



**RMA Submission to Innovation, Science and Economic Development Canada (ISED) re
“Consultation on Revisions to the 3500 MHz Band to Accommodate Flexible Use and
Preliminary Consultation on Changes to the 3800 MHz Band” (SLPB-004-18)**

The Rural Municipalities of Alberta (RMA) represents Alberta’s sixty-nine rural municipalities. RMA is concerned with several aspects of ISED’s proposed plan for changes to allow flexible use of spectrum on the 3500 MHz band (as published in *Canada Gazette*, Part 1, June 30, 2018, “Consultation on Revisions to the 3500 MHz Band to Accommodate Flexible Use and Preliminary Consultation on Changes to the 3800 MHz Band,” SLPB-004-18).

Currently, 3500 MHz spectrum is licensed for Fixed Wireless Access (FWA) use, which provides many Canadians living in rural areas with high speed internet access. While leveraging spectrum for potential 5G use to enhance mobile wireless service is critical to keeping Canada on the leading edge of telecommunications technology, such developments should not jeopardize existing rural broadband access, or place unrealistic expectations on incumbent 3500 MHz spectrum license holders to adapt their infrastructure to deliver 5G mobile services, which is what the proposed revisions appear to require.

While RMA appreciates the comment that “ISED continues to consider options for promoting access in rural areas within the context of managing this spectrum resource” (paragraph 8), the proposed changes to allow flexible use of the 3500 MHz spectrum appear to have the potential to significantly reduce the spectrum licensed for rural FWA service, with no apparent plan to mitigate the impacts that this may have on rural broadband accessibility. As many rural Albertans currently relying on FWA for broadband access have reported challenges with capacity during peak usage periods, RMA is concerned that the proposed changes to the 3500MHz band could result in the unintended consequences of even greater capacity challenges for rural broadband users.

RMA is also concerned with how the proposed shift to flexible use may impact incumbent internet service providers (ISPs) that have prioritized the provision of rural broadband access through their investment in FWA. Historically, large telecommunications providers have ignored rural areas due to higher infrastructure costs and smaller customer bases, leaving smaller ISPs to fill the market void. As such, some incumbent ISPs may be unable or uninterested in transitioning to offering flexible use services on 3500 MHz spectrum. Both options 1 and 2 (paragraph 47 and 48) appear to offer significant risks for some or all incumbent FWA providers, including a requirement for small ISPs to invest in “equipment upgrades” in order to maintain current service levels (option 1), and a potentially significant loss of spectrum for large FWA providers (option 2).

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2510 Sparrow Drive
Nisku, Alberta T9E 8N5

OFFICE: 780.955.3639
FAX: 780.955.3615
RMAAlberta.com



This preliminary submission is intended to inform ISED of RMA's concern with some aspects of the revision plan, and will be followed up by additional analysis in the coming weeks, based in part on reviewing the initial submissions received by ISED from other organizations. That proposal will meet the August 10, 2018 deadline for reply comments.

RMA's submission will likely include comments related to the following questions posed in the consultation document:

3. ISED is seeking comments on the proposal to allow flexible use in the 3450–3475 MHz band.
5. ISED is seeking comments on the expected impacts of the following options with regards to the continuation of existing services, competition in the Canadian marketplace and availability of new 5G services for Canadians.
9. ISED is seeking comments on the proposal to align the timing of the issuance of flexible use licences to incumbents with the issuance of licences to those who acquire 3500 MHz flexible use licences in a future licensing process.
11. Q11 — ISED is seeking comments on the proposed protection and notification provisions for incumbent licensees as outlined below.

Protection period:

For Tier 4 service areas that include a population centre of 30,000 people or more:

- a minimum protection period of 6 months for sites within large urban population centres and the 10 km buffer zone surrounding those centres
- a minimum protection period of 2 years for all other sites

For all Tier 4 service areas that include a population centre of less than 30,000 people, a minimum protection period of 3 years

Notification period:

- a minimum notification period of 6 months in large urban population centres and in the 10 km buffer zone surrounding those centres
- a minimum notification period of 1 year in all other areas

RMA may respond to additional questions after further analysis.

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