

30 May 2025

Independent Communications Authority of South Africa

Attention: Ms. Pumla Ntshalintshali

Per email: PNtshalintshali@icasa.org.zaCC: rmakgotlho@icasa.org.za**STATEMENT OF SUPPORT: DRAFT REGULATIONS ON DYNAMIC SPECTRUM ACCESS AND OPPORTUNISTIC SPECTRUM MANAGEMENT IN THE INNOVATION SPECTRUM BANDS**

1. ISPA has noted the publication of the Draft Regulations on Dynamic Spectrum Access and Opportunistic Spectrum Management in the Innovation Spectrum Frequency Ranges 3800-4200MHz and 5925 – 6425MHz (“the Draft Regulations”).
2. ISPA wishes to express its strong support for the Authority’s efforts to democratise access to spectrum and in particular to provide opportunities for SMEs to utilise this resource effectively.
3. National policy on the management and use of radio frequency spectrum has for decades called for opening up access to spectrum as a critical input for WISPs and other SMEs which are recognised as both a vehicle for broader economic growth and critical to bringing universal meaningful connectivity to all South Africans.
4. In ISPA’s estimation, this process represents the first real attempt to implement this policy and ISPA supports this whole-heartedly.
5. ISPA wishes to emphasise the importance of the following in the finalisation of the Draft Regulations:
 - 5.1. **Affordability of access:** presumably this will be dealt with in amendments to the spectrum fees regulations, but it is obviously critical that fees for use of the USS are affordable
 - 5.2. **Competition in the provision of USSP services:** ISPA would prefer a position where there is some form of competitive process for the appointment of an USSP, if it is correct that the market can only sustain one such provider. As such the proposed position where the Authority simply designates a USSP is not supported and may contribute to higher fees and other anti-competitive outcomes in the provision of USSP services.

5.3. **Affordability of devices:** this appears to be a material threat to uptake of the contemplated spectrum management techniques. Consideration needs to be given to mechanisms to support SMEs to access and share the required RF equipment.

6. Should the Authority elect to hold public hearings towards finalising the regulations, ISPA does not require an opportunity to present but is happy for its support of the Draft Regulations to be made known.

Regards

Internet Service Providers' Association
(intended as an electronic signature)