



The Communications Commission Consultation on the Licensing of Satellite Earth Stations

ManSat Ltd. thanks the Isle of Man Communications Commission (the Commission) for initiating the consultation on the Licensing of Satellite Earth Stations and related Modification of a Telecommunications Act Licence and is pleased to offer this response.

ManSat is responsible for carrying out satellite filing for the Isle of Man, and in that capacity ManSat has consulted the operators, who carry out satellite filings in the Isle of Man, in preparing this response.

In addition, ManSat has drawn upon the expertise of its own Executive and Boards, which also extends directly to Satellite Earth Stations and their location, provision, procurement, establishment, and operations on more than three continents.

Proposal 1: Operators holding a full TA licence and other licensed operators may require a new Part in their licence. New entrants will require a TA licence that includes the conditions of the new Part. Do you agree with this proposal?

ManSat Response to Proposal 1:

The consultation states that the Earth station will be subject to a telecommunications Act licence on the Isle of Man, and then the Commission recommend to Ofcom that a Wireless Telegraphy Act 2006 (WTA) licence is awarded to the successful applicant. It is not clear why the Earth station should be subject TA licence.

The Authorisation Directive makes it clear that use of radio frequencies should be subject to general authorisation, and individual licences should only be considered for:

- avoiding harmful interference;
- ensuring the technical quality of service;
- safeguarding efficient use of spectrum;
- fulfilling other general interest objectives defined by Member States.

The authorisation of Earth stations in the UK (under the licence category called PES), recognising the need to avoid harmful interference, provides for the issue of a WT Act licence.

The issue of a TA licence on the Isle of Man and the obligations placed under that licence could be seen as a burden for enterprises wishing to establish communications infrastructure on the Island. For these reason we would urge the Commission to consider carefully the application of TA for this purpose.



Proposal 2: Spectrum for Earth Stations will be awarded on a first-come-first-served basis, and an obligation to launch a service within a specified amount of time will not be imposed. Do you agree with this proposal?

ManSat Response to Response to Proposal 2:

The use of spectrum for Earth station does not require any form of exclusivity. The possibility exists to locate a number of Earth stations operating to different satellite networks, but at the same frequency band, within a given premises or an area without affecting (interfering with) one another.

The use of such spectrum by an Earth station is generally subject to coordination with other satellite networks or other services (such as fixed) operating in the same frequency band. Generally speaking such coordination results in an agreement facilitating the use of the spectrum, in rare cases subject to certain interference management conditions.

The concept "first come first served" is used to describe a situation where the access to spectrum may be assigned on an exclusive basis to the party that applies first denying the late comers access to the same spectrum.

It was shown above that such exclusivity is not required for satellite Earth stations, therefore the concept "first come first served" has no bearing and should not be applied. We suggest that such a term should not be associated with Earth station licensing.

The access to spectrum by all applicants, whether the existing licensees or new comers, should be subject to coordination. Such an approach sets a level playing field and, more importantly, allows the finite spectrum to be deployed more efficiently.

As for not imposing an obligation to launch a service within a specified amount of time, we note that it would not have much of an impact on general spectrum use or efficiency with which spectrum is utilised as long as concepts such as "first come first served" are not associated with Earth station licensing, and use of spectrum is subject to coordination. Otherwise we are concerned that such use could unintentionally create a situation whereby applicants could be seen to warehouse spectrum.



Proposal 3: the licence award process for spectrum to be used by Earth Stations will comprise three stages, i.e. an Application Stage, Evaluation Stage and Award Stage, as described above. Do you agree with this proposal?

ManSat Response to Response to Proposal 3:

As we mentioned above we have a concern on the application of TA licence as a general entry point for Earth station licensing. There could be many different kinds of Earth station applications: Earth stations as a part of the operation of a public telecommunications network on the Island, or an Earth station established for the purpose of controlling a satellite network, or link to an Internet backbone. The Commission should examine the need to apply TA licence all such different categories of Earth station applications.