Via Electronic Mail
pmailula@icasa.org.za
iecns-inquiry@icasa.org.za

February 16, 2026

Independent Communications Authority of South Africa
Attn: Mr. Peter Mailula
350 Witch-Hazel Avenue, Eco Point Office Park
Centurion, Pretoria, South Africa

RE: Comments on the Inquiry into New Individual Electronic Communications Network Service Licences

Amazon Leo[1] appreciates the opportunity to comment on the Independent Communications Authority of South Africa's ("ICASA") Inquiry into New Individual Electronic Communications Network Service Licences ("Public Consultation").[2] Amazon Leo commends ICASA for its efforts to promote competition and facilitate the entry of new operators offering innovative services. As described in further detail below, Amazon Leo respectfully encourages ICASA to improve access to Individual Electronic Communications Network Service ("I-ECNS") and Individual Electronic Communications Service ("I-ECS") licences to expand customer choice and promote innovative communications services for South African customers, including those in rural and remote locations.

I.   Background

Amazon Leo continues to make significant strides towards its goal of deploying a global constellation of low-Earth orbit ("LEO") satellites in the Ka- and Q/V-bands to deliver high-speed broadband connectivity worldwide, including in South Africa. Amazon Leo successfully launched its first 27 satellites on April 28, 2025. That mission was the first of more than 80 planned missions to deploy Amazon Leo's initial constellation. To date, Amazon Leo has launched over 200 satellites, with additional launches planned in the coming weeks and months.[3] Further, Amazon Leo has started shipping terminals to select enterprise customers for initial network testing as part of an enterprise preview and plans to roll out service more widely as it launches more satellites and increases network coverage and capacity.

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[1] Kuiper Systems LLC (d/b/a "Amazon Leo") is a wholly owned subsidiary of Amazon.com Services LLC (collectively, "Amazon"). On November 13, 2025, Amazon replaced the Project Kuiper code name with Amazon Leo, its permanent brand for its satellite broadband network.

[2] *See* Independent Communications Authority of South Africa, Inquiry into New Individual Electronic Communications Network Service Licences, Government Gazette, Notice 3644 of 2025 (Nov. 25, 2025) ("Public Consultation"); *see also* Independent Communications Authority of South Africa, Inquiry into New Individual Electronic Communications Network Service Licences, Government Gazette, Notice 3644 of 2025 (Nov. 25, 2025) ("Notice of the Public Consultation").

[3] *See Amazon Leo mission updates: First heavy-lift launch grows constellation to 200+ satellites*, Amazon Leo (February 12, 2026), https://www.aboutamazon.com/news/innovation-at-amazon/project-kuiper-satellite-rocket-launch-progress-updates.

II. Comments on Consultation

Question 1.1: What are your views on the current licensing framework in relation to the sale and transfer of I-ECNS and I-ECS licences (section 13 of the ECA)? In particular, does the current licensing framework hinder or promote competition? In providing your response, please provide reasons supported by evidence or case studies, where applicable.

The current framework for I-ECNS and I-ECS licence transfers under Section 13 of the Electronic Communications Act, 2005 creates significant challenges for new entrants seeking to provide telecommunications services in South Africa. While the voluntary, transaction-based approach was intended to facilitate efficient spectrum use, the results demonstrate that this system has not achieved its objectives.

Since the 2008-2009 financial year, ICASA has approved only 171 licence transfers—an average of approximately 10 transfers per year—despite having issued 928 I-ECNS licences during this period.[4] This low transfer rate indicates that the current framework does not effectively enable new service providers to obtain the authorizations necessary to deploy innovative technologies in the South African telecommunications sector.

The lack of a structured, rules-based process for obtaining new licences creates unpredictability for potential entrants and hinders the development of competitive telecommunications services. Amazon therefore supports ICASA's consideration of reforms that would establish clearer pathways for new licensees while maintaining appropriate regulatory oversight.

Question 1.2: In your view, should the Authority intervene in the current sale and transfer market to facilitate the purchase of existing licences? If yes, to what extent should the Authority intervene? Please motivate your response by providing reasons and any supporting evidence or data.

Amazon respectfully recommends that ICASA adopt a two-part approach to address the challenges identified in the current licensing framework:

First, we recommend ICASA implement clear and enforceable mandatory operationalization requirements. This should include the establishment of clearly defined "bring into use" obligations with specific deployment milestones for licence holders. Such requirements would prevent warehousing of I-ECNS licenses and ensure that licensed services are made available to customers in a timely manner. These obligations should also include provisions for modification of the licence terms or licence withdrawal in cases of material non-compliance, with exceptions allowed for delays arising from unforeseeable circumstances beyond an operator's control or overriding public interest considerations.

Several jurisdictions in Africa have successfully implemented similar frameworks. For example, in Nigeria, the Nigerian Communications Commission imposes rollout and service-launch timelines and phased coverage obligations within licence terms to ensure licenses are actively used. Kenya's Communications Authority requires licensees to comply with a "bring into use" deadline, typically within 1-year from license grant, with consequences for failure to meet this obligation. Uganda has adopted comparable measures to ensure that spectrum and licensing resources are actively utilized to serve the public interest. In Ghana, the National Communications Authority ties spectrum assignments to coverage and rollout obligations within defined timeframes. In Tanzania, the regulator requires operators to demonstrate active spectrum use and has undertaken utilisation audits to address under-deployment. Similar examples exist in the United Kingdom, India, and Brazil.

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[4] Public Consultation at 13.

Second, we recommend ICASA issue new licences through transparent Invitation to Apply ("ITA") processes. ICASA should establish clear, publicly available criteria for evaluating licence applications and defined timelines for decision-making. This approach would provide certainty for potential applicants while ensuring that ICASA maintains appropriate oversight of the licensing process. A transparent ITA framework would enable qualified service providers—including satellite operators like Amazon Leo—to obtain the authorizations necessary to deploy their systems and deliver services to South African customers.

These complementary measures would address the root causes of the current framework's limitations while creating opportunities for new technologies and service providers, encourage investment in telecommunications infrastructure, and consequently expand connectivity options for South African customers.

Question 1.3: What other considerations or interventions would be useful for the Authority to consider regarding the effectiveness and efficiency of the current sale and transfer licensing framework so as to promote competition?

Amazon supports the two-part approach outlined above and believes it represents the most effective means of promoting competition and expanding connectivity in South Africa.

Amazon respectfully cautions against certain alternative interventions that may not address the fundamental challenges in the current framework. For example, price regulation of licence transfers could create additional administrative complexity without resolving the underlying issues that have limited the number of successful transfers. Such regulation could also discourage voluntary transactions that might otherwise occur. Likewise, time limits on transfer negotiations could add procedural requirements without addressing the structural factors that have constrained the effectiveness of the voluntary transfer system. By contrast, the two-part approach of mandatory operationalization requirements and transparent ITA processes would create a level playing field for all potential service providers while also improving the conditions under which voluntary transfers might occur.

Question 2.1: In your view, are there sufficient market opportunities to justify issuing new IECNS and I-ECS licences? Please motivate your response.

Amazon believes there are substantial opportunities for new I-ECNS licences, particularly for non-geostationary satellite orbit ("NGSO") systems like Amazon Leo. NGSO satellite systems offer unique capabilities that complement terrestrial networks and can provide transformative benefits for South African communities, including: rural and remote connectivity, mobile network backhaul, emergency and disaster communications, resilient enterprise connectivity, and Internet of Things applications. The availability of these opportunities demonstrates that South Africa's telecommunications sector can accommodate additional licensees without creating resource constraints.

Question 2.2: Have you, or are you aware of any Licencee or interested party who has, considered or is considering launching or expanding network infrastructure or providing services in South Africa? What technologies, network architecture and/or spectrum frequencies do you think would be appropriate for any new I-ECNS Licencees? Please provide examples or evidence where possible.

Amazon Leo seeks to provide broadband services in South Africa and to support Internet Service Providers with backhaul connectivity. The Amazon Leo System will operate in Ka-band frequencies for fixed-satellite service ("FSS") operations, with plans to utilize Q/V-band spectrum as the system evolves.

Amazon respectfully urges ICASA to adopt a technology-neutral licensing regime that enables different technologies to compete on their merits. Technology neutrality ensures that regulatory frameworks do not inadvertently favor particular approaches while disadvantaging innovative solutions that could better serve South African consumers.

Question 2.3: If you are an existing Licencee, did you acquire your I-ECNS and or I-ECS licences through the sale and transfer market (i.e. bought from another Licencee) or did you obtain them directly from the Authority (not through transfer or change of ownership)? If acquired from the secondary market, please provide details on your experience.

Amazon has no comments on this question at this time.

Question 2.4: If you have/had I-ECNS and/or I-ECS licences, have you been approached or have you received unsolicited or solicited interest from an interested buyer to acquire your licence? Please elaborate and provide as much information as possible, if applicable.

Amazon has no comments on this question at this time.

Question 2.5: If you have I-ECNS and/or I-ECS licences and are not intending to sell your licence(s) in the next 3 - 5 years, please describe the infrastructure used (mobile, fixed, satellite or combination). Provide a list of services that you currently provide and whether those are provided to private consumers and/or businesses/organisations (or both where appropriate)?

Amazon has no comments on this question at this time.

Question 2.6: Are there any additional points that you think would be useful for the Authority to consider regarding the demand for I-ECNS and I-ECS licences?

The limited number of new entrants in recent years reflects the challenges in the current transfer framework rather than a lack of interest in providing telecommunications services in South Africa. A transparent, direct-licensing pathway through ITA processes would likely reveal substantial latent demand from qualified service providers, including satellite operators, that have been unable to obtain licences under the existing system.

Question 3.1: In your view, do you believe that new I-ECNS licences will promote or improve competition in the market? Please substantiate your answer.

Yes. Despite the existence of 470 I-ECNS licences, the South African telecommunications sector remains highly concentrated among a small number of dominant providers. The issuance of new licences through transparent ITA processes would enable genuine competition by allowing innovative service providers to enter the sector and offer differentiated services. Increased competition would benefit South African consumers and businesses through improved connectivity, including in rural and remote areas, pricing discipline resulting from competitive pressure, expanded service options and quality improvements, and accelerated deployment of advanced technologies.

Question 3.2: If you answered yes to Question 3.1 above, are there any competition issues or concerns that may hinder the effectiveness of such new I-ECNS licences in promoting or improve competition? Please provide evidence or examples.

Amazon Leo respectfully recommends that ICASA, in introducing the new I-ECNS licences, adopt a cost recovery basis for licensing fees. Cost recovery ensures that licencees pay for the actual administrative and regulatory costs associated with their licences, including regulatory oversight, while enabling new entrants to offer competitive pricing to end-users.

Question 3.3: What regulatory measures, if any, should the Authority consider to remedy the competition concerns you have identified in Question 3.2 above, or to ensure that any new IECNS licences compete effectively with the incumbents? Provide examples of the kinds of remedies you would expect to see.

Amazon reiterates its recommendation that ICASA adopt cost-recovery licensing fees as outlined above. This approach represents an effective regulatory measure to promote competition without imposing unnecessary burdens on new entrants or existing licensees.

Question 4.1: In your view, will new I-ECNS and I-ECS licences contribute to universal access and service within the current electronic communications network and services market? Please explain the mechanisms through which such contribution may occur. Provide any supporting data, case studies, or examples.

New I-ECNS licences will significantly contribute to universal access objectives. Systems like the Amazon Leo System are specifically designed to reach locations where terrestrial infrastructure may be economically challenging to deploy. Satellite systems can rapidly expand coverage to rural areas and remote communities, directly advancing South Africa's universal access goals.

Question 4.2: In your view, how should the Authority incorporate universal access and service obligations into the terms and conditions of new I-ECNS and I-ECS licences to ensure equitable access to communications services across South Africa?

To the extent ICASA decides to incorporate universal access and service obligations into the terms and conditions of new I-ECNS and I-ECS licences, Amazon Leo recommends they be result-based obligations rather than process-based obligations. Result-based obligations focus on outcomes such as population coverage percentages, service availability in underserved areas, minimum service quality standards, and deployment timelines, rather than prescribing specific technical implementations or operational processes. This approach achieves ICASA's connectivity objectives while providing flexibility for operators to do so efficiently and effectively.

Question 5.1: Are there any potential negative consequences associated with the rollout of infrastructure by the new I-ECNS Licencees that the Authority should consider?

Amazon does not anticipate significant negative consequences from issuing new I-ECNS licences through transparent ITA processes. The administrative burden on ICASA would be manageable, particularly if ICASA adopts result-based compliance frameworks that minimize ongoing monitoring requirements. With respect to environmental impact, satellite operations do not require extensive terrestrial infrastructure, and modern LEO satellites like the Amazon Leo System are designed with end-of-life disposal plans that comply with international space debris mitigation guidelines.

Question 5.2: What new or additional benefits, if any, could new I-ECNS licences provide compared to existing Licencees? Please provide examples or evidence of potential improvements such as service coverage, infrastructure rollout, technological innovation, competition, or other market and social benefits.

New I-ECNS licences would provide substantial benefits through the introduction of innovative technologies, like NGSO satellite systems, that can rapidly expand service coverage to previously hard to reach areas, including rural and remote locations, as well as improve competition.

Question 6.1: Do you have any additional comments regarding this Inquiry process that you would like the Authority to consider?

Amazon Leo respectfully requests that ICASA set out specific timelines for the process and conclusion of this inquiry. Timely completion of this inquiry would enable ICASA to promptly implement changes that would promote competition and advance connectivity objectives without unnecessary delay.

III.   Conclusion

Amazon Leo is grateful for the opportunity to comment on the Public Consultation and welcomes further engagement with ICASA on these important issues.

Respectfully submitted,

/s/ Madeleine M. Lottenbach

Madeleine M. Lottenbach
Senior Lead, Licensing & Regulatory Affairs
Amazon Leo

On behalf of Kuiper Systems LLC

Organisation	Kuiper Systems LLC (d/b/a "Amazon Leo"), a wholly owned subsidiary of Amazon.com Services LLC
Name and surname	Madeleine M. Lottenbach
Position	Senior Lead, Licensing & Regulatory Affairs, Amazon Leo
Contact details (telephone number and e-mail address)	kuipercontact-za@amazon.com mlottenb@amazon.com