



Office of Utility Regulation

Amendment to Wave Telecom's 2G Mobile Licence

Statutory Invitation to Comment

Notice of Proposal to Modify the Licence for 2G Mobile Telecommunications Networks and Services issued to Wave Telecom Ltd under Part 1, Section 1 of the Telecommunications (Bailiwick of Guernsey) Law, 2001

Document No: OUR 05/25

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Office of Utility Regulation
Suites B1 & B2, Hirzel Court, St Peter Port, Guernsey, GY1 2NH
Tel: [0]1481 711120, Fax: [0]1481 711140, Web: www.regutil.gg

Notice of proposal to Modify the Licence of Wave Telecom Limited

In accordance with

- Section 8 of the Telecommunications (Bailiwick of Guernsey) Law, 2001; and
- Condition 6 of the Licence issued to Wave Telecom Ltd under Part 1, Section 1 of the Telecommunications (Bailiwick of Guernsey) Law, 2001,

the Director General of Utility Regulation hereby gives notice of his intention to modify the Licence issued to Wave Telecom Ltd on 25th March, 2003.

Modification of Definitions

The Director General proposes to delete the existing definition of “Licensed 2G Mobile Telecommunications” included in Condition 1.1 and replace it with the following:

“Licensed 2G Mobile Telecommunications Services”: means services (other than satellite services) the provision of which consists, wholly or partly, in the establishment of radio communications to Users, which makes use wholly or partly of a Licensed 2G Mobile Telecommunications Network and which has the characteristic of a pan-European, cellular, digital, land based, mobile telephony service compatible with the GSM standard. These services shall be provided in the 1800MHz band and 900MHz band in accordance with the Wireless Telegraphy Act and the ETSI technical specifications;

Reason for Modification

Wave Telecom was awarded a licence for 2G telecommunications networks and services in March 2003 following an open competitive selection process. The process was launched in August 2002 when an Information Memorandum (OUR Document 02/30¹) was published which set out the terms of the mobile competition and details of the licences and the spectrum that would be allocated to the successful applicant.

OUR 02/30 made provision for alternative spectrum being made available to the successful applicant at a future point. Section 5.2 stated, inter alia, that:

“If a successful applicant wishes to use alternative frequency bands to provide a 2G service then the Director General will consider this after the conclusion of this competition. Unused 2G spectrum is available in Guernsey in the E-GSM band, whereas frequencies in the P-GSM band may only be made available if vacated by the current user, Guernsey Telecoms Ltd.”

Wave Telecom has made an application to use E-GSM spectrum as provided for under the terms of the mobile licence competition. It is required to surrender DCS1800 spectrum to ensure that there continues to be efficient use of spectrum by

¹ Competition for Mobile Telecommunications Licences. Information Memorandum

licensed operators. In order that Wave Telecom can now take advantage of the terms of the 2002 mobile competition, the Director General proposes to amend Wave's licence to include spectrum in the E-GSM frequency (900MHz band) in the definition of Licensed 2G Mobile Telecommunications Services.

The surrendered DCS1800 spectrum will be made available as part of the new mobile licence competition which will shortly commence for the award of a further 3G mobile licence.

Representations or Objections

In accordance with section 8(2)(c) of the Telecommunications (Bailiwick of Guernsey) Law, 2001, interested parties are invited to submit written representations or objections to the proposal in this notice within 14 days of publication of this notice.

Written representations or objections should be clearly marked "**Representations re proposal to modify the licence of Wave Telecom Ltd**" and be submitted by 12 noon on Wednesday 23rd November 2005 to:

The Office of Utility Regulation
Suites B1&B2
Hirzel Court
St Peter Port
Guernsey
GY1 2NH

Following consideration of any representations or objections the Director General will publish notice of his decision to modify or not to modify the licence.

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