



Australian Government

Department of the Prime Minister and Cabinet
Office of Best Practice Regulation

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Rachel Blackwood
Acting Assistant Secretary
Spectrum Branch & Telecommunications Deployment Policy Branch
Department of Infrastructure, Transport, Regional Development and Communications

Dear Ms Blackwood

**Regulation Impact Statement – Second-Pass Final Assessment – 26 Ghz
Allocation Limits Direction**

Thank you for forwarding a Regulation Impact Statement (RIS) to the Office of Best Practice Regulation (OBPR) for second-pass final assessment on 20 July 2020 examining whether to apply allocation limits for the 26 Ghz spectrum auction.

The RIS addresses the seven RIS questions and follows an appropriate policy development process commensurate with the significance of the problem and magnitude of the proposed intervention. The RIS provides a reasonable level of information on the risks and negative consequences stemming from the monopolisation of spectrum during an auction without allocation limits, and why existing competition law is not sufficient to prevent this.

The OBPR's final assessment is that the Department of Infrastructure, Transport, Regional Development and Communications is compliant with the Government's requirements and that the RIS is consistent with good practice. The RIS may now be provided to the decision maker to inform a final decision.

We would appreciate you advising us when a final decision on this proposal has been announced and forwarding us a copy of the RIS in a form meeting the Government's accessibility requirements. The OBPR's reference number for this matter is 42528. If you have any further queries, please do not hesitate to contact me.

Yours sincerely

Jason Lange
Executive Director
24 July 2020