TELUS COMMUNICATIONS INC.

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
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Spectrum Management and Telecommunications

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Overview

1. In this abbreviated reply, TELUS will address only a small number of specific issues raised by other parties in their response to the Consultation.

2. **TELUS' position on this consultation remains unchanged from its initial comments.** TELUS is supportive of the motivation behind ISED's proposed access licensing framework – seeing otherwise undeployed spectrum put to meaningful use, connecting all Canadians. However, TELUS maintains that its three recommendations to enhance the framework would maximise the amount of unused spectrum that can be put to use:

   A. 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, the "use it or lose it" framework should be applied following their next upcoming general deployment requirement milestone;

   B. 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

   C. The policy should not be applied only to rural and remote parts of the country, but to all service areas (metropolitan, urban, rural and remote) where spectrum remains unused.

TELUS' Reply to Specific Comments

3. TELUS appreciates the opportunity to reply to other parties' comments on the *Consultation on New Access Licensing Framework, Changes to Subordinate Licensing and White Space to Support Rural and Remote Deployment* ("the Consultation")[1].

4. In the remainder of this reply, TELUS addresses topics raised by other respondents, noting how they fit within the context of TELUS' views on access licensing or otherwise.

Concerns regarding the proposed methodology for identifying available spectrum (Tier 5 service area / frequency block combinations)

5. In its response, TELUS notes several concerns regarding ISED's proposed implementation of the access licensing framework. One specific issue that TELUS addresses is that the absence of a physical site operating in a given band or frequency block within a Tier 5 service area is insufficient to ensure that the service area / frequency block pairing is available for access licensing.

6. Unsurprisingly, Bell and Rogers as the two other licensees holding the majority of PCS and Cellular band licences express similar concerns. Bell[2] states that "[g]iven the smaller geographic size of Tier 5 service areas and the broader propagation characteristics of lower frequency spectrum, service can be provided into a Tier 5 service area from a site located outside of that area. Therefore, after ISED's initial site-based analysis, existing licensees must be given the opportunity to review the licence block and Tier 5 service area pairs and verify that service is not being provided by a site located outside of the Tier 5

[1] *Consultation on New Access Licensing Framework, Changes to Subordinate Licensing and White Space to Support Rural and Remote Deployment*, Canada Gazette SLPB-004-21, published August 2021.
Link: https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11717.html
[2] Bell's comments, Paragraphs 31-32.

service area." Rogers[3] makes a similar claim: "Any Tier 5 that has any level of wireless coverage from the primary licensee or commercial subordinate, whether from a site within the Tier 5 or adjacent, should automatically not be made available." It is essential that ISED consider this guidance seriously when contemplating the introduction of an access licensing framework, as the fundamental premise of any such model should only serve to facilitate the deployment of unutilised spectrum, not supplant or diminish existing network coverage.

Rationalisation of PCS spectrum

7. In its response to the Consultation, Rogers[4] reiterates the call it made in its response to the *Consultation on Amending Cellular and PCS Licence Conditions* for ISED to play an active role in supporting the rationalisation of the PCS band (i.e., transforming the band by remapping block allocations to all operators, thereby creating large, contiguous channels for all licensees).

8. TELUS continues to support Rogers' proposal to rationalise the PCS band. TELUS notes, as does Rogers, that rationalisation of the PCS band would help promote the efficient use of spectrum and support improved broadband delivery to Canadians, particularly in rural and remote regions (including those regions served by small rural providers, such as TbayTel and SSI Micro as noted by Rogers).

9. TELUS further suggests that if ISED is going to contemplate introducing access licensing to the PCS band, it would be best to execute on the rationalisation of the PCS band prior to the issuance of any access licences. Only once the PCS band has been "cleaned up" in

[3] Rogers' comments, Paragraph 72.
[4] Rogers' comments, Paragraphs 29-32.

this manner and licensees have had the opportunity to retune their existing radios will the SMS database accurately reflect the use of all blocks in existing licensees' networks.

Needs from Agriculture Sector

10. Connectivity is crucial for all industries to remain competitive globally. It comes as little surprise that the numerous comments received from agricultural groups expressed a common purpose to get rural communities connected as fast as possible.

11. The Western Canadian Wheat Growers Association summarized it succinctly, stating that "Canadian farmers need wireless internet access, and we need it now." They further recommend "spectrum licenses should be available to anyone who is willing, able, and committed to build the infrastructure and deploy the spectrum", and suggest implementing "use-it-or-lose it policies for every telecom operator who holds any spectrum band licensed for a renewed term, to ensure rural communities get connected now rather than 5 years from now."

12. Ultimately, TELUS' goal is closely aligned: We seek to provide the same world-class connectivity options to rural Canada as we do to our urban customers, enabling the same safety, education, lifestyle, and economic opportunities for everyone.

The 800 MHz [E]SMR Band

13. In its comments, Rogers[5] proposes to "explore updating the Canadian Specialized Mobile Radio (SMR) / Enhanced Specialized Mobile Radio (ESMR) spectrum to allow for broadband uses while also relocating public safety users away from the Cellular 850 MHz band." TELUS supports Rogers' position on this matter.

[5] Rogers' comments, Paragraphs 60 & 153.

14. TELUS notes that ISED identified the 800 MHz band as "Priority 2" in its *Spectrum Outlook 2018 to 2022*[6], which means that the band was identified for potential release in the 2018-2022 timeframe. Despite this identification, and broad industry support[7] to update the band "to be made available for commercial mobile", ISED has not taken any further steps to begin addressing the modernisation of this band.

15. Perhaps now is the right time to begin this work. As Rogers notes, updating the band to support the 3GPP Band 26 broadband ecosystem would improve coexistence at the U.S. border while also introducing ancillary benefits to the 850 MHz band. Such changes would be particularly timely, as ISED has currently opened the SRSP-503 standard (for the 850 MHz Cellular band) for modernisation, but has expressed concerns regarding perceived adverse impacts to public safety users. By aligning the 800 MHz [E]SMR rules with the U.S., ISED would eliminate any such concerns regarding updates to the SRSP-503 standard, allowing Canada to take advantage of the FCC's power rules (supporting better coverage through increased power) while also adding capacity (through increased spectrum quantities), both of which would stand to benefit connectivity in rural and remote communities.

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[6] *Spectrum Outlook 2018 to 2022,* Canada Gazette SLPB-003-18, published June 2018.
Link: https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11403.html

[7] In Paragraph 123 of the Spectrum Outlook 2018 to 2022, ISED indicated that "Bell, Cogeco, Motorola, Nokia, RABC, Rogers, SaskTel, Sprint and TELUS agreed with ISED that the band should be reviewed to be made available for commercial mobile."