

**Comments on the Telecommunications Authority's
Consultation Paper Concerning the "Licensing
Framework for the Deployment of Broadband Wireless
Access – Analysis of Comments Received,
Preliminary Conclusions and Further Consultation" of
31 August 2005**

23 November 2005

1. Introduction

- 1.1. Galaxy Satellite Broadcasting Limited (“GSB”) is a significant player in the Hong Kong Teleport business providing reception and transmission of satellite services for customers all across Asia Pacific. Hong Kong’s location allows GSB to provide satellite services to markets as wide spread as the US and UK markets. Hong Kong is truly a Telecommunications and Media gateway enabled through the activities of companies like GSB.
- 1.2. A key factor in enabling Hong Kong to play a pivotal world role is a strong and responsive regulatory environment in which Media and Telecommunications companies like GSB operate. As such GSB welcomes the opportunity to comment upon the “Licensing Framework for deployment of Broadband Wireless Access – Analysis of Comments Received, Preliminary Conclusions and Further Consultation” dated 31 August, 2005 (**BWA Consultation**) and shape the future plans for this proposed regulation.

2. Comments

- 2.1. GSB comments will only address those issues related to allowing GSB to continue to operate its Teleport business requiring the reception of fixed satellite services (FSS) in the current relatively unhindered fashion.
- 2.2. Currently GSB receives a number of services from one continent for onward transmission to another continent. . The providers of those services have chosen to use the FSS Extended C-band as the downlink frequency range i.e. the same frequency band as is proposed to be used for BWA in Hong Kong.
- 2.3. It is the strong belief of GSB that the allocation of the 3.5Ghz band on a primary basis to BWA and on a secondary basis to FSS will not allow the continued reliable reception of FSS in most of the Extended C-Band range.
- 2.4. If BWA is allocated to the 3.5Ghz frequency band then no teleport operator in Hong Kong could reliably provide the service described in 2.2 above and the business may well migrate out of Hong Kong.
- 2.5. The BWA Consultation, in section 17, recognises 4 categories of receiving stations that would be affected by the proposed 3.5GHz BWA spectrum deployment. The GSB Teleport Operation and many other Teleport Operations, seem not to have been taken into account in this part of the BWA Consultation.

2.6. The BWA Consultation, in section 19, suggests that earth stations for external fixed services (Teleport Operators) could move their operations away from this frequency band, but a restriction of this nature would effectively “lock-out” Hong Kong Teleport operators from receiving many services that will continue to be receivable in other jurisdictions. It is not within the control of Teleport Operators like GSB to move the downlink frequencies of services from other jurisdictions.

2.7. GSB notes that the BWA consultation only considers the impact of allocating Fixed Broadband Wireless Access services to the 3.5GHz range, but further notes that BWA technology will likely move ahead rapidly making devices enabled in the 3.5GHz Band to become mobile. Any impact of BWA services on the reception of FSS in the same band will be much greater when many of the BWA devices using that band can go mobile.

3. Conclusion

3.1. In the light of the above points, GSB strongly recommends that the TA should look again at the possibility of allocating spectrum for BWA outside of the current allocation of FSS Extended C-Band.

3.2. In the light of the above points, GSB strongly recommends that the TA should consider the impact of any frequency band allocation for BWA taking into account the likely impact of the future allocation of those same frequencies to Mobile Applications not just Fixed or Nomadic Applications.