



2015 03 16

To: Senior Director,
Spectrum Development and Operations,
Industry Canada,
235 Queen Street,
Ottawa, Ontario K1A 0H5
Email: spectrum.operations@ic.gc.ca

Subject: **Canada Gazette, Notice No. DGSO-001-15 - Consultation on Changes to the Definition of Competitive and User-Defined Service Areas for Spectrum Licences - Comments**

1. In accordance with the procedure set out in Industry Canada Notice No. DGSO-001-15, *Consultation on Changes to the Definition of Competitive and User-Defined Service Areas for Spectrum Licences* (the Notice) as published in the Canada Gazette on 7 March 2015, Bell Canada and Bell Mobility are pleased to present its views on the Department's proposed changes to the way in which service areas for competitive and user-defined licensing are constructed.

2. Before responding to the specific questions set out in the Notice, we wish to make some general comments.

- We are generally supportive of the recommendations for transition to square grid cell service defined areas, however we note that 'per grid cell' licenses are not mentioned and recommend that these are explicitly grandfathered.
- We support the Department's initiative known as the Spectrum Application Modernization Project to modernize the present spectrum management system.
- We appreciate the opportunity to comment on impending changes envisaged by Industry Canada for transitioning from a hexagonal to a square grid cell service defined areas.
- Further, we will provide comments on the proposed changes as well as the possible impacts and planned mitigation strategies outlined in the consultation in order to facilitate a smooth transition.
- We agree to the concept of grandfathering all existing systems that are contained in the Department's site information database as of 31 March 2015.

Bell Canada
Barry Chapman
Floor 19
160 Elgin Street
Ottawa, Ontario K2P 2C4

Telephone: (613) 785-6341
Facsimile: (613) 560-0472
bell.regulatory@bell.ca

3. We will respond to Industry Canada's questions and proposals in the order that they appear in the consultation document.

SPECIFIC COMMENTS

Section 5.0: Affected Elements and Proposed Mitigation

Section 5.1: Population – Coverage and Associated Fees

4. Industry Canada is seeking comments on its proposals:

1. **Freeze the existing population values for all existing spectrum licences for the remainder of the licence term.**
2. **Apply new population values based on square grid cells when calculating fees for a new spectrum licence, when changes are made to modify the service area of an existing spectrum licence (e.g. subdivision) or when a new fee order is established.**

5. We generally agree with the Department's proposal to freeze the existing population values for all existing spectrum licences for the remainder of the licence term.

6. We also agree and support the Department's proposal, as contained in the consultation, to apply any new population values based on the new square grid cell when calculating fees for a new spectrum licence, when changes are made to modify the service areas of an existing spectrum licence or when a new fee order is established.

Section 5.2: Location of Deployed Sites

7. Industry Canada is seeking comments on its proposal:

3. **Sites that fall outside of the new service area but that are within the original licence area will be grandfathered. Licensees can continue to offer services to customers that are within the original licence area, but outside of the new area defined by square grid cells.**

Licensees are reminded that it is a condition of licence to update site information and that it must be updated prior to March 31, 2015, if their applicable sites are to be considered under this grandfathering provision. A revised list of grandfathered sites will be published prior to implementation of the grid cell changes. Sites not included on the list are not subject to the grandfathering provision and would be considered non-compliant if they are located outside their existing or new service area.

8. We support the Department's proposal to grandfather sites that fall outside of the new service areas but that are within the original licence area.

9. While we also support the grandfathering provision for FCFS systems licensed on per grid cell basis, we have not provided or updated site information for Fixed Wireless Access (FWA) systems at 3.4 GHz licenced on a FCFS basis. We respectfully request an extension to 31 May 2015 in order to update the site information database for the above noted category of licenses.

10. Further, although we believe that additional time should have been provided to allow licensees to carry out a more thorough review and update (if required) of site information, we agree that those sites that are contained in the site information database prior to 31 March 2015 should be grandfathered. We also support the Department's proposal to publish a revised list of all grandfathered sites prior to the actual implementation of the grid cell changes.

Section 5.3: Technical Considerations

11. Industry Canada is seeking comments on its proposal to:

- 4. Require licensees to meet the specified PFD at the new service area boundary or coordinate with the adjacent licensee if a licensee makes changes to an existing station.**

12. We generally agree with the Department's notion that given that the square grid cell will be very similar to existing boundaries and that the PFD levels expected at the new boundary will not be significantly different from that of today's existing boundary.

13. We agree with the Department's proposal that now changes should be required to any existing systems unless of course the licensee modifies a station that exceeds the PFD limit or is not coordinated with an adjacent licensee.

Section 6: Other Consequential Change – Applications for New User-Defined Areas

14. We do not have any difficulties with the Department's proposal to no longer accept applications with free-form user-defined areas and to have all future requests conform to the proposed new square grid cell boundaries.

CONCLUSION

15. We generally have no serious issues or concerns related to the changes being proposed by Industry Canada in moving from a hexagonal grid cell to square grid cell concept to define service areas provided that:

- the concept will apply to all frequency bands and licensees,
- there is no impact to licence fees,
- existing sites included in the Department's site information data base would be grandfathered; and
- per cell grid licenses are grandfathered.

16. We appreciate the opportunity to provide comments on this consultation.

Yours truly,

[Original signed by B. Chapman]

Barry Chapman
Vice President - Regulatory Affairs

*** End of Document ***