

**Jersey Airtel Limited's (JAL) response to Jersey Competition Regulatory Authority (JCRA) Document No: JCRA 23/04 dated 15 February 2023 – Case T-085: Defragmenting the 3.4 – 3.8 GHz spectrum band.**

Via email to JCRA at [info@jcra.je](mailto:info@jcra.je)

Please refer to JAL's response below to the questions listed in section 1.6 of the Document No: JCRA 23/04 published on 15 February 2023 regarding Case-T085: Defragmenting the 3.4-3.8 GHz spectrum band.

JAL is looking forward to JCRA's response to queries raised by JAL in blue in this response document.

**Question 1: Do you support our provisional view that 5G spectrum is ideally provided in large contiguous spectrum blocks? If not, please explain why.**

JAL agrees that the ideal allocation of spectrum is in a contiguous block of 100MHz in 3.4-3.8 GHz band.

**Question 2: Do you support our provisional view that the best method for defragmenting 5G spectrum is to potentially move existing historic licensees within the 3.4-3.8 GHz band or remove them? If not, please explain why.**

JAL agrees that the pragmatic approach would be to shift or remove (subject to no commercial deployment of spectrum) to allow availability of a contiguous block of 100MHz spectrum for 5G.

**Question 3: Do you agree with our approach to the legal framework relating to spectrum defragmentation and timetable for completion? If not, please explain why.**

JAL is in agreement with the proposed approach to the legal framework relating to spectrum defragmentation, except for the timetable for completion. Given the costly 5G radio equipment and the exponential rise of data consumption over the last few years as evident from JCRA's annual 'Telecommunications Statistics and Market Reports', JAL strongly feels that three years notice period is too long to claw back any unused spectrum.

Please refer to JAL's response to Question 5 which will explain more background to why JCRA's proposed three-year claw back period will inhibit viability for any licensed operator's significant investment in to 5G.

**Question 4: Do you have any comments on our assessment of the need to defragment Jersey's 3.4-3.8 GHz spectrum band?**

In addition to our response to Question 2, JAL suggests that any historic spectrum holder in 3.4-3.8 GHz band participating in the 5G spectrum allocation process should not be given entire 100MHz (in 3.4-3.8 GHz). Instead, they should be given less bandwidth which then combined with their historic spectrum equates to 100MHz. For example, applicant A is already holding 30MHz (3700-3730 MHz) in 3.4-3.8 GHz band, hence, they should be allocated only 70MHz (3730-3800) additionally.

Also, JAL is in complete agreement with section 3.7 of JCRA's Case T-085 which states that enough spectrum must remain available to allow three 'Full Service' 5G operators in Jersey, with a further ITT planned in 2023 to offer the

remaining 'Full Service' spectrum package, either to another existing licensed operator or potentially a new market entrant.

**Question 5: Do you have any comments about our proposed approach to defragmentation?**

JAL requests JCRA to consider following facts and then answer the queries raised in blue:

1. JCRA's intent is to allocate only 40MHz in '3.4GHz to 3.8GHz band' in the initial phase to each licensed operator followed by proposed three-year period to claw back spectrum from some of the local telecom companies.
2. The current '5G Radio Access Networks (RAN)' available for procurement will support full 100MHz spectrum band as a standard in '3.4GHz to 3.8GHz band'.
3. As a result, JAL would incur high CAPEX to procure 5G RAN which will come with support for full 100MHz band within 3.4-3.8 GHz as a standard, but JAL can deploy only 40MHz leading to waste of CAPEX spent for additional 60 MHz ready 5G RAN equipment, as additional 60 MHz can't be allocated by JCRA for at least 3 years or more.
4. Other choice for JAL to procure a bespoke 5G RAN for 40MHz is ruled out as any customisation (including support for 'as & when' future allocation from 3.4-3.8 GHz band) will cost more than the standard '100MHz band ready 5G RAN equipment'.
5. JAL highlighted in its previous responses to JCRA's consultations that technology is evolving faster than ever, as evident from the fact that 6G trials have commenced in labs and countries like India have decided to roll out 6G by 2030, leading to shorter technology lifecycles. Hence, considering the shorter lifecycle of 5G as compared to the legacy technologies, it is recommended to leverage the full potential of mid band 100MHz spectrum as early as possible to avoid any constraints on significant multimillion pound investment in to 5G.

Therefore, JAL has following queries for JCRA:

- a. JAL requests JCRA to clarify how current unused spectrum (excluding historic allocation) within 3.4-3.8 GHz will be used? Can bandwidth of available 5G spectrum package be increased using the current unused spectrum? The standards suggests that 5G channel bandwidth in 3.4-3.8 GHz can be a multiple of 10 MHz (and go up to 100 MHz). This will help to utilise the complete 3.4-3.8 GHz band efficiently, avoid CAPEX wastage and will not limit JAL to use only 40MHz for 3 years or more.*
- b. JAL requests JCRA to shorten the proposed time to claw back unused spectrum from three-year to 6 months, and if it cannot be done then JAL requests JCRA to explain in detail why will JCRA take three years to claw back any unused spectrum if it has not been deployed for any commercial use until now?*

If JCRA requires any further information, please do not hesitate to contact us.

**Jersey Airtel Limited**

**29 March 2023**