



Ref. No. DOIA 2122-2119

8 June 2022

Jonathan Brewer  
[fyi-request-19294-f7158e1b@requests.fyi.org.nz](mailto:fyi-request-19294-f7158e1b@requests.fyi.org.nz)

Dear Jonathan

I refer to your email of 9 May 2022 to the Ministry of Business, Innovation & Employment (MBIE), requesting the following under the Official Information Act 1982:

*Radio Spectrum Management's 15 December 2021 presentation "Technical Working Group on 3.3-3.8 GHz" describes two options for harmonisation of synchronisation and frame structures across the 3.3-3.8 GHz frequency band.*

*Option A is described as limiting cell sizes to a radius of ~9 km, and Option B is described as allowing for cell radius up to ~14.5 km, and the potential for co-existence between 4G and 5G services.*

*Please release any and all emails, documents, research, and presentations to cabinet that discuss the topic and how choices could impact the availability of high speed broadband for rural and remote users.*

*Additionally please advise:*

*1.) Have rural stakeholders been engaged to discuss technical choices that could limit the use of the frequency band to either ~9 or ~14.5 km from a tower? If so, how has this engagement process been run, and what feedback has been received in response?*

*2.) Has the Commerce Commission been consulted on the potential for a reduction in competition in the rural services market should a technical choice restrict the availability of equipment or result in economically untenable situation for rural and remote providers?*

Further to an email from MBIE of 18 May 2022, I note your email of 25 May 2022 stating:

*I would like to revise the request as suggested. Please release a copy of the cabinet paper "Allocation of 3.5 GHz spectrum to support the rollout of 5G and the advancement of rural connectivity".*

In your correspondence to MBIE of 1 June 2022, you clarified that, while you are happy for part of your request under the Act to be revised and transferred to the Minister of the Digital Economy and Communications, you would like MBIE to provide a response to the part of your request relating to emails, documents and research.

I am writing to advise you that MBIE will be providing a response to your request under the the Act for the following information:

*Radio Spectrum Management's 15 December 2021 presentation "Technical Working Group on 3.3-3.8 GHz" describes two options for harmonisation of synchronisation and frame structures across the 3.3-3.8 GHz frequency band.*

Option A is described as limiting cell sizes to a radius of ~9 km, and Option B is described as allowing for cell radius up to ~14.5 km, and the potential for co-existence between 4G and 5G services.

Please release any and all emails, documents, research ~~and presentations~~  
~~to cabinet~~ that discuss the topic and how choices could impact the availability of high speed broadband for rural and remote users.

Additionally please advise:

1.) Have rural stakeholders been engaged to discuss technical choices that could limit the use of the frequency band to either ~9 or ~14.5 km from a tower? If so, how has this engagement process been run, and what feedback has been received in response?

2.) Has the Commerce Commission been consulted on the potential for a reduction in competition in the rural services market should a technical choice restrict the availability of equipment or result in economically untenable situation for rural and remote providers?

I am also writing to notify you that I am extending the timeframe for responding to your request under the following section of the Act:

15A(1)(b) consultations necessary to make a decision on the request are such that a proper response cannot reasonably be made within the original time limit.

We will respond to your request on or before 7 July 2022, which is an extension of 20 working days.

You have the right to seek investigation and review of my decision by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found at: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Yours sincerely



Madeline Sherwood King  
**Team Leader, Ministerial Services**  
Building Resources and Markets