

Commission decision on announcing the auction for obtaining radio spectrum license for terrestrial systems capable of providing electronic communications services

According to the Article 50 and Article 47² of Georgia Law on „Electronic Communications“ and Article 8, paragraph 7 and paragraph 18 of Georgia Law on “Licenses and Permits”; also, according to the Commission resolutions: N13 of December 12, 2005 on “conducting auction for the right of use of Radiofrequency Spectrum and/or Numbering resource” and the Commission resolution N6 of June 30, 2006 on “Radiofrequency allocation national plan”, the Commission has:

Decided:

1. to announce an auction for obtaining radio spectrum license for terrestrial systems capable of providing electronic communications services with the following license terms:

a) Radiofrequency spectrum: „downlink“ - 806.0-816.0 MHz and „uplink“ - 847.0-857.0 MHz;

b) Geographic area: Georgia

c) License duration: 15 years;

d) Technical conditions:

d.a) technical conditions for FDD base stations (BS):

d.a.a) In-block EIRP upper limit 64 dBm/5MHz.

d.a.b) Baseline requirements- BS BEM out-of-block limits:

Frequency range of out-of-block emissions	Maximum mean out-of-block EIRP	Measurement bandwidth
Frequencies used for FDD uplink (832MHz- 862 MHz)	-49.5 dBm	5 MHz

d.a.c) Transition requirements — BS BEM out-of-block EIRP limits per antenna (for one to four antennas) over frequencies of FDD downlink (791 MHz- 821 MHz)

Frequency range of out-of-block emissions	Maximum mean out-of-block EIRP	Measurement bandwidth
- 10 to - 5 MHz from lower block edge	18 dBm	5 MHz
-5 to 0 MHz from lower block edge	22 dBm	5 MHz
0 to + 5 MHz from upper block edge	22 dBm	5 MHz
+ 5 to + 10 MHz from upper block edge	18 dBm	5 MHz
Remaining FDD downlink frequencies	11 dBm	1 MHz

d.a.d) Transition requirements — BS BEM out-of-block EIRP limits per antenna (for one to four antennas) over frequencies used as guard band

Frequency range of out-of-block emissions	imum mean out-of-block EIRP	Measurement bandwidth
790 MHz- 791 MHz	17.4 dBm	1 MHz
821 MHz- 832 MHz	15 dBm	1 MHz

d.a.e) Baseline requirements — BS BEM out-of-block EIRP limits over frequencies below 790 MHz

Frequency range of out-of-block emissions	Condition on base station in- block EIRP, P dBm/10 MHz	Maximum mean out-of- block EIRP	Measurement bandwidth
470 MHz- 790 MHz	$P \geq 59$	0 dBm	8 MHz
	$36 \leq P < 59$	(P-59) dBm	8 MHz
	$P < 36$	-23 dBm	8 MHz

d.b) Technical conditions for FDD terminal stations (TS): Maximum mean in-block power - 23 dBm.

2. Licensee is obliged:

- a) To ensure the usage of radiofrequency spectrum in accordance with the paragraph 1 of the given decision as well as in accordance with the technical conditions provided in the same paragraph;
- b) To ensure service availability (excl.occupied territories) for the settlements (territorial unit, which has a name, the administrative boundaries, and has a registered population of the area), where as of 2014 and later according to the latest census of the population, the number of inhabitants is less than 5000, with the following conditions:

Ensure service availability for the minimum number of settlements:		
1.	30%	By 1 st February, 2016
2.	50%	By 1 st February, 2017
3.	70%	By 1 st February, 2018
4.	90%	By 1 st February, 2020

Note: service availability in the settlements is continuous supply of quality services for the 100% of the population registered within the administrative boundaries of the settlements;

- c) To ensure access to stable service delivery of 2 Mgb/s "downlink "speed, in particular during off- peak hours (when the relevant network load is less than 60%), without drops/interruptions , on the Cell edge, in the 95% of the measurements;
- d) If requested, the Licensee shall ensure compliance with cross-border co-ordination and sharing procedures defined under bilateral agreement of the Commission with neighboring countries and Radio Regulations of the International Telecommunications Union;

e) To present the Commission with information about locations of the base stations (geographical coordinates), the antenna height, antenna type, tilt angle and direction (azimuth), as well as with information about each frequency band used;

f) in order to avoid interference, to ensure coordinated use of radio spectrum with an adjacent block license holder;

g) In case causing interference to the established network in 827.955-831.645 MHz and 872.955- 876.645 MHz bands, to eliminate such harmful interferences.

3. The reserve price shall amount 48 364 386,00 (forty eight million three hundred and sixty-four thousand three hundred and eighty six) GEL;

4. The date to hold an auction shall be December 29, 2014 at 13:00 pm;

5. Applications of license seekers shall be submitted on December 19, 2014 before 17:00 pm;

6. An auction bid shall be 5% of the reserve price of the license rounded to the whole number - 2 418 219,00 (two million four hundred eighteen thousand two hundred and nineteen) GEL;

7. The license seeker, in order to obtain the license shall submit an application to the Commission and indicate the type of license;

8. The application of the license seeker shall enclose:

a) For the legal entity of the private law and individual entrepreneurs (commercial and non-commercial) the extracts from the state registry shall be enclosed to the application; For the physical persons – copies of identification documents, the documents stipulated by the legislation. Legal entity of the public law shall enclose the approved copies of founding documents to the application;

b) Document confirming the payment of 10% (B) of the initial amount of the reserve price. The amount noted shall be transferred to the account of the joint-stock commercial bank "TBC" with the following requisites:

Beneficiary - The Georgian National Communications Commission;

Identification Code - 204953050;

Account number - GE 11 TB 06 000 000 006 093 26;

Bank - joint-stock commercial bank "TBC";

Bank code - TBCBGE22;

If applicant until the deadline of receiving applications refuses to participate in the bid, the license fee and the initial fee of 10% (B) paid by the applicant for the usage of the resources shall be subject to return. In case the license seeker wins in the auction, 10% (B) of the reserve price shall be transferred to the state budget;

g) Document confirming the payment of license fee (1000 GEL). The amount noted is being transferred to the central state budget of Georgia (Any person of interest, in order to obtain the relevant bank requisites of the central State budget of Georgia, is entitled to address Commission's financial department +995 32 239 40 29);

9. The right to participate in the auction shall be restricted to the person, who independently and/or with interdependent (affiliated) persons already holds, or in case of winning the bid will become holder of more spectrum (including existing spectrum holdings) than defined below:

a) Within 800 MHz, 900 MHz and 2100 MHz bands jointly -more than 2x53,5 MHz and/or

b) Within Sub- 1 GHz -800 MHz and 900 MHz bands jointly - more than 2x 15,5 MHz

10. The auction will be held in accordance with Commission's №13 decree approved on December 12, based on rules defined in the provision on "" Rights to hold an auction to use radio frequency spectrum and / or to obtain the right for the use of numbering resources."

11. Press Secretary of the Commission (Kh. Kurashvili) shall be entrusted with the provision of information;

12. The decision may be appealed at Administrative Cases Panel of Tbilisi City Court (address: David Agmashenebeli Alley, 12th kilometer, 6, Tbilisi) within one month period;

13. The decision shall take effect as soon as published on the Commission's website (www.gncc.ge)