Remote Central Variation Report April 2016
Response to Submissions

12 April 2016

To the Radio Planning Division – Australian Communications and Media Authority (ACMA)

Thank you for the opportunity to respond to submissions relating to the variation of SL010147 the Remote Central Zone Commercial Radio service (known as 8SAT or Flow FM).

Background

8SAT Flow FM sought the ACMA to vary the Remote Central license by providing a commercial radio re-transmission to Beulah Area, Mt Buller and Birchip (with a frequency change from 97.7 MHz to 106.5 Mhz following exhaustive testing). We advise that there is no submission relating to the Birchip or Mt Buller requests and welcome licensing forthwith. ACMA sought public comment on the 8SAT variation to which no postings were made at the ACMA website at the closing date of 25 March. We advise that the ACMA has accepted submissions after the closing date or did not advise 8SAT that there was an extension to this date if that was the case. In any event this denied the right of reply for 8SAT to these submissions. So we would ask that this response would be accepted and given the same courtesy that ACMA has given the other respondents in this case.

Submissions from CRA and ACE Radio Broadcasters

We will address the submission from ACE Radio Broadcasters and CRA as they pertain to 8SAT planning at Beulah. We submit that current planning is compliant and has met with Technical Planning guidelines which we discuss. We will later address some general matters from the Bathurst Broadcasters submission raise.

ACE Radio submission - Beulah

8SAT Flow FM has identified a number of incongruences in the ACE Radio submission. ACMA will recall that ACE radio have a history in opposing 8SAT services contained within the 8SAT LAP. In a written submission about 8SAT’s previous license variation by Managing Director Stephen Everett dated 20 December 2013, they opposed 8SAT services in that variation describing them as ‘omni directional’ when in fact ACMA had planned with 8SAT directional services. Additionally, they informed ACMA about 8SAT and “how they can have coverage into an existing license area and be described as Remote Area licenses is incomprehensible..”

The licenses were proclaimed in 1987 with clearly defined overlapped coverage with the Horsham and Swan Hill licenses with the Remote Central. Additionally, that nearly 30 years have passed in which ACE Broadcasters have had opportunity to serve the overlapped licensed towns without application. Their Hopetoun application only occurred after 8SAT had sought to serve the area given the long suffering community disappointment at not having being served by ACE Radio with FM services. We thank ACMA for partially addressing this in the Northern Yarrambiack Shire with 95.3 Mhz now on air. 8SAT has received strong support from the Yarrambiack Shire to further FM commercial services in the Remote Licensed area with support for the new Beulah Area service.

ACE Radio claim that they are ‘convinced the proposed transmission will reach the higher population town of Warracknabeal’ which they later also describe as ‘fortuitous signal’ at Warracknabeal. We identify this as an
admission by ACE Radio that Flow FM is not providing a service to Warracknabeal. Flow FM draws attention to the Technical Planning Guidelines and has proposed the Beulah service to meet the ACMA Technical Planning Guidelines (TPG) and does not overspill into any urban centres of adjoining LAPS as claimed by ACE Radio and CRA. The TPG’s describe Urban Centres being protected down to the 54 dBu contour. We draw attention to the CRA figure which is the same as ACMA figure 3-2 (3.1.1 and Figure -1: Beulah coverage from the proposed site at 6kW ERP, DA) that ACMA planning models clearly show Warracknabeal being in the 40-48 dBu contour with the 1.5 Kw in that direction offering protection with lower level fortuitous reception. 8SAT notes CRA’s own support for recent license requests for 5DN, 3MP and the capital city digital plans at above 66 dBu for adequate servicing of urban centres so 8SAT is 20 dBu below this level.

ACE Radio further make an erroneous claim that ‘8SAT also have a history of using omnidirectional antenna systems even when the specifications state directional antenna patterns’. ACMA have worked with 8SAT at each planned transmitter site in delivering requested patterns. At best ACE Radio’s statement is mischievous. There is no case to install more expensive antennas and given ACE Radio’s comments in the CRA submission of 2013 that they failed to serve these areas due to their economic viability, the cost efficient directional properties of dipole antennas mounted against a steel tower are sufficient to provide any protection required to adjacent LAPS.

ACE Radio’s demand for a different site closer to Beulah fails to provide any technical detail. A proposal to relocate the proposed 8SAT site north or east would result in reduced population coverage to the west and south of the 8SAT license and render the localities of Aubrey, Crymelon, Willenabrina and Lah and would therefore be an inefficient use of spectrum given a further service would need to be planned south west of Aubrey to service that part of the 8SAT license area.

Based on Figure -2: Beulah coverage from the proposed site at 6kW ERP, DA, 8SAT has maximised the number of people covered in the license boundary, protected the Horsham plan and effectively given the first commercial FM service to at least 700 people who currently do not receive the number of commercial radio services that they are entitled to.

Figure-3: Beulah coverage from the proposed site at 6kW ERP, DA
CRA Submission - Beulah

While the validity of the submission is to be questioned given its date, 8SAT will respond to the matters raised requiring clarification from the 7 April 2016 Report (noting that it was submitted after the close off date). 8SAT is a member of CRA and notes that during 8SAT's operation of SL 010147 that CRA has written submission opposing license extensions on 3 occasions to which ACMA have rejected and upheld the 8SAT planning. We further state that CRA seems concerned to only oppose the Flow FM and Rebel/ Breeze variations preferring to not comment negatively on all other licensee variations, which is perplexing given their record in providing engineering that ACMA could use in relation to 8SAT specifications.

ACMA in conjunction with 8SAT have planned a 6Kw directional service with significant protection ratio to the Horsham plan and Warracknabeal (UC) which as described previously would receive low grade fortuitous reception. CRA's submission actually concurs with ACMA TPG's agreeing with the field strengths at Warracknabeal being in the 40 - 48 dBu range. However, 8SAT (and we suspect many in the industry) are perplexed at why CRA is seeking broadcast planning for only half of the people in the Beulah area but at the same time has suggested that fortuitous reception is somehow now a 'service'. CRA's engineer Dr. Sable’s low field strength model, is not workable in any market due to Tropospheric Propagation which 8SAT has endured at Birchip necessitating a frequency change. If anything greater field strengths above 60dBu are needed to overcome main street noise and interference plus interference from Tropospheric Propagation.

We further state that CRA has argued strongly previously as an industry that a service is one of a minimum of 66dBu when it has proposed services adjacent the 8SAT license area. 8SAT notes the overspill of CRA members backed by CRA in previous submissions at Melbourne, Adelaide, Young, Digital planning at all Capital and major regional centres all at 66 dBu. Strangely, they now believe that the TPG’s should reflect 40 dBu for 8SAT provision of ‘services’ and have gone to some length to plan a ‘service’ for 8SAT that provides fewer of the licensed area listeners with less than 48 dBu. At a minimum, following the TPG’s and the industry standard of 66 dBu should be the continue industry standard which we are sure CRA will return to when arguing for stronger field strengths for AM to FM cutovers for their members.

CRA have also commented on a range of ‘Urban Centre’ towns (that Flow FM does not have licensing for) including Ouyen, Sea Lake, Rainbow, Warracknabeal, Wycheproof, St Arnaud, Cohuna, Wakool, Deniliquin and Mathoura. Of these only Ouyen, St Arnaud, Cohuna and Deniliquin are Urban Centres. Even so only Warracknabeal is relevant to the current Beulah discussion. Additionally, that ACMA has already previously planned services for 8SAT in 2013 that are in Common Law for the remainder of the ‘areas’ that met the Technical Planning Guidelines with no service overspilling at any of the above suggested Urban Centres.

We also further note that CRA have used indicative fortuitous mapping provided by 8SAT via our website for community engagement purposes. We draw ACMA's attention to the fact that commercial services have mapping created with reception areas in particular for fortuitous reception as a guide to the community. Licensees use this type of mapping reception particularly in regional areas where the lack of services in many towns is prevalent particularly on FM. Hence 8SAT shows the community where they can achieve reception particularly in towns where other licenses have failed to provide FM services. We note that this is standard practice and have previously discussed this with ACMA. This has not been a problem for CRA member broadcasters in the past including ACE Radio (see figure 1 below). While ACE is not licensed in South Australia where 8SAT and 5SE are, ACE has claimed mapping overspill. Or where Grant Broadcasters have claimed coverage of virtually all of Flow Fm’s SA coverage areas. (see figure 2). Thirdly, 2DU Dubbo mapping claiming Coonabarabran, Coonamble, Dunedoo, Mendooran and the remote area to the west outside their
license through to Cobar, all outside their license area. (see figure 3) CRA are well aware of fortuitous reception and their members mapping and are attempting to discredit 8SAT for its ability to plan FM services and identify community needs even if it is at lower fortuitous levels. In remote areas people will listen to whatever they can get even if it is fortuitous. Hence 8SAT’s previous submissions to ACMA on providing engineering resources to address unserviced towns with their first FM service. Perhaps CRA could advise ACMA as to why many of the listed towns in Table 1-1 do not have the number of commercial radio services that they are entitled to or why the incumbent licensees failed to apply to service these town under 2001-2005 Black Spot Funding which was available to them (for free) and would have meant some of these isolated towns would gain their first FM radio service. Alternatively these communities suffer with scratchy long range AM or any low level fortuitous reception from FM carriers like Flow FM.

Figure 1 – ACE coverage Map (source B&T Advertorial 2006)

Figure 2 – Grant Broadcasters coverage map (source Tour SA 2014)
Bathurst Broadcasters Submission

While this submission does not directly affect our license requests we note at Bocoble an extraordinary requests for three other broadcast licenses to overlap the Remote Eastern plan in order to serve under 1000 people. That would mean a potential 6 additional frequencies that would be used plus the Remote broadcaster having 2 services, which completely opposite to the ‘Spirit under which Remote Radio services were established’, that being smaller communities out of other Commercial License area coverages accessing commercial radio. The request for a further 6 additional frequencies would be the most inefficient use of spectrum and given the same broadcasters later assertion that spectrum resources are limited given future AM to FM migrations, this is very contradictory. Mainstream Commercial broadcasters including 8SAT and 4RBL / 4BRZ should have access to this spectrum now without duplicity in order for Remote Australians to receive their first commercial radio services. We would seek from ACMA a time frame for FM migration.

Conclusion

8SAT advises that any change of site or power to the specification at Beulah would be to the detriment of the communities of Beulah, Brim, Lah, Aubrey, Crymelon, Willenabrina, Galaquil, Kenmare and Roseberry all of which under the 8SAT proposal would gain their first commercial FM radio service. Further comment is available from -

Wayne Phillips - Managing Director

PO Box 407 Kapunda 5373

08 85663151

mail@flowfm.com.au