

Telecommunications Regulatory Affairs Advisory Committee

Minutes of the Eighteenth Meeting Held on Thursday, 27 November 2019 at 2:30 p.m. in OFCA Conference Room, 20/F Wu Chung House

Members Present

Mr Sanda Cheuk	Office of the Communications Authority (OFCA) (Chairman)
Miss Elaine Hui	OFCA (Secretary)
Mr Alex Wong	Communications Association of Hong Kong
Ir John Chan	The Hong Kong Institution of Engineers
Mr Ben Li	The Institution of Engineering and Technology Hong Kong
Ms Agnes Tan	Hong Kong Broadband Network Limited / HKBN Enterprise Solutions Limited / HKBN Enterprise Solutions HK Limited (HKBN)
Ms Sarah Hui	China Mobile Hong Kong Company Limited (CMHK)
Mr Kevin Chu	Hong Kong Telecommunications (HKT) Limited, PCCW-HKT Telephone Limited and Hong Kong Telecommunications (HKT) Limited and PCCW Global (HK) Limited
Miss Katherine Kwok	HGC Global Communications Limited
Ms Juliana Wong	Hutchison Telephone Company Limited and Genius Brand Limited
Mr T L Or	SmarTone Mobile Communications Limited and SmarTone Communications Limited (SmarTone)
Mr Karson Ng	China Telecom Global Limited
Mr Kenneth Kwok	ComNet Telecom (HK) Limited
Mr J Law	Easy Tone Network Limited (Easy Tone)
Mr Larry Lee	Hong Kong Cable Television Limited

Mr Donald Chan	NTT Com Asia Limited (NTT)
Mr Walter Ngan	Towngas Telecommunications Fixed Network Limited
Mr Eric Cheung	TraxComm Limited
Mr Allen Law	Village Telephone Limited
Mr Y T Kan	Hong Kong Police Force (HKPF)
Dr Patrick Tsie	Ad personam

In Attendance

Mr Malcolm Leong	HKBN
Mr Mike Pan	CMHK
Mr Eric Lee	SmarTone
Mr Alan Choi	SmarTone
Mr Eric Wong	Easy Tone
Mr Patrick Ng	NTT
Mr Tommy Tang	HKPF
Mr K K Sin	OFCA
Ms Linda Yu	OFCA
Mr Dennis Leung	OFCA
Mr Jordan Lee	OFCA
Ms Jacqueline Tse	OFCA
Ms Stacy Lam	OFCA
Ms Tara Ng	OFCA
Ms Kim Lee	OFCA

Observer

Mr Francis Fong	Hong Kong Information Technology Federation (HKITF)
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Members Absent with Apologies

Ms Terese Au Yeung	Consumer Council
Mr Sutton Cheung	ComNet Telecom (HK) Limited
Mr Raphael Ho	Equinix Hong Kong Limited
Mr Indarto Nata	External fixed carrier / unified carrier (external fixed services) licensees as a group

The Chairman welcomed all Members to the meeting and mentioned that representative of HKITF would join the discussion as observer. He also introduced the newly appointed Secretary to the meeting.

Item 1 Confirmation of Minutes of Last Meeting

2. The Chairman said that the draft minutes of the 17th meeting had been circulated to Members for comment on 9 May 2019. As no comment had been received, the minutes of the 17th meeting were confirmed without amendment.

Item 2 Matters Arising

3. The Secretary reported that subsequent to the last meeting of the TRAAC held on 28 March 2019, OFCA had provided the necessary assistance to facilitate discussion between emergency service agencies and the relevant operators on the technical solutions and other implementation arrangements for the provision of location information of callers for emergency service. On the other hand, the proposed amendments to the licence conditions for provision of location information of callers for emergency service which had taken into account Members' comments were approved by the Communications Authority ("CA") at its meeting held on 25 June 2019. The updated sample unified carrier licence and services-based operator licence were posted on the CA's website in July 2019.

4. The Secretary further reported that OFCA had circulated the draft revisions to the proposed update of the Security Guidelines for Next Generation Networks (“NGN Guidelines”) to the relevant operators in May 2019. Having considered the comments received, the updated NGN Guidelines were published on the CA’s website on 25 June 2019.

5. The Secretary also mentioned that OFCA had circulated the draft Code of Practice on Operation and Management of Internet of Things Devices for Public Telecommunications Services (“CoP”) to the relevant operators in May 2019. Having taken into account the comments received, the CoP was published on the CA’s website on 14 June 2019. A general guide giving advice to consumers for use of IoT devices was also published by OFCA on the same day for consumer education purpose.

Item 3 Proposal to Streamline Regulatory Arrangements for Filing and Publication of Interconnection Agreements (TRAAC Paper No. 4/2019)

6. Mr Jordan Lee gave a presentation on OFCA’s proposal to streamline the regulatory arrangements for filing and publication of interconnection agreements (the “Arrangements”) and sought Members’ views and comments on the proposal.

7. Ms Agnes Tan expressed reservation about the proposal of filing a reference interconnection offer (“RIO”) by licensees to replace the existing Arrangements. She considered that the proposal would not reduce the compliance cost of the industry but would rather add to their regulatory burden, and suggested a complete removal of the filing and publication requirements.

8. Mr Kevin Chu expressed the need to know more details about the proposal before considering whether it might reduce the cost of compliance by the industry. He cast doubt on the usefulness of the existing Arrangements in facilitating new entrants to the market, as they could obtain interconnection offers directly from the incumbent operators.

9. In response to Members' comments, Mr Jordan Lee explained that the proposal was meant to reduce the industry cost of compliance through replacing the filing and redacting work involved in publication of individual interconnection agreements by a one-off publication of a RIO. The Secretary supplemented that it had been OFCA's intention to strike a balance between facilitating new entrants' need to efficiently establish interconnection on the one hand and minimising compliance cost of the industry on the other. She suggested that the industry might further consider the proposal holistically when a set of guidelines was developed by OFCA.

10. Mr Eric Lee raised a question about the situation where the two parties to interconnection had different preferences, with one preferring to file a RIO and the other sticking to the existing Arrangements. The Secretary replied that these would be the details to be worked out in the guidelines.

11. Miss Katherine Kwok commented that relative to OFCA's proposal, the status quo under the existing Arrangements was more preferable as the incumbent operators had already filed and arranged for publication of various types of interconnection agreements under the existing regime. A similar view was held by Ms Juliana Wong, who opined that the streamlined proposal might not reduce the compliance cost of the industry.

12. Ms Linda Yu explained that OFCA's proposal was to respond to the industry's requests on different occasions to streamline the existing Arrangements, and considered that the RIO would be an additional option which might be chosen by operators to fulfil the relevant statutory requirement while reducing the compliance cost in the long term.

13. To conclude, the Chairman invited Members to provide any other views and comments on the proposal in writing on or before 11 December 2019 and reminded them that licensees should continue to comply with the existing Arrangements until an alternative way forward was decided upon by the CA.

[Post-meeting note: By the deadline of 11 December 2019, OFCA received one written submission from Members.]

Item 4 Latest Progress in Preparing for the Launch of 5G Services (TRAAC Paper No. 5/2019)

14. Ms Stacy Lam gave a presentation on the latest progress of OFCA's various works in preparation for the launch of 5G services in Hong Kong, including the formulation of a draft *Guidelines for Mobile Communications Industry on the Use of the Term "Fifth Generation" or "5G"* ("Guidelines"). She also showed two videos produced by OFCA on 5G technology and radiation safety of radio base stations (RBSs) respectively for public education purpose.

15. Ms Juliana Wong welcomed OFCA's initiative to explore the feasibility of relocating the affected satellite earth stations for telemetry, tracking and control of satellite in orbit ("TT&C Stations") operating in the 3.4 – 3.7 GHz band in Tai Po so as to facilitate deployment of 5G services using the 3.5 GHz band within the 5G restriction zone there. She enquired about the progress and timeframe of the initiative. Mr TL Or opined that the relocation was in the public interest and priority should be accorded to it. Mr Francis Fong asked whether the relocation would result in creation of another 5G restriction zone.

16. The Chairman replied that the plan was to relocate the TT&C Stations from Tai Po to an area within the existing 5G restriction zone in Stanley and the proposed relocation would not enlarge the 5G restriction zone in Stanley. The Chairman added that there was no legal basis to unilaterally demand the satellite operators to relocate their TT&C Stations as they had set up and put in operation their TT&C Stations legitimately. That said, OFCA had been actively negotiating with the satellite operators with a view to implementing the relocation as soon as possible. Given the complexity of the issues involved, including allocation of land, financial arrangements and technical matters, the relocation was unlikely to be completed within a short period of time. He emphasized that frequency bands other than 3.5 GHz band, including 4.9 GHz, 3.3 GHz, 26 GHz and 28 GHz bands, and the existing spectrum

assigned to operators for provision of 2G, 3G and/or 4G services, could be used by operators for provision of 5G services within the 5G restriction zones.

17. Mr Francis Fong raised concern about the timely availability of 5G handsets operating at 4.9 GHz band. At the invitation of the Chairman, Mr Alex Wong informed the meeting that some of the 5G handsets available in 2020 were expected to support multiple frequency bands in addition to 3.5 GHz band, including 4.9 GHz band. Dr Patrick Tsie added that in view of the fact that 4.9 GHz band would be utilised in Japan for provision of 5G services, it was foreseen that some flagship 5G handset models available in 2020 for the global 5G market would be able to support 4.9 GHz band. Dr Patrick Tsie further said that 5G chipsets available in 2020 would generally support most refarmed bands, such as 900 MHz, 1800 MHz, 2100 MHz and 2600 MHz bands, in addition to the frequency bands dedicated for 5G services, such as 3.5 GHz, 4.9 GHz, 26 GHz and 28 GHz bands.

18. In response to enquiry from Mr Kevin Chu about the timeframe of the release of spectrum in the 700 MHz band, the Chairman replied that the frequency band was presently used by Hong Kong and the neighbouring areas of the Mainland for the provision of television broadcasting services. OFCA was now actively coordinating with the local television broadcasters and the Mainland authorities to allow the use of the spectrum concerned for the provision of mobile services in Hong Kong after the switch-off of the analogue television signals on 30 November 2020. A public consultation would be conducted in due course for assignment of the available spectrum subject to the outcome of such coordination work. Mr Alan Choi enquired whether additional spectrum in the 3.5 GHz band would be released for the provision of 5G services. The Chairman replied that OFCA would continue to identify more suitable spectrum in various frequency bands for 5G services.

19. Ms Sarah Hui commended OFCA on the production of the two videos and suggested to consider whether the one about radiation safety of RBSs would be arranged for broadcast on television as well. The Chairman responded that the video, having a duration of three to four minutes, might be too long for showing on television, but OFCA would

be open to considering using television as a platform for delivering suitable public education contents on the relevant subject.

20. There were no further comments. The Chairman invited Members to give their comments on the Guidelines, if any, by 11 December 2019. Taking into account the feedback of Members, OFCA would finalise and publish the Guidelines for reference by the industry.

[Post-meeting note: No comments were received from Members. The Guidelines was finalised and published on 19 December 2019.]

Item 5 Any Other Business

21. Ms Agnes Tan suggested OFCA should also streamline the existing arrangements for filing and publication of tariffs, as well as the reporting of various statistics to OFCA in order to reduce operators' compliance costs. The Chairman said OFCA would continue to look for possible streamlining measures and invited Ms Tan to provide any specific suggestions in writing.

22. The Chairman said that the next TRAAC meeting would tentatively be scheduled around March or April 2020. Members would be informed of the meeting arrangement nearer the time.

23. There being no other business, the meeting was adjourned at 4:05 pm.

**Office of the Communications Authority
December 2019**