

**Reply Comments Submitted for the *Consultation on a
Policy and Licensing Framework for Spectrum in the
3800 MHz Band (SLPB-006-21)***

Canada Gazette, Part I, Volume 155, Number 52

March 21, 2022

Submission of Kris Joseph and Michael B. McNally



Reply Comments

1. We wish to support the arguments of the Agricultural Producers Association of Saskatchewan (APAS), the BC Lions Football Club, British Columbia Hotel Association, Canadian Federation of Agriculture, Cariboo Chilcotin Coast, Government of the Northwest Territories, Kootenay Rockies Tourism, National Coalition of Chiefs, Nisga'a Lisims Government, Rural Municipalities of Alberta, the Tourism Industry Association of British Columbia, Tourism Jasper, and the Western Canadian Wheat Growers - all of whom underscore the importance of substantive and aggressive measures to enhance rural connectivity. There are very few issues that engage such a broad and diverse group of stakeholders - from Indigenous governments and tourism groups to agricultural producers and even a professional sports team - but it is clear that such engagement underscores the importance to Canadians of having access to high quality, affordable and reliable telecommunications services.¹
2. We specifically note that the APAS submission (page 2) highlights the 'path of least resistance' approach, which we have previously advocated for.² This approach is useful for demonstrating the likely potential impact of deployment requirements and we wish to reiterate our recommendation for further study of this approach and the provision of the analysis to enhance understanding of deployment requirements. Specifically, we recommend:
 - **the Department should undertake or have a third party undertake an analysis of deployment requirements. This study should involve examining several benchmark deployment levels (e.g.: 10, 25, 33, 50, 67, 75, and 90%) in each Competitive Service Area from Tier 1 all the way to Tier 5 and identify how many population centres would be served/unserved based on the 2021 census results.**³
3. Finally, we implore ISED to continue to develop capacity, both within the department and outside of the department, and specifically with non-service providing companies/associations, lower-level governments, organisations, associations, and individuals. As indicated in para. 1, a broad range of non-service providing entities are interested in improved connectivity. One way of encouraging this discussion would be for ISED to undertake a full, public review of the *Spectrum Policy Framework for Canada* (SPFC). We would like to conclude our comments by reiterating

¹ See "Canadian Telecommunications Policy" in *Telecommunications Act*, S.C. 1993, c. 39, s. 7(b).

² Joseph, Kris, and Michael B. McNally, 2021. "Comments Submitted for *Consultation on a New Access Licensing Framework, Changes to Subordinate Licensing and White Space to Support Rural and Remote Deployment* (SLPB-004-21)."

[https://www.ic.gc.ca/eic/site/smt-gst.nsf/vwapi/SLPB-004-21-Rural-Deployment-Consultation-Stakeholder-Comments-Collection-Individuals.pdf/\\$file/SLPB-004-21-Rural-Deployment-Consultation-Stakeholder-Comments-Collection-Individuals.pdf](https://www.ic.gc.ca/eic/site/smt-gst.nsf/vwapi/SLPB-004-21-Rural-Deployment-Consultation-Stakeholder-Comments-Collection-Individuals.pdf/$file/SLPB-004-21-Rural-Deployment-Consultation-Stakeholder-Comments-Collection-Individuals.pdf) para. ES3. (Herein, Joseph and McNally "Access Licensing."); and, Joseph, Kris and Michael B. McNally. 2019. "Innovation, Science and Economic Development Canada Consultation on a Policy and Licensing Framework for Spectrum in the 3500 MHz Band," paras. 16-39. [https://www.ic.gc.ca/eic/site/smt-gst.nsf/vwapi/SLPB-002-19-Joseph-McNally.pdf/\\$FILE/SLPB-002-19-Joseph-McNally.pdf](https://www.ic.gc.ca/eic/site/smt-gst.nsf/vwapi/SLPB-002-19-Joseph-McNally.pdf/$FILE/SLPB-002-19-Joseph-McNally.pdf)

³ Joseph and McNally, "Access Licensing." para. 56

the need for this review, since the SPFC has not been updated in 15 years. As such we reiterate our recommendation:

- **ISED should undertake a separate consultation on the *Spectrum Policy Framework for Canada (SPFC)* in 2022**