December 31, 2017 (or some later date as appropriate) and re-auctioned as a new mobile band based on a to-be-determined-by-consultation new 3GPP compatible mobile band plan and ecosystem. Until such time as a mobile

\textsuperscript{10} ISAAC 47th Plenary, November 1st, 2012. Mobile Broadband Spectrum – Opportunities and Challenges. Industry Canada Presentation

\textsuperscript{11} IC Consultation, para. 39. As noted above, TELUS believes that technical harmonization with the US is the most practical solution.
transition is completed, deployment requirements in the FWA band are not fruitful.

e. TELUS agrees with the proposed change to add “high” to the expectation of renewal in the Licence Term COL for both WCS and FWA. However, per this same COL, a transition to mobile for the FWA band clearly represents a situation where “a fundamental reallocation of spectrum to a new service is required” and as such FWA licences should not be converted into mobile spectrum licences. FWA spectrum should be liberated and reallocated via auction.

9. Further detail behind TELUS’ recommendations and comments is provided in the main body of this document.
TELUS’ Reply to Specific Questions Posed by Industry Canada

4.3.3. Proposed Changes to the Current Deployment Requirement

(1) Industry Canada seeks comments of the proposed wording of the condition of licence related to deployment. Comments are also sought on the following proposals that:

A. deployments of fixed links not servicing an end user directly should be considered as an alternative method to meet WCS and FWA spectrum deployment licence conditions; and

B. when a requirement is considered for fixed links not servicing an end user directly, it should be set at 15 links per million population, per Tier 4 area at the end of the licence term.

When proposing an alternative deployment requirement for either WCS or FWA, provide a rationale for each band.

10. The Department has proposed that the following condition apply to the current licence term upon the release of the decision. The proposed wording of the condition of licence is as follows:

   The licensee must demonstrate to Industry Canada that its spectrum is being put to use at a level acceptable to the Department by the end of the licence term. Licensees must demonstrate coverage at the level indicated on Industry Canada’s Spectrum Management and Telecommunications website: Tier 4 Deployment Requirements for 2300 and 3500 MHz Licences, http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf10287.html.

11. TELUS supports the proposed updated wording to the COL for WCS and FWA spectrum licences, subject to two practical limitations explained below.

12. First, TELUS notes that the COL implies that the deployment requirements for 2300 and 3500 MHz licences will always be synchronized in the future. However, synchronized deployment requirements for 2300 and 3500 MHz licences may not always be deemed best. As such, TELUS requests that the COL be redrafted so that the deployment requirement reference is band specific, which would necessitate separate tables for each band. This would also take into account that the deployment requirements for each spectrum band might evolve independently.
13. In addition, TELUS notes that the Department is proposing to place a website URL (Universal Resource Locator) in the COL related to deployment. URLs are references to websites and contain website directory structures that are subject to change and therefore, it is not necessarily practical to include such references in a COL. Therefore, TELUS requests that the website URL reference be replaced with a reference to two separate schedules in the published 2300 and 3500 MHz renewal decision document.

1A. Proposed Alternative Method to meet WCS and FWA Deployment Requirements

14. TELUS does not support the Department’s proposal that deployments of fixed links not servicing an end user directly be considered as an alternate method to meet WCS and FWA spectrum deployment licence conditions.

15. Deployments of fixed links not servicing an end user directly are typically relays and backhaul. Considering the Department’s mobile broadband spectrum release goals as we enter the year 2013\textsuperscript{12}, relays and backhaul are not an efficient or effective use of these bands. It is expected that there will be far more important use of these bands in the near future. In TELUS’ view, the Department’s proposal to permit deployments of fixed links not servicing an end user directly as an alternative method to meet WCS and FWA spectrum deployment licence conditions would only serve to drive suboptimal use of these two bands both identified to help achieve the Department’s mobile broadband spectrum release plan. The Department has and continues to support the industry’s need for backhaul and point to point spectrum via other more suitable bands such as 6, 8, 11, 15, 18, 23, and 38 GHz. The method\textsuperscript{13} taken up by the FCC in the 2300 MHz band is now anachronistic because events have superseded this decision and Canada should now move forward.

16. Extensions to deployment deadlines are a far better way to manage the slow pace of development in these bands versus watering down the purpose of the deployment COL. That is, if the Department believes that there are legitimate reasons for a lack of


\textsuperscript{13} IC Consultation document para. 22.
deployment, then TELUS recommends the Department relax the required deployment schedule by lengthening the current licence terms and associated deployment deadlines, as opposed to allowing for inefficient usage of spectrum to enable operators to artificially meet deployment requirements. Minimising the licence holding costs of companies who are primarily speculating on the value of the spectrum with little intention of putting it to use has little or no merit, particularly when the Department is looking for 400-600 MHz more mobile spectrum by 2022. TELUS provides additional details on its position, per band, below.

1A.i WCS

17. WCS is anticipated to be LTE-compatible mobile spectrum that Canadians would want to see put to use to provide mobile broadband services and the Department wants to see transition to mobile broadband spectrum in order to achieve its mobile spectrum release goals. WCS spectrum should be deployed to the recently established population coverage levels by the end of an extension to December 2017 (or some further necessitated extension) or such WCS spectrum should be forfeited and re-auctioned.

18. Allowing non-end user links as a way to satisfy deployment requirements would mean that some licensees might deploy links simply for the purpose of achieving the renewal of their licences. TELUS’ proposed approach would mean that licensees could use WCS spectrum for links until December 2017 as they saw fit but, by December 2017, they would also have to meet the population coverage based deployment requirements or forfeit their licences and relocate their links.

1A.ii FWA

19. Beyond select remote and rural deployments, FWA spectrum to date has done little that it was conceived to and must be re-farmed for transition to support mobile broadband to make significant progress in addressing the Department’s mobile spectrum release goals. Encouraging the investment in a patchwork of links that would need to be relocated or turned down is not efficient. TELUS notes that on the other hand, until a mobile transition is completed, FWA licensees should be free to pursue the implementation of
relays and backhaul in the FWA band that has a positive business case in the short term (i.e., prior to the pending mobile transition.)

20. TELUS calls for, at the appropriate juncture\(^\text{14}\), a consultation on the mobile transition of the 3500 MHz band in Canada and submits that (i) the band must be liberated and re-allocated; (ii) licensees must be given notice of the anticipated mobile transition and their obligation to shut down or relocate their fixed services; and (iii) the spectrum should be converted to Tier 2 (or at the smallest, Tier 3) licences.

**1B. Formula defining Proposed Alternative Method to meet WCS and FWA Deployment Requirements**

21. As stated, TELUS does not support the proposed alternative method to meet WCS and FWA deployment requirements as it would legitimize the suboptimal use of these bands and facilitate spectrum speculation both of which would be incompatible with the objective of maximizing the availability of mobile spectrum. The environment in which the FCC implemented an alternative method to meet WCS deployment requirements does not exist today. Link counts are not appropriate for either WCS or FWA bands which are both anticipated to become prime mobile spectrum bands as described above. Therefore TELUS has no comment on whether the specific link metric of “15 links per million pops” is appropriate. In TELUS’ view, because fixed links should not be used at all for deployment requirements, this question is “not applicable”.

\(^{14}\) That is, once larger jurisdictions than Canada such the US and the EU have made decisions that can be assessed for potential leverage in the Canadian market.
7. Renewal Options and Considerations

22. Industry Canada invites comments on the options for renewal in the 2300 MHz and 3500 MHz bands.

(2) For the 2300 MHz band, which of the two options is preferred?

23. TELUS supports Option 1, an extension of the term for all WCS licensees, as justified in the following pages.

24. For the reasons noted in the following pages, TELUS does not support Option 2, a renewal of WCS licences\(^{15}\) at the end of the original term.

(3) For the 3500 MHz band, which of the two options is preferred?

25. TELUS supports Option 1, an extension of the term for all FWA licensees, as justified in the following pages.

26. For the reasons noted in the following pages, TELUS does not support Option 2, a renewal of FWA licences\(^{16}\) at the end of the original term.

\(^{15}\) Under this option, any renewal would be contingent on the licensee being in compliance with all conditions of licence, including deployment requirements.

\(^{16}\) Under this option, any renewal would be contingent on the licensee being in compliance with all conditions of licence, including deployment requirements.
In responding to the following questions, provide supporting rationale for each band separately.

(4) For Option 1 (detailed in section 7.1 of this consultation):

A. Should licence terms be extended?

    a. If so, should they be extended by the same length for all licensees?
       i. Is three years an appropriate extension?

    b. Or, should the licence terms be extended to a fixed date for all licensees?
       i. Would December 2017 be an appropriate extension date?

B. Should the deployment requirement also be extended to the end of the proposed term?

C. In considering an extension of the licence term, do you expect equipment in the 2300 MHz band to become available soon enough to achieve the deployment requirements by December 2017?

D. In considering an extension of the licence term, do you expect LTE equipment in the 3500 MHz band to become available soon enough to achieve the deployment requirements by December 2017?

E. Are there any additional considerations that should be taken into account by Industry Canada?

(5) For Option 2 (detailed in section 7.2 of this consultation):

A. Given the potential upcoming changes, is 10 years an appropriate term for new licences issued through the renewal process?

B. Should deployment requirements apply to new licences under the renewal process? If so, what should the deployment requirements be?

C. Are there any additional matters that should be considered by Industry Canada when issuing a new licence for a new term?

(6) Are there any other options for the licence renewal process that Industry Canada should consider?
Summary TELUS Recommendation for WCS Licences

27. TELUS supports Option 1, an extension of the term for all WCS licensees.

28. TELUS supports an extension to a single date for all WCS licensees.

29. December 31, 2017 is a reasonable WCS extension date but TELUS would not be concerned if the extension date was pushed back somewhat beyond December 31, 2017 based on industry feedback in this consultation as long as it was no later than December 31, 2018. The extension date should not be sooner than December 31, 2017.

30. The WCS term extension should also include a third extension of the deployment requirements to the term extension date (i.e., December 31, 2017 or such other date that the Department may set for the extension.)

31. TELUS does not support Option 2, a renewal at the end of the original term for WCS licences.

32. However, TELUS supports a WCS renewal at the end of the extended term, at which point, TELUS would support a 10 year, 20 year or indefinite renewal.

33. TELUS would advocate that deployment requirements apply to new WCS licences under the renewal process and that these requirements be set at a level at least as high as the coverage levels required for renewal.
Rationale for TELUS Recommendation for WCS Licences

34. WCS looks to have the potential to be a limited (i.e., one carrier per market) ecosystem in Canada, presumably leveraging a forecasted AT&T equipment and device ecosystem. For this to happen, the Department would have to relax a technical restriction on mobile transmit in the 2305-2315 / 2350 – 2360 portion of the WCS band. As noted in the consultation, the Department is already updating the technical rules for WCS, and harmonization with the FCC rules is a possibility that is being considered. Since the consultation paper was written, the FCC has issued a new decision paving the way for the WCS band to be used for 10+10 mobile LTE in the US and in turn, increasing the likelihood that Canada will follow.

35. TELUS notes that the Department has recently informally reported the WCS band as 20 MHz of its 548 MHz of current and planned spectrum by 2014. The RABC notes that synergies with 3GPP TDD profiles deployed in Asia should be considered, but TELUS is of the view that alignment with the US makes the most sense for Canadian WCS spectrum.

36. TELUS supports, for 2300 MHz, an extension to December 2017 for all licensees because, as the Department has identified, there is a likelihood of a material mobile LTE ecosystem emerging in this band. Given the developments in the US since the consultation was released, that likelihood has increased. The development of a new AT&T driven mobile LTE ecosystem would presumably support deployment in Canada by a December 2017 deadline. This is an aggressive but achievable date in TELUS’ view.

37. The WCS band in North America, unlike 2300 MHz spectrum elsewhere in the world is situated on either side of SDARS licences. Further, WCS spectrum is licensed in Canada

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17 IC Consultation, para. 37.
18 FCC 12-130, Order on Reconsideration, October 17, 2012, WT Docket No. 07-293, Amendment of Part 27 of the Commission’s Rules to Govern the Operation of Wireless Communications Services in the 2.3 GHz band.
19 This 20 MHz presumably being the 2305-2315 / 2350 – 2360 portion of the WCS band.
21 IC Consultation, para. 39. As noted above, TELUS believes that technical harmonization with the US is the most practical solution.
as a single 15+15 MHz paired block (with presumably 10+10 usable for mobile LTE, technical rules permitting). Thus WCS is a one carrier per market band with very limited ecosystem synergies (being North American only and generally only one carrier in the US as well.) WCS spectrum is therefore not a major contributor to mobile broadband capacity in Canada but WCS does constitute 20 MHz of the 548 MHz of mobile broadband spectrum that Department plans to have in market by 2014.
Summary TELUS Recommendation for FWA Licences

38. TELUS supports Option 1, an extension of the term for all FWA licensees.

39. TELUS supports an extension to a single date for all FWA licensees.

40. December 31, 2017 is a reasonable FWA extension date but TELUS would not be concerned if the extension date had to be pushed back in the future based on the pace of developments in other jurisdiction(s) that the Department, advised by industry, may seek to synergize with. The extension date should not be sooner than December 31, 2017.

41. The FWA term extension should also include a third extension of the deployment requirements to the term extension date (i.e., December 31, 2017 or such other date that the Department may set for the extension.) For reasons that we will make clear, this is largely a moot point.

42. TELUS does not support Option 2, a renewal at the end of the original term for FWA licences.

43. Further, TELUS does not support a renewal at the end of the extended term for FWA licences either. FWA spectrum must be liberated and re-auctioned as mobile spectrum. The entire FWA band should expire and be recalled on December 31, 2017 (or some later date as appropriate) and re-auctioned as a new mobile band based on a to-be-determined-by-consultation new 3GPP compatible mobile band plan and ecosystem.

44. Deployment requirements for FWA spectrum to be liberated and re-allocated as mobile spectrum should be determined as part of the mobile transition consultation process.
Rationale for TELUS Recommendation for FWA Licences

45. FWA requires a fundamental reallocation to mobile service. 3400 – 3600 MHz was first identified for mobile at WRC07\textsuperscript{22}. Both the Department in the consultation and the RABC submission essentially note that there is no clear path forward at present for Canada and, at the appropriate time in the future, a mobile transition consultation is required. The Department and the RABC also note that developments in various sub ranges of the band 3400 – 3800 MHz are progressing steadily by regulators and industry actors motivated to achieve long term commercial mobile spectrum release targets and exploit opportunities to further the trend toward increasing global harmonization. In the consultation, the Department has now provided advance notification that changes to the existing allocation and band plan for FWA may be considered in the next two to three years.\textsuperscript{23}

46. While TELUS has a general bias toward harmonization with the US, the recent FCC NPRM and Order\textsuperscript{24} on the 3550 – 3650 MHz band in the US supports the development of a US mobile broadband ecosystem that relies on access to only 40% of the US population and potentially leaves the use of 75 MHz of Canadian spectrum (3475 – 3550 MHz) undefined. On the other hand, current and emerging European and Asian band plans do not align well with the current Canadian allocation either. TELUS notes that the Department has recently informally reported that the 3500 MHz band could possibly represent 100-175 MHz of the extra 400-600 MHz of future mobile spectrum that the Department reports is needed in Canada by 2022\textsuperscript{25}.

47. TELUS supports, for 3500 MHz, an extension to December 2017 so that current licensees will not be forced to make temporary fixed service deployments in order to secure temporary renewals while the Department takes the industry through a mobile transition of the FWA band. The entire FWA band should expire and be recalled on December 31, 2017 (or some later date as appropriate) and re-auctioned as a new mobile band based on a

\textsuperscript{22} WRC-07 allocated the band 3400-3600 MHz to the Mobile, except Aeronautical Mobile, Service on a primary basis in a number of countries in Region 1 subject to provisions of RR 5.430A.

\textsuperscript{23} Consultation, para. 52.


to-be-determined-by-consultation new 3GPP compatible mobile band plan and ecosystem. Until such time as a mobile transition is completed, deployment requirements in the FWA band are not fruitful.

48. At the present time, FWA spectrum in Canada is not well synergized with any other market / ecosystem. Further it is authorized only as fixed spectrum in Canada, despite recently becoming considered of good potential for mobile broadband driven by ongoing rapid growth in mobile broadband consumption (driven by the smartphone revolution).

49. The transition of FWA spectrum to mobile broadband spectrum in Canada represents a fundamental reallocation to a new service. While some who purchased and have warehoused FWA licences may differ, TELUS (and presumably the Canadian taxpayer) believe that the mobile transition of this essentially fallow spectrum which should involve all licences being recalled and reallocated. FWA licencing should be gracefully wound down and a fundamentally new service authorized over a new band plan that the Department and Industry define through a mobile transition consultation process.

50. TELUS highlights the context in February 2004 when the initial (and main) 3.5 GHz Fixed Wireless Access spectrum auction took place:

   a. 2500 MHz spectrum had been recently identified at WRC03 for future conversion to mobile but the Department had not yet released its consultation on the mobile conversion of 2500 MHz spectrum which came out in April 2004. 2500 MHz spectrum, let alone 3500 MHz spectrum, was still considered too high a frequency in practical terms for existing cell densities. At the time of the WCS / FWA auction in Canada, there was no visibility to the 2006 2500 MHz Policy which provided incumbent fixed service licence holders with a mobile conversion windfall.

   b. A 55 MHz aggregate spectrum cap regime was in place at the time of the auction in Canada which suggests (with all then current Canadian operators at or near the cap) that no mobile operator was bidding for FWA with view that it would become mobile spectrum.
c. At the time of the WCS / FWA auction in Canada, there was no visibility to a future 3.5 GHz mobile conversion which was first identified by the WRC in 2007.

d. At the time of the WCS / FWA auction in Canada, there was no visibility to Apple successfully disrupting the commercial mobile data business model in 2007 and the rapid acceleration in the densification of mobile networks, leading to the new found efficacy of 3.5 GHz for small cell mobile network applications for mobile operators desperately requiring more capacity.

51. This is the environment in which bidders bought at auction, largely uncontested, 3.6 billion MHz-pops of FWA spectrum for only $10.7M or $0.003 per MHz-pop, less than a third of a cent per MHz-pop. Over half (348 of 676) of the FWA licences at auction went unsold (i.e., there was only speculative demand). The auction quickly ended in 20 rounds. The licences that did sell went at or near the reserve price.

52. Anything but a full recall of the FWA band would serve to benefit the two prime beneficiaries of the 2500 MHz mobile transition policy (Bell and Rogers) to the detriment of the balance of the industry.

53. If and when the Department converts the 3500 MHz band to mobile, there must be no mobile windfall for 3500 MHz licensees who, with minor exceptions, have done nothing material with their 3500 MHz holdings. All of the 3500 MHz FDD spectrum needs to be recalled and re-auctioned to create a level playing field in this newly important mobile band and to get a fair return for the taxpayer. TELUS submits this as an incumbent 3500 MHz FWA licensee holding 124 FWA licences.
8. Proposed Changes to the Licence Term Condition of Licence

(7) Industry Canada invites comments on the proposed wording of the condition of licence related to the licence term (detailed in section 8 of this consultation).

55. Industry Canada is proposing to update the licence term condition of licence for both WCS and FWA licences in line with the updated Auction Framework which was revised in March, 2011.

56. TELUS supports the proposed updated wording of this condition of licence (i.e., the addition of the word “high” before the.

This licence will expire on the date indicated above, with a high expectation to renew licences for subsequent terms unless a breach of licence condition occurs; a fundamental reallocation of spectrum to a new service is required, or, an overriding policy need arises. (Note added emphasis.)

The process for issuing licences after this term and any issues relating to renewal will be determined by the Minister of Industry following a public consultation.

57. However, with respect to FWA licences, and as noted and justified in the preceding section, TELUS recommends that the entire FWA band should expire and be recalled on December 31, 2017 (or some later date as appropriate) for re-auction as a new mobile band based on a to-be-determined-by-consultation new 3GPP compatible mobile band plan and ecosystem.

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