

Listening to a sector moving at warp speed

This is an edited extract of ACMA Chairman Chris Chapman's address to RadComms2011.

I still vividly recall that our first *RadComms* conference was the week I joined the ACMA in March 2006. Five years on, I have come to appreciate the depth of issues which need to be balanced, which need to be accommodated, in order to hold one's head high as a successful spectrum agency.

These issues range from highly technical engineering assessments, economic efficiency determinations and sophisticated public policy considerations—and all this in an environment of a huge uptick in demand, which is being led by the surge in mobile broadband devices and is right across the board.

The need to ensure we have significant bands of spectrum to power the mobile generation is not only very real, it is vital, urgent. We need to get this right and we need to get this right for the next five to 10 years—a long time in a sector which is famously moving at warp speed.

Getting it right is not about claiming to know it all. As an organisation, the ACMA has matured. We have asked questions and genuinely listened to what you have to say. Industry, safety, defence, the amateur community, meteorology, the transport industry—the list is long, but we have listened.

Listening is increasingly in our organisational DNA. The driving force of the transformation process at the ACMA has been our single organising idea—'Converge through first principles thinking'. The ACMA adopted a logo and brand identity that followed on from this and captured the convergence of the 'four worlds' we regulate—broadcasting, telecommunications, radiocommunications and the internet.

As an extension of our brand development activity, we also developed a 'tag line' to convey the mission of the ACMA in action—'communicating, facilitating, regulating'. The ACMA is more than a 'regulator' and I think our work in the planning, allocation and management of spectrum is a perfect illustration of our work as a facilitator. Sure there are rules involved, and it is not divorced from our pure regulatory responsibilities, but parliament has entrusted us with the fundamental role of making spectrum work as a vital national, economic and increasingly social resource.

The words in our strapline appear in their particular order for a reason. Listening does not mean acquiescence. It is the ACMA's job to take an economy-wide perspective—one that looks at the whole community not just those with the ability to pay. We start by communicating, we work to weave a coherent narrative around our activities in this domain, explaining the essence and worth of our work across the rich diversity of spectrum usage.

The pervasive nature of spectrum use and of the concrete relationship this gives the ACMA with all manner of both major and minor technologies, trends and (some) threats means that the Authority Members always seem to be considering some important spectrum-related matter, the users/targets of which are often unaware of the radio nature of the technology, let alone that ACMA connection.

Some of these have the potential to be, literally, decisions by the Authority which involve billions of dollars. So we really work very intensively to make sure we get it right, iteratively examining and testing what is put to us to decide, as well as shaping how we inform the market and stakeholders appropriately.

The scene for this is set in the ACMA's public-facing *Operating plan 2011*, where we flagged our ongoing radiocommunications work—including a review of radiocommunications technical frameworks and updated spectrum management tools to accommodate spectrum-sharing technologies. We noted as a particular priority the intensive planning necessary to prepare the way for the realisation of the digital dividend (which will involve replanning television broadcasting services—'restacking'—together with the development and implementation of the spectrum auctions and their associated systems).

We have also been articulating a narrative to identify and document case studies where ACMA communications and media regulatory activity is leading world practice. A number of case studies in that narrative go to the ACMA's considerable radiocommunications technical and engineering expertise which, together with our evidence base and research capacity, is deployed to support world-class, business-as-usual and over-the-horizon activities.

The new paradigm for spectrum utility case study describes the activities conducted by the ACMA in making new arrangements for the coexistence of new technologies such as dynamic spectrum access, cognitive radio, whitespace and ultra wideband devices in existing spectrum-licensed bands. The ACMA expects that these technologies will develop further and become commercially available during the lifetime of reissued spectrum licences.

To support our approach to spectrum for national smart infrastructure, the ACMA also established a smart infrastructure project team. Its role is to work with infrastructure sectors to identify the spectrum needs of various smart infrastructure projects and to raise awareness of spectrum issues in sectors with an interest in smart infrastructure. This approach is unique and, to the best of my understanding, has not been undertaken by any other communications regulatory agency to date.

To return to that first year of *RadComms*, which was about wireless access. Many small ISPs felt left out, so the ACMA published two papers. The first looked for the answers; industry gave us some answers, opinions and information. We listened to that and published a second paper. The spectrum is out there now — some are taking it up, others are not.

The 2.5 GHz project started that same year. There were very earnest and dedicated people within the ACMA arguing that a globally harmonised roaming band was worth the pain it would take to free up that spectrum. The mobile carriers agreed—they often do; it's usually our pain not theirs! The broadcasters were initially taken aback and didn't agree. Now, six years later, we think we have found the balance, because we listened and revised. We truly do take a wide perspective of the public interest in spectrum management.

The same philosophy of being prepared to listen and change helped find a pathway for the 400 MHz replan. It was hard going, we needed to find efficiencies, we needed to make spectrum available to build businesses, provide public services and potentially accommodate services moving from other bands. We did all that and, despite some minor reservations, we and industry are happy with the result. I am particularly pleased with the assistance and understanding we got from state governments via the National Coordinating Committee for Government Radiocommunications (NCCGR) and from industry (particularly the Australian Radio Communications Industry Association).

Part of our approach is to stay ahead of issues so we can be deliberating before the time when availability is critical. We are five years ahead of the other regulators' estimates, which means we are five years ahead of them delivering the spectrum for a mobile world. I invite industry to work with us and they will find the same flexibility and attentive, soft ear will be there—but we are looking for ideas, not typecast reactions or defensive statements. So please, think about the issues and the best way forward for Australia.

Another critical area in which we have listened to industry is the planning for those broadcasters soon to be moved as part of the digital dividend. The industry had a preferred approach—the so-called 'block planning'—and, after close study, I believe we have found a good approach.

The digital dividend is truly an ACMA-wide project involving people from a wide variety of professional disciplines and experiences. Our people have been charged to think, to innovate, to work openly with industry to find what I believe will be an outstanding solution, a solution that is not the typecast, stereotypical response of a regulator who had always pursued the tried and tested 'minimalist moves' solution.

But we remain the public regulator and we will not be swayed by poorly researched or badly put argument, no matter how loudly that argument is put.

Finally, it would remiss of me not to mention Geoff Luther. As many of you know, Geoff recently stepped down after over three decades of professional leadership on behalf of the ACMA (and its predecessors) in the spectrum space. He has been a revered figure in the industry. His contributions are already well recognised but I wanted to take this opportunity to publicly thank Geoff on behalf of the ACMA and the broader community he has served for his unwavering and insightful contributions. 🙏



ACMA Chairman Chris Chapman at *RadComms*2011.