

Reference: L2002/678
Contact: Jennifer Anderssen
Ph: 02 6274 7710

Mr Paul Belin
Assistant Commissioner
Productivity Commission
LB2 Collins Street East
MELBOURNE VIC 8003

Dear Mr Belin

Thank you for your correspondence of 28 February 2002 to the Department of Transport and Regional Services (DOTARS) enclosing a copy of the Productivity Commission *Radiocommunications Draft Report*.

The Department would like to express broad support for the findings of the Draft Report and provide the comments below on issues of concern for DOTARS. In general, the Department would like to support the views expressed by Airservices Australia in its submission to you on the Draft Report and also in its presentation at the Public Hearings in Canberra on Friday 19 April.

Ministerial endorsement for Australian Aviation Industry Guidelines

Since the Department made its submission on the Radiocommunications Review to the Productivity Commission, we are pleased to be able to advise you that both the Minister for Transport and Regional Services and the Minister for Communications, Information Technology and the Arts have endorsed the attached set of *Australian Aviation Industry Guidelines for Government Consideration for the Preservation and Availability of the Radiofrequency Spectrum for Aeronautical Services*.

Safety-of-life services

We have continuing concerns as expressed in our submission to the Commission regarding the protection and availability of the radiofrequency spectrum as it relates to safety-of-life services. Consequently, we support Airservices in their comments throughout the Draft Report regarding safety-of-life services and in its suggestion for use of the definition from the ITU Regulations of the Australian Radiofrequency Spectrum Plan (on page xxix of the Draft Report), viz *Any radiocommunications service used permanently or temporarily for the safeguarding of human life and property*. We also consider it essential that a table listing the aeronautical safety service bands should be included in Chapter 10, and support the wording on page 5 of the Airservices' submission.

Ultra-wideband (UWB) radio and software defined radio

DOTARS has concerns regarding ultra-wideband UWB radio and software defined radio. We are aware that concerns have been expressed in the US regarding interference from these sources, particularly by the US Department of State, and that the US Department of Transport and the National Telecommunications and Information Administration tests on the compatibility between UWB devices and other devices including aviation systems have

indicated that interference is possible to devices including GPS and aviation systems. We therefore consider that, until studies have clearly indicated that interference is not a problem, the statement in Box 2.6, page 31, of the Draft Report that UWB devices do not cause *undue levels of interference* may be inaccurate. We would like the Commission to note in the final Report the current studies being carried out on UWB devices in the US and the lack of clear evidence regarding possible levels of interference by UWB devices.

GNSS applications

Our submission to the Radiocommunications Review made a number of recommendations relating to GNSS use which do not appear to have been considered. In particular, we would like the Productivity Commission to address the following recommendations (Recs 8 and 16 of the DOTARS Submission) in the final Report:

- *DOTARS recommends that the importance and diversity of GNSS users be taken into account by the ACA, including through direct consultation, in consideration of issues regarding GNSS signals.*
- *It is recommended that, regardless of the commercial functions of part of the Galileo constellation, or any other GNSS constellation, the ITU allocation of spectrum for Radio-Navigation Satellite signals retain its special classification and be exempted from the requirement for Australian licensing, including any charges.*

Spectrum requirements in regional areas

As outlined in our Submission, there are a number of key issues for services in regional areas in regard to spectrum use. These have not been reflected in the report and the Department would like the final Report to reflect the following concerns for regional services (Rec 17 of the DOTARS Submission):

- *Non-metropolitan regions have sufficient access to spectrum allocations for delivery of services (which in turn encourages further regional development).*
- *Spectrum management includes consideration of likely population growth and demand for services in regional, rural and remote Australia.*
- *Competition policy and competition limits strike the right balance between ensuring a service is provided (even if it is a monopoly service) and encouraging competition.*

We thank you for the opportunity to respond to the draft Report.

Yours sincerely

Gary Dolman
Assistant Secretary
Logistics and Technology

30 April 2002