16 October 2026

Mr David Cox
Managing Director
Eastern Caribbean Telecommunications Authority (ECTEL)
P. O. Box BW395,
Gros Islet, LC01 601
Saint Lucia

Re: Consultation Paper on the Review of Annual Spectrum Fees in ECTEL Member States

Cable & Wireless St Kitts and Nevis Limited, Cable & Wireless Dominica Limited, Cable & Wireless St Lucia Limited, Cable & Wireless St Vincent and the Grenadines Limited and Cable & Wireless Grenada Limited (collectively, "Cable & Wireless" or "C&W"), each trading as FLOW, welcome the opportunity to comment on ECTEL's Consultation Paper on the Review of Annual Spectrum Fees, which was published on 17 August 2026.

FLOW acknowledges the importance of addressing these fees, and notes ECTEL's reliance on international benchmarking in developing proposals. While FLOW is not opposed to some of the proposed changes in structure and methodology, FLOW asserts that the amalgamation of factors that are reflective of the histories, dynamics and current constraints of the ECTEL markets should be further assessed.

Our response also speaks to addressing satellite authorisation at a time where the basis for regulatory parity and healthy competition must be established comprehensively. FLOW understands that the present Consultation may not address all concerns at this time and therefore looks forward to ECTEL's further navigation into these matters.

We trust that the attached response will assist ECTEL in reassessing spectrum fees. FLOW looks forward to further engagement as spectrum fees and other attendant matters evolve.

Yours sincerely,

Kevon Swift
Senior Manager, Regulatory and Government Affairs

1. INTRODUCTION

1.1. Cable & Wireless St Kitts and Nevis Limited, Cable & Wireless Dominica Limited, Cable & Wireless St Lucia Limited, Cable & Wireless St Vincent and the Grenadines Limited, and Cable & Wireless Grenada Limited (collectively "Cable & Wireless" or "C&W"), each doing business as FLOW, are pleased to submit this response to ECTEL's Consultation on the Review of Annual Spectrum Fees in ECTEL Member States ("the Consultation").[1]

1.2. FLOW operates fixed, mobile and broadband networks across the five ECTEL Member States and holds spectrum assignments spanning the sub-1 GHz, lower mid-band and fixed-link bands. FLOW therefore has a direct and material interest in the outcome of this review. FLOW is committed to the development of a spectrum pricing framework that supports continued investment in high-quality services, reflects the economic circumstances of the Eastern Caribbean, and ensures equitable treatment across all operators.[2]

1.3. FLOW's responses are set out below following the exact question numbering and wording of the Consultation. Failure to address any issue in this response does not indicate acceptance of any position not expressly addressed herein. FLOW reserves the right to comment further as the process develops, including changing any position expressed herewithin.

1.4. Please send any matters arising to Kevon Swift at **kevon.swift@libertycaribbean.com** and Neda Brown at **neda.brown@libertycaribbean.com**.

1 Eastern Caribbean Telecommunications Authority, Review of Annual Spectrum Fees in ECTEL Member States (Consultation Document, 17 August 2026) ('ECTEL Consultation').

2 Ibid 15, 52 and 98.

2. Question 1: Do you agree that annual IMT spectrum fees should be differentiated by band group, at XCD0.14/MHz/Pop for sub-1 GHz spectrum, XCD0.10/MHz/Pop for lower mid-band spectrum, and XCD0.03/MHz/Pop for upper mid-band spectrum? Please give reasons and any supporting evidence.

Response

2.1. FLOW does not object to the principle of differentiating annual IMT spectrum fees by band groups. The current flat-rate mechanism has provided administrative simplicity, but a structure that reflects the differing propagation characteristics, relative scarcity and market demand of distinct band groups represents a sensible and forward-looking development. The specific rates proposed, however, raise concerns that require ECTEL's consideration.[3]

2.2. Sub-1 GHz spectrum — currently priced at XCD0.14/MHz/Pop — is where FLOW holds a considerable amount of its spectrum in the ECTEL Member States, and it is where the market's primary demand is presently concentrated. The proposed rate will impose a material cost increase for this band, driven by observed demand levels within the ECTEL region rather than by a clear benchmark demonstrating that the rate reflects spectrum value in the Eastern Caribbean context. FLOW notes that ECTEL itself acknowledges in the Consultation that prices for sub-1 GHz spectrum have **generally trended downwards internationally over the past decade**. Moving past the benchmarking approach, a rate increase that runs counter to this trend warrants more detailed cost-benefit analysis to demonstrate that it is appropriate for markets of this scale and economic profile.[4]

2.3. Lower mid-band spectrum — proposed at XCD0.10/MHz/Pop — accounts for the remainder of FLOW's current holdings. FLOW understands that this rate represents no material change from the existing level and therefore does not, in isolation, impose additional financial burden on operators.[5]

2.4. Upper mid-band spectrum — proposed at XCD0.03/MHz/Pop — is a band in which FLOW does not currently hold assignments but will become increasingly important as 5G services are introduced into the region. FLOW welcomes the forward-looking rationale behind this rate and

3 ECTEL Consultation (n 1) 11, 15 and 17.

4 Ibid 15–16 and 24–32.

5 Ibid 15–16.

endorses ECTEL's characterisation of it as a pro-investment rate intended to invite future assignments, including 5G. To provide meaningful investment certainty and to ensure that this purpose is achieved, FLOW recommends that the upper mid-band rate be held fixed for a period of no less than ten years from the date of adoption. A firm commitment to rate stability for the upper mid-band would support the investment case for 5G network deployment across the Member States.[6]

2.5. In summary, FLOW does not oppose differentiation in principle and endorses the upper mid-band rate as a deliberate investment incentive, provided rate stability is guaranteed. FLOW requests that ECTEL provide:

2.5.1 clarification on whether the spectrum-cost-per-unit-of-population ("XCD/MHz/Pop") metric will be applied using a single, aggregated bandwidth approach for current FDD holdings (i.e. frequency pairs counted as one as inferred in Table 2); or whether it would be equally applied to each physical frequency in view of total bandwidth, i.e. without accounting for FDD spectrum pairs (inference of Appendix A); and

2.5.2 further analysis to justify the sub-1 GHz rate considering international trends before the rate is finalised.

3. Question 2: The five-state fee total can be allocated across Member States either in proportion to each state's population or in equal fifths, preserving a uniform fee per MHz in every state as now. Which basis do you favour, and why?

Response

3.1. FLOW favours allocation in proportion to each Member State's population. This approach is consistent with the MHz/Pop metric already embedded in the proposed fee structure and aligns with the principle that operators should pay fees commensurate with the population coverage that the relevant spectrum enables them to serve.[7]

3.2. The equal-fifths basis, while straightforwardly administered, proceeds from the premise that the five Member States are equivalent in the resources to which their spectrum assignments correspond. They are not: the Member States differ significantly in population, land area and

6 Ibid 15 and 42–51.

7 Ibid 15–17.

market scale. Applying an equal allocation in these circumstances produces an arbitrary outcome that cannot be justified by cost-reflective or value-based principles.8

3.3. A population-proportionate allocation preserves coherence between the fee metric and the fee distribution. It also provides a more transparent basis for verifying that fees across the region are being calculated consistently and equitably. FLOW accepts that this introduces some variation in absolute fee liability per state for operators holding the same bandwidth in each market, but this variation correctly reflects the different sizes of those markets. FLOW therefore could consider population as the basis for allocating the five-state fee total.9

4. Question 3: Do you agree that Fixed Wireless Access assignments in IMT-suitable bands should be charged under the IMT fee schedule rather than the fixed-links schedule?

Response

4.1. FLOW agrees that Fixed Wireless Access (FWA) assignments in IMT-suitable bands should be charged under the IMT fee schedule rather than the fixed-links schedule. The rationale is sound: spectrum capable of supporting IMT applications carries the same propagation value and assignment scarcity whether the overlying service is delivered on a mobile or a fixed wireless basis. Charging FWA at the lower fixed-links rate would create an incentive to characterise IMT-capable assignments as fixed wireless to reduce fee liability, which would distort the fee structure and undermine spectrum management objectives.10

4.2. Applying the same fees for comparable spectrum use is consistent with the principle of technology neutrality and ensures that operators providing functionally substitutable broadband services — whether via mobile networks or FWA platforms — face equivalent spectrum costs. This approach also simplifies administration by reducing the scope for classification disputes.11

8 Ibid 11 and 17.

9 Ibid 13 and 17.

10 Ibid 17; International Telecommunication Union, Guidelines for the Review of Spectrum Pricing Methodologies and the Preparation of Spectrum Fee Schedules (ITU 2016) 10–25 ('ITU Pricing Guidelines').

11 ECTEL Consultation (n 1) 11 and 17; ITU Pricing Guidelines (n 10) 10–25.

5. Question 4: Do you agree that the existing minimum annual IMT spectrum fee of XCD300,000 per licensee should be removed, so that each licensee's annual fee is determined solely by its assigned spectrum holdings? Please provide reasons and any supporting evidence.

Response

5.1. Notwithstanding concerns intimated at paragraphs 2.2 and 2.5, FLOW agrees that the minimum annual IMT spectrum fee of XCD300,000 per licensee should be removed once the new differentiated band-group structure is implemented. The minimum fee was designed to ensure a baseline contribution to spectrum management costs from each licensee. Under the proposed framework, however, each licensee's fee is calculated by reference to the volume of spectrum it holds in each band group and the applicable rate for that group. For any operator with meaningful spectrum holdings across the relevant bands, the fee generated by the differentiated rate structure will exceed the current minimum by a substantial margin.12

5.2. Retaining the minimum fee alongside the new structure would therefore be redundant for larger operators and potentially punitive for smaller ones whose holdings generate fees below the threshold under the new rates. The primary purpose of spectrum pricing reform — to create a framework in which fees are proportionate to and directly reflective of the spectrum actually assigned — is best served by ensuring that each licensee's annual IMT spectrum fee is determined solely by its spectrum holdings. FLOW agrees with this approach and recommends that ECTEL confirm in the final determination that the minimum fee will cease to apply from the effective date of the revised fee schedule.13

6. Question 5: Do you agree that fixed-link fees should be set by the formula Base Fee × Bandwidth (MHz) × Band Factor, with fees scaling linearly in bandwidth?

Response

6.1. With some reservation, FLOW agrees with the general structure of a formula-based approach to fixed-link fees. A formula that incorporates a base fee, a bandwidth multiplier and a band factor

12 ECTEL Consultation (n 1) 18 and 98.

13 Ibid 18 and 98.

provides transparency, predictability and administrative efficiency compared to individually negotiated fees or flat-rate schedules that do not scale with spectrum use.[14]

6.2. FLOW notes, however, that **the Consultation does not clearly explain the relationship between the proposed formula design and the spectrum management objectives** it is intended to serve. For a formula-based approach to be justified, ECTEL should be able to demonstrate that the formula produces fees proportionate to the value or cost associated with each assignment, or at a minimum that it reflects the relative burden that different assignments place on spectrum management resources. FLOW requests that ECTEL provide further analysis in the final determination explaining how the formula parameters are calibrated to meet these criteria, and how the approach compares with formula-based regimes in jurisdictions with comparable spectrum management frameworks.[15]

6.3. Subject to receiving that additional explanation, FLOW does not object to linear scaling in bandwidth, which is a reasonable starting assumption for assignments where spectrum efficiency does not change materially with bandwidth. FLOW reserves the right to comment further once additional calibration detail is provided.[16]

7. Question 6: Do you agree with the proposed base fee of XCD336 per MHz per link?

Response

7.1. FLOW understands that the proposed base fee of XCD336 per MHz per link has been derived through international benchmarking. FLOW does not contest the use of benchmarking as one input to fee-setting, but notes that benchmarking alone is insufficient to establish that a specific rate is appropriate for the ECTEL markets. The appropriateness of the rate depends, among other things, on the jurisdictions and bands used as comparators, the adjustments — if any — made to reflect ECTEL-specific market conditions, and the method by which the figure of XCD336 was arrived at from the underlying comparator data.[17]

14 ECTEL Consultation (n 1) 52, 61–64 and 98; ITU Pricing Guidelines (n 10) 10–25.

15 ITU Pricing Guidelines (n 10) 10–25; International Telecommunication Union, Handbook on National Spectrum Management (ITU 2015) ch 6 ('ITU Handbook').

16 ECTEL Consultation (n 1) 52 and 61–64.

17 Ibid 52 and 64–65.

7.2. FLOW requests that ECTEL publish the benchmarking methodology and the specific comparator data on which the base fee is founded, so that respondents can assess whether the rate is proportionate. Without this transparency, FLOW is not in a position to endorse the specific figure of XCD336 and requests that it be confirmed or revised with full supporting analysis before the determination is finalised. FLOW is not suggesting that the rate is necessarily incorrect, but considers that the economic basis for any specific fee level must be sufficiently transparent to allow operators to understand how it was derived.[18]

8. Question 7: Do you agree with the proposed band factors in Table 13? Please give reasons and any supporting evidence.

Response

8.1. FLOW understands the rationale for applying differentiated band factors to account for differences in propagation characteristics, coverage potential, availability and relative spectrum value across frequency ranges. Different bands carry different values in the context of fixed-link operations, and the Consultation's intention to reflect these differences through band factors is a reasonable regulatory approach.[19]

8.2. FLOW is not, however, in a position to fully endorse the specific band factors set out in Table 13 on the basis of the information provided. The Consultation indicates that the factors were derived through international benchmarking and by reference to the values attributed to bands in other jurisdictions. While benchmarking can provide useful guidance, it does not, in itself, demonstrate that the resulting factors accurately reflect the spectrum environment, assignment demand, congestion levels or propagation requirements that characterise the ECTEL Member States specifically.[20]

8.3. FLOW is aware that ECTEL has omitted a congestion factor from the fixed-link fee structure (noting that the congestion element applied in Jamaica was addressed instead through the band factor), and that ECTEL intends to keep the approach under review. FLOW welcomes the commitment to ongoing review, but requests that ECTEL provide clearer detail on the review

18 ITU Pricing Guidelines (n 10) 10–25.

19 ECTEL Consultation (n 1) 52, 61–63 and 65.

20 Ibid 52 and 61–65.

mechanism: specifically, what conditions or metrics would trigger a revision, over what period the initial factors will apply before a formal review is conducted, and what process will be followed for that review, including the opportunity for operator engagement.[21]

8.4. Until the methodology underlying the specific factors in Table 13 has been more fully substantiated, FLOW is unable to endorse them as definitively appropriate and requests that ECTEL provide the supporting analysis before the final determination is issued.

9. Question 8: Do you agree that the distinctions between link types and service types (backhaul, inter-site, other microwave) should be removed, with one fee per link regardless of configuration?

Response

9.1. FLOW agrees that removing the distinctions between link types and service types for fixed-link fee purposes is appropriate and consistent with sound regulatory practice. The purpose for which a microwave link is used — whether backhaul, inter-site connectivity or another microwave application — does not affect the amount of spectrum the link occupies, nor does it alter the spectrum management burden associated with administering the assignment. A fee structure that distinguishes between link configurations on the basis of operational classification introduces complexity without a clear corresponding regulatory benefit.[22]

9.2. Charging on the basis of bandwidth and frequency band, rather than the operational classification of the link, is more transparent, more objective and more consistent with the principle of technology neutrality. Operators will be able to understand and forecast their fee obligations more readily under a unified per-link fee, which in turn supports investment planning. FLOW does not have any issue with the proposal at this time.[23]

21 Ibid 52, 56–57 and 61–62.

22 Ibid 52–54 and 61–64.

23 Ibid 52–54 and 61–64; ITU Pricing Guidelines (n 10) 10–25.

10. Question 9: Do you agree with a 39% inflation adjustment to broadcasting channel fees, applied uniformly across Member States as the default schedule?

Response

10.1. FLOW supports, in principle, a harmonised broadcasting channel-fee schedule and regular, evidence-based fee reviews. However, FLOW does not agree with the proposal as currently formulated.

10.2. The consultation does not provide sufficient information to reproduce the stated 39% population-weighted inflation adjustment. It variously refers to approximately 39% inflation in Saint Lucia, inflation exceeding 37% in Saint Lucia, and population-weighted inflation across the Member States. ECTEL should publish the CPI series, country weights, measurement period and rounding methodology used in its calculation.[24]

10.3. There is also an inconsistency in the proposed television fee. The applicable schedules reviewed for Dominica, Grenada and Saint Lucia prescribe an annual television channel fee of XCD 3,000, whereas section 7.1 uses XCD 3,300 as the prevailing fee. The proposed XCD 4,600 fee is approximately 53% above XCD 3,000, rather than 39%.[25]

10.4. The increases proposed for St Vincent and the Grenadines are greater still. Increasing the FM channel fee from XCD 500 to XCD 2,800 represents a 460% increase, while increasing the television channel fee from XCD 300 to XCD 4,600 represents an increase of approximately 1,433%. These increases arise principally from harmonisation rather than inflation and should be identified and assessed separately.[26]

10.5. As ECTEL characterises broadcasting fees as cost recovery charges, it should also demonstrate how the proposed rates relate to the direct and indirect costs of authorisation, coordination, monitoring and enforcement. Inflation is a relevant consideration, but does not, without supporting cost information, establish that the proposed rates reflect the costs attributable to broadcasting spectrum management. This distinction is consistent with ITU guidance on

24 ECTEL Consultation (n 1) 7, 11, 67 and 73–75.

25 Telecommunications (Fees) (Amendment) Regulations 2016, SRO 31 of 2016 (Dominica) sch 3; Telecommunications (Fees) (Amendment) Regulations 2014, SRO 55 of 2014 (Grenada) Third Schedule; Telecommunications (Fees) Regulations 2014, SI 60 of 2014 (Saint Lucia) sch 3; ECTEL Consultation (n 1) 67 and 73–75.

26 Telecommunications (Fees) Regulations 2007, SRO 3 of 2007 (St Vincent and the Grenadines) sch 3; ECTEL Consultation (n 1) 67 and 73–75.

administrative cost recovery fees.[27] For greater precision, FLOW recommends that ECTEL correct or explain the television fee baseline and publish the complete inflation calculation at a minimum.[28]

11. Question 10: Do you agree with the proposed targeted relief mechanism for qualifying public-interest broadcasters? What eligibility criteria, evidence requirements and review periods should apply?

Response

11.1. FLOW does not object to a targeted relief mechanism in principle, provided that it is transparent, objectively administered and limited to cases where both a genuine public-interest function and financial need are demonstrated. The mechanism should not confer an advantage on broadcasters that compete commercially with other spectrum users.[29]

11.2. FLOW proposes the following principles:

- **Eligibility:** Applicants should be non-profit-distributing broadcasters primarily providing community, educational, cultural, civic or emergency information programming. Limited advertising or sponsorship should not automatically disqualify an applicant, provided that commercial activity remains incidental and any surplus is reinvested in the service.[30]
- **Evidence:** Applicants should provide relevant evidence demonstrating their public-interest purpose, non-commercial character and inability to pay the full fee.[31]
- **Review:** Relief should apply for one annual fee cycle, subject to annual certification and a full reassessment at least every three years. It should be capable of prospective withdrawal following a material change in ownership, funding, commercial activity or programming.[32]

27 ECTEL Consultation (n 1) 13, 67 and 73–75; ITU Pricing Guidelines (n 10) 10–25; ITU Handbook (n 15) ch 6.

28 ITU Pricing Guidelines (n 10) 10–25.

29 ECTEL Consultation (n 1) 78–79 and 98.

30 Community Radio Order 2025, SI 2025/160, arts 2–3; Office of Communications, Guidance on Changes to Key Commitments and Ensuring Compliance (24 May 2018) 4–8.

31 Office of Communications, Notes of Guidance for Community Radio Licence Applicants (2017) 9–17; Office of Communications, Guidance on Changes to Key Commitments and Ensuring Compliance (24 May 2018) 12–14.

32 ECTEL Consultation (n 1) 78–79 and 98.

12. Question 11: Do you agree that satellite earth station and VSAT fees should be charged per station rather than per frequency, at XCD20,000 per gateway earth station and XCD6,000 per VSAT earth station, uniform across frequency bands?

Response

12.1. FLOW is of the view that a determination on the basis of satellite earth station and VSAT fees is premature considering the unconcluded NTN licence fee consultation and in the absence of any consultation for a comprehensive framework for satellite authorisation within the ECTEL region. Notwithstanding this statement, a transparent per-station charging structure, provided that it neither under-recovers regulatory costs nor gives satellite operators an undue cost advantage over terrestrial operators providing substitutable services.[33]

12.2. FLOW proposes three guiding principles:

- **Competitive neutrality:** Earth station fees must be assessed together with the applicable NTN licence, revenue and spectrum fees. The combined regulatory burden should reflect the nature and scale of the service and should not materially favour satellite operators over terrestrial providers.[34]
- **Cost and value justification:** Before adopting XCD 20,000 per gateway and XCD 6,000 per VSAT, ECTEL should publish the underlying cost and economic analysis. The substantial reductions from existing fees should not be adopted solely because they are closer to international benchmarks drawn from markets with materially different conditions.[35]
- **Anti-avoidance:** The regulations should define "station", "gateway" and "VSAT" clearly and address co-located antennas, multiple frequency assignments and multi-satellite operations. A per-station approach should not permit significant spectrum use or competing network operations to escape proportionate charges.[36]

12.3. Although uniform treatment across bands would simplify administration, ECTEL should confirm that differences in bandwidth, coordination requirements, interference risk and spectrum demand do not justify differentiated charges. The consultation itself recognises that international

33 Ibid 80–91 and 99.

34 Ibid 80–91 and 99; ITU Pricing Guidelines (n 10) 10–25.

35 ECTEL Consultation (n 1) 80, 86 and 88.

36 Ibid 80–91 and 99.

satellite fee structures vary and may take account of bandwidth, frequency band and network scale.37 FLOW reiterates that a comprehensive framework for satellite authorisation should be developed and consulted on prior to establishing administrative fees. Further consideration of per-station charging is contemplatable but FLOW does not endorse the proposed position nor amounts at this stage, without having considered the overarching requisite framework. This position is consistent with FLOW's previous submissions that regulatory flexibility must not create a lighter parallel regime for NTN competitors.38

13. Question 12: Do you agree with a single linear NTN spectrum fee of XCD25 per MHz per Member State per year for shared, non-exclusive satellite spectrum, with no additional spectrum fee where the service uses IMT spectrum already licensed to a mobile network operator?

Response

13.1. FLOW does not agree that XCD 25 per MHz per Member State has been demonstrated to be an appropriate or competitively neutral fee. Non-exclusive, satellite spectrum should be charged on the basis of new market realities, where satellite players are now offering services in markets in which they previously did not operate. The proposed rate could materially favour NTN operators whose broadband or direct-to-device (D2D) services may compete with terrestrial services. 39

13.2. ECTEL's proposed IMT rate for sub-1 GHz spectrum is XCD 0.14 per MHz per head of population. Applying that rate to 10 MHz and the consultation's combined 2024 population of 510,615 produces an annual five-state IMT spectrum charge of approximately XCD 714,861. The corresponding NTN spectrum charge for 10 MHz across five Member States would be XCD 1,250—a spectrum-fee ratio of approximately 572:1. This is not a direct like-for-like valuation because the IMT rights are exclusive while the proposed NTN rights are shared or subject to no-protection/no-interference conditions; nevertheless, the scale of the difference requires a fuller competition and market-impact assessment.40

37 Ibid 85–88.

38 ITU Pricing Guidelines (n 10) 10–25; ITU Handbook (n 15) ch 6.

39 ECTEL Consultation (n 1) 91 and 99.

40 Ibid 15, 91, 98–99 and appendix A, tables 65 and 68.

13.3. FLOW has consistently maintained that where NTN services are substitutable for terrestrial broadband or mobile services, the regulatory framework must avoid giving satellite providers materially lighter obligations merely because they use a different technology. FLOW's previous submissions therefore call for accurate market definition, competitively neutral spectrum pricing and the application of the "same service, same rules" principle to NTN services that compete directly with terrestrial operators.

13.4. ECTEL's stated basis for the XCD 25 rate is also insufficient. The consultation derives a five-state aggregate rate of XCD 125 per MHz principally from Canada's initial NGSO deployment rate, but does not establish that Canada and the ECTEL markets are comparable in competitive conditions, revenue potential, regulatory costs or terrestrial investment requirements. Canada's framework also applies a higher rate after full NGSO deployment and adjusts its fees over time; for 2026–27, the published Canadian rates are CAD 68.07 per MHz during phased deployment and CAD 136.13 per MHz thereafter.[41]

13.5. FLOW understands the proposal that no additional spectrum fee should apply where an NTN service operates through IMT spectrum already licensed to an MNO. In that case, the spectrum rights have already been paid for under the IMT framework, and the satellite operator's authority to use those frequencies should derive from the MNO's licence and an approved commercial arrangement. This approach is consistent with the principle that a regulator should not issue overlapping rights for the same IMT frequencies and geographic areas.[42]

13.6. However, that provision must not permit an independent NTN provider to obtain direct or parallel rights in licensed IMT spectrum. Any satellite use of such spectrum should require the relevant MNO's agreement, remain subject to the MNO's licence conditions and interference responsibilities, and preserve the terrestrial licensee's existing rights.[43]

13.7. FLOW recommends that ECTEL, at a minimum:

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41 Ibid 89–91; Innovation, Science and Economic Development Canada, Notice No SMSE-001-23—Fee Order for Space Stations (January 2023); Innovation, Science and Economic Development Canada, Spectrum and Telecommunications Fees (30 October 2025) <https://ised-isde.canada.ca/site/spectrum-management-telecommunications/en/learn-more/key-documents/spectrum-and-telecommunications-fees> accessed 6 October 2026.

42 ECTEL Consultation (n 1) 91 and 99; GSMA, Spectrum Policy Trends 2025 (2025) 25–27.

43 GSMA, Spectrum Policy Trends 2025 (2025) 25–27; GSMA, Spectrum for Direct-to-Device: Policy Considerations (September 2025) 8–10.

- **Adopts differentiated fees:** Apply a competitively neutral, value-informed rate to substitutable broadband and D2D services, while permitting proportionate treatment for narrowband IoT, emergency or genuinely complementary applications.
- **Assesses the total burden:** Evaluate the spectrum fee together with the proposed 3% revenue fee, minimum licence fee, earth-station fees and compliance obligations, while avoiding both double charging and preferential treatment.44
- **Publishes the methodology:** Disclose the regulatory costs, economic assumptions, market comparisons and competitive effects supporting the final rate.
- **Reviews the regime:** Reassess the fee periodically as NTN deployment, market penetration and D2D services develop, with an earlier review where an operator's service becomes materially substitutable for terrestrial connectivity.

13.8. International guidance supports transparent spectrum fees based on objective factors, equitable treatment and an appropriate balance among cost recovery, economic value, efficient spectrum use and competition. A purely administrative fee may be suitable for limited shared-spectrum uses, but it should not become a mechanism through which a large-scale NTN provider supplies competing telecommunications services at a fraction of the regulatory burden borne by terrestrial operators.45

13.9. FLOW therefore rejects the proposed XCD 25 rate as presently substantiated, rather than asserting that shared satellite spectrum must carry an identical per-MHz price to exclusive IMT spectrum. ECTEL should develop a differentiated and competitively neutral methodology that reflects the rights granted, regulatory costs, service substitutability, scale of operation and market impact. FLOW otherwise does not have an issue at this time concerning the absence of an additional spectrum fee when NTN service is provided using IMT spectrum already licensed to and controlled by an MNO.

44 ECTEL Consultation (n 1) 80, 91 and 99.

45 ITU Pricing Guidelines (n 10) 10–25; ITU Handbook (n 15) ch 6; International Telecommunication Union, Economic Aspects of Spectrum Management, Report ITU-R SM.2012-7 (2025) 7–18.

14. Question 13: Do you agree with the removal of the paging entries from the fee schedule and with leaving fees for spread spectrum, land mobile, maritime mobile, aeronautical mobile, community radio and studio transmitter links unchanged?

Response

14.1. FLOW agrees with the removal of paging entries from the fee schedule. No paging systems remain in commercial service across the ECTEL Member States, and maintaining fee schedule entries for a technology no longer in use serves no regulatory purpose. Removal is appropriate.[46]

14.2. FLOW has no material objection to leaving fees for spread spectrum, land mobile, maritime mobile, aeronautical mobile, community radio and studio transmitter links unchanged at this stage. FLOW notes that community radio forms part of the public-interest broadcasting category addressed in Question 10 above; any relief mechanism adopted pursuant to that question should apply consistently to community radio licensees where they meet the relevant eligibility criteria.[47]

14.3. FLOW encourages ECTEL to include these service categories within the scope of any future scheduled spectrum fee review, to ensure that fees for land mobile, maritime, aeronautical and studio transmitter links remain cost-reflective and proportionate as the technology and market context for those services evolves. This is a recommendation for the scope of the next review rather than a request for immediate change.[48]

15. Question 14: Do you have any other comments on the proposals of this consultation?

15.1. FLOW appreciates ECTEL's intents in modernising the spectrum fee structure, and welcomes the opportunity to contribute to this consultation on the review of annual spectrum fees. The decisions arising from this process will have significant implications for investment, competition, and the future development of the telecommunications sector. As the industry undergoes rapid technological change and increasing competitive pressure, regulatory policy must be carefully calibrated to support innovation, network expansion, and long-term sustainability.

15.2. Telecommunications operators are facing a challenging environment characterised by declining traditional revenues, rising operating costs, and substantial capital requirements to support network modernisation, resilience, cybersecurity, and next-generation technologies such

46 ECTEL Consultation (n 1) 92–95 and 99.

47 Ibid 78–79, 92 and 98–99.

48 ITU Pricing Guidelines (n 10) 10–25.

as 5G. While we recognise the importance of adequately funding regulatory institutions, this must be balanced against the financial realities of the sector. Regulatory fees represent a significant cost burden that is often absorbed by operators, directly affecting investment capacity and returns on capital.

15.3. In proposing measures that enhance fairness, promote parity, and encourage the efficient use of spectrum, any rebalancing of fees should not result in increased financial extraction from the sector. Rather, the objective should be to establish a spectrum fee framework that supports investment, strengthens competitiveness, and advances the region's digital development goals.

15.4. It is our considered view that ECTEL should adopt an enabling spectrum fee regime that extends beyond simple benchmarking exercises, which have inherent limitations in capturing the unique histories, structures, and dynamics of ECTEL markets. Instead, spectrum fees should be informed by robust economic analysis and a broader assessment of relevant policy considerations, including investment incentives for deployments such as 5G, market sustainability, and the evolving competitive landscape. This approach should also be aligned with the development of a comprehensive satellite authorisation framework that reflects emerging technologies, new service delivery models, and the rapidly changing realities of the communications sector.

[END OF RESPONSE]