



**Reply Comments for:**

**Consultation on New Access Licensing Framework, Changes to Subordinate Licensing and White Space to Support Rural and Remote Deployment**

SLPB-004-21

August 2021

Spectrum Management and Telecommunications

**7 December 2021**

## Contents

1. Introduction.....	3
2. Comments of ITPA on selected stakeholders’ general position. ....	3
4. ITPA’ comments on selected stakeholders’ answers to ISED’s questions.....	9
5. Access Licensing framework.....	9
5.1 Access licensing approach .....	9
5.2 Areas where access licences will be available .....	9
6. Process for access spectrum licences.....	10
6.2 Licence areas for access spectrum licences.....	10
6.4 Eligibility.....	10
6.5.2 Licence transferability, divisibility and subordinate licensing.....	11
6.5.3 Deployment requirements .....	12
6.6.7 Process for making access spectrum licences available.....	13
8. Subordinate licensing.....	13
8.2.2 Simplifying information requirements to facilitate a timely review process.....	13
8.3 ISED's role in encouraging subordinate licensing .....	13

## 1. Introduction

1. The Independent Telecommunications Providers Association (ITPA) is a non-profit organization that represents Independent Local Exchange Carriers in Ontario, British Columbia, and Quebec to governments, their various agencies and other industry players.
2. Currently the ITPA represents twenty-one independent local exchange carriers that together serve over 180,000 wireline subscribers in rural areas of Ontario, British Columbia, and Quebec and 36,000 wireless subscribers in rural areas of Ontario and Quebec.
3. ITPA members have been providing innovative, affordable, and personalized communications services to rural Canadians for over 100 years and thus have been instrumental to the fulfilment of ISED's rural policy objectives.
4. ITPA members as TEL-area licensees, have held cellular licences in their ILEC areas since the original award by the Department of Communications in 1982. Subsequently in 1995, ITPA members also received PCS licences. ITPA members, as primary licence holders, have put the spectrum to use, either directly or through subordination agreements with larger Mobile Network Operators (MNO)s.
5. ITPA believes in the importance of aligning policies between ISED and the CRTC to ensure there are no policy gaps which would jeopardize the viability of smaller rural service providers and correspondingly, their ability to provide a full range of services, including mobile wireless services, to their subscribers.
6. ITPA submits that broadband wireless service providers require ISED to make available a significant additional amount of affordable and secure spectrum to enable delivery of the high quality and reliable services consumers are expecting. These measures are also necessary to reduce the impact of spectrum as a significant barrier to entry to the Canadian wireless industry.

## 2. Comments of ITPA on selected stakeholders' general position.

7. Throughout, its response to the Consultation, Rogers defends the view that the proposed Access Spectrum Licencing regime is likely to be a net negative for ISED's wireless policy in rural and remote areas based mainly on the following arguments:
  - a. 'investment certainty' i.e. investments in rural and remote networks require amongst other conditions, available exclusive licenced spectrum;

- b. ISED's proposed methodology to determine whether the prospective spectrum is available would create significant false positives; and,
  - c. the lack of consultation with existing licensees could result in stranded investment as new infrastructure under construction might not be able to be put in service if spectrum as been awarded under the new regime.<sup>1</sup>
- 8. ITPA also saw and highlighted these weaknesses to ISED in its response to the Consultation but maintains that these are not the result of a flawed new Access Licensing policy framework, but rather an indication that the policy implementation needs to be refined.
- 9. ITPA's positions on these issues are similar to Rogers'
  - a. ITPA understands the requirement for investment certainty when spectrum is acquired by its members;
  - b. ITPA highlighted the need for ISED to improve its proposed methodology to determine whether prospective spectrum is available;
  - c. ITPA raised the point that existing licensees should have time to meet their deployment conditions before the Department assigns the spectrum to another entity;
  - d. ITPA underlined the importance of consultation with primary licensees to ensure that they are not caught in the middle of deploying a given area when another entity asks for the spectrum.
- 10. ITPA however believes that these considerations should not be used to discredit ISED's proposed New Access Licensing regime, but rather to guide the Department into implementing it successfully. With the modifications suggested by ITPA – and to some extent by Rogers – ITPA submits that ISED's proposed Access Licensing regime could be of great benefit to Canadians living in rural and remote areas.
- 11. By pointing out that that ISED is proposing to amend conditions of licences of Cellular and PCS licensees to hasten deployment.<sup>2</sup> and simultaneously creating potential 'holes' within in the Tier 4 licences, Rogers wishes to establish an apparent contradiction between this Consultation and the Consultation on amending Cellular and PCS licences and thus, discredit the new licencing regime.

---

<sup>1</sup> Rogers' submission, Par. E2 through E5. [https://www.ic.gc.ca/eic/site/smt-gst.nsf/vwapj/SLPB-004-21-Rural-Deployment-Consultation-Stakeholder-Comments-Collection-Industry.pdf/\\$file/SLPB-004-21-Rural-Deployment-Consultation-Stakeholder-Comments-Collection-Industry.pdf](https://www.ic.gc.ca/eic/site/smt-gst.nsf/vwapj/SLPB-004-21-Rural-Deployment-Consultation-Stakeholder-Comments-Collection-Industry.pdf/$file/SLPB-004-21-Rural-Deployment-Consultation-Stakeholder-Comments-Collection-Industry.pdf)

<sup>2</sup> ISED, DGSO-003-21: Consultation on Amending Cellular and Personal Communications Services (PCS) Licence Conditions (Consultation); <https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11716.html>

12. ITPA submits that proposals made by ISED in the two Consultations are not in contradiction and the various ‘flaws’ highlighted by Rogers (and others) can be successfully addressed by establishing proper processes for implementation of the new Access Licencing regime and by ensuring that all required validations with existing spectrum holders have been made prior to the award of New Access Spectrum Licences to requesting entities.
13. ITPA notes that Rogers recommends that the Department take a more holistic approach to their wireless policy goals, as recent decisions (by both the Department and CRTC) are unintentionally – though increasingly – working against each other. ITPA reached a similar conclusion – albeit for different reasons – and has also urged ISED to coordinate its policies with the CRTC, especially in the context that the Commission is using spectrum ownership as an eligibility criterion to its new mandated Wholesale Wireless Access (MVNO) policy.
14. ITPA notes that SSi Canada in its response to the Consultation, also highlights the possibility of inconsistencies between the recent CRTC Mobile Virtual Network Operator (MVNO) policy and the new licencing regime proposed by ISED,<sup>3</sup> stating that ISED’s Access Licencing proposal appears to undermine the CRTC policy. Iristel also made a similar observation.
15. Although the cross impact that ISED’s new Access Licencing regime and the CRTC MVNO policy will have on each other will only be known once ISED publishes its decision from this Consultation, ITPA shares SSi Canada’s concern on this matter and urges the Department and the Commission to coordinate their policies, so they do not undermine each other.
16. ITPA notes that TELUS supports the implementation of ISED’s proposed Access Spectrum Licencing policy, but states that amendments are required to ensure the success of the new licencing regime.
17. Despite disagreeing with TELUS’ position that the use of set-asides in past spectrum auctions have impeded the goal of rural broadband connectivity, ITPA supports TELUS’ conclusion that the new regime would benefit Canadians if implemented with modifications achieving the right balance between protecting certainty of spectrum investments and allowing unused spectrum to be put in the hands of those who will deploy it.
18. ITPA notes TELUS’ three recommendations (paragraph 5 of its submission and in its answer to Question Q1), to the Department’s proposed policy to maximize the amount of unused spectrum that can be put to use:
  1. The policy should be applied to all bands in a renewal term (i.e., those bands where the initial licensing term has expired), not only to the PCS and Cellular Bands. For all other bands in their renewal term, a ‘use it or lose it’ licence condition should be applied following their next upcoming general deployment requirement milestone;
  2. A variation of the policy (‘use it or share it’) should apply to bands that are still in the initial licensing term but are past their initial deployment requirement milestone; and,

---

<sup>3</sup> SSi Canada submission, Par. 34

3. The policy should be applied not only to rural and remote parts of the country, but to all service areas (metropolitan, urban, rural and remote) where spectrum remains unused.
19. In Question Q21 of the Consultation, ISED sought comments on additional spectrum bands that should be considered for the new licensing regime. ITPA suggested the AWS-1 and 700 MHz bands - based on the following criteria: their propagation characteristics, the time elapsed since the auctioning process, and the alignment with other principles listed by ISED for the identification of future bands.
20. The first recommendation proposed by TELUS aligns with ITPA's proposal to prioritize the AWS-1 and 700 MHz bands for inclusion in the new Access Licensing regime based on the following considerations: availability of an equipment ecosystems, propagation characteristics suitable for deployment and time elapsed since ISED auctioned the bands. ITPA believes that spectrum bands for which the initial licensing terms have expired, as suggested by TELUS, meet the considerations expressed in ITPA's original submission.
21. TELUS also proposed that a use it or share it policy be implemented for those band still in their initial licence term but are past their initial deployment requirement milestone. In this context, TELUS proposes that ISED should allow carriers seeking to deploy unused spectrum to licence spectrum that is still within its initial licence term by using the same process as in its proposed Access Licensing framework. However, the primary licensee could reclaim this spectrum from the access licensee on short notice.
22. ITPA does not oppose TELUS' proposal and views it as reasonable from the spectrum ownership perspective. This process is similar to the existing subordination regime, but perhaps with a stronger incentive for primary spectrum holders to subordinate the spectrum if they don't plan to use it.
23. Finally, TELUS proposes that the new regime not only applies to rural and remote service areas, but also to urban and metro service areas if the spectrum has not been put to use. Although ITPA doubts that the quantities of unused spectrum in urban and metro areas will be significant, it does not oppose TELUS' proposal.
24. ITPA therefore supports TELUS' three recommendations as they address several issues raised by ITPA in its response to the Consultation.
25. ITPA notes that Xplornet generally supports ISED's proposal for a new licencing regime but expressed concerns similar to those raised by TELUS and ITPA in relation to the fairness of the process to re-allocate spectrum already allocated. Xplornet highlighted the need for ISED to ensure licensees had sufficient time to deploy the spectrum allocated - prior to consideration by ISED's of re-allocating the same spectrum to another entity. Xplornet also proposed to expand the new regime beyond the Cellular and PCS bands – subject to the implementation of appropriate measures. ITPA agrees with Xplornet on these points.

26. In line with TELUS and Xplornet, Cogeco also proposed that the new Access Licencing regime be expanded to other bands beyond Cellular and PCS. As previously stated, ITPA supports this recommendation.
27. Bell Mobility states, at paragraph ES4 of its submission, that the proposed Access Licencing Framework is inappropriate because ISED's policy objectives are already being met suggesting that there is no need for further intervention. ITPA notes this conclusion ignores the core premises contained in ISED's numerous consultations and policies implemented over the last 2 decades – all of which have recognized the need to increase competition and foster rural deployments.
28. The CRTC 2020 CMR report states that, in 2019, only 45.6 % of Canadian rural households had access to internet broadband at speeds meeting or exceeding CRTC's target of 50 Mbps download and 10 Mbps upload with unlimited monthly data transfer.<sup>4</sup> The situation in First Nation reserves is even worst with only 34.8% of households meeting the CRTC objective in 2019. These data cast doubt on Bell Mobility's conclusion that in 2021, the rural policy objectives are met.
29. Rogers has demonstrated in its submission that 5G is a game changer for FWA service, a prognostication that is echoed by Ericsson in its June 2021 mobility report.<sup>5</sup> Reading Bell Mobility's claim that '**ISED has already provided sufficient access to spectrum resources**' in bold letters in their submission leaves ITPA perplexed and wondering how the spectrum rich incumbent can be so disconnected from the reality of other stakeholders.
30. Bell Mobility further states that imposing a new Access Licencing requirement within three months is completely inappropriate. ITPA wishes to emphasise on the fact that the inauguration date of the new regime does not mean that spectrum will be taken away from Bell Mobility or other primary licence holders the next day. ITPA and other entities have provided ISED with valuable feedback on aspects that ISED needs to refine before the new regime can work, including:
  - a. the process by which unused spectrum is identified (including consideration of coverage of existing stations),
  - b. the requirement to establish whether an entity had sufficient time to meet its deployment conditions
  - c. evaluation of whether the area under consideration is currently under deployment with supporting evidence that the project is clearly beyond the site acquisition phase.

---

<sup>4</sup> <https://crtc.gc.ca/pubs/cm2020-en.pdf> p.107

<sup>5</sup> <https://www.ericsson.com/4a03c2/assets/local/reports-papers/mobility-report/documents/2021/june-2021-ericsson-mobility-report.pdf>

31. ITPA submits that while ISED's objective of establishing the operational processes of a successful Access Licencing regime within 3 months of the decision resulting from this Consultation is ambitious, it is certainly not inappropriate.
32. At paragraph ES17 of its submission, Bell Mobility argues that there is no evidence that the issue raised by the Department at paragraph 151 of the Consultation, to the effect that small Wireless Internet Service Providers (WISPs) experience difficulties in determining how to initiate discussions with primary licensees, is a widespread issue.
33. ITPA notes that Bell Mobility has subordinated spectrum only twice since 2014 if one excludes entries involving spectrum transfers with TELUS or SaskTel, spectrum swaps of similar quantities in the same areas with other stakeholders, transactions resulting from the MTS purchase or transactions where Bell Mobility is the recipient of spectrum. This conclusion is based on ITPA's review of the 29 entries where Bell Mobility appears in ISED's *Decisions on Licence Transfers of Commercial Mobile Spectrum*<sup>6</sup> since 2014. Of the two transactions noted above, one involved the transfer of 2500 MHz spectrum to Xplornet in 2014 and the other to the Iron Ore Company of Canada in 2021. Considering that neither Xplornet nor the Iron Ore Company are small service providers, none of the Bell Mobility transactions involved providing spectrum to small service providers for their deployment of services to the benefit of rural Canadians.
34. Similar to Bell Mobility, SaskTel strenuously objects to the proposed Access Licensing Framework, claiming for example that deployment conditions have always been met, that a change in obligations would be a breach of the basic contractual expectations as a licensee or that the new regime proposed by ISED did not consider deployment plans of existing licensees. Interestingly, similar concerns have also been expressed by TELUS, but TELUS supports the new regime subject to ISED's implementation of their proposed recommendations. TELUS even proposes that the new regime apply to all spectrum bands.
35. ITPA believes this clearly demonstrates that - with proper consideration from ISED's part to address concerns expressed by respondents - namely on the determination of how spectrum is deemed 'unused', on the validation processes required with the primary licensee that the spectrum requested under the new regime is actually being deployed, and on the policy coordination requirements between government agencies - that ISED's proposed Access Licencing Regime can be successfully implemented.
36. Furthermore, ITPA submits that the proposed regime will contribute significantly to finding the right balance between recognition of the protecting certainty of spectrum investments and allowing unused spectrum to be put in the hands of those who will deploy it. In the wider context, the new Access Regime will enable access to spectrum by rural-based service providers that will innovate in wireless services, generate lower prices for consumers, provide choice of services and service providers and provide rural retail store fronts.

---

<sup>6</sup> <https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf10717.html>



## 4. ITPA' comments on selected stakeholders' answers to ISED's questions

*(NB: Section numbering matches the ISED consultation document from here for convenience of reference.)*

## 5. Access Licensing framework

### 5.1 Access licensing approach

*Q2 ISED is seeking comments on its proposal to issue access spectrum licences and access radio licences on a first-come, first-served basis.*

37. ITPA mentioned in its original submission that it is not opposed to the use of first-come, first-served process (FCFS) to issue Access spectrum licences. However, ITPA highlighted that, in the early phase of the regime, demand might significantly exceed the number of licences available in certain areas.
38. ITPA noted that TELUS also refers to this possibility in its answer to question Q2 and suggests that ISED could use a sealed-bid auction or a non-monetary process for allocating licences for which there are multiple applicants.
39. ITPA submits that a non-monetary process is preferable to a sealed-bid auction and described to ISED the key features of that process in the answer to Question Q2 of its original submission.

### 5.2 Areas where access licences will be available

*Q3 ISED is seeking comments on its proposal to use the rural and remote Tier 5 service areas as the basis to determine the rural and remote areas in which it will apply access licensing.*

40. ITPA agreed with ISED's proposed use of Tier 5 service areas for the new licencing regime but noted that given the relatively small size of Tier 5 areas, it is possible that a spectrum holder providing service in a given Tier 5 area meet its deployment conditions without any towers being built within the boundaries of the Tier 5 area, especially for low band spectrum. TELUS, Bell Mobility and Rogers all echoed ITPA's position in their submission.
41. ITPA reiterates that, in the determination of whether spectrum should be made available in a given Tier 5, ISED needs to consider coverage of existing licensees at the specific frequency band of interest, rather than purely relying on site location from its Spectrum Management System database.

## 6. Process for access spectrum licences

### 6.2 Licence areas for access spectrum licences

*Q7 ISED is seeking comments on its proposal to use Tier 5 service areas for the proposed access spectrum licences and any associated potential technical challenges should this process be applied to all commercial mobile or flexible use frequency bands.*

*Q8 ISED is seeking comments on any future adjustments to the licence areas for access spectrum licences, including consideration of more localized areas (e.g. smaller than Tier 5).*

*Q9 ISED is seeking comments on its proposed process for identifying rural and remote Tier 5 service areas in which there is unused spectrum that would be made available for access spectrum licensing.*

42. ITPA notes that existing spectrum holders such as Bell Mobility, Rogers, TELUS, SaskTel and Xplornet, whether they support or oppose ISED's proposed Access Licencing regime, all highlighted similar concerns regarding potential interference to existing systems in adjacent Tier 5 areas or the possibility of generating a 'false positive' of unused spectrum using ISED's Spectrum Management System.

43. ITPA shares these concerns and urges ISED to adopt additional processes to ensure existing systems are protected from new systems resulting from new access licences, but also properly qualify whether the spectrum is used in an area before making it available to the new regime.

### 6.4 Eligibility

*Q12 ISED is seeking comments on the options considered for eligibility.*

*Option 1, in order to be eligible for an access spectrum licence, at the time of application, an applicant must not hold a spectrum licence for undeployed commercial mobile, fixed, or flexible use spectrum, in the same Tier 5 licence area as the area for which it is seeking an access spectrum licence.*

*Option 2, in order to be eligible for an access spectrum licence, at the time of application, an applicant must not hold a spectrum licence, whether deployed or undeployed, for commercial mobile, fixed, or flexible use spectrum, in the same Tier 5 licence area as the area for which it is seeking an access spectrum licence.*

*Q13 ISED is seeking comments for Option 1 and Option 2, specifically should the deployed and/or undeployed spectrum be based on any frequency band (e.g. 2500 MHz) currently held by the applicant or only the band (e.g. PCS band) for which the application is made?*

44. ITPA notes that several existing spectrum holders, whether they oppose or support ISED's proposed regime, preferred Option 1 over Option 2. This is the case of TELUS, Eastlink, Bell Mobility, Cogeco and TerreStar. CanWISP equally supported Option 1.
45. TELUS submitted that Option 2 is a nonstarter because it would foreclose the opportunity for any existing licensee to use Access Licensing to expand and improve the service they deliver. ITPA agrees with TELUS' that Option 1 is indeed preferable to Option 2. ITPA also agrees with TELUS that if Option 1 was implemented, it needs to consider only undeployed spectrum in the same band sought by the applicant.
46. However, ITPA regrets that ISED did not offer a 3<sup>rd</sup> option in the Consultation, by which an applicant's existing spectrum holding in the Tier 5 area of interest would not be considered to be a barrier for eligibility since some smaller players own spectrum but not in sufficient quantity to be commercially viable. ITPA notes that Ecotel and Iristel submitted a similar position.
47. ITPA notes that technology deployments over the last decade have clearly shown that spectrum is an asset that can be effectively aggregated. Combining existing spectrum with spectrum newly acquired through the new regime (even in the same band) might allow an entity to reach the critical amount of spectrum required for a project to be viable.
48. As stated in ITPA's original submission, should ISED agree with ITPA and adopt an eligibility criterion where existing undeployed spectrum does not preclude eligibility, it would be critical that ISED implement proper mechanisms – including strict deployment conditions – to prevent spectrum hoarding from the part of applicants.

### 6.5.2 Licence transferability, divisibility and subordinate licensing

*Q15 ISED is seeking comments on its proposal that access spectrum licences not contain transfer, subdivision or subordination privileges.*

49. In its original submission, ITPA supported ISED's proposal that access spectrum licences not contain transfer, subdivision or subordination privileges. ITPA based its support on the premise that spectrum under the new Access Licensing regime should be licenced to entities who will use it as well as the relatively short licence term proposed by ISED.
50. However, ITPA noted CanWISP's opposition to the Department's proposal of prohibiting licence transfers, based on the argument that an operator using access licences to build a network serving a rural community would be unable to change the ownership structure of its company, either through a sale of the company or of the portion of the operations that includes the network built using access licences. Therefore, ITPA agrees with CanWISP in opposition to the Department's proposal.
51. CanWISP also made a valid point with regards to subordination of the spectrum. ITPA agrees with CanWISP that a licensee should be allowed to subordinate a portion of the

spectrum licensed under the new Access regime, to a private network operator subject to the condition that the licensee has met its own deployment conditions in the licence area.

52. To minimize spectrum speculation and spectrum hoarding, the Department could include a provision in the new Access regime, which would prevent entities who have yet to put the spectrum to use, from being allowed to subordinate or transfer the said spectrum. Such a measure would likely dissuade the participation by speculative investors in the new Access Licencing regime.
53. However, ITPA agrees with CanWISP that deployed spectrum should be transferable and adds that an access licensee should be allowed to subordinate a portion of the spectrum to another entity subject to the licensee meeting its own deployment conditions in the licence area prior to any such subordination. As pointed out by CanWISP, unless licence areas are carved out to the exact needs of applicants, spectrum held by access licensees who met their deployment obligations should contain subordination privileges.
54. ITPA therefore changes its original position in answer to Question Q15 to support the position expressed by CanWISP. ITPA also notes that Cogeco, TELUS and Iristel stated that transfers should be allowed in the case of changes to corporate structure.

### 6.5.3 Deployment requirements

*Q16 ISED is seeking comments on its proposal to align the deployment conditions for access spectrum licences with the relevant conditions of licence currently applied to the licences in the specific band, taking into account any differing characteristics such as Tier sizes, and the timing as to when those deployment requirements should apply. ISED is also seeking comments on the appropriateness of existing deployment requirements for private networks.*

*ISED will consider alternative proposals for the deployment requirements for access spectrum licences. Such proposals should contain a rationale and discussion of their implications for ISED's policy objectives*

55. ITPA notes that several stakeholders - including Cogeco, Rogers, SaskTel, Xplornet and TELUS - support ISED's proposal to impose deployment requirements, whether they support or oppose ISED's proposed Access Licencing regime. Although they expressed the need for ISED to impose 'realistic deployment requirements', stakeholders are not fully in agreement on the composition of such a requirement.
56. ITPA submits that Cogeco's proposal for deployment requirements is well substantiated and closely aligns with what ITPA submitted.
57. ITPA submits that Rogers's requirement for an attestation that deployment has begun within six months of the access licence being granted is unrealistic given that Rogers own response time to colocation requests from third parties for space on Rogers towers - from initial request for information to final approval to proceed - can take up to 12 months.

58. ITPA supports the imposition of deployment requirements by ISED and believes that, given the relatively short licence term of access spectrum licences, the Department could opt to require that conditions be fulfilled prior to renewal in order to minimize the administrative burden.
59. ITPA reiterates that ISED should give particular consideration to licence holders which do not own spectrum in sufficient quantity for a viable network deployment. This impacts stakeholders' ability to meet their deployment requirements in a commercially viable manner and would justify the proposed 3<sup>rd</sup> option for eligibility under ISED's new Access Licencing regime – as described by ITPA in paragraph 46 above.

### 6.6.7 Process for making access spectrum licences available

*Q27 ISED is seeking comments on the process for making access spectrum licences available and the options described in section 6.6.7 of the Consultation document.*

60. ITPA notes that, like ITPA, TELUS, Cogeco, Iristel and CanWISP, all supported Option 1. Option 1, which consist of releasing the spectrum simultaneously everywhere, is the cleanest option as it prevents the Department from having to make the arbitrary decision of which spectrum is released when and where.
61. ITPA agrees with TELUS' position that Option 2 has the highest risk of disappointing access licence applicants.
62. ITPA also notes that most of the entities who oppose the new regime and have little interest in seeing it successful have elected Option 2.

## 8. Subordinate licensing

### 8.2.2 Simplifying information requirements to facilitate a timely review process

*Q44 ISED is seeking comments on ways in which to streamline the general application requirements for subordinate licences as set out in sections 5.6.3 and annex D of CPC-2-1-23. ISED also seeks proposals to streamline the application process for all subordinate licence applicants, including those in commercial mobile bands who must also provide material addressing the criteria and considerations in section 5.6.4 of CPC-2-1-23. In these proposals, ISED also seeks comments as to how parties can demonstrate (e.g., an attestation, or other commitment) that their request for a subordinate licence does not constitute a transfer, deemed transfer, or prospective transfer as discussed in section 8.2.1 of the Consultation document.*

### 8.3 ISED's role in encouraging subordinate licensing

*Q45 ISED is seeking comments on facilitating subordinate licensing and encouraging secondary market transactions including:*

- *Should additional changes be made to existing licences that will encourage the use of subordinate licences as a means to help deploy more services?*
- *Given ISED's regulatory role, are there any issues or actions ISED should consider?*

63. ITPA notes that the industry is generally aligned on the desire to facilitate the spectrum subordination process established by the Department and appreciate various suggestions from stakeholders to simplify or streamline the spectrum subordination process.
64. Of the various suggestions for improvement received by ISED, ITPA noted that TELUS and Iristel also view that ISED should provide a geographical representation of spectrum availability in Canada which would facilitate the subordination process.
65. As pointed out by TELUS, linking spectrum availability to a mapping interface such as the existing tier area map and improving the data quality prior to the initiation of the application process under the new Access Licensing regime, would allow for higher quality information and reduce the administrative burden, not only for applicants but also for ISED staff.
66. ITPA believes the development of an on-line, searchable mapping database would be in keeping with the principle of providing stakeholders – especially the smaller, spectrum poor service providers – with ease of access to information which is essential to their business plans.

-END OF DOCUMENT-