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Senior Director
Spectrum Planning and Engineering
Engineering, Planning and Standards Branch
Industry Canada
300 Slater Street
Ottawa, Ontario
K1A 0H5


Pursuant to the procedures outlined in the above noted consultation paper, these comments are filed on behalf of Rogers Communications (“Rogers”).

Executive Summary

Rogers supports Industry Canada’s policy objectives of encouraging competition, innovation and access to competitively priced service and coverage in Canada. Rogers also supports the general policy of alignment with the U.S. band plans so that Canadians can benefit from the technology and economies of scale that will be developed for the U.S. market.

Rogers supports the requirement that licensees must implement a national mobile satellite service (MSS) in conjunction with terrestrial services to ensure that Canadians living and working in rural and remote communities will have access to advanced mobile broadband services. Providing coverage to the minority of Canadians that are not already served by terrestrial mobile services will likely only be economically feasible using MSS.

Further, to ensure consistency with the proposed requirement to deploy both MSS and an ancillary terrestrial component (ATC), Rogers does not support the proposal that would permit licensees to provide single mode, terrestrial-only handsets. Instead, licensees should be required to provide dual mode, MSS/ATC handsets.

The proposal that licensees will not be permitted to transfer any of the ATC spectrum to a large wireless service provider during the initial 20-year the term of the licence should be amended. Rogers submits that the prohibition should only apply for 5 years and it should apply equally to all national and regional incumbent service providers.
Rogers has no comments on the following questions B-3, C-1, C-2, C-3, C-4, C-5, C-8, C-9, C-11 and D1. Please find below Rogers’ comments on the proposals made in questions A-1, B-1, B-2, B-4, C-6, C-7, C-9 and C-10 below.

A-1 Industry Canada proposes to adopt the 2 GHz band plan and the block pairing shown in Figure 2.

Rogers supports the proposed band plan as it aligns well with the existing AWS band that has been adopted in the U.S. Harmonizing with the U.S. band plan and block pairing will ensure that cross-border interference can be effectively managed and will ensure that Canadians can benefit from the potentially larger ecosystem and economies of scale that will develop in the U.S. for this band.

B-1 Industry Canada proposes to maintain the provision of MSS in this band.

Rogers agrees with the Department that the ‘Canadian geography includes large areas with low population density and the majority of its territory is not covered by terrestrial networks. These areas could effectively be served by MSS.’ Rogers therefore supports the proposal that the band will continue to be used for the provision of MSS.

B-2 Industry Canada proposes to remove the dual-mode requirement in the 2 GHz band, and to modify RP-023 and RSS-170 accordingly.

Rogers opposes Industry Canada’s proposal to remove the existing requirement that licensees provide dual-mode devices. The removal of the dual-mode requirement would be inconsistent with the proposed requirement for a national MSS. If licensees will be obligated to deploy both MSS and ATC, then they should also be required to provide dual-mode devices to support the deployment of the two related systems.

B-4 Industry Canada proposes that the deployment of ATC service not constrain the deployment of MSS.

Rogers fully supports the proposed requirement that the deployment of the ATC service must not constrain the implementation of MSS. This would be fully consistent with the proposed requirement for the implementation of a national MSS so that the approximately 1% of Canadians not already served by terrestrial mobile services will be able to benefit from advanced mobile broadband services using MSS.

C-6 Industry Canada proposes that the licensees not be permitted to transfer any of the ATC spectrum to a large wireless service provider for the term of the licence. For any other transaction, the transferability and divisibility provisions outlined in Section 5.6.4 of CPC-2-1-23 will apply to any ATC spectrum transfers.

With regard to the proposal that licensees will not be permitted to transfer any of the ATC spectrum to a large wireless service provider during the initial 20-year term of the licence, Rogers opposes this proposal. Rogers submits that the prohibition should only apply for 5 years. Further, this 5 year prohibition should apply equally to all national and regional
incumbent service providers, including incumbent cable and Internet providers such as, for example, Videotron. There is no justification for rules that will unfairly advantage such companies by permitting them to be the sole bidders for ATC spectrum in the secondary market during the initial licence term.

C-7 Industry Canada is proposing deployment obligations for MSS licensees, within 5 years, to ensure that MSS is available and being offered throughout Canada. Rogers fully supports this proposal since it is consistent with the objective of rendering reliable and affordable telecommunications services of high quality accessible to Canadians in both urban and rural areas in all regions of Canada. It will also ensure that the approximately 1% of Canadians that are not served by terrestrial mobile services will be able to benefit from advanced mobile broadband services using MSS in a timely manner.

C-10 Industry Canada is proposing deployment obligations for ATC licensees, within 5 years and 10 years, as specified in Annex C. For the same reasons provided under C-7 above, Rogers supports the proposal that ATC licensees be required to demonstrate that MSS is available and being offered in the Tier 1 area within 5 years. Rogers also supports the proposed requirement that ATC licensees be subject to deployment obligations since this will ensure that the spectrum is put to use during the initial term to the licence.

Rogers thanks the Department for the opportunity to consult on this important issue.

Regards,

Dawn Hunt
DH/sh

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1 *Telecommunications Act*, Section 7(b).