

Comment Submission

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Statements:

PART 1 - RETAINING A PORTION OF THE CHANNEL

1a) Do not sell ALL of the spectrum. Part of the spectrum/band should not be sold, even if it's just 1 channel. It should be kept for potential public use in the future. As technology moves forward, there is always the potential that a Crown Corporation may need it later. If decades pass and we do not use it, we can always sell that channel later. There's no rush to sell it all now.

1b) I have no specific preference as to how much of the band is "kept". Only that at least 1 channel is, to provide the public with an option if a need is presented that requires a channel. It is more cost effective to "play it safe" now, than it would be to try and buy back a channel from the private sector later.

PART 2 - A "USE IT OR LOSE IT" PROVISION

2a) In the rules surrounding the auction, a "use it or lose it" provision should apply. That is to say, a company should not be able to buy it and then simply sit on it for decades, only to resell it later at a profit, or to keep it from other possible competition who may actually have an innovative use for it.

2b) The "use it or lose it" term should be long enough to allow a company time to develop technology required to utilize it (at least a few years), but not so long that they're able to simply sit on it with no plans for use (less than a decade).

2c) In the event a company does not use it during the allotted time period, it should go back to a public trust, where a decision on what to do with it (sell it again, or use it) can take place at that time.

2d) To prevent abuse, what classifies as "using it" should be subject to oversight/judgement. Otherwise, somebody could set up a simple transmitter and a receiver simple transmitting "junk" over the frequency/channel and claim to be "using" it.

PART 3 - PRIVATE RESALE OF SPECTRUM REQUIRES APPROVAL

3a) Resale of spectrum space must not act in opposition to the public interest. That

is to say that in a climate that can not be PROVEN as competitive, resale will likely be prohibited.

As an example, if COMPANY A and COMPANY B combined control 90% of the spectrum space, neither of them may buy spectrum space from the smaller companies owning the remaining 10%.

The reason for this provision is that this buy-out tactic can be used to maintain duopolies, or to keep new technologies/innovation from entering the market.

3b) In a case where it can be shown that a resale of spectrum space between private entities will clearly benefit or will clearly have no negative impact on the public interest, a sale of spectrum between private entities may be approved.

3c) Before a sale takes place, a separate, unbiased entity must make an approval (judgement) based on the above stipulations. The public must then be given the opportunity to comment in opposition or support of this judgement, before a decision is made.

PART 4 - PROVISION FOR BANKRUPTCY

4a) In the event that an entity who purchases spectrum space goes bankrupt, the spectrum space should be given back to the public. It may not be sold off at a bankruptcy auction or otherwise included in the assets which are sold.

4b) This may require changes to the bankruptcy act. There are already exceptions stated under the bankruptcy act (such as student loans), so a change of this nature has precedent.

4c) The primary reason for this bankruptcy provision is to keep the intentions of Part 3 from being circumvented by a bankruptcy.

PART 5 - CONSIDERATION FOR UNLICENSED SPACE IN THE PUBLIC DOMAIN

5a) Consideration should be made to release a small portion of the spectrum into the public domain for unlicensed use.

5b) This would allow innovation in the public space. Portable phones, wireless connectivity, personal communication devices, etc over the specified channels.

5c) Consideration would have to be made as to the restrictions for use, and usage would have to fall under regulated guidelines for interference, power output limitations, and other typical restrictions placed upon devices operating over standard frequencies.

5d) A procedure would need to exist for requesting changes/exceptions to the guidelines/restrictions, in the event that a need can be presented which requires changes to the guidelines. Requests should be given careful consideration, however, it must be demonstrated that the requested changes will not have any adverse effects on health, and will not cause undue interference on electronic devices or have a negative impact on other devices or equipment operating on other spectrums.

These are fairly general guidelines, but hopefully they serve to show my interests as a Canadian citizen and resident.

Essentially, I don't want to sell off absolutely everything, because somebody (government, or small innovator) may want to use some spectrum space some day, and trying to buy it from a large corporation may not be feasible. That situation could hinder the country, and/or curb innovation.

I also have concerns about corporations buying up spectrum space, simply to keep innovation from occurring by smaller competitors. This recently happened with Craig Wireless (who had their spectrum space bought out by a joint Rogers/Bell venture known as Inukshuk) to keep Craig Wireless's "WiMax" from taking off. It was certainly not in the best interests of Canadians and I'm appalled that it was allowed to take place. There were other consequences as well (many rural Manitobans lost their internet provider that day).

Holding on to spectrum space without using it (simply to keep it from others) is another huge concern. The spectrum space essentially becomes wasted rather than being put to good use. Rather than being innovated on, it sits.

I hope you will take what I have said under consideration.

Thanks.

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