

ABA PROPOSAL FOR SELF REGULATION OF LOW POWER INFORMATION SERVICES

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The ABA released a discussion paper on self regulation of low power open narrowcasting information services on 21 December 1993. Responses were received from the narrowcasting industry, broadcasters, the Spectrum Management Agency (SMA) and individuals. Under the proposal applicants would make application to the ABA or to the SMA and pay the appropriate apparatus licence fee for their proposed service but would determine their own frequencies and sites for the proposed services, using guidelines provided by the ABA. Responses varied from strong support, to no support for the proposals.

A BRIEF SUMMARY OF COMMENTS RECEIVED

Virtually all respondents consider low power open narrowcasting services as supplementing broadcasting services. Tourist information service operators indicate their services are strongly supported by state and local tourist associations and by the road safety organisations they serve. All seek better coverage of their target audiences, varying from whole towns to whole suburbs within larger cities.

Generally, these operations might be better served using higher power channels to get the wider coverage to which they aspire. It is fair comment to suggest that in many cases low power open narrowcasting information services are being used as an interim means of providing a service pending the availability of higher power open narrowcasting channels. These will not become available until the planning and allocation process is completed in each area. Some tourist information service operators want the same channel assigned to them in a number of areas so they have a single on-air identity everywhere they operate; this also helps with their road-side signs.

Suggestions were received that the

proposal could include 10 watt information services in rural areas because there is little likelihood of ten watt services causing interference to radio-communications and broadcasting services in the area. Questions were raised by a number of respondents about who would solve interference disputes between licensees. Another proposal suggested that consideration be given to requiring transmitters used for low power open narrowcasting information services to be 'type approved', thus ensuring that transmitters could not exceed approved transmitted power levels. Under type approval, only transmitters which meet Ministerial Standards produced by the SMA would be able to be used.

Another view was expressed that narrowcasting is a secondary service operating in the broadcasting services bands, and that low power narrowcast information services should be subject to the same planning procedures as mainstream broadcasters and narrowcasters. Questions were raised about potential infringements of licence conditions and interference to radio-communications and broadcasting services; and whether there are adequate safeguards in place to ensure compliance with licence conditions. Related comments suggest that the ABA or the SMA should retain some form of management of low power open narrowcasting information services. One response expressed concern about copyright infringement for material broadcast by narrowcasters.

A useful suggestion is for an improvement to the applicable technical guidelines, to allow the use of directional antennas to improve spectrum utilisation in suitable areas.

Many low power narrowcasters would like to see self regulation, but only after certain conditions are imposed by the ABA. Among these conditions are that only two operators be permitted in each area, that frequencies

be assigned to certain organisations, that a power increase from 1 watt to 5 watts is granted, that no antenna height site restriction is imposed, and that the protection distance be increased from 10 kilometres to 15 or 20 kilometres. Generally, these measures would improve wide area coverage. An alternative view is that industry is responsible and can regulate itself within existing guidelines and self-regulation should be implemented as proposed.

Another view is that self-regulation should be introduced gradually to allow existing services a chance to stabilise their operations without interference caused by a sudden influx of newer inexperienced operators. One operator's response supports self-regulation, but only after a relatively high application fee is introduced and annual transmitter licence fees are significantly increased. Yet another view favours gradual deregulation but with conditions such as two licences per area, more power, etc.

There is some support for the inclusion of 10 watt services in rural areas, under the proposed self-regulation arrangements. Many respondents want the SMA or the ABA to retain responsibility for resolving mutual interference conflicts between low power narrowcasters in the sub-band 87.6 - 88.0 MHz.

WHAT TO DO ABOUT THE BACKLOG?

Suggestions are that the ABA handle all applications received before a nominated date, and that any newer applications be returned to the applicants. Under these proposals, a freeze on any new applications for a period, from four months to three years is suggested, would apply before re-submission of applications would be called and new applications accepted. Some respondents suggest that during the freeze on new applications, the ABA process only

applications for areas which currently have no low power information services, returning other applications for re-submission when self-regulation is implemented.

ASSESSMENT OF RESPONSES

Very clearly, in many cases, the low power open narrowcasting information service facility is being used to overcome a shortage of higher power narrowcasting channels pending initial completion of planning the broadcasting services bands. Many applications are for other than information services. Industry generally supports self-regulation, but under conditions which would limit the number of services which could operate in an area, to minimise the potential for interference between services. Many operators want to provide wide area coverage, and seem willing to use multiple low power transmitters to achieve it if necessary. These operators want to use what is, essentially, a talking 'billboard' to provide wide coverage services. Other arrangements are being put in place by the ABA to allow for wide coverage services. The basis for the ABA releasing the sub-band is on the premise that many operators can have quick access to spectrum for low power open narrowcasting local information services, within published guidelines.

Suggestions to increase transmitted

power and to increase the radius of protection for low power open narrowcasting information services would increase the power of these transmitters to a level where each application would need coordination to ensure that no interference occurs to other services, thus defeating the purpose of making the sub-band available on the basis of minimum intervention by the ABA or the SMA. In addition the proposed power increase, if accepted, would reduce the capability of the low power sub-band, 87.6-88.0 MHz, to provide localised information services as originally intended.

Some concerns were expressed about the difficulty of ensuring that low power open narrowcasting information services do not operate as defacto commercial or community radio broadcasting services. Any such trends would be handled under the appropriate provisions of the *Broadcasting Services Act 1992*.

Removal of the antenna height site restriction would provide licensees with significantly more flexibility to provide low power information services. The controlling factor is the signal level throughout a licence area and the field strength at the licence area boundary. This is specified for a low power information service that the signal strength must not exceed 48 dBuV/m at any point two kilometres from the transmit-

ting antenna. If necessary the transmitter power and/or antenna height have to be reduced so that the service complies with this boundary condition. It is recognised that the internationally accepted standard method of measuring the field strength at 10 metres height above the ground can be difficult, therefore consideration could be given to specifying the field strength measured at a more representative height, say 2 metres, but this would require an appropriate reduction in the specified field strength, at a distance of 2 kilometres, to make allowance for the reduced measuring height, to about 40 dBuV/m.

THE FUTURE FOR SELF REGULATION

The ABA now has considerable input to the proposal for self regulation of low power open narrowcasting information services and needs time to consider that input and review its self regulation proposal. It is expected that in this review the information received will lead to some form of self regulatory arrangement which is more suitable to industry in the longer term.

The ABA is currently examining these objectives with a view to making alternative licensing arrangements which would address the major concerns of submitters. The outcome of these considerations will be finalised as soon as possible.



PROGRAMS CLASSIFIED C AND P

The following table contains programs awarded C and P classification by the ABA between 1 January and 8 March 1994. Producers interested in submitting programs for classifications should contact Nigel Ryan on (02) 334 7840.

TITLE	ORIGIN	CLASSIFICATION	NEW/RENEWAL	DECISION DATE	APPLICANT
ANIMAL TRACKS	Aust/NZ	P	new	21.2.1994	Kids TV (NZ) Limited
LAMB CHOP'S PLAYALONG (Series 2)	USA	C	new	21.2.1994	Warner Bros (Aust) Pty Ltd
LAMB CHOP'S PLAYALONG (Series 2)	USA	P	new	21.2.1994	Warner Bros (Aust) Pty Ltd
SPELLBINDER	Aust/Poland	PRC	new	21.2.1994	Film Australia
TOTALLY WILD (Series 3)	Australia	C	new	8.3.1994	Network Ten