



Radiocommunications (Spectrum Access Charges — 1800 MHz Band) Determination 2012 (No. 1)

Radiocommunications Act 1992

The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes this Determination under subsection 294 (1) of the *Radiocommunications Act 1992*.

Dated 21 December 2012

Richard Bean
[signed]
Member

Giles Tanner
[signed]
~~Member~~/General Manager

Australian Communications and Media Authority

1 Name of Determination

This Determination is the *Radiocommunications (Spectrum Access Charges — 1800 MHz Band) Determination 2012 (No. 1)*.

2 Commencement

This Determination commences on the day after it is registered.

Note All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.

3 Definitions

In this Determination:

Act means the *Radiocommunications Act 1992*.

licence area means the area or aggregate of areas within which operation of a radiocommunications device is authorised by a spectrum licence.

Ministerial Direction means the *Radiocommunications (Spectrum Access Charges) Direction 2012* made under subsection 294 (2) of the Act by the Minister for Broadband, Communications and the Digital Economy dated 9 February 2012.

re-issue of a spectrum licence means the re-issue of a spectrum licence in accordance with subsection 82 (1) of the Act to the person to whom it was previously issued, authorising the operation of a radiocommunications device in the 1800 MHz band.

1800 MHz band means the following frequency ranges:

- (a) 1710 MHz to 1785 MHz; and
- (b) 1805 MHz to 1880 MHz.

4 Population of a licence area for a spectrum licence

The population of a licence area for a spectrum licence mentioned in column 1 in the table in section 5, 6, 7, 8, 9, 10, 11 or 12 is the corresponding number mentioned in column 2.

Note The population of a licence area, for a spectrum licence, is the estimated number of people residing in the area to which the spectrum licence relates. In compliance with the Ministerial Direction, the population of the licence area is, by this instrument, determined at the time the spectrum access charge for the re-issue of the spectrum licence is determined, having regard to available population data at the time this instrument is made.

5 Spectrum access charges payable by Telstra Corporation Limited

The amount of spectrum access charge payable by Telstra Corporation Limited (ACN 051 775 556) for the re-issue of a spectrum licence mentioned in column 1 in the following table is the corresponding amount mentioned in column 4.

Column 1	Column 2	Column 3	Column 4
Licence number	Population of licence area	Bandwidth (MHz)	Amount (\$)
1136550	6,465,396	15	\$22,305,616.20
1136561	6,465,396	15	\$22,305,616.20
1136551	6,236,390	10	\$14,343,697.00
1136562	6,236,390	10	\$14,343,697.00
1136552	5,564,699	2.5	\$ 3,199,701.92
1136563	5,564,699	2.5	\$ 3,199,701.92

Column 1	Column 2	Column 3	Column 4
Licence number	Population of licence area	Bandwidth (MHz)	Amount (\$)
1136553	4,485,140	10	\$10,315,822.00
1136564	4,485,140	10	\$10,315,822.00
1136554	4,485,140	5	\$ 5,157,911.00
1136565	4,485,140	5	\$ 5,157,911.00
1136555	1,348,457	15	\$ 4,652,176.65
1136566	1,348,457	15	\$ 4,652,176.65
1136556	2,125,470	15	\$ 7,332,871.50
1136567	2,125,470	15	\$ 7,332,871.50
1136557	474,328	12.5	\$ 1,363,693.00
1136568	474,328	12.5	\$ 1,363,693.00
1136558	521,269	10	\$ 1,198,918.70
1136569	521,269	10	\$ 1,198,918.70
1136559	325,313	12.5	\$ 935,274.87
1136570	325,313	12.5	\$ 935,274.87
1136560	126,476	10	\$ 290,894.80
1136571	126,476	10	\$ 290,894.80

Note In compliance with the Ministerial Direction, the amount of spectrum access charge payable for the re-issue of a spectrum licence mentioned in the above table, or in the tables in sections 6 to 12 is calculated by multiplying the value of the spectrum in relation to the 1800 MHz band (being \$0.23/MHz/Pop) by the population of the licence area for the spectrum licence (as determined in accordance with section 4) by the bandwidth for the spectrum licence (as mentioned in column 3). For example, in relation to licence number 1136550, the amount of spectrum access charge is calculated as follows:

$$\$0.23 \times 6,465,396 \times 15 = \$22,305,616.20.$$

6 **Spectrum access charges payable by Vodafone Australia Pty Limited**

The amount of spectrum access charge payable by Vodafone Australia Pty Limited (ACN 056 161 043) for the re-issue of a spectrum licence mentioned in column 1 in the following table is the corresponding amount mentioned in column 4.

Column 1	Column 2	Column 3	Column 4
Licence number	Population of licence area	Bandwidth (MHz)	Amount (\$)
1136572	521,269	5	\$ 599,459.35
1136583	521,269	5	\$ 599,459.35
1136573	126,476	5	\$ 145,447.40
1136584	126,476	5	\$ 145,447.40
1136575	4,485,140	5	\$ 5,157,911.00
1136586	4,485,140	5	\$ 5,157,911.00
1136577	2,816,867	5	\$ 3,239,397.05
1136588	2,816,867	5	\$ 3,239,397.05
1136578	5,564,699	10	\$12,798,807.70
1136589	5,564,699	10	\$12,798,807.70
1136579	4,485,140	7.5	\$ 7,736,866.50
1136590	4,485,140	7.5	\$ 7,736,866.50
1136581	1,348,457	5	\$ 1,550,725.55
1136592	1,348,457	5	\$ 1,550,725.55
1136582	2,816,867	5	\$ 3,239,397.05
1136593	2,816,867	5	\$ 3,239,397.05
1281511	1,348,457	2.5	\$ 775,362.77
1281512	1,348,457	2.5	\$ 775,362.77
1281515	1,843,366	10	\$ 4,239,741.80
1281516	1,843,366	10	\$ 4,239,741.80
1281517	5,564,699	2.5	\$ 3,199,701.92
1281518	5,564,699	2.5	\$ 3,199,701.92
8100045	5,564,699	2.5	\$ 3,199,701.92
8100048	5,564,699	2.5	\$ 3,199,701.92
8100046	671,691	5	\$ 772,444.65
8100047	671,691	5	\$ 772,444.65
8100424	1,348,457	2.5	\$ 775,362.77
8100426	1,348,457	2.5	\$ 775,362.77

7 **Spectrum access charges payable by Singtel Optus Pty Limited**

The amount of spectrum access charge payable by Singtel Optus Pty Limited (ACN 052 833 208) for the re-issue of a spectrum licence mentioned in column 1 in the following table is the corresponding amount mentioned in column 4.

Column 1	Column 2	Column 3	Column 4
Licence number	Population of licence area	Bandwidth (MHz)	Amount (\$)
1136530	2,816,867	2.5	\$ 1,619,698.52
1136540	2,816,867	2.5	\$ 1,619,698.52
1136531	2,816,867	2.5	\$ 1,619,698.52
1136541	2,816,867	2.5	\$ 1,619,698.52
1136532	2,816,867	10	\$ 6,478,794.10
1136542	2,816,867	10	\$ 6,478,794.10
1136533	5,564,699	5	\$ 6,399,403.85
1136543	5,564,699	5	\$ 6,399,403.85
1136534	5,564,699	10	\$12,798,807.70
1136544	5,564,699	10	\$12,798,807.70
1136535	4,485,140	2.5	\$ 2,578,955.50
1136545	4,485,140	2.5	\$ 2,578,955.50
1136536	4,485,140	12.5	\$12,894,777.50
1136546	4,485,140	12.5	\$12,894,777.50
1136537	1,348,457	2.5	\$ 775,362.77
1136547	1,348,457	2.5	\$ 775,362.77
1136538	1,348,457	12.5	\$ 3,876,813.87
1136548	1,348,457	12.5	\$ 3,876,813.87
1136539	1,843,366	15	\$ 6,359,612.70
1136549	1,843,366	15	\$ 6,359,612.70

8 **Spectrum access charges payable by Rail Corporation New South Wales**

The amount of spectrum access charge payable by Rail Corporation New South Wales (ABN 59 325 778 353) for the re-issue of a spectrum licence mentioned in column 1 in the following table is the corresponding amount mentioned in column 4.

Column 1	Column 2	Column 3	Column 4
Licence number	Population of licence area	Bandwidth (MHz)	Amount (\$)
8100227	5,564,699	2.5	\$3,199,701.92
8100228	5,564,699	2.5	\$3,199,701.92

9 **Spectrum access charges payable by Victorian Rail Track**

The amount of spectrum access charge payable by Victorian Rail Track (ABN 55 047 316 805) for the re-issue of a spectrum licence mentioned in column 1 in the following table is the corresponding amount mentioned in column 4.

Column 1	Column 2	Column 3	Column 4
Licence number	Population of licence area	Bandwidth (MHz)	Amount (\$)
8100221	4,485,140	2.5	\$2,578,955.50
8100222	4,485,140	2.5	\$2,578,955.50

10 **Spectrum access charges payable by Queensland Rail Limited**

The amount of spectrum access charge payable by Queensland Rail Limited (ACN 132 181 090) for the re-issue of a spectrum licence mentioned in column 1 in the following table is the corresponding amount mentioned in column 4.

Column 1	Column 2	Column 3	Column 4
Licence number	Population of licence area	Bandwidth (MHz)	Amount (\$)
8100368	2,816,867	5	\$3,239,397.05
8100369	2,816,867	5	\$3,239,397.05

11 Spectrum access charges payable by Department of Planning, Transport and Infrastructure (South Australia)

The amount of spectrum access charge payable by the Crown in right of the State of South Australia through the Department of Planning, Transport and Infrastructure (South Australia) (ABN 92 366 288 135) for the re-issue of a spectrum licence mentioned in column 1 in the following table is the corresponding amount mentioned in column 4.

Column 1	Column 2	Column 3	Column 4
Licence number	Population of licence area	Bandwidth (MHz)	Amount (\$)
8100298	1,348,457	2.5	\$775,362.77
8100300	1,348,457	2.5	\$775,362.77
8100423	1,348,457	2.5	\$775,362.77
8100425	1,348,457	2.5	\$775,362.77

12 Spectrum access charges payable by Public Transport Authority of Western Australia

The amount of spectrum access charge payable by the Public Transport Authority of Western Australia (ABN 61 850 109 576) for the re-issue of a spectrum licence mentioned in column 1 in the following table is the corresponding amount mentioned in column 4.

Column 1	Column 2	Column 3	Column 4
Licence number	Population of licence area	Bandwidth (MHz)	Amount (\$)
8100435	1,843,366	5	\$2,119,870.90
8100436	1,843,366	5	\$2,119,870.90

13 When spectrum access charge is payable

A spectrum access charge fixed by this Determination for the re-issue of a spectrum licence is payable on or before 5 June 2013.

14 Expiry

This Determination ceases to have effect at the end of 17 June 2013.