



## **DECISION NOTICE 2019 – 6**

**November 19, 2019**

### **ISM BAND CONSULTATION DECISION**

#### **Introduction**

This consultation on the commercial use of Industrial, Medical and Scientific (ISM) frequencies, was initiated in response to an application received from AFF Ltd. to provide wireless internet services over unlicensed spectrum in the 2.4 GHz and 5 GHz bands. AFF Ltd. has proposed to deliver this service extensively over the ISM spectrum, which has raised concerns regarding the vulnerability of the service and the potential collateral effects to existing communication systems and services that also share this space. Therefore, the Commission saw it necessary to conduct a consultation into the wider commercial use of the ISM bands for telecommunication services delivery in the Turks and Caicos Islands.

#### **Consultation**

The Commission published a consultation document consisting of five questions that outlined some of the major concerns relating to the commercial use of the ISM frequencies. Those concerns were centered mainly around issues of congestion and interference, quality of the service, and the permissibility of commercial enterprises being allowed to utilize the ISM spectrum as a viable platform to deliver public telecommunication services. The general public was invited to provide answers to the consultation questions, which were subsequently evaluated

and considered in the formulation of this decision. After the conclusion of this process, the Commission had received submissions from Flow, Betco, and AFF Ltd. Digicel did not participate in this consultation exercise. A copy of these submissions can be found on the Commission's website.

### **Decision**

After evaluating and analyzing the responses provided by the respondents, the Commission has concluded the following concerning the commercial use of the ISM bands:

- No restrictions will be imposed based on the class of use (commercial or non-commercial), and it shall remain free of costs for commercial applications.
- No geographic restrictions will be placed on the services being deployed over the ISM spectrum. However, such services will continue to be subjected to the "no hand-over" provisions that are defined within the TCI's National Spectrum Allocation Plan.
- The Commission will apply new conditions to the ISM spectrum via the TCI's National Spectrum Allocation Plan to mitigate the potential for disruptive interferences to other ISM services and devices that may be brought about by the extensive commercial use of ISM frequencies.