



Canadian Electricity Association
Association canadienne de l'électricité

March 1, 2004

Ms. Suzanne Lambert
Manager, Mobile Services
Industry Canada
Spectrum and Radio Policy
300 Slater Street
Ottawa, Ontario
K1A 0C8

Re: Consultation on Spectrum for Advance Wireless Services and Review of the Mobile Spectrum Cap Policy (DGTP-007-03)

Dear Ms. Lambert:

The Canadian Electricity Association welcomes the opportunity to comment on the consultation on Spectrum for Advance Wireless Services and Review of the Mobile Spectrum cap Policy (DGTP-007-03). CEA supports the submission by the Radio Advisory Board of Canada (RABC) on this document but wishes to provide additional comments on the proposed transition policy.

CEA recognizes that rapid evolution of technologies and the convergence of services impose significant pressure on the use of the radio spectrum. However, any changes to the frequency allocation to accommodate this evolution should be considered carefully and an appropriate schedule should be implemented. As users of the radio spectrum, power utilities will be negatively affected by the proposed changes to the Canadian table of frequency allocations.

We hope that the new allocation will be implemented in a way that would allow for orderly transition of our services to new channels. This is particularly important in the present context considering the critical nature of the electrical network.

Moreover, the development of the schedule should take into account the fact that power utilities have fixed rules around budget cycles and provincial utility board decisions. The displacement process will, in some circumstances, have a significant financial impact on utilities forced to retire existing equipment prior to the end of its useful life. Perhaps, if a new entrant wishes to advance the dates proposed in the IC document, and if the utility can accommodate it via its processes then the new entrant should negotiate with the utilities for such advancement as earlier occurred in the previous 2 GHz displacement.

To that end, we request that Industry Canada not adopt a transition policy that would impose more constraints on the power utility sector than the one outlined in DGTP-007-03. In particular, the earliest mandatory date for fixed service frequency assignment that may be subject to displacement should not be prior April 1, 2007.

In addition, the notification period should not be any shorter than those proposed by the Department in section 6.5 of DGTP-007-03, that is:

- Releasing of spectrum on a "where necessary" basis.
- Notification may be served once the PCS licenses have been awarded.
- A minimum one-year notification period in urban areas or in specific geographic areas such as along major highway corridor.
- Two-year minimum notification period in other areas.

Thank you for the opportunity to comment and we hope that this will inform the final transition policy. It is vital that more constraints are not imposed on utilities than outlined in DGTP-007-03 and that we implement a realistic schedule for frequency allocations.

Yours truly,
CANADIAN ELECTRICITY ASSOCIATION

Eli Turk

Vice-President, Government Relations