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發送人 From	Ir W.Y. Chu Telecommunications Manager
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CLP Power

TECHNICAL SERVICES DEPARTMENT
3/F., Sham Shui Po Centre,
215 Fuk Wa Street,
Shamshui Po, Kowloon,
HONG KONG.

電話 Tel
傳真 Fax
網址 Website www.clpgroup.com

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Dear Sirs,

**Comments on the Consultation Paper on
Proposed Spectrum Policy Framework**

We refer to your Consultation Paper on the Proposed Spectrum Policy Framework issued in October 2006 and would like to offer our comments as follows:

1. We in principle agree that radio spectrum should be carefully managed in order to safeguard future development and ensure effective utilization.
2. We also support the use of market-based approach in spectrum management when there are competing "commercial demands". However, we are in the opinion that those government and public services requirements should be treated separately as they are not making profile out of the radio resources but servicing the general public.
3. We concur that TA should not vary or withdrew any assigned frequencies to a licensee except for very specific reasons. We also suggest the "minimum notice periods" should be ample enough; especially for those cross border frequencies, as application for new assignment would take much longer time. We would suggest a minimum of 5 to 8 year notice period should be applied. Also, if such withdrew is deem necessary, TA should communicated its intension well beforehand such that investment in radio hardware could be safeguarded as we are aiming at a 10 to 15 years investment cycle.

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4. We welcome the spectrum release plan as this would give the industry a forward planning opportunity. However, we would like to reiterate that there should be different treatment between commercial users and government / public services users when acquiring such free spectrum. Also, we would like to see that the spectrum requirement for public services like utilities be given due consideration as we are serving the well-being of general public.
5. On the issue of secondary trading of spectrum in Hong Kong. We are neutral on such arrangement. But again, if the spectrums fall upon the requirement of government and public services, special treatment should be considered.
6. On the issue of Spectrum Utilization Fee (SUF), we support the stand of the consultation paper that "*SUF should be generally applicable to commercial use of spectrum unless there are public policy considerations*". Again, we feel that those providing public services should not be affected by the SUF.

In summary, we would like to point out that reliable means of communications is mission critical to us as a utility in generation and supply of secure electricity for the Public of Hong Kong. Efficient and effective control and utilization of radio spectrum is necessary to ensure sustainable development in this aspect. Spectrum pricing should only be considered as one of the tools. Also, instead of applying the same principle to all users, exemptions should be given to government and utility users for social benefit reasons. Spectrum congestion should be prevented by better coordination and planning before it happens instead of trying to price out the congestion after it occurs.

Yours truly,
CLP Power Hong Kong Ltd.



Ir W.Y. Chu
Telecommunications Manager

C.C.

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