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Notice No. SLPB-002-20

Consultation on the Technical and Policy Framework for the 3650-4200 MHz Band and Changes to the Frequency Allocation of the 3500-3650 MHz Band

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Comments

of

Xplornet Communications Inc.

Attachment A

October 26, 2020

INTRODUCTION

1. In this Attachment, Xplornet provides its responses to questions posed by ISED in the Consultation[1]. The section headings and associated numbering used in this document replicate those of the Consultation. As noted in our submission, we reserve the right to elaborate on these responses and to comment on matters not addressed in later stages of this proceeding.

RESPONSES TO CONSULTATION QUESTIONS

5 INTERNATIONAL CONTEXT

5.2 Development of the 5G equipment ecosystem

Q1: ISED is seeking comments on the timelines for the development of an equipment ecosystem using 5G technologies in the 3800 MHz band. In particular:

- ***a) the ecosystem maturity level and readiness of equipment under band classes n77 or n78 for the Canadian market***
- ***b) the ability of existing or future base station radios to handle multiple technologies and band classes at the same time (i.e. whether all four band classes (B42, B43, n77 and n78) or a subset of these band classes are able to operate on the same base station radio) and how it may affect the adoption of 5G technologies in the 3800 MHz band***

2. Xplornet supports the comments filed by the Radio Advisory Board of Canada ("RABC") with respect to this question.

Q2: ISED is seeking comments on the potential linkages between the equipment ecosystems using 5G technologies in the 3500 MHz and 3800 MHz bands. In particular:

- ***a) whether contiguity between the 3500 MHz band and 3800 MHz band is preferred given that 3GPP specifications allows for non-contiguous carrier aggregation***
- ***b) whether there are any technical or operational impediments (e.g. equipment limitations/challenges to support aggregated use of spectrum, or requirements for additional base station radios) that would be incurred if operators have a large frequency separation between frequency blocks in one or both bands, and at what point (i.e. how wide the frequency separation) such impediments would become significant***

[1] *Consultation on the Technical and Policy Framework for the 3650-4200 MHz Band and Changes to the Frequency Allocation of the 3500-3650 MHz Band,* SLPB-002-20 ["Consultation"]

c) whether the equipment ecosystem deployed for the 3500 MHz band will be able to operate in the 3800 MHz band, and whether this equipment could easily be extended to 3800 MHz after being deployed

3. Xplornet supports the comments filed by the RABC with respect to this question.

Q3: ISED is seeking comments on how the difference in technical rules between the U.S. and EU could impact Canada's ability to leverage the economies of scale from the global 3800 MHz ecosystem. In particular:

a) would the difference in technical rules (such as out-of-band-emission (OOBE) power limits) result in two distinct region-specific equipment ecosystems

b) which equipment ecosystem would be more suitable in the Canadian environment (noting that Canada has, for the most part, aligned with the U.S. on low- and high-band spectrum for 5G but in the mid-band, Canada is more aligned with the EU in the 3500 MHz band (3450-3650 MHz)) and specifically, whether Canada should generally align its technical rules with the U.S. or the EU in the 3800 MHz band

4. Xplornet supports the comments filed by the RABC with respect to this question.

7. CHANGES TO THE SPECTRUM UTILIZATION FOR THE 3800 MHZ BAND

7.1 Introduction of mobile service in the 3700-4000 MHz band

Q4: ISED is seeking comments on the proposal to add a primary mobile service, except aeronautical mobile, allocation in the 3700-4000 MHz band to the CTFA and the specific changes shown in annex B.

5. Xplornet supports ISED's proposal to make flexible use available in the 3700-4000 MHz band. Fixed and mobile uses should both be primary services for this frequency range.

7.2 Flexible use in the 3650-4000 MHz band

Q5: ISED is seeking comments on developing a flexible use licensing model for fixed and mobile services in the 3650-4000 MHz band.

6. Xplornet supports ISED's proposal to make spectrum in the 3650-4000 MHz band available for flexible use.

7. Further to this, we encourage ISED to hold another consultation to consider the release of additional spectrum in the 4000-4200 MHz range within a few years'

time, as it is clear that there is opportunity to release an additional block of 100 to 200 MHz of spectrum for flexible use in the coming years.

8. In the Telesat Proposal[2], Telesat has already identified that it is able to vacate the full 100 MHz of spectrum in the 4000-4100 MHz band by 2025.[3]

9. Beyond this, however, as described in our main submission, Xplornet believes that the entire frequency range from 4000-4200 MHz may be made available for flexible use on a similar timeline, as it appears that Telesat is planning to fully decommission its use of C-band capacity in Canada by 2026.

10. All of Telesat's Canadian C-band coverage is provided by three satellites: Anik F1R, Anik F2 and Anik F3.[4]

11. According to Telesat's 2019 Annual Report[5], all three of these satellites will be decommissioned by 2026, or sooner.[6] Anik F1R, which holds one third of Telesat's total C-band capacity, will be imminently decommissioned in 2022. Telesat's Anik F2 and Anik F3 satellites (which hold the remainder of Telesat's Canadian C-band capacity) will be decommissioned by 2026.

12. At the same time, Telesat has not announced plans to launch any new satellites with C-band capacity to serve Canada. Instead it is focused on transitioning its current C-band customers to services supported by its new Low-Earth-Orbit ("LEO") constellation.[7]

13. Given that Enabling Guideline ("Guideline") (h) of the Spectrum Policy Framework requires ISED to make spectrum available for flexible use to the greatest extent possible in order to best meet the needs of Canadians, it would be inappropriate

[2] Proposal Submitted by Telesat Canada to ISED dated July 5, 2020, as attached to the Consultation ("Telesat Proposal" or "Proposal").

[3] Telesat Proposal, page 7.

[4] https://www.telesat.com/geo-satellites/.

[5] Telesat Canada, Annual Report Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 for the fiscal year ended December 31, 2019 ("Telesat 2019 Annual Report").

[6] Telesat 2019 Annual Report, section D. Property, plants and equipment – In-orbit satellites.

[7] Telesat Proposal, paragraph 10.

for any spectrum to remain allocated to C-band services beyond that which is needed to serve the needs of Canadians. As Telesat will clearly be able to make an additional 100 to 200 MHz of spectrum available in the near future for flexible use, Xplornet submits that ISED should hold a further consultation to consider repurposing spectrum within the 4000-4200 MHz band.

7.3 Changes to the FSS use in the 3700-4200 MHz band

Harmonization of FSS use

Q6: Given the proposal in section 7.2 on developing a flexible use licensing model for fixed and mobile services in the 3650-4000 MHz band, ISED is seeking comments on the proposal that no new FSS earth stations be authorized in the 3700-4000 MHz band in the future and that the authorization of new FSS earth station licences be limited to the 4000-4200 MHz band.

14. Xplornet supports ISED's proposal. However, Xplornet submits that any new FSS earth stations should only be licensed to existing satellites providing C-band services in Canada today.

Guard band between flexible use and FSS:

Q7: ISED is seeking comments on the proposal to implement a 20 MHz guard band between 3980-4000 MHz to protect FSS operations in 4000-4200 MHz band from proposed flexible use operations in the 3700-3980 MHz band.

15. Xplornet supports the adoption of a 20 MHz guard band as proposed by ISED. We believe that this guard band should be sufficient to minimize interference between Wireless Broadband System ("WBS") services and Fixed Satellite Services ("FSS").

16. Xplornet submits that, in the future, if spectrum in the 4000-4200 MHz band is repurposed for flexible use, as proposed in our main submission and our response to Q5, this 20 MHz guard band would no longer be needed and could be additionally allocated to WBS services, providing WBS licensees with additional spectrum to continue to keep pace with the future needs of Canadians.

Maintaining FSS services in satellite-dependent areas

Q8: ISED is seeking comments on the proposal to maintain a primary allocation to FSS in the entire 3700-4200 MHz band and the proposal that existing FSS earth stations in satellite dependent areas remain licensed in the entire 3700-4200 MHz band.

17. Xplornet recognizes that there are currently communities within Canada that are dependent on C-band capacity for communications services and these communities should receive appropriate protections.

18. We note, however, that Telesat has not indicated that more than 100 MHz of spectrum would be required to serve its customers in any part of its network. As noted in our response to Q5, we believe that C-band services may be decommissioned entirely in the coming years. Accordingly, it is not clear that a primary allocation to FSS is required in the 3700-4200 MHz band in any part of the country, including satellite-dependent areas.

19. Should ISED establish specific rules for satellite-dependent areas, we submit that ISED should take care not to prevent flexible use in these areas by allocating more spectrum to FSS than necessary. For example, if it is possible to maintain C-band service for a community with less than the full 500 MHz of capacity, it would not be in the interest of Canadians to unnecessarily preclude the introduction of new services in these areas. Similarly, ISED should take care to define the boundaries of satellite-dependent areas narrowly to avoid precluding flexible-use in adjacent areas.

Q9: ISED is seeking comments on the future demand for C-band in rural and remote areas such as the North, including the following: a) the trend towards using higher frequencies by FSS operations to provide broadband connectivity b) the ability of using higher frequencies to replace current C-band capacity and the potential timelines c) the possibility of a trend towards using 4000-4200 MHz in combination with other connectivity options (e.g. higher frequencies satellites or wireline solutions) and when it would be expected to be available for satellite-dependent areas

20. Xplornet notes the findings set out in the Satellite Inquiry Report[8] published by the Canadian Radio-television and Telecommunications Commission in 2014, as follows:

> "… based on the evidence collected during this inquiry, C-band is becoming more of a legacy service. Because demand for telecommunications services is shifting more towards data services, voice services have become a mature market with 80 flat-to-decreasing demand, resulting in very little incentive for new satellite operators (either existing operators or new entrants) to build C-band capacity or to bring additional C-band capacity to the market, especially for areas in the North or other remote areas with very low population densities and low revenue opportunities. It is expected that C-band will in many instances be increasingly overtaken by HTS services that use Ka-band frequency. It is therefore unlikely that the C-band market will become any more competitive than it is at present, and Telesat will likely remain the dominant supplier of C-band FSS. However, there will be a continued need for C-band for services that depend on real-time communications with minimal latency effects, such as voice services."[9]

21. Xplornet notes that the above analysis did not contemplate the potential impact of LEO-based services on demand for C-band services. As LEO-based services are expected to provide reduced latency relative to C-band services, it is likely that the introduction of LEO-based services will further reduce demand for C-band capacity.

22. Telesat has indicated that it no longer requires more than 100 MHz to serve its customers in any part of its network. As noted in our response to Q5, we believe that C-band services may be decommissioned entirely in the coming years.

[8] Available online: https://crtc.gc.ca/eng/publications/reports/rp150409/rp150409.pdf

[9] Satellite Inquiry Report, paragraph 192.

7.4.1 Change in status of FSS in 3500-3650 MHz

Q11: ISED is seeking comments on its proposal to remove the FSS allocation in the 3500-3650 MHz band and to suppress Canadian footnote C20 in the CTFA as detailed in annex B. In addition, ISED is seeking comments on the proposed grandfathering of the existing earth station operations listed in annex C, such that fixed or mobile stations in the 3500-3650 MHz band will be required to coordinate with these earth stations as specified in SRSP-520.

23. Xplornet supports these proposals.

7.4.2 Change in status of FSS in 3650-3700 MHz

Q12: ISED is seeking comments on its proposal to remove the primary FSS allocation from 3650-3700 MHz and suppress Canadian footnote C33 in the CTFA as detailed in annex B.

24. Xplornet supports this proposal.

8 BLOCK SIZES IN THE 3650-4000 MHZ BAND

Q13: ISED is seeking comments on: a) establishing unpaired blocks of 10 MHz for the 3650-3700 MHz band b) establishing unpaired blocks of 10 MHz for the 3700-3980 MHz band

25. In order to be consistent with the licensing policy for the 3500 MHz Band, Xplornet supports the use of unpaired blocks of 10 MHz for these spectrum bands. This will facilitate the operation of the full 3450-3900 MHz frequency range as a single, contiguous band, once all spectrum is allocated.

9 TREATMENT OF EXISTING USERS

9.1.1 Proposal for treatment of WBS incumbents

Q14: Subsequent to changes to the spectrum utilization described in section 7 and recognizing the need to change the current WBS licensing model, ISED is seeking comments on its proposal to displace the existing WBS licensees and designate 80 MHz of spectrum available for the development of a new shared licensing process in the 3900-3980 MHz band as described in Option 2. Specifically, ISED is seeking comments on:

a) the amount of spectrum proposed (80 MHz) under a shared spectrum licensing process

b) whether there should be a provision that allows certain users (e.g. existing WBS licensees) priority licensing (e.g. an initial application window before accepting applications from others) Preliminary comments on a future shared spectrum licensing process are being sought in section 9.1.4 below.

26. Xplornet supports ISED's proposal to relocate the current WBS band (3650-3700 MHz) to the top of the portion of the 3800 MHz Band that will be made available for flexible use.

27. Xplornet supports the relocation of the WBS band for two reasons: Firstly, it allows for the expansion of this band to better meet the needs of Canadians; and secondly, it maximizes the opportunity for contiguous deployments across the full 3450-3900 MHz band.

28. An expanded WBS band is critical in order to meet the needs of Canadians. In many areas of the country today, demand within the current WBS band, which spans only 50 MHz of spectrum, greatly exceeds the capacity provided by this spectrum. Interference issues are becoming challenging to manage because of congestion in the band. By relocating the WBS band as proposed by ISED, this band can be expanded from 50 to 80 MHz. With this increased capacity, rural Canadians will enjoy greater benefits from the services offered by WBS licensees, including increased access to broadband service meeting the Universal Service Objective.

29. Xplornet notes that the Consultation proposes to allocate the 20 MHz of spectrum adjacent to a relocated WBS band (i.e., 3980-4000 MHz), to serve as a guard band between flexible use and FSS systems. Xplornet submits that, in the future, if spectrum in the 4000-4200 MHz band is repurposed for flexible use, as described in our response to Q5, this 20 MHz guard band would no longer be needed and could be additionally allocated to WBS services, providing WBS licensees with additional spectrum to continue to keep pace with the growing broadband needs of Canadians.

30. Xplornet also supports relocating the WBS band in order to create a single a contiguous band of licensed flexible-use spectrum from 3450-3900 MHz. It is well

established in the 3500 MHz Policy Framework[10] that blocks of 100 MHz of contiguous spectrum are optimal to allow for efficient 5G deployments[11]. By interrupting the 3450-3900 MHz frequency range by maintaining the WBS band in the 3650-3700 MHz band, licensees will be less able to obtain contiguous spectrum to support their 5G deployments, thereby hindering the ability of this important mid-band spectrum to serve Canadians.

31. While relocating the WBS band to a higher frequency range may cause existing WBS licensees, including Xplornet, to incur displacement costs, Xplornet believes that relocating and expanding the band will provide important benefits to WBS licensees over the medium to long term. It is also necessary to move this band in order to maximize the potential of the 3450-3900 MHz frequency range to support 5G broadband services.

Q15: Given the proposal to implement Option 2, ISED is seeking information on potential costs such as upgrading equipment, which may be incurred by WISPs that are displaced from 3650- 3700 MHz to provide services using the 3900-3980 MHz band.

32. In order for WBS licensees providing wireless broadband services to transition to higher frequencies, as proposed in Option 2, licensees would be required to replace the radios currently in service on their affected towers, as well as the customer premise equipment ("CPE") in use in customers' homes. The current radio equipment and CPE that have been deployed in association with the 3650-3700 MHz band are not designed to operate at frequencies over 3700 MHz.

33. The costs associated with this work are significant. Equipment costs to replace our radios alone could amount to a hundreds of thousands of dollars per site. Xplornet would be pleased to provide additional information concerning our potential displacement costs to ISED in confidence.

34. If ISED is to grant compensation for displacement costs to any party required to relocate from the spectrum they currently use, Xplornet submits that compensation

[10] *Policy and Licensing Framework for Spectrum in the 3500 MHz Band*, SLPB-001-20 ["3500 MHz Policy Framework"].
[11] 3500 MHz Policy Framework, paragraph 41.

should be provided fairly to all parties who will incur displacement costs, including WBS licensees and 3500 MHz licensees who will be displaced from their spectrum following the auction set to take place in 2021.

9.1.2 Proposed transition period for the displacement of WBS licensees

Q16: Based on the proposal to implement Option 2, ISED is seeking comments on the proposed displacement deadlines, with WBS operations in urban areas being displaced by December 2023 and all others by December 2025. Respondents are invited to propose other protection and displacement options for consideration, provided they include a strong rationale.

35. While Xplornet supports ISED's proposal to move the WBS band to the top of the portion of the 3800 MHz Band that is to be repurposed for flexible use, it is critical that an appropriate amount of time be permitted to allow existing WBS licensees to transition their customers without service interruption.

36. In order to move WBS licensees to higher frequencies (i.e., frequencies from 3900-3980 MHz), WBS licensees will need to deploy new radios within their networks as equipment currently deployed is not designed to operate at this frequency range. In advance of this work, a process will need to be established by ISED to update RSS 197 to set standards for the operation of WBS in the new frequency range. Without new standards, vendors are not able to provide the radios that WBS licensees would require.

37. Xplornet submits that, from the finalization of the process to update RSS 197, approximately four to five years would be required for a transition to take place. Specifically, with finalized standards established through an updated RSS 197, vendors would require 18 months to make new radios available to WBS licensees. WBS licensees would then require a 36-month period to concurrently deploy new radios to tower sites and to deploy new CPE that operates in the 3900-3980 MHz range. Deploying new CPE to our customers will be a particularly time consuming process, as it will require a scheduled visit to each customer's home. Accordingly, a transition would require approximately four to five years from the finalization of an updated RSS 197.

38. In light of the above, assuming an expedited process is undertaken to update RSS 197, December 2025 is likely the earliest that a transition deadline could be set with respect to the migration of WBS services to higher frequencies. This timeline would apply equally in rural and urban areas.

Q17: ISED is seeking comments on the Tier 4 service areas that would be considered urban as defined above and as listed in annex D.

39. Xplornet submits that the transition timeline for WBS licensees should be the same in urban and rural areas, as the activities that must be undertaken to migrate service are the same in both urban and rural environments. We anticipate that the migration process will take the same amount of time in all areas.

9.1.3 Moratorium on new WBS station deployments

Q18: ISED is seeking comments on whether the moratorium should be extended to include all Tier 4 service areas.

40. Xplornet submits that it is counter to the Spectrum Policy Framework to implement a moratorium concerning the use of WBS spectrum. ISED should continue to allow deployments within this band on a temporary basis, conditional on new deployments being discontinued by the end of a transition period to be established. A moratorium prevents these spectrum resources from being used by licensees to provide broadband where it is needed by Canadians, counter to the Spectrum Policy Framework. Xplornet encourages ISED to remove its moratorium and to implement alternative measures that allow for WBS deployments of a temporary nature.

9.1.4 Initial consideration of the shared spectrum licensing process for 3900-3980 MHz

Q19: ISED is seeking preliminary comments on the future spectrum licensing process for 3900-3980 MHz, including the following:

- ***a) what type of applications are envisioned for this spectrum***
- ***b) what type of shared licensing process ISED should consider (e.g. database approach, licensee to licensee coordination)***
- ***c) what additional measures ISED should consider employing to manage access to the band in high demand areas, such as major metropolitan centres***

d) what technical restrictions should be considered (e.g. technical rules similar to adjacent 3500 MHz flexible use band with reduced power levels, a guard band between new flexible use systems below 3900 MHz, shared use above 3900 MHz, etc.)

e) what type of eligibility criteria, if any, should be established

41. a) Xplornet submits that an expanded WBS band could be used to support a wide range of wireless broadband applications. Certainly, important among these applications would be fixed residential and enterprise broadband connectivity, particularly in rural areas of the country. WBS spectrum is also commonly used to support private networks for the oil and gas and agricultural sectors. We anticipate that these applications would continue to make significant use of WBS spectrum alongside other applications.

42. b) Xplornet supports a licensee-to-licensee approach facilitated by the use of a database. However, based on today's experience using ISED's current Spectrum Management System ("SMS") database, improvements are necessary in order for WBS licensees to be able to effectively coordinate their operations. This will be all the more important should demand for WBS spectrum increase.

43. Indeed, ISED's SMS is commonly missing important information that licensees need to address coordination matters. For example, ISED needs to ensure that the SMS provides contact information for an individual responsible for processing network coordination requests and information about alternate brand names that may be used to identify a licensee's operations. This basic information is necessary to enable the effective coordination of networks.

44. ISED should also establish an escalation process to assist licensees in resolving coordination matters.

45. c) In order to facilitate access to spectrum and the coordination of its use, it would be appropriate to license WBS spectrum at the Tier 5 level. WBS deployments are generally site-specific or for smaller areas than the full Tier 4 licensed areas. By issuing Tier 5 licences, it will be easier to manage coordination issues that arise.

46. d) With respect to technical rules for WBS licensees, Xplornet recommends that ISED require future WBS licensees to deploy TDD time frame synchronization and 3GPP compliant radios using GPS synchronization. GPS synchronization is essential to effectively reduce interference in this band. Xplornet does not support reduced power measures in the WBS band. Reducing power in rural areas, which are often heavily treed, severely limits a site's footprint, hindering the efficient deployment of network infrastructure and reducing the speeds available to customers.

9.2.1 Proposal for treatment of FSS incumbents in 3650-3700 MHz

Q20: ISED is seeking comments on its proposal that existing FSS earth stations licensed in 3650- 3700 MHz after June 11, 2009, be permitted to continue to operate on a no-protection basis with respect to proposed new flexible use operations.

47. Xplornet supports ISED's proposal.

9.3 Definition of satellite-dependent areas

Q21: ISED is seeking comments on whether the Tier 4 service areas identified for exemption of certain provisions in GL-10 for mmWave bands as listed in annex E would be appropriate to apply for FSS operations in the 3700-4200 MHz band. ISED invites alternative proposals for areas that would be considered satellite-dependent (e.g. based on Tier 5 categories).

48. We note that Telesat has not indicated that more than 100 MHz of spectrum would be required to serve its customers in any part of its network. Furthermore, as noted in our response to Q5, we believe that C-band services may be decommissioned entirely in the coming years. Accordingly, it is not clear that special rules are needed for satellite-dependent areas.

49. However, should rules be established for satellite-dependent areas, Xplornet supports the comments filed by the RABC with respect to this question.

Q22: ISED is seeking comments on whether certain remote industry operations, for example offshore oil drilling platforms, should be included in the definition of satellite-dependent areas

50. We note that Telesat has not indicated that more than 100 MHz of spectrum would be required to serve its customers in any part of its network. Furthermore, as noted in our response to Q5, we believe that C-band services may be decommissioned entirely in the coming years. Accordingly, it is not clear that special rules are needed for satellite-dependent areas.

51. However, should rules be established for satellite-dependent areas, Xplornet submits that it may be appropriate to include certain other remote areas in the definition of satellite-dependent areas, such as off-shore oil drilling platforms.

52. Xplornet submits that ISED should take care to only allocate spectrum to FSS, preventing flexible use, as is demonstrated to be necessary.

9.4 FSS space station operations in 3700-4200 MHz

Q23: ISED is seeking comments on its proposal to modify the existing FSS satellite authorizations to limit FSS operations in 3700-4000 MHz in non-satellite-dependent areas of Canada to a no interference basis. ISED is also seeking comments on the proposal to adjust the conditions of licence for FSS operations to reflect the proposals as of the FSS transition deadline, including the possible removal of a high expectation of renewal for the 3700-4000 MHz portion of the band.

53. As noted in our response to Q8, Telesat has not indicated that more than 100 MHz of spectrum would be required to serve its customers in any part of its network. Accordingly, it is not clear that a primary allocation to FSS is required in the 3700-4200 MHz band in any part of the country, including satellite-dependent areas.

54. If ISED establishes specific rules for satellite-dependent areas, Xplornet supports ISED's proposal to modify existing FSS satellite authorizations in the 3700-4000 MHz band to a no-interference basis for non-satellite-dependent areas. Xplornet equally supports ISED's proposal to remove the high expectation of renewal for existing authorizations in this band.

Q24: ISED is seeking comments on its proposed date of December 2023 as the Canadian FSS transition deadline.

55. ISED has proposed that FSS space station operations would be subject to a December 2023 transition deadline. This would enable alignment with the transition timeline in the United States and facilitate addressing cross border coordination issues.

56. Xplornet submits that ISED should strive to make spectrum available for flexible use at the earliest reasonable opportunity. Indeed, Canadians require access to this mid-band spectrum for flexible use and it would further the objective of the Spectrum Policy Framework to make this spectrum available as soon as possible. We note that the United States will have already cleared the 3700-3820 MHz band in a significant portion of the country by December 5, 2021. Xplornet submits that ISED should create a transition timeline that is reasonable to be achieved, yet allows for spectrum to be allocated for flexible use without delay.

9.5 Existing licensed FSS earth stations in 3700-4200 MHz

Q27: ISED is seeking comments on its proposed transition deadline of December 2023 for FSS earth stations, in which existing FSS earth station licences would be modified to 4000- 4200 MHz in the relevant areas.

57. The transition deadlines should be aligned with those applying to FSS space station operators. See our response to Q24.

Q28: ISED is seeking comments on making amendments to the relevant conditions of licence and technical rules in the 3700-4200 MHz band as well as the 3450-3700 MHz band in order to implement the following proposals with respect to protection from interference:

a) prior to the transition deadline, existing licensed FSS earth stations may operate in the entire 3700-4200 MHz band in all areas and be protected from interference from flexible use operations both in-band (3700-3980 MHz) and the adjacent 3450- 3700 MHz band

b) after the transition deadline, existing licensed FSS earth stations may continue to operate in the entire 3700-4200 MHz band in satellite-dependent areas and be protected from interference from in-band flexible use operations in 3700-3980 MHz, but would not be protected from flexible use operations in the adjacent 3450- 3700 MHz band; however, ISED also proposes that flexible use licensees deploying stations in the 3450-3700 MHz

band within 25 km of an existing licensed FSS earth station in the 3700-4200 MHz band be required to provide a notification to these operators, one year prior to the deployment of fixed or mobile stations

c) after the transition deadline, FSS earth stations would only be licensed to operate in the 4000-4200 MHz band in non-satellite-dependent areas and would be protected from flexible use operations in the adjacent 3700-3980 MHz band

d) after the transition deadline, FSS earth stations operating in 3700-4000 MHz, in all areas, which are not eligible for licensing could continue to operate as a licence-exempt station without protection from flexible use operations both in-band and adjacent band(s)

58. As noted in our response to Q8, Telesat has not indicated that more than 100 MHz of spectrum would be required to serve its customers in any part of its network. Accordingly, it is not clear that a primary allocation to FSS is required in the 3700-4200 MHz band in any part of the country, including satellite-dependent areas.

59. If ISED establishes rules for satellite-dependent areas, Xplornet does not support certain of the proposed technical rules noted in part b) of this question. In our view, ISED's proposal that "flexible use licensees deploying stations in the 3450-3700 MHz band within 25 km of an existing licensed FSS earth station in the 3700-4200 MHz band be required to provide a notification to these operators, one year prior to the deployment of fixed or mobile stations", is excessive. An appropriate radius and notification period should be reviewed in a future SRSP process.

9.6 Existing licence-exempt FSS earth stations in 3700-4200 MHz

Q31: ISED is seeking comments on its proposal to issue interim authorizations for certain existing licence-exempt earth stations in the 3700-4200 MHz band.

60. Xplornet supports this proposal.

Q32: ISED is seeking comments on the proposed deadline of up to 90 days after the publication of a decision for submitting applications for these interim authorizations of existing licence exempt FSS earth stations in the 3700-4200 MHz band.

61. Xplornet supports this proposal.

Q33: ISED is seeking comments on its proposal that receive-only earth stations that are not eligible for an interim authorization or whose operators do not seek authorization, could continue to operate as a licence-exempt earth station on a no-protection basis.

62. Xplornet supports this proposal.

Q34: ISED is seeking comments on its proposal that in non-satellite-dependent areas, existing earth stations that operate under interim authorizations receive in-band protection from flexible use operations in the 3700-3980 MHz band until the transition deadline.

63. Xplornet supports this proposal.

Q35: ISED is seeking comments on its proposal that in satellite-dependent areas, existing earth stations that operate under an interim authorization receive in-band protection from flexible use operations in the 3700-3980 MHz band before and after the transition deadline.

64. As noted in our response to Q8, Telesat has not indicated that more than 100 MHz of spectrum would be required to serve its customers in any part of its network. Accordingly, it is not clear that a primary allocation to FSS is required in the 3700-4200 MHz band in any part of the country, including satellite-dependent areas.

Q36: ISED is seeking comments on its proposal that in all areas, existing licence-exempt earth stations that operate under an interim authorization receive no protection from adjacent band WBS stations and flexible use stations operating below 3700 MHz before and after the transition deadline.

65. Xplornet supports this proposal.

9.7 Fixed service in 3700-4200 MHz

Q40: ISED is seeking comments on its proposal to no longer issue new licences for fixed services to operate fixed point-to-point applications in the 3700-4000 MHz band.

66. Xplornet supports this proposal.

10 TECHNICAL CONSIDERATIONS

10.1 Coexistence between flexible use systems

Q43: ISED is seeking comments on the proposal to rely on technical limits and coordination procedures rather than mandate specific technology solutions (e.g. TDD synchronization between systems) to address interference issues between TDD flexible use systems in the 3650-3980 MHz band.

Q44: ISED is seeking comments on whether any additional measures should be taken to limit potential interference issues between flexible use systems in the 3650-3980 MHz band.

67. Xplornet does not support ISED's proposal to rely on technical limits and coordination procedures instead of specific technology solutions. Xplornet recommends that ISED require mandatory TDD synchronization between systems and the use of GPS synchronized radios. From our experience deploying networks in the Fixed Wireless Access and WBS bands over the last 12+ years, we believe that the use of TDD synchronization and GPS synchronized radios is the most effective means to minimize interference. These technologies enable systems to coexist with limited degradation. Coordination procedures should also be used as a secondary measure to help facilitate specific interference matters.

10.2 Coexistence between flexible use systems and WBS systems prior to displacement

Q45: ISED is seeking comments on whether specific technical measures should be adopted to address potential interference issues between flexible use systems and WBS systems until the displacement deadline.

a) For co-channel flexible use and WBS operations in the 3650-3700 MHz band, what specific measures may be needed to protect WBS? For example, should new flexible use stations be required to coordinate with WBS stations within a specified distance prior to deployment? Alternatively, should a technical parameter such as a power flux density (pfd) trigger for coordination measured at the WBS receive antenna be adopted? Are there other more appropriate measures that ISED should consider? Should multiple measures, such as a combination of distance and pfd trigger for coordination, be adopted? How would these requirements impact the deployment of new flexible use stations?

b) For adjacent band flexible use systems, is there a need to adopt any additional measures, beyond what is currently specified in RSS-192 and

SRSP-520, to further address coexistence between these flexible use and WBS systems? If so, what should they be? How many flexible use frequency blocks (or MHz) immediately adjacent to the 3650-3700MHz band could potentially affect WBS systems? How would these requirements impact the deployment of flexible use stations?

68. a) Xplornet submits that use of the 3650-3700 MHz range should not be available to new flexible-use licensees until this spectrum has been cleared by existing WBS licensees. Use of the WBS band is based on coordination between licensees and in many areas of the country coordination is already difficult to manage, as demand for spectrum already exceeds the 50 MHz of capacity. No parties, whether existing WBS licensees or new flexible-use licensees, will be able to properly use this band during the transition period if sharing of this nature is attempted, resulting in degraded services being provided to Canadians.

69. b) Xplornet submits that the current issues of SRSP 520 and RSS 192 should be sufficient.

10.3 Coexistence between flexible use systems and licensed or authorized FSS earth stations

Adjacent band

Q46: Until the transition deadline, in all areas for flexible use in the 3650-3700 MHz band: ISED is seeking comments on the proposal that until the transition deadline, those flexible use licensees deploying stations in 3650-3700 MHz within 25 km of a licensed FSS earth station (not including interim FSS authorization) in the 3700-4200 MHz band will be required to coordinate with the operators in these earth stations.

70. Xplornet supports ISED's proposal.

Q47: After the transition deadline, in all areas for flexible use in the 3450-3650 MHz band: ISED is seeking comments on its proposal that the current SRSP-520 coexistence requirements for flexible use operations in the 3450-3650 MHz band to protect FSS operations in the adjacent band 3700-4200 MHz be removed.

71. Xplornet supports the comments filed by the RABC with respect to this question.

Q48: For FSS earth stations licensed in the 4000-4200 MHz band and flexible use in the 3800 MHz band, in all areas: ISED is seeking comments on adjacent band coexistence measures, taking into account the coexistence measures adopted by

the EU (i.e. a stringent OOBE limit) and the U.S. (i.e. a combination of guard band, a typical OOBE limit, pfd limits, and baseline minimum filter specifications for earth station operations) and the current Canadian requirements (i.e. a typical OOBE limit and coordination distance):

- ***a) What are the benefits and technical limitations associated with the above coexistence measures?***
- ***b) Which set of coexistence measures above (i.e. EU, U.S., Canada) is preferred? If applicable, comments are sought on the values of the limits in relation to the supported measures.***
- ***c) Given the proposal in section 9.1 to displace WBS in 3650-3700 MHz and identify 3900-3980 MHz for shared use, are there any additional considerations that may impact the response to a) and b) above?***
- ***d) Which portion of the 3800 MHz band should the above measures be applied to in order to protect FSS in the 4000-4200 MHz band (i.e. how many frequency blocks or MHz)?***

72. Xplornet supports the comments filed by the RABC with respect to this question.

11 LICENSING PROCESS FOR THE NEW FLEXIBLE USE LICENCES

Q52: ISED is seeking comments on the use of an auction as the licensing process for the flexible use spectrum that would be considered as the 3800 MHz band, noting a separate consultation process would be issued, if required, to determine the licensing framework for the range 3900-3980 MHz.

73. Xplornet supports the use of an ISED-run auction to allocate spectrum in the 3800 MHz Band. As set out in the Framework for Spectrum Auctions in Canada:

> "[ISED] will generally consider the following broad conditions in determining whether an auction process will be used as the spectrum assignment mechanism:
>
> - whether the demand for spectrum is expected to exceed the available supply; and
> - whether government policy objectives can be fully met through the use of an auction."[12]

74. Xplornet submits that demand will exceed supply for the mid-band spectrum that ISED is proposing to repurpose for flexible use. Even with the entire 3450-3900 MHz frequency range licensed for flexible use, this spectrum will remain insufficient to satisfy the demands of operators deploying 5G services for Canadians.

[12] Framework for Spectrum Auctions in Canada, page 1.

75. The use of an auction inherently maximizes reliance on market forces in the allocation of spectrum, as required by Guideline (a) of the Spectrum Policy Framework. Further to this, Guidelines (b) and (f) specifically require ISED to ensure that spectrum is made available to a range of services that are in the public interest and to use licensing methods that are responsive to market place demands. Accordingly, Xplornet supports ISED's proposal to hold a further consultation to set the parameters of the auction, including competitive measures and other key elements of an auction structure (e.g., type of auction, deposits, etc.). As with the 3500 MHz auction, it will be essential for ISED to establish competitive measures to govern the allocation of spectrum. Only through an auction that is carefully designed and run by ISED can ISED ensure that spectrum will be available to meet the broadband needs of rural and urban Canadians, and that spectrum will be allocated to promote the continued development of a competitive marketplace, all as required by the Spectrum Policy Framework.

76. As discussed in greater detail in our main submission and our response to Q53, it would not be appropriate for ISED to adopt other mechanisms being proposed by Telesat to allocate flexible-use spectrum.

12 PROPOSED ACCELERATED SPECTRUM CLEARING APPROACH

In providing comments for the following questions, respondents are requested to include supporting arguments and rationale, taking into consideration of ecosystems for 5G services and the adjacent WBS operations in the 3650-3700 MHz band.

Q53: ISED is seeking general comments on the proposal submitted by Telesat found in annex H, including whether such an approach would be in the best interest of Canadians and more specifically, whether it would result in the faster deployment of 5G services in the affected frequencies; more efficient use of spectrum and what the implications of this repurposing plan would be for other users of the band.

77. As described in our main submission, Xplornet submits that it would be inappropriate for ISED to adopt the Telesat Proposal, as the Telesat Proposal fails to advance the objective of the Spectrum Policy Framework, and provides no additional benefits for Canadians.

78. In this regard, Xplornet submits that the Telesat Proposal will not result in the faster deployment of 5G services for Canadians, as it should have no impact on the timeline through which new flexible use spectrum is made available to Canadians.

79. As part of its proposal, Telesat has promoted its ability to clear the 3700-3900 MHz band on an accelerated basis relative to ISED's proposed timeline. Under its accelerated timeline, Telesat would make the 3700-3900 MHz band available before the end of 2023.

80. Xplornet submits that ISED should strive to make spectrum available for flexible use at the earliest reasonable opportunity. Indeed, Canadians require access to this mid-band spectrum for flexible use and it would further the objective of the Spectrum Policy Framework to make this spectrum available as soon as possible. We note that the United States will have already cleared the 3700-3820 MHz band in a significant portion of the country by December 5, 2021. Xplornet submits that ISED should create a transition timeline that is reasonable for Telesat to achieve, yet allows for spectrum to be allocated for flexible use without delay. This assessment should be performed independently and should not in any way be contingent on ISED's acceptance of other aspects of Telesat's Proposal.

81. Furthermore, Xplornet submits that Telesat's Proposal does not promote the best interests of Canadians. Telesat has proposed that it should be permitted to allocate the 3700-3900 MHz band through secondary market transactions it coordinates.

82. Secondary market transactions are encouraged by ISED to facilitate the efficient use of spectrum by parties; however, Xplornet submits that they are not an appropriate means to allocate an entire spectrum band. Telesat correctly notes that ISED would have the ability to approve any proposed transaction in the secondary market. However, ISED would have no way to ensure that a transaction that has been proposed for approval represents the allocation of the specific spectrum that would best serve the needs of Canadians. Regardless of any competitive measures that may be set to attempt to govern how Telesat allocates spectrum, at the end of the day, Telesat would remain in a position to pick with

whom it enters into commercial arrangements for spectrum. This is not appropriate and would represent an abdication by ISED of its responsibility to ensure Canada's spectrum resources are allocated to provide maximum benefit for Canadians.

83. In the United States, Telesat (through the C-Band Alliance) equally proposed to the Federal Communications Commission ("FCC") that FSS operators should be permitted to allocate spectrum within the 3800 MHz Band through private secondary market transactions. In its Report and Order[13] to repurpose the 3800 MHz Band, the FCC rejected Telesat's proposal in favour of an FCC-run auction. The FCC determined that a public auction was the only means through which it could allocate spectrum in a manner that promotes fairness, transparency, fair market pricing and robust participation from a diverse group of bidders (as is required to ensure that the needs of rural and urban Canadians are addressed through the allocation of spectrum and to ensure that competitive providers are well positioned in the marketplace). As the FCC stated:

> "… we find that a public auction of flexible-use licenses—conditioned upon relocation of incumbent operations—will best ensure fairness and competition in the allocation of these new flexible-use licenses. The Commission has a long and successful history conducting public auctions of spectrum and has well-established oversight processes designed to promote transparency and ensure that valuable public spectrum resources are put to their highest and best use, while also promoting other public interest goals articulated in Section 309(j) of the Act. In more recent years, public auctions of new flexible-use rights have played a pivotal role in transitioning existing bands and making spectrum available for new uses. Importantly, the Commission carefully designs each auction to include transparent procedures that promote fair-market pricing and robust participation from a diverse group of bidders. Commission control and oversight of the auction of new flexible-use licenses in the 3.7-3.98 GHz band will ensure that a wide range of interested parties have fair and equal access to new spectrum rights that will be vital to the introduction of next-generation wireless services."[14]

84. Xplornet submits that ISED should align with the FCC and reject Telesat's Proposal. Unlike an allocation process based on secondary market transactions,

[13] FCC, Report and Order and Order of Proposed Modification, FCC 20-22 ["Report and Order"].

[14] Report and Order, paragraph 25.

an ISED-run auction can be relied upon to efficiently and fairly allocate spectrum in a manner that best promotes the objective of the Spectrum Policy Framework, as described in our response to Q52.

85. We also note that the Telesat Proposal is inappropriate because Telesat is seeking compensation from ISED for its displacement costs associated with vacating the C-band spectrum. This goes directly against the language of the Spectrum Policy Framework, which states as follows:

> "The Department will reallocate spectrum, as necessary, such as to support the implementation of new services or to comply with changes to international frequency allocations. The impact of these reallocations on existing services, including the potential displacement of existing services, will be taken into account. **However, any displaced spectrum users will be responsible for all costs incurred as a result of any reallocation of spectrum by the Department.**"[15] [Emphasis added]

86. Telesat has drawn comparisons with the actions of the FCC, which has provided for compensation for the displacement costs of C-band licensees. It must be understood, however, that the FCC operates under an entirely different legislative framework than does ISED. Compensation was provided by the FCC in order to comply with its legislative regime.[16]

87. ISED is not subject to the jurisdictional constraints of the FCC, and ISED has been clear that it does not provide compensation for displacement costs incurred by spectrum users as a result of a reallocation of spectrum. Indeed, ISED has consistently applied its stated policy. ISED has not provided for compensation of displacement costs in any recent reallocation, whether in relation to the 3500 MHz Band, the 600 MHz band or the 2500 MHz band, even in situations where the spectrum is still in use.

88. Similarly, no compensation is proposed for WBS licensees in the current proceeding who will incur displacement costs as a result of spectrum reallocation.

[15] Spectrum Policy Framework, page 8.

[16] See, *Communications Act of 1938*, Title III, section 316, and the FCC discussion at Report and Order, paragraph 140.

In the Consultation, ISED has stated that, where WBS licensees are not providing service meeting the USO, they would be able to apply for funding from the Universal Broadband Fund ("UBF") for support to extend this level of service. While UBF support may help WBS licensees to manage displacement costs, the purpose of this funding is to support the deployment of advanced broadband services for rural Canadians and is not intended to compensate WBS licensees for displacement costs. This is akin to the funding Telesat is receiving for its LEO constellation, as discussed below.

89. Xplornet submits that ISED should maintain fair policies and practices. If it were to compensate Telesat for its displacement costs in the present proceeding, this would run against the Spectrum Policy Framework and historical precedent. If ISED were to depart from its established policy and precedent, Xplornet submits that this should be done for all impacted parties, and displacement costs should be provided to all impacted parties, including WBS licensees and licensees impacted by the repurposing of the 3500 MHz Band in 2021 and beyond.

90. If Telesat's Proposal were adopted, Telesat would also receive a significant windfall that goes well beyond compensating its displacement costs. Telesat intends to invest this additional money in its LEO constellation.[17]

91. ISED's repurposing process is not the right venue for Telesat to receive support for its LEO constellation. The Government of Canada has dedicated significant amounts of funding to support broadband infrastructure projects, including LEO satellites. Budget 2018 allocated $100 million from the Strategic Innovation Fund to support projected focused on LEO satellites and next-generation rural broadband. Telesat has received $85 million from the Strategic Innovation Fund to build and test technologies for its LEO constellation. Budget 2019 proposed $5 to $6 billion in funding to support rural broadband, including securing advanced LEO satellite capacity. And the Government of Canada has entered into a Memorandum

[17] Telesat Proposal, paragraph 10.

of Understanding with Telesat, through which it has committed to provide up to $600 million to Telesat over 10 years to support its LEO constellation.[18]

92. Through its proposal, Telesat has argued that Canadians should forego the proceeds of an ISED-run auction to allocate the 3700-3900 MHz band. If this spectrum were auctioned by ISED, the proceeds from the auction would be transferred to Finance Canada and deposited into the Consolidated Revenue Fund as part of Canada's general revenues. Parliament would then decide how Canada's revenues should be allocated in order to best meet the needs of Canadians as part of the federal budget process.

93. By seeking to divert auction proceeds from the Consolidated Revenue Fund, Telesat is attempting to circumvent Parliament's role in managing Canada's public resources in the best interests of Canadians for its own benefit. Xplornet submits that it is inappropriate for Telesat to attempt to interfere with the federal budget process. Parliament has allocated significant funds to the support of LEO satellite projects and Telesat should seek support for its investment through the appropriate channels. ISED should reject Telesat's attempt to leverage the present spectrum reallocation process to obtain financial support for its LEO constellation.

Q54: ISED is seeking comments on whether the Telesat proposal meets ISED's policy objectives outlined in section 3, including: a) supporting rural/remote connectivity b) promoting competition in mobile services c) making more mid-band spectrum available to support 5G services

94. Xplornet submits that the Telesat Proposal does not meet these objectives.

95. The Telesat Proposal should have no bearing on the amount of spectrum that is made available for flexible use. ISED should determine the amount of spectrum that is repurposed through analysis guided by the Spectrum Policy Framework. Specifically, ISED should repurpose any spectrum that is not required by FSS services.

[18] https://www.canada.ca/en/innovation-science-economic-development/news/2019/07/minister-bains-announces-major-investment-in-the-future-of-connectivity-for-canadians-living-in-rural-and-remote-communities.html

96. As part of its proposal, Telesat has identified that it would clear the entire 3700-4100 MHz band, maintaining only 100 MHz of spectrum for continued C-band FSS (4100-4200 MHz).

97. Xplornet encourages ISED to hold another consultation to consider the release of additional spectrum in the 4000-4200 MHz range within a few years' time. It is clear that, at a minimum, 100 MHz of spectrum can additionally be made available by Telesat for flexible use within the next few years.

98. Beyond this, however, Xplornet believes that the entire frequency range from 4000-4200 MHz may be made available for flexible use on a similar timeline, as it appears that Telesat is planning to fully decommission its use of C-band capacity by 2026.

99. All of Telesat's Canadian C-band coverage is provided by three satellites: Anik F1R, Anik F2 and Anik F3.[19]

100. According to Telesat's 2019 Annual Report[20], all three of these satellites will be decommissioned by 2026, or sooner.[21] Anik F1R, which holds one third of Telesat's total C-band capacity, will be imminently decommissioned in 2022. Telesat's Anik F2 and Anik F3 satellites (which hold the remainder of Telesat's C-band capacity) will be decommissioned by 2026.

101. At the same time, Telesat has not announced any plans to launch new satellites with C-band capacity to serve Canada. Instead it is focused on transitioning its current C-band customers to services supported by its new LEO constellation.[22]

102. Given that Guideline (h) requires ISED to make spectrum available for flexible use to the greatest extent possible in order to best meet the needs of Canadians, it would be inappropriate for any spectrum to remain allocated to C-band services

[19] https://www.telesat.com/geo-satellites/.

[20] Telesat Canada, Annual Report Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 for the fiscal year ended December 31, 2019 ("Telesat 2019 Annual Report").

[21] Telesat 2019 Annual Report, section D. Property, plants and equipment – In-orbit satellites.

[22] Telesat Proposal, paragraph 10.

beyond that which is needed to serve the needs of Canadians. As Telesat will clearly be able to make an additional 100 to 200 MHz of spectrum available in the near future for flexible use, Xplornet submits that ISED should hold a further consultation to consider repurposing spectrum within the 4000-4200 MHz band.

103. With respect to the allocation of new flexible use spectrum to promote the interest of rural and urban users and competition in wireless services, we submit that the Telesat Proposal also fails to promote the objective of the Spectrum Policy Framework.

104. As described in our response to Q53, in order to ensure that Canadians derive maximum benefits from the 3800 MHz Band, Xplornet submits that spectrum must be allocated through an ISED-run auction. Only an ISED-run auction that establishes appropriate parameters that specifically protect the interests of rural users and promote competition in wireless services (e.g., such as a set-aside) can be relied upon to efficiently and fairly allocate spectrum in a manner that best promotes the objective of the Spectrum Policy Framework

Q55: ISED is seeking comments on what elements from sections 7 to 10 of this consultation would still apply or need to change if ISED were to implement the Telesat proposal, in particular: a) the proposal for maintaining the primary allocation for FSS in the 3700-4200 MHz band b) the proposed implementation of an exemption to transition for satellite-dependent communities and the proposed changes to satellite licenses to apply it c) the proposal for treatment of WBS incumbents d) the proposal to issue interim authorizations for certain existing licence-exempt earth stations in the 3700-4200 MHz band e) technical considerations for coexistence between FSS and flexible use f) technical considerations for coexistence between flexible use and aeronautical radionavigation systems g) the overall impact on existing users in the 3700-4200 MHz band

105. Xplornet believes that the Telesat Proposal is inappropriate should not be considered by ISED.

Q56: If ISED were to implement the Telesat proposal, ISED would need to consider the licensing framework for the 3700-3900 MHz band. Thus, ISED is seeking comments on: a) whether it should, as proposed by Telesat, issue flexible licences in the 3700-3900 MHz band using the same conditions of licence as those contained in annex H of the 3500 MHz Framework, noting that some conditions may need to be adjusted to reflect the differences in the two bands and the decisions resulting from this consultation process b) whether it should issue a single Tier 1 flexible use licence as proposed by Telesat or align with the 3500 MHz band and issue Tier 4 licences c) what deployment conditions should apply to these licences including Telesat's proposal that the deployment requirements would only come into force after the Minister approves a transfer d) any additional conditions of licence that should apply given the nature of the proposal

106. For all of the reasons described in our main submission and in our responses to Q53-55, Xplornet does not support the adoption of Telesat's Proposal. ISED should allocate spectrum in the 3650-3900 MHz band through an ISED-run auction, as this is the only means by which ISED can ensure that this spectrum is allocated in a manner that promotes the objective of the Spectrum Policy Framework.

107. Xplornet submits that ISED should hold a separate consultation to define the licensing policy and auction framework for spectrum in the 3650-3900 MHz band.

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