

December 14, 2021

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Subject: Consultation Paper on Recommendation to Amend the Telecommunications (Fees) Regulations of the ECTEL Member States for New Satellite Services

I. Introduction

The Global VSAT Forum (“GVF”) hereby submits its comments regarding the Eastern Caribbean Telecommunications Authority’s (“ECTEL”) proposed amendments to the telecommunications (fees) regulations for new satellite services.¹ The satellite operators who form part of the GVF are providers of vital telecommunications services in the ECTEL Member States and continue to expand their service offerings in the Caribbean region.

The GVF is the only global non-profit association of the satellite industry. Founded in 1997 and headquartered in London, it brings together organizations from around the world representing the satellite ecosystem that are engaged in the development and delivery of satellite technologies and services for consumers, commercial and government organizations worldwide.²

¹ Eastern Caribbean Telecommunications Authority, *Consultation Paper on Recommendation to Amend the Telecommunications (Fees) Regulations of the ECTEL Member States for New Satellite Services* (Nov. 30, 2021) (the “Consultation”), available at <https://www.ectel.int/consultation-on-recommendation-to-amend-the-telecommunications-fees-regulations-of-the-ectel-member-states-for-new-satellite-services/>.

² For more information about the GVF, see <https://gvf.org/>.

II. The Current State of the Satellite Industry and Future Satellite Technologies and Services

All satellites, whether they are in low Earth orbit (LEO), medium Earth orbit (MEO) or geostationary orbit (GSO) play unique and critical roles in bridging the coverage and capacity gaps to deliver reliable broadband service across the ECTEL Member States.³ The GVF appreciates the efforts of the ECTEL to adopt an “all-encompassing” licensing and regulatory structure that aims to better “facilitate the entry into ECTEL Markets, to cater for a wide range of advanced electronic communications systems.”⁴ Satellite operators have provided services to customers in the ECTEL Member States for years in many sectors including, but not limited to, broadband connectivity, emergency response operations, aeronautical and maritime services, and mobile backhaul. As a result, satellite operations not only play a vital role in the ECTEL Member States’ telecommunication and broadband infrastructure, but satellites also deliver significant benefits to Member States’ economies by generating jobs and revenue and providing crucial services that support business.

Investment in the ECTEL Member States will continue and expand as satellite technologies and services continue to evolve and advance. Deployment of new high-throughput (HTS) and very high-throughput (VHTS) GSO satellites and non-geostationary (NGSO) constellations in LEO and MEO utilize a wide variety of frequencies to bring advanced, versatile, and powerful capabilities to address the demand for high-speed connectivity to customers on land, at sea, or in the air.

This new era of advanced satellite performance and capability is only beginning. While significant advancements in satellite technologies and services have been deployed in recent years, the satellite industry is on the cusp of rolling out even faster and more dynamic services, using a wider variety of frequency bands, including Ka-and Q/V bands, among others. The GVF applauds ECTEL’s initiation of this Consultation to update the licensing and regulatory structure of its Member States, recognizing this pivotal moment and the continuous evolution in the satellite industry.

III. The Proposed Changes to the Telecommunications Fees Regulations of ECTEL Member States for New Satellite Services are Excessive.

The GVF supports the proposal of the ECTEL to amend the telecommunications (fees) regulations to accommodate satellite services and technologies that can operate using a wide range of frequencies. The current regulations for satellite services prescribe fees for Satellite

³ See Consultation at ¶ 1.3.

⁴ See Consultation at ¶ 1.5.

Earth Stations (“SES”) and Very Small Aperture Terminals (“VSAT”) in the C- and Ku-bands, but do not consider GSO and NGSO services that are provided using other frequency bands. Adding a new tier of spectrum fees that encompasses other frequencies to customers will provide certainty for operators looking to deploy satellite services to customers in the ECTEL Member States.

That said, the GVF is concerned that ECTEL’s proposal to apply the current fee rates for C- and Ku-band applications and annual licenses to new frequency bands could have a dampening effect on the deployment of new services in these bands in the ECTEL Member States, since the existing fees are already very high. The ECTEL has proposed that “VSAT Other” services will pay XCD 1,000 for application submissions, and XCD 12,000/frequency pair as an annual license renewal fee. These fees are quite high when compared to other countries and the GVF recommends that the ECTEL consider lowering the fees. In fact, there is a trend regionally and globally to reduce spectrum fees and several countries are currently entertaining significant reductions to their spectrum fees. Maintaining high fees could discourage new satellite deployments and threaten current satellite services offered in the Member States. Moreover, this framework does not reflect the current satellite technologies and may lead to very high regulatory fees. The current satellite networks, both GSO and NGSO, may connect to a number of satellite beams, using different frequencies, to ensure wide network coverage and reliability. Moreover, the GVF asks for clarification on which types of services can be authorized under the “VSAT Other” category.⁵

IV. Blanket Licensing for Technically Similar Earth Stations

The GVF recommends dissociating the applicability of fees per the number of frequency pairs and that ECTEL instead apply a fixed nominal fee per authorization. A “blanket licensing” or general authorization should be incorporated in the updated regulatory framework for VSAT stations.⁶ More specifically, the GVF seeks clarification as to whether blanket licensing of ubiquitously deployed technically similar earth stations, like VSATs, will be authorized under this category. GVF supports the inclusion of blanket licensing in the regulatory framework and urges ECTEL to extend blanket licensing to all types of earth stations not subject to exemptions under applicable laws or regulations. With blanket licenses, the time and administrative burdens are significantly reduced, and consumers, businesses and other users can get access to satellite services faster than under an individual licensing approach. Blanket licensing is also a more cost-effective approach to licensing earth stations, allowing a licensee to pay one fee per blanket

⁵ See Consultation at ¶ 5.2.

⁶ Blanket License in the present has the meaning of a single License covering the operation of a number of stations sharing the same technical characteristics.

license. This approach has been successfully implemented in several countries including the United States and the Bahamas as mentioned by ECTEL.⁷

Adopting a blanket licensing framework will complement the forward-leaning steps already taken by ECTEL in allowing foreign-authorized Earth Stations in Motion (“ESIM”) to obtain an exemption from licensing requirements for aeronautical and maritime mobile applications.⁸ Blanket licensing plus free circulation of foreign visiting terminals are two policies that are fundamental to ensuring the provision of global satellite services for NGSO systems.⁹ GVF applauds ECTEL for allowing foreign-authorized ESIM to apply for and obtain an exemption from licensing requirements and encourages ECTEL to now take additional steps to implement blanket licensing.

V. Set service standards for the issuance of licensing decisions for satellite-related spectrum licenses

The GVF commends the ECTEL for seeking to align their regulatory framework with current and future satellite technologies and services. The GVF also encourages the ECTEL to investigate ways to streamline and improve the average service times for applications. An expedited process that enables operators to obtain licenses and deploy new services more quickly will benefit end users in need of connectivity.

VI. Conclusion

The ECTEL’s proposed changes to the licensing and regulatory structure to include additional frequency bands are an important step by the ECTEL Member States to achieve a regulatory environment that will more readily foster the ever-evolving satellite technologies and services that are deployed in the region. However, it is important that the spectrum fees not be set so high as to dampen the deployment of the satellite services in the ECTEL Member States. The GVF

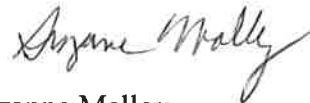
⁷ Sections 4.3 and 4.5 of the Consultation.

⁸ See Telecommunications (Exemption) Order, 2014, at section 3(a) (providing that “ship, aircraft, person or type of network or service is exempted from application of the Act...Exemption under paragraph 3(a) or (b) extends to an aeronautical or maritime mobile satellite service provider”).

⁹ See *Draft Recommendation on Licensing Principles for Ubiquitously Deployed Earth Stations in Motion (ESIM) Operating Within the Fixed Satellite Service*, CCP.II-RADIO/doc. 5406/21, Document submitted by the GVF (22 Oct. 2021) (noting “the need to leverage all technologies available to ensure access to information and knowledge, including satellite services, and helps address the growing global demand for broadband connectivity to users on a ubiquitous basis for applications using ESIM in the frequency bands allocated to FSS.”).

appreciates the opportunity to provide comments on this Public Consultation and remains at your disposal should you have any questions about this submission.

Respectfully submitted,



Suzanne Malloy
on behalf of
David Meltzer
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