

GCRA Consultation: Satellite Licensing Framework: Satellite User Terminals and Earth Station Gateways

Response from: Mangata Networks Ltd

Date: 10 February 2022

**Question 1:** Do you have any general comments on our proposed changes to GCRA telecommunications licences to authorise the provision of satellite services?

Answer: Yes, we agree that such an amendment to the existing licence offers the simplest and efficient way of authorising satellite services. We understand from this document that the licensing framework proposed by the GCRA applies only to NGSO satellite systems. This understanding forms the basis of our responses to this consultation.

**Question 2:** Do you have any specific comments on the draft text of the proposed new licence Part set out in Annex 4.

Answer: The new Part (clause 1.1) authorises the Licensee to establish, operate and maintain the Licensed Satellite Telecommunications Network and provide the Licensed Satellite Telecommunications Services, and we expect that to be references to the gateway and service provision, respectively. We also note that GCRA expects to link the licence Part with Ofcom's WTA licences issues for such applications.

**Question 3:** Do you have any comments on our proposed two-stage award process for a satellite telecommunications licence and access to spectrum?

It is not clear to us whether this two stage process applies to both service provision and/or gateway stations.

Service provision: We believe this two stage process that leads to a competitive process for accessing the spectrum is irreverent to the case of service provision since several NGSO systems will be able to share the available spectrum, and where necessary apply mitigation techniques to avoid interference between systems. Licences should be available to those operators who wish to provide services in Guernsey without being subjected to such competitive process. Also, the "18 month" condition brought in with the definition of "Latest Service Launch Date" should be excluded from the service provision element of the licence (the consultation document recognises that Ofcom's 12 month condition applies to gateways only). We note that Ofcom licensing of NGSO service provision (reference to Ofcom's Satellite (Earth Station Network) Licence) is available to satellite operators without any consideration being given to a competitive process for accessing spectrum or the "12 month" service launch date consideration.

Gateway: We believe that applying this two stage process to gateway licensing distorts the market entry. We find that a satellite company such as Mangata, with plans to deploy its satellite services in about 2 – 3 years' time, is automatically excluded from expressing an interest because of the 18 month condition. We suggest that GCRA, recognising that the issue of Ofcom's Satellite (Non-Geostationary Earth Station) Licence is subjected to the 12 month service launch date consideration, invite parties to express an interest without subjecting them to the 18 month rule. This will allow GCRA to select the gateway operator on the basis of any competitive process. The party selected from such a process should be allowed to apply for Ofcom's Non-Geostationary Earth Station at the appropriate time.

**Question 4:** Do you have any views on the optimal competitive method for awarding a satellite telecommunications licence and access to spectrum, should there be excess demand – an auction, a comparative selection process ('beauty contest') or alternative method.

We request GCRA to consider our answer (relating to gateways) to the Question 3 prior to reaching any decision on a competitive method for spectrum access for gateways.

A prerequisite to any competitive method should be the consideration given to the possible distortion of competition. Such issues are outlined in Section 5.3 and 5.4 of the consultation document. When considering any application for a gateway, GCRA should take into account such applicant's deployment, or planned deployment, of gateways in the UK, other crown dependencies, and elsewhere in Europe.

At this stage we have no specific view on the competitive method.