

**Consumer Council's submission to the Legislative Council  
Panel on Information Technology and Broadcasting on  
Release of Spectrum for Broadband Wireless Access Services**

1. The Consumer Council (CC) welcomes the opportunity to express its views concerning providing radio spectrum for broadband wireless access (BWA) services. CC considers that the main consumer concerns are:
  - Ensuring that consumers are able to access broadband wireless services rendered in a competitive market; and
  - Availability of necessary measures to ensure there is adequate level of investment in the broadband wireless market for provision of quality telecommunications services.
2. CC understands that the Government plans to deploy the 2.3 GHz band and will consider making available the 2.5 GHz band for BWA applications. In view of competing demands for mobile telecommunications and television services in 3G and nomadic telecommunications services and television services operating through BWA in the relevant frequency bands, the allocation of spectrum in the frequency bands will intensify market competition which will in turn bring benefits to consumers.
3. CC believes that allowing a wide scope of applications and services provided using the BWA spectrum will bring flexibility to meet the market demand, commercial needs and specific applications. CC supports prescribing roll-out requirement and performance bond on BWA licensees. It is envisaged that such measures will prompt licensees to seriously consider the most cost-effective way to use the spectrum and to deliver the appropriate services to meet the market demand.
4. CC also supports upholding the technology neutrality principle. In an environment where there is rapid development of technologies available in different spectrum, it is not advisable for the Government to direct standard or conveyance technologies for the BWA deployment. Instead, each technology should be allowed to compete on equal footing so long as it is compatible with the use of the radio spectrum allocated for the applications.
5. CC considers that once the TA has settled on the frequency allocation plan for the 2.5 GHz band, the potential availability of spectrum for future entry of BWA licensees should be disclosed. This will provide disincentive for operators to overbid for the 2.3GHz band but at the same time encourage them to speed up investment to roll out services to capture a market share before the opening up of the 2.5GHz spectrum.
6. On the issue of number portability, CC agrees that it must be available to enable customers to switch their services from one operator to another operator. CC therefore supports the TA's proposal that BWA licensees be subject to the requirement of facilitating both ONP and MNP, including the FMNP to be introduced in the future.