



October 4, 2021

Via Email: satelliteauthorization-autorisationsatellite@ised-isde.gc.ca

Innovation, Science and Economic Development Canada
Senior Director, Space Services and International Engineering, Planning and Standards Branch
235 Queen Street, 6th Floor, East Tower
Ottawa, Ontario K1A 0H5

Re: Shaw Communications Inc. (“Shaw”) Initial Comments – *Consultation on Updates to the Licensing and Fee Framework for Earth Stations and Space Stations in Canada, SMSE-009-21* (the “Consultation”)

1. In connection with Innovation, Science and Economic Development Canada’s (the “Department”) Consultation, Shaw is pleased to provide the below comments. Shaw’s initial comments are focused exclusively on the proposed changes to earth station licences and licence fees. However, we reserve the right to address other aspects of the consultation in our reply comments.
2. The Department’s current approach for earth stations is to require licensees to hold a radio licence for each individual antenna or earth station at each site. The Department proposes to replace these individual radio licences with spectrum licences that would cover all of the licensee’s earth stations, authorizing multiple stations under a single licence in accordance with technical and operational requirements.
3. Shaw supports the Department’s proposal. As the Department notes, while the current approach was appropriate in the early days of commercial satellite communications, as services and technologies evolve, the current approach is cumbersome, costly, and impractical.¹ Licensees are required to renew multiple separate radio licences annually, resulting in an administrative burden for both the Department and licensees.
4. As was the case in 2015 when the Department adopted its 2015 Interim Approach applicable only to generic earth stations in certain bands, receive-only earth stations often share the same technical parameters, frequency bands and communicate with the same satellites, and their authorizations are similar in nature to spectrum licences.² Spectrum licences already apply to some earth and space

¹ Consultation Document, paragraph 27.

² Consultation Document, paragraph 28.

stations (for example, those operating as part of MSS systems), and ISED is proposing to do the same for others.³ The proposal is therefore a natural, intuitive evolution of the licensing framework.

5. Shaw agrees that a Tier 1 licensing approach would be appropriate, given the large geographical coverage of the majority of satellites.⁴ This would also be consistent with the goal of reducing the administrative burden associated with these licences. However, where, as in the 3700-4200 MHz range, FSS operations will be limited to certain geographic areas, the Department will need to develop an alternate approach.
6. As the Department describes, the new licensing approach would apply to both earth station licences requiring site approval, and generic earth stations that do not require site approval. With respect to the former, we agree that site-specific analysis must continue to be required prior to station deployment. The Department's decision should clearly articulate the circumstances in which such analysis is required (such as for earth stations that operate in bands where coordination is required in order to avoid harmful interference).
7. With respect to generic earth stations that do not require site approval, the Department notes that there has been no reported instance of harmful interference between earth stations authorized under the 2015 Interim Policy, and therefore aims to extend the policy to earth stations in other bands.⁵ Shaw does not oppose this proposal, but we suggest that the Department closely monitor deployment in these additional bands to ensure that there are no instances of interference going forward.
8. The Department also proposes a new "consumption-based" model for calculating licence fees applicable to earth stations. The model entails multiplying the amount of spectrum authorized by a base rate. Shaw supports this proposal and agrees with the Department that a consumption-based model is predictable, easy to administer, and encourages spectral efficiency. The Department recently implemented a consumption-based model for fixed point-to-point radio licences. In that proceeding, Shaw supported a proposed consumption-based model with respect to point-to-point microwave licence fees for similar reasons.⁶

³ Consultation Document, paragraphs 30 and 31.

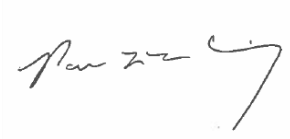
⁴ Consultation Document, paragraph 32.

⁵ Consultation Document, paragraph 44.

⁶ Shaw Reply Comments, *Consultation on Licence Fees for Fixed Point-to-Point Radio Systems (DGSO-001-18)*, filed 8 February 2019, paragraph 9.

9. The Department could consider reviewing the fee model periodically to ensure that it reflects changing market conditions and technological advancements so that the base rates continue to be appropriate.
10. Shaw appreciates the opportunity to provide these comments. If you have any questions, please contact Brian Monaco, Regulatory Counsel, Director, at brian.monaco@sjrb.ca.

Yours truly,

A handwritten signature in black ink, appearing to read "Paul Cowling", written in a cursive style.

Paul Cowling
Senior Vice President, General Counsel and Regulatory Affairs