6 May 2002

Mr Paul Belin
Associate Commissioner
Radiocommunications Inquiry
Productivity Commission
Locked Bag 3
Collins Street East
Melbourne VIC 803

Dear Mr Belin

This submission is made by the Federation of Australian Radio Broadcasters (FARB), and is commercial radio industry's response to the Productivity Commission's draft report into Radiocommunications.

Key points of the submission are:

- Spectrum for radio broadcasting is currently planned within the objectives of the Radio Communications Act.

- Any changes to bring about the separation of spectrum planning and content regulation for radio broadcasting services are not supported by the commercial radio industry. In our view the separation of planning and content regulation would not support the objectives and guiding principles of the *Broadcasting Services Act 1992* (BSA). In addition there would be significant political implications associated with the cessation or decline in broadcast services brought about by spectrum allocation based purely on revenue.

- The draft recommendations that relate to broadcasting have failed to adequately analyse the unique aspects of broadcasting.

- Commercial radio more than any other sector recompenses the community for use of the radio spectrum and the opportunity cost of that spectrum's alternative use.

- Broadcasting fulfils the Radiocommunications Act and Productivity Commission's interpretation of efficiency of use in that they reach the majority of people without discrimination on the basis of wealth, education, or geography, whilst only using 2% of spectrum.

- All radio only uses 5.3% of the terrestrial broadcast spectrum and commercial radio broadcasters pay 6.4% of broadcast licence fees.

- Any changes to spectrum allocation for broadcasting services should acknowledge that the analogue broadcast spectrum is largely planned and that radio broadcasters have, since 1923, based their business models on the fact that broadcast bands are subject to different treatment than that given to other spectrum users.

- Future transmission models may require the allocation of new broadcast spectrum. Digital radio may provide a more efficient use of spectrum and an ongoing opportunity for radio broadcasters to reflect the value of the spectrum, which they use.

The submission is the agreed industry position on the draft report recommendations and briefly responds to draft findings in Chapters 5, 6, 7 and 9. The submission largely focuses on the details surroundings draft findings in part 10 of the report and deals with these in 5 parts:

1. Broadcasting spectrum is allocated within the Radiocommunications Act
2. Broadcasting is and should be treated differently from other spectrum users
3. Reflecting the opportunity cost of spectrum use
4. Spectrum Efficiency in the digital age
5. Spectrum management in a convergent digital age

Draft Finding 5.1 (page 83 of the PC Report).

The PC is of the view that Australia's geographic location gives it flexibility to depart from the International Telecommunications Union (spectrum) plan for Region 3 (which includes Australia).

This is NOT supported. To depart from the ITU's planning would require unique transmitting and receiving equipment, seriously impeding economies of scale in production of receiving equipment and adding to the costs for both broadcasters and the community at large.

N.B. This was the major reason the **Green Report**[1] in 1978 rejected proposals for the Australian FM service to operate in the UHF bands while the rest of the world was planning to introduce FM services in the VHF band.

Draft Recommendation 6.2 (page 115)

Removal of Competition Limits

This is NOT supported

The draft recommendation to remove competition limits sets a dangerous precedent in that a free market would allow the introduction of new services that may not be sustainable. In addition the existing competitive market would be seriously damaged through fragmentation of available revenues leading to the failure of the new service and established services, and, the potential reduction in the number and diversity of broadcasting services within the market.

This free market approach fails to achieve the efficiencies currently gained by the ABA's more holistic approach which has largely planned broadcast spectrum to saturation to ensure communities have adequate coverage from a diversity of viable services whilst avoiding interference between these services.

Further on the removal of competition limits, FARB submits that the "use it or lose it" clause, with which broadcast licences are issued, makes the ABA's process significantly more efficient in that users are forced to establish services with the spectrum rather than leave valuable spectrum laying idle.

There are a number of instances outside the broadcast bands, where spectrum is allocated to users who prevent others from accessing it but fail to use it for any community or commercial gain.

[1] Fred Green was at that time, the Secretary of the PMG's Department.

Draft Recommendation 6.6 (page 123)

No compensation to apparatus licensees if licence cancelled or not renewed due to spectrum re-allocation.

This is NOT supported. This recommendation could lead to a quasi spectrum auction at the time each licence is up for renewal on the basis of "public interest".

In particular, commercial broadcasting (s.36 & s.39) licences should be issued in perpetuity with licences automatically renewed unless the licensee has not met adequately, the legislative requirements. In this scenario ongoing spectrum access licence fees would be based on revenue, as is the current case.

This would provide both certainty for broadcasting service providers and an opportunity for government to auction licences that become available through the default of a licensee (failure to provide a service, breach of licence conditions leading to licence cancellation, etc). There appears to be no reason why the ACA should not publish its reasons for renewing a licence and the fees paid - this is already done by in its annual reports.

Draft Finding 7.5 (page 148)

Technology and site specific nature of apparatus licences severely restrict the potential for trade in these licences.

FARB submits that this not necessarily the case.

1. Multiple broadcasting services are generally licensed for each community. Their spectrum efficient interference free operation depends on the co-location of transmitters for competing services. Use of different transmitting locations for each service reduces the number of services that can be planned for an area (i.e. poorer spectrum efficiency).

2. There is no evidence to show that use of new technology in any band restricts the sale of spectrum. For instance, digital television has been planned to operate in harmony with analogue television in the same spectrum. Similarly digital radio services are now being proposed that operate in the same bands as analogue radio services, and in harmony with those existing services.

3. While there are examples in Radiocommunications where the introduction of new or different technology has required access to new spectrum or clearance of existing services from a particular band, i.e. the shift to GSM and CDMA digital mobile telephones from the analogue AMPS mobile phone system, there are cases where new technology could operate in harmony with the old technology particularly as already shown in broadcasting and aeronautical services.

The ABA has demonstrated its competence to plan and licence new broadcasting technologies to maximise spectrum efficiency and to provide for the introduction of digital broadcasting services using the same spectrum as that used by analogue broadcasting services.

This is a major reason for not changing the present planning and licensing arrangements for spectrum used by broadcasting services.

Chapter 9 - Charging for Spectrum

Spectrum Charges Based on opportunity cost Rec. 9.3

This is NOT supported

FARB submits that the use of spectrum charges being based on 'opportunity costs' as proposed in Draft Recommendation 9.3 is unworkable.
A fuller discussion of Spectrum charging issues is dealt with in this submission's comments on Chapter 10 of the Draft Report. Suggest that this sentence be kept – to support the first statement in para above about opportunity cost being unworkable.

Chapter 10 - Managing Spectrum for Non-Commercial and Broadcasting Services.

1. Broadcasting spectrum is allocated within the Radiocommunications Act

FARB rejects the implication of the Productivity Commission's draft report that the broadcasting spectrum is not allocated within the Radiocommunications Act. The Commercial Radio industry submits that under the delegation power derived from section 31 of the Radiocommunications Act, the ACA sub-contracts responsibility for the management of the broadcasting spectrum to the ABA.

Further, FARB submits that in undertaking its management of the broadcasting spectrum the ABA acts in accordance with the policy objectives of the Radiocommunications Act. These objectives currently require the achievement of economic and non-economic considerations in the management of the radiocommunications spectrum.

Draft finding 4.1 of the Productivity Commission's draft report provides that:

> *Clause (a) of the objects section of the Radiocommunications Act 1992 appears to be the primary objective of the Act – that is to maximise the efficient allocation and use of spectrum.*

In Draft finding 4.2, the Productivity Commission's states that clauses (c), (d) and (e) of the objects section of the Radiocommunications Act "appear to be superfluous" to clause (a). These clauses provide respectively that the Radiocommunications Act should provide for the management of the radio frequency spectrum in order to:

- provide a responsive and flexible approach to meeting the needs of users of the spectrum;
- encourage the use of efficient radiocommunications technologies so that a wide range of services of an adequate quality can be provided; and
- provide an efficient, equitable and transparent system of charging for the use of spectrum, taking account of the value of both commercial and non-commercial use of spectrum.

FARB contends that by emphasising objects clause (a), the Productivity Commission is down-playing the importance of non-economic factors contained in clauses (c) to (e) in favour of the Productivity Commission's contention that economic returns should be the key determinant in the allocation of radiocommunications spectrum. FARB strongly opposes this view .

We also note that section s 23 of the *Broadcasting Services Act* (BSA) requires the ABA to promote the "the economic and efficient use of the radiofrequency spectrum" in addition to the objectives of the BSA whilst having regard to the other criteria in s 23.

The commercial radio industry sees no compelling reason why s 31 should be repealed given that the ABA's obligations in managing the spectrum delegated to it under s 31 complement the objectives of the Radiocommunications Act ensure the BSA promotes efficient use of spectrum.

Further the special characteristics of broadcasting entail that the consideration of broader policy goals than those contained in the Radiocommunications Act must be maintained in the management and allocation of the broadcasting spectrum.

.

2. Broadcasting is and should be treated differently to other spectrum users

It needs to be recognised that broadcasting is different from other uses of the radiofrequency spectrum. Even before the introduction of the 1942 Broadcasting Act, which was introduced to reflect the growing importance of broadcasting. At no time since the introduction of the wireless Telegraphy Act of 1905 has broadcast spectrum been planned in the same way as other parts of the radio spectrum. The key differences are:

- Broadcasting services are planned on the basis of meeting **social expectations**, whether national or commercial The former to provide broadcasting services on a national basis to all Australians and the latter to provide diversity of services and programming that are adequate and comprehensive in the services they provide;

- The technical criterion for planning broadcasting services is different from those applicable to radiocommunications services (the former provides a planned grade of service, i.e. minimum level of signal throughout a licence area to domestic receiving equipment whereas the latter are usually point-to-point services with vastly different coverage requirements, being delivered to specialised receivers and having very different frequency re-use criteria).

Planning for broadcasting services requires special techniques to ensure adequate coverage of large geographic areas.

Planning for broadcasting services takes into account the need for protection of radiocommunications services using other frequency bands and protection of other broadcasting services in adjacent areas and uses adjacent frequencies as a means of maximising efficient use of the spectrum.

The location of the transmitter(s) with respect to the community being serviced often requires the use of directional radiating antennas tailored to achieve the desired coverage whereas radiocommunications services typically employ standard antennas to meet their requirements.

Broadcasting services generally serve a whole community simultaneously while a radiocommunications service can provide specific one to one services to two parties at any particular time.

These criteria, underpin the valid case for maintaining the status quo in the regulation of broadcasting spectrum. FARB contends that the draft recommendations in the Productivity Commission's draft that relate to broadcasting have failed to adequately analyse the unique aspects of broadcasting.

This view is consistent with clause 1(3) of the *Competition Principles Agreement* which is the source of the Productivity Commission's current review of Radiocommunications.

Clause 1(3) provides (amongst other things) that in assessing how policy objects of legislation can best be achieved, the following non-exclusive list of matters shall, *where relevant*, be taken into account:

- social welfare and equity considerations, including community service obligations;
- government legislation and policies relating to matters such as occupational health
- and safety, industrial relations and access and equity;
- economic and regional development, including, employment and investment
- growth;
- the interests of consumers generally or of a class of consumers
- the competitiveness of Australian businesses; and
- the efficient allocation of resources.

These non-exclusive factors are now commonly referred to as the "public interest test".

By focussing on objects clause (a) of the Radiocommunications Act to the exclusion of objects clauses (c) to (e), the Productivity Commission fails to give full consideration to the unique features of broadcasting but also seems to be acting contrary to the policy of the Productivity Commission by not fully considering impacts that are a harder to quantify.

The following statement of the Chairman of the Productivity Commission should be noted:

> *In practice, some factors bearing on the public interest especially social and environmental impacts cannot be easily quantified or valued. This brings the danger that only the measurable will be influential in decision-making.*
>
> *For this reason it is important to do more to evaluate social and environmental impacts in quantitative as well as qualitative terms*.[2]

As has been pointed out above is that the commercial considerations in planning for broadcasting cannot be separated from technical, social and policy considerations.

FARB submits that the input cost of spectrum allocation and management is much more significant in the case of broadcasting because the resulting output is unique in that it has mass appeal and is free-to-air and able to be received on low cost, commonly available equipment.

These outputs fulfil the both the Radiocommunications Act and Productivity Commission's interpretation of efficiency of use in that they reach the majority of people (in radio's case, 95%[3] of all Australians), without discrimination on the basis of wealth, education, or geography, whilst only using 2% of the Radiocommunications spectrum.

---

[2] Gary Banks paper prepared for the National Competition Council Workshop, *Competition and the Public Interest*, 12 July 2001, p. 9.

[3] ACNielsen All Australia Listening Report, People 18+, Monday to Sunday 5.30am-midnight, Page 6.

Treating broadcast spectrum differently **is justified** on the basis that

- the spectrum input is paid for at market prices (fuller discussion of this in part 3 below)
- comparatively minute quantity of spectrum used
- broad population reach
- significant influence and impact on the community

ABA involvement is justified in its application of sophisticated technical guidelines for planning broadcast spectrum because planning for broadcasting services requires a thorough understanding of the public interest aspects of providing broadcasting services to all Australians.

Just as clause 4(1) of the BSA requires that different levels of regulatory control be applied to the different types of broadcasters based on their ability to shape community views, any reforms of radiocommunications should recognise that broadcasting itself is different and should be treated differently to other users of spectrum.

This position is supported by the National Competition Council requirements when reviewing the competitive outcomes of legislation.

> *In general, the process followed should reflect the significance and complexity of the particular reform or issue (taking into account such matters as the range of affected stakeholders, community sensitivity, and likely regional disparities in the effects of change).*[4]

Under section 23 of the BSA, the ABA is currently required to have regard to the following non-exclusive factors in addition to the objects clause and the economic and efficient use of the radiofrequency spectrum when undertaking its planning functions:

- demographics;
- social and economic characteristics within the licence area, within neighbouring licence areas and within Australia generally;
- the number of existing broadcasting services and the demand for new broadcasting services within the licence area, within neighbouring licence areas and within Australia generally;
- developments in technology;
- technical restraints relating to the delivery or reception of broadcasting services;
- the demand for radiofrequency spectrum for services other than broadcasting services; and
- such other matters as the ABA considers relevant.

This is legislative recognition of the difficult planning process that is required for broadcasting spectrum, which is currently carried out adequately by the ABA.

[4] A presentation by Graeme Samuel President, National Competition Council to Economic Society of Australia Canberra Branch, *National Competition Policy: The Public Interest*, 15 May 2001, p. 7.

On the other hand planning for radiocommunications services often takes little account of topography and tends to apply more simplistic planning rules - using set 're-use distances' between sites before re-using a frequency.

Unlike broadcasting systems, radiocommunications systems planning assumes a fixed Effective Isotropic Radiated Power (EIRP) for all transmitters. Broadcasting services use a planning model that tailors the radiation pattern and radiated power within a licence area to maximise spectrum efficiency.

Technical staff employed to plan broadcasting services use more sophisticated planning parameters and planning tools than do staff employed to plan Radiocommunications services.

Before spectrum for a broadcasting service is planned, the authorities consider in depth the Objectives of the *Broadcasting Services Act 1992*.

The objects[5] are, in part, to promote the availability of a diverse range of radio services offering entertainment, education and information, facilitate the development of an efficient, competitive broadcasting industry in Australia that is responsive to audience needs, and to promote the role of broadcasting in developing and reflecting a sense of Australian identity, character and cultural diversity.

At present, none of these objectives is met by the Radiocommunications Act 1992.

Until the licence area is determined, it is not practical to plan the frequency(ies) needed to provide adequate coverage of the licence area containing the community of interest to be serviced.

Separation of these functions is likely to complicate the planning process, involving two agencies in planning broadcasting services, where currently broadcasting planning is completed within a single agency providing efficiencies in utilising scarce government resources and planning procedures.

Currently the planning staff of the Australian Broadcasting Authority have the full responsibility for determining the number and type of (national, commercial and non-commercial) broadcasting services that are required for each community, for determining the licence area (that is area to be served by a broadcasting service), and for planning the frequency plans and technical specifications for each of those services as a holistic entity.

Additionally, ABA staff advise the ACA of broadcasting services band spectrum that is available for other purposes once the social requirements for broadcasting (in the broadcasting services bands) are met.

FARB submits that repealing section 31(1b) of the Radiocommunications Act 1992 will not serve to improve the efficiency of spectrum management in Australia and that it will lead to inefficient planning for broadcasting services.

Given the efficiency and economic outcomes of the existing regime begs the question, is the issue one of revenue raising, or is it one of fair return for spectrum access.

[5] Part1, section 3 of the *Broadcasting Services Act 1992*.

3. Reflecting the opportunity cost of spectrum use

FARB submits that under the ABA, the broadcasting sector better reflects the value of the spectrum, which it uses, than does any other commercial, government or community user.

Broadcasters pay to access spectrum in three ways:

a. Broadcast licence at auction, which allows them to access a particular spectrum frequency.
b. Apparatus licences on transmitters.
c. Licence fees on revenue made from use of the spectrum.

This is a more comprehensive reflection of the value of the spectrum than is the one off payment at auction and a yearly apparatus fee paid by the majority of other commercial spectrum users.

- ABA broadcast licence allocation reflects both the social and regulatory criteria of the community and government as well as the free markets' assessment of that spectrum's commercial worth at auction. In all respects it reflects the current market value of spectrum.

  This process is as valid a reflection of the value of spectrum at a given point in time, as is an auction of larger segments such as the $1.3b raised by the 2001 auction of the 2 GHz spectrum for 3G users.

  Spectrum valuations are based on the market's current assessment of the business opportunities for profiting from the use of that spectrum.

  It has been widely reported that 3G spectrums auctions worldwide have overvalued the price of spectrum, based on the promise of what the technology can deliver and the likelihood that there are sufficient consumers prepared to pay to access new services and content.

  The recent ACA's attempt at a datacasting auction again reflects the fact that commercial operators did not value the spectrum highly given the restricted datacasting definitions.

  The poor business case was reflected in the market's lack of interest in datacasting spectrum when it was auctioned.

  These two examples show that the business case, including social, political and cultural objectives, do impact upon the value of spectrum and cannot be treated in isolation.

- Licence fees apply to broadcasters but not to other spectrum users who profit from their use of spectrum.

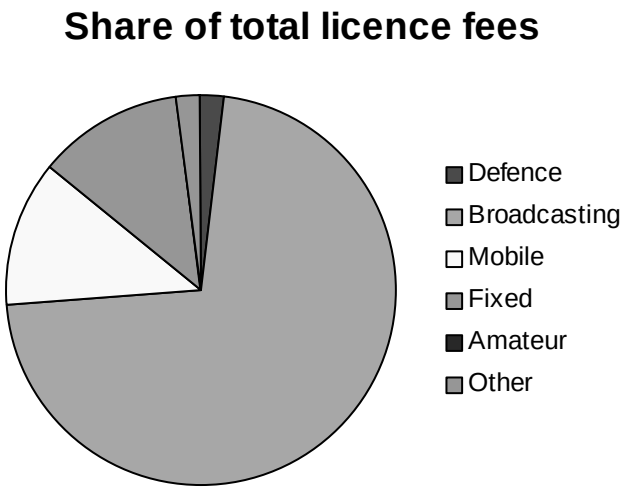
  Of the total spectrum planned for terrestrial broadcasting use, 21.58 MHz is used for radio broadcasting, 1.08 MHz for AM radio and 20.5 MHz for FM radio broadcasting.

Radio therefore uses the following proportions of the broadcasting services bands spectrum:

All radio	21.58 MHz	5.3%
AM radio	1.08 MHz	0.3%
FM radio	20.5 MHz	5.0%

Revenue from commercial radio

Total revenue raised from broadcasting licence fees in 1999-2000 was $232.1 million. According to the Productivity Commission draft Report, this is 71% of the total licence fee revenue in that year.



Source: PC Draft Report, Radiocommunications Feb 2002, Pg 26, Table 2.3.

Of the revenue raised from commercial broadcasting, $14.8 million was raised from commercial radio broadcasting licence fees; this is 6.4% of revenue raised from all commercial broadcasting services.

Revenue vs Spectrum Used

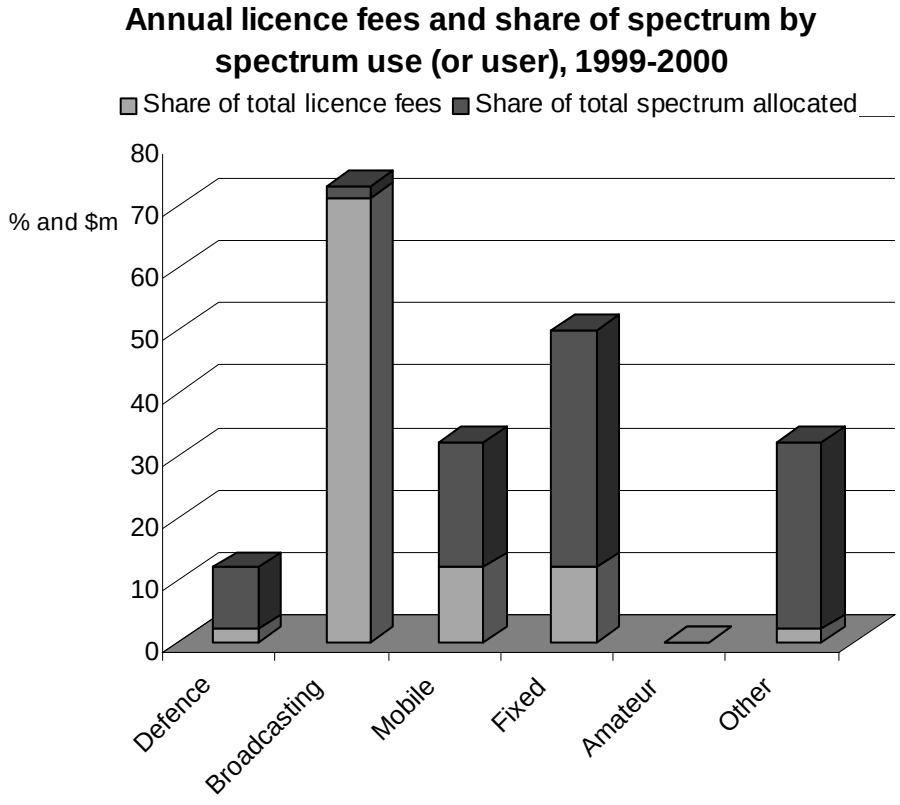
From the data for spectrum used by radio and television services compared with revenue raised from radio and television services, it can be seen that commercial radio pays proportionately more in revenue than the proportion of spectrum it uses.

> All radio (commercial, national and community) uses **5.3%** of the broadcasting services bands.
>
> Commercial radio contributes **6.4%** of revenue raised from commercial broadcasting. Note that no similar fees are collected from non-commercial radio broadcasters, i.e. national and community radio.
>
> On this basis, commercial radio is paying proportionately more than other broadcast users, for the spectrum which the industry uses.

Commercial broadcasting versus non broadcasting uses of the spectrum

According to the PC Report, total licence fee revenue collected by the ACA in 1999-2000 was $326.1 million.

Commercial broadcasting contributed $232.1 million, or 71% of this total, using only 2% of all planned spectrum.



Source: PC Draft Report, Radiocommunications Feb 2002, Pg 26, Table 2.3

Commercial radio contributed $14.8 million, or 4.5% of the total licence fee revenue raised by the ACA in 1999-2000 whilst only using 0.11% of all planned radiofrequency spectrum. All radio uses 5.3% of all planned broadcasting spectrum or 0.11% of all planned radiofrequency spectrum.

Commercial Radio submits that the revenue raised from commercial radio licence fees contributes more than adequately for the proportion for the proportion of spectrum used for radio.

Compared to Mobile, which uses 20% of all spectrum and contributes less than 12% of licence fee revenues[6], broadcasters in general, and commercial radio broadcasters in particular more than compensate for their ongoing use of spectrum.

FARB submits that the ACA could achieve greater equity and better revenue efficiency by charging all commercial users of spectrum on the basis of a licence fee or tax on revenue earned from the use of that spectrum.

[6] Source: Calculations based on PC Draft Report, Radiocommunications Feb 2002, Pg 26, Table 2.3

Just as radio broadcasters pay a licence fee to compensate for the opportunity cost of using spectrum, (a charge which puts operators at a commercial disadvantage to non-broadcast media who are not forced to pay a licence fee on profits which they make from print, outdoor etc.); so too should this impost apply to mobile phone operators, commercial airlines, taxis and all others who profit from their ongoing use of valuable spectrum.

4. Spectrum efficiency in the digital age

The advent of digital broadcasting technology brings with it increased spectrum efficiency through the more efficient use of existing analogue frequencies and new frequencies where the digital technology can combine services onto a single frequency and re-use that frequency within a licence area to gain greater coverage via a Single Frequency Network.

5. Spectrum management in a convergent digital age

As the Communications Minister, Richard Alston said in his recent address to ATUG 2002,

"The telecommunications and broadcasting policy environments are starting to converge as never before"[7]

As telecommunications increasingly becomes digitised, broadband and wireless, these sectors will increasingly complement and compete with the traditional broadcast sector. As consumers and advertisers move to embrace these new technologies, the broadcast sector will need to innovate and diversify to maintain its relevance.

Consumer's expectations about their information and entertainment needs are changing rapidly.

The broadcast sector must be increasingly responsive to the expectations of youth – for them, digital music (MP3) is mandatory, as is the ability to get information on demand and to interact with that information and the providers of it.

It is a fast moving and increasingly mobile world, in which digitised telecommunications services and broadcast media will converge into a range of digital consumer appliances.

The exact form and shape of these will evolve over time, however it is vital that the most appropriate spectrum is made available to allow broadcasters to adapt and innovate.

It is also vital, that under the management of the ABA, broadcast spectrum is managed in a way so as to allow innovation in response to consumer needs and expectations.

It is equally vital, that the broadcast sector is not disadvantaged by the impost of paying disproportionate licence fees for its minimal spectrum allocation, when attempting to compete with the spectrum hungry telecommunications sector in a convergent digital age.

DRAFT RECOMMENDATION 10.2

[7] Speech to ATUG 2002 conference, Senator the Hon Richard Alston, Minister for Communications, Information Technology and the Arts, 05.03.02

A system of explicit budgetary support should replace the current system of granting exemptions and concessions from spectrum charges to some non-government, non-commercial users.

FARB agrees that it is highly desirable to make budgetary support for beneficiaries of licence fee exemptions more transparent. Noting that non-commercial users of spectrum (including government and community and volunteer groups), represent 41% of all frequency assignments, there must be significant losses in potential revenue due to lost opportunity for recovering costs.

By showing the cost of licences that are subject to exemption from payment of licence fees, all users as well as government can readily see the budgetary cost of licence fee exemptions and concessions.

This added level of accountability would lead to a better understanding by all spectrum users of why certain licence fees are higher than might otherwise be expected. It would also lead to a better appreciation by the benefactors of licence fee exemptions and concessions of the cost to government, and the tax-paying public, of the operation of these exempt services.

DRAFT RECOMMENDATION 10.3

Subsidies for the Commonwealth Government for eligible non-commercial users should exclude cost recovery charges levied by the Australian Communications Authority. In the first instance, the level of funding should reflect only the value of the Spectrum Access Tax component of apparatus licence fees.

FARB agrees that eligible non-commercial users of the spectrum should be required to meet the cost recovery elements of charges levied on spectrum users by the ACA.

This is the only way that the costs of spectrum planning and administration can be fully recovered without placing a surcharge on commercial users of the spectrum.

Recovery costs are a small charge that be readily met by volunteer organisations through their fund rasing activities. The exemptions and/or concessions they have for the spectrum access tax can be justified on the basis of the value of the volunteer services to the public good and general welfare of the community.

DRAFT RECOMMENDATION 10.4

The range of groups eligible for government assistance to meet the costs of spectrum access should not be extended.

The commercial radio industry agrees with the recommendation that the range of groups eligible for government assistance to meet the costs of spectrum access should **not** be extended.

Further, FARB is of the view that the range of groups eligible for government assistance should be reviewed periodically - at least once in each three years.

This is necessary to reflect any changes in community values or eligible group infrastructure over time.

This is particularly the case where community radio broadcasting and/or open narrowcasting services become profit making enterprises that are indistinguishable from commercial radio broadcasters in the same area.

In providing for a periodic review of eligible groups, it may be necessary to distinguish from those groups who provide an essential service to the public (such as the Bureau of Meteorology, Maritime Safety Services, etc.) and those groups who provide alternative forms of services (such as community broadcasters).

For comment or more information about the details of FARB's submission please do not hesitate to contact me.

Yours sincerely

Joan Warner
Chief Executive Officer