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Consultation on the Review of License Terms and Conditions and Capping of Numbers of Access Providers

The WiMAX Forum¹ welcomes the opportunity to provide its views and comments concerning this review.

The WiMAX Forum is an industry-led, non-profit corporation formed to promote and certify the compatibility and interoperability of broadband wireless products using the IEEE 802.16 and ETSI HiperMAN wireless MAN specifications. The WiMAX Forum's goal is to accelerate the introduction of these devices into the marketplace. WiMAX Forum Certified™ products will be fully interoperable and support Metropolitan Broadband Fixed, Portable and Mobile Applications. For more information about the WiMAX Forum and its activities, please visit www.WiMAXForum.org. WiMAX Forum™ and WiMAX Forum Certified™ are registered trademarks of the WiMAX Forum™.

The WiMAX Forum recommends that the TRAI adopt a technology neutral approach to all licensing, including spectrum licensing. This because the rapid evolution of technology can make technology specific licensing a barrier to the adoption of new technology and licensees need the flexibility to adopt new technologies or change their business models to meet user demands.

In addition to being technology neutral to the maximum extent possible, the Forum recommends that in bands which may be used by BWA technologies sufficient spectrum is provided for BWA systems so they can be deployed efficiently without the lack of spectrum significantly increasing costs. Due to the need for contiguous spectrum allocations for efficient deployment of BWA and the minimization of regulated guard bands, it is highly desirable that licensees are allocated sufficient spectrum in their first

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allocation without needing to seek additional spectrum in the future to meet the demand for their services.

The WiMAX Forum also recommends that a minimum of 30 MHz spectrum should be assigned for each operator. The WiMAX Forum does not have views on competition issues. However we believe that, in cases where the available spectrum is limited in any particular band, it will be important to consider and adjust the number of licences in that band in order to avoid fragmentation of the limited available spectrum into ineffective small blocks. Such blocks would not support true broadband services. If considered necessary, a higher level of competition could be enabled by still licensing 30 MHz or more per network operator but to allow an MVNO model as mandated in some other countries so that multiple service providers can be on an efficient network.

Yours sincerely

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