



**ÚRAD PRE REGULÁCIU
ELEKTRONICKÝCH KOMUNIKÁCIÍ
A POŠTOVÝCH SLUŽIEB**

REGULATORY AUTHORITY FOR ELECTRONIC COMMUNICATIONS AND POSTAL SERVICES

Call for bid submissions

**regarding tender for issuing individual
permits to use frequencies on the 3400 - 3600
MHz frequency band by means of an
electronic auction**

In Bratislava on 16.01.2015

Contents:

1 Introduction.....	4
2 General Provisions.....	4
2.1 Purpose of use for frequencies	4
2.1.1 Support for technological innovation and development of services.....	4
2.1.2 Promoting competition	5
2.1.3 Efficient use of the frequency spectrum.....	5
2.2 Current status	6
2.3 Scope of tender	6
2.4 Basic principles of tender	7
2.4.1 Form of tender	7
2.4.2 Course of tender.....	7
2.4.3 Cost of participation in tender	7
2.4.4 Cancellation of tender.....	7
2.4.5. Organizer of tender	9
2.5 Flowchart of tender course.....	9
3 Subject of tender	9
3.1 3400 – 3600 MHz frequency band	10
3.2 One-time payment for allocation of frequencies.....	10
4 Conditions associated with the issuance of an individual permit to use frequencies	11
4.1 The Office’s decision on the use of frequencies	11
4.1.1 Obligations for efficient use of frequencies	12
4.1.2 Definition of terms	13
4.2 Decision determining the conditions	142
4.3 Used technologies and services that will be allocated through the used frequencies	14
4.4 Duration of individual authorization for use of frequencies.....	143
4.5 Change, cancellation of individual permits for the assignment of frequencies, and the withdrawal of allocated frequencies	15
5 Terms and conditions for participation in the tender	15
5.1 Requirements for the bid submitted to the tender	15
5.1.1 Cash deposit	16
5.2 Bid submitted to the tender.....	16

5.2.1	Conditions for participation in the tender	16
5.2.2	Formalities for submitting a bid in the tender	18
5.2.3	Mandatory appendices for tender	18
5.2.4	The linking of tender bids	18
5.3	Deadline for submission of tender bids.....	19
5.4	Opening of envelopes with tender bids	19
5.5	Assessment of submitted bids	19
6	Explanation of terms and abbreviations	21
7	List of appendices.....	20

1 Introduction

The Regulatory Authority for Electronic Communications and Postal Services (hereinafter “The Office”), as a national regulator and pricing authority in the area of electronic communications pursuant to Paragraph 6, Section 1, letter b), Section 3, letter a), Paragraph 11, Section 3, letter c) of Act no. 351/2011 Coll. on electronic communications, as amended (hereinafter “the Act on Electronic Communications”) discloses pursuant to Paragraph 33, Section 1, 2-4 the act on electronic communications a call for bids

concerning the tender to issue individual permits to use frequencies of the 3400 - 3600 MHz frequency band by means of an electronic auction (hereinafter referred to as “the tender”).

2 General Provisions

2.1 Purpose of use for frequency

The purpose of the tender is to allow the efficient use of frequencies reserved for capturing electronic communications services in accordance with the effective fulfillment of the following objectives:

- promotion of technological innovation and development of services
- the promotion of competition,
- efficient use of the spectrum.

2.1.1 Support for technological innovation and development of services

The aim of the tender, in line with the medium- and long-term objectives of the national strategy for broadband access in Slovakia is to improve the availability of broadband connection.

The frequencies from the 3400 - 3600 MHz frequency band, which are the subject of the tender, are suitable for the achievement of this use of frequencies being offered for the construction of high-speed networks and is in line with European Parliament and Council Decision no. 243/2012/EU (hereinafter “Decision no. 243/2012/ EU”) - Radio Frequency Spectrum Policies Program¹⁾.

¹⁾<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:081:0007:0017:EN:PDF> – 243/2012/EU – Decision on Radio Frequency Spectrum Policies Program

2.1.2 Promoting competition

In accordance with Article 8 of European Parliament and Council Directive 2002/21/EC, among the primary tasks of the regulator belongs the support of the interests of citizens (users) in the provision of electronic communications services and promoting competition. The enhancement of competition in the market for electronic communications services to end-customers reflects a combination of competitive pricing, quality broadband services and adequate coverage.

Given the existing state of competition in the internal market for electronic communications services, the Office specified the terms of this invitation to a tender so that the terms of the tender led to the promotion of competition in accordance with Decision 243/2012/ EU and the efficient, economically modest allocation of the frequency spectrum.

2.1.3 Efficient use of frequency spectrum

The primary role of the regulator is also effective frequency spectrum management. Access to the frequency spectrum is the key input of providing electronic communications services. The frequency spectrum is a scarce resource and its efficient use is a prerequisite for ensuring the social benefits of electronic communications services.

To ensure the efficient use of the frequency spectrum it is necessary to respect the principles of technology and service neutrality. These principles ensure, that from the point of view of maximizing use, will benefit customers the most. We are also ensuring the independence of frequency spectrum usage conditions regarding possible future changes in customer requirements or technological possibilities of ensuring services.

2.2 Current status

The frequencies of the 3400 - 3600 MHz frequency band are used for the provision of public electronic communications services, and in the Slovak Republic are currently assigned to three businesses – Slovanet, a.s., SWAN, a.s. and Beneštra, s.r.o. (trade name changed from GTS Slovakia, s.r.o., on 01.12.2014).

BENESTRA, s.r.o.

Band	Channel	Frequency Range	Note
3400 – 3600 MHz	7 - 8	3452/3552 – 3466/3566 MHz	14 MHz duplex
Total			2 x 14 MHz

SWAN, a.s.

Band	Channel	Frequency Range	Note
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3400 – 3600 MHz	4 - 5	3431/3531 – 3445/3545 MHz	14 MHz duplex
Total			2 x 14 MHz

Slovanet, a.s.

Band	Channel	Frequency Range	Note
3400 – 3600 MHz	1 - 2	3410/3510 – 3424/3524 MHz	14 MHz duplex
	10 - 11	3473/3573 – 3487/3587 MHz	14 MHz duplex
Total			4x 14 MHz

Table 1: Overview of frequency blocks assigned to existing telecommunications operators in the Slovak Republic

Individual permits for Beneštra, s.r.o. and SWAN, a.s. issued with validity until 18.08.2015 and 03.08.2015.

2.3 Scope of tender

Within the tender are offered the frequencies on the 3400 - 3600 MHz frequency band, with individual frequency ranges allocated in the frequency blocks as follows:

Frequency block no.	Range of frequency block [MHz]	Width of block channel [5 MHz]	Type of duplex
1	3430 – 3450 3530 – 3550	8x5 MHz	FDD, TDD
2	3450 – 3470 3550 – 3570	8x5 MHz	FDD, TDD
3	3490 – 3510	4x5 MHz	TDD

Table 2: Distribution of 3400-3600 MHz frequency band in frequency blocks (subject of tender)

2.4 Basic principles of tender

The Office is bound in accordance with Paragraph 11, Section 1 of the Electronic Communications Act and all decisions issued in accordance with the principles of efficiency, objectivity, transparency, non-discrimination, adequacy and legitimacy.

The Office has decided that in this tender each participant can apply for maximum 40 MHz according to the specified frequency block.

2.4.1 Form of tender

The tender will take the form of an electronic auction (hereinafter “the auction”).

The auction will be conducted for all three frequency blocks simultaneously. The auction rules are described in the auction regulations, which comprise Appendix no. 5 of this invitation.

The sole criterion is the offer of a one-time payment for the allocation of frequencies.

2.4.2 Course of tender

The course of the tender will be implemented in the following phases:

- **Qualification Phase:** The selection panel will evaluate these bids and the tender participants who fulfill the conditions for participation in the tender under the Electronic Communications Act and this call for bids to progress to the Auction Stage.
- **Auction Phase:** implementation of the auction. The auction phase will consist of an auction round in which the tender participants will repeatedly raise their bids for the one-time payment. After the end of the auction, the successful candidates will be the one who offered the highest amount of the one-time payment for the given frequency block. Each frequency block will be evaluated separately; the participant may obtain only one frequency block within this tender.

2.4.3 The cost of participation in the tender

All costs associated with participation in the tender shall be borne by the participant.

2.4.4 Cancellation of the tender

The Office may cancel the tender if the circumstances in which the tender was announced have changed substantially. The Office shall immediately notify all the participants regarding the cancellation of the tender with the reason for the cancellation. If only one participant enters the auction procedure, the Office will cancel the tender.

2.4.5 Organizer of tender

Name of Office:	Regulatory Authority for Electronic Communications and Postal Services
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Representative	Ing. Vladimír Kešjar, head of office
Headquarters:	Továrenská 7, P. O. Box 40, 828 55 Bratislava 24.
ID No.:	42355818
TAX ID:	2024003729

2.5 Diagram of tender course

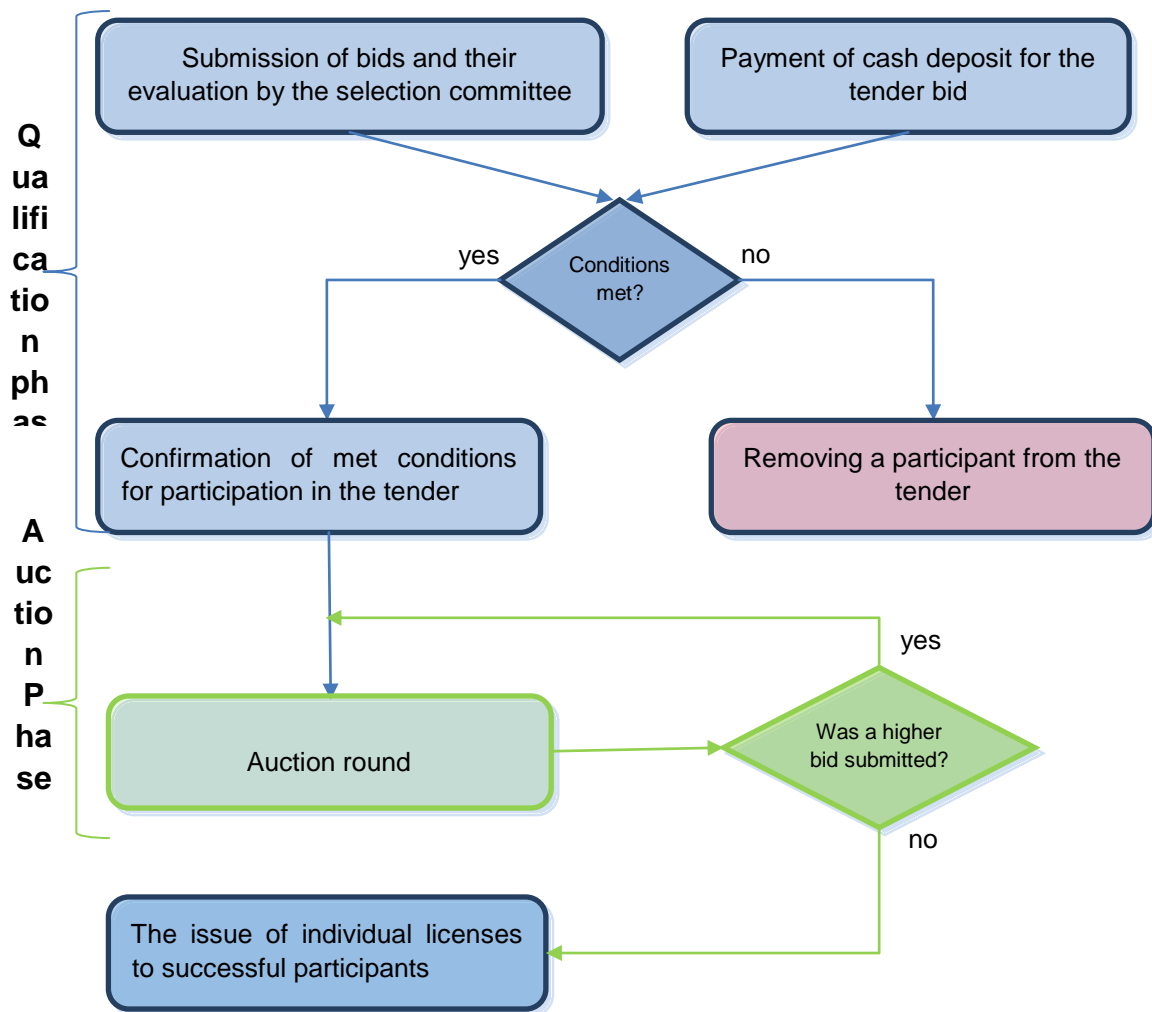


Figure 1: Development diagram of tender course

3 Subject of tender

3.1 3400 – 3600MHz Frequency Band

The 3400 – 3600MHz frequency band is harmonized through Decision CEPT ECC/DEC/(11) 06²⁾ and Decision 2008/411/EC, which was amended by Decision 2014/276/ EU³⁾ of 2.5.2014. On the basis of these decisions and the current status (Point 2.2) the Slovak Republic prepared the 3400 – 3600 MHz frequency band for assigning.

The range of frequencies allocated to one enterprise in this tender is one frequency block with a width of 2x20 MHz FDD paired composed of 8x5 MHz basic blocks.

The Office's decisions on the allocation of frequencies offered in this tender will facilitate their use throughout the territory of the Slovak Republic.

4.1 The Office's decisions on the allocation of frequencies

Frequency block 1 and frequency block 2 with a width of 2x20 MHz FDD pair for one block can be used with a frequency and/or a time division duplex. Frequency block 3 with a total width of 20 MHz TDD unpaired can be used just with a time division duplex.

The individual license holder – the Office's decision on the allocation of frequencies in the frequency band of interest, is required, before starting each base station (hereinafter referred to as “the access point”) to request from the Office the issuance of an individual permit to use the frequencies – the decision on determining the conditions under which it is possible to use the frequency (hereinafter “the decision to determine the conditions”) for the access point.

4.1.1 Obligations for efficient use of frequencies

For the use of the frequencies that are the subject of this tender, the Office has determined in the invitation the requirements for the efficient use of frequencies obtained under this tender, which for the holder of the individual authorization are binding in terms of fulfilling the conditions for the efficient use of frequencies.

One access point is considered a device that connects radio equipment end users.

1. The holder of the Office's decision on the assignment of frequencies, who won this tender, is to provide nomadic access to all participants in accordance with Paragraph 5, Section 4 of the Electronic Communications Act across the network it operates.
2. The holder of the Office's decision on the assignment of frequencies must use the assigned frequencies that are the subject of this tender on another connection, like connecting end-users directly to the access point.
3. The holder of the Office's decision on the assignment of frequencies, which are the subject of this tender, shall, **within 24 months** from the date of the decision of the Office on the assignment of frequencies establish and operate continuously throughout the period of validity of the Office's decision on the allocation of frequencies of at least one single access point with access to the provision of broadband services in each district¹⁾ of the Slovak Republic. The access point set up at the border districts cannot be regarded as an access point for more than one district.

4. The holder of the Office's decision on the assignment of frequencies that are the subject of this tender, shall, **within 36 months** from the date of the decision of the Office on the assignment of frequencies establish and operate continuously throughout the period of validity of the Office's decision on the allocation of frequencies to separate access points with access to broadband services provided in at least three municipalities¹ with a population of less than 3,000 inhabitants in each district of the Slovak Republic. This obligation does not apply to the holder of the Office's decision on the assignment of frequencies for frequency block 3.
5. For the districts of Bratislava I to V and Košice I to IV⁴⁾ the holder of the Office's decision on the assignment of frequencies that are the subject of this tender, shall, **within 24 months** from the date of the decision of the Office on the assignment of frequencies establish and operate continuously throughout the period of validity of the Office's decision on the assignment of frequencies in at least one separate access point with access to broadband services provided for each district of Bratislava I to V and Košice I to IV.

Individual permission to use the frequencies will, in the case of non-compliance on the efficient use of frequencies listed in Section 4.1.1 of this invitation shall be canceled under Paragraph 34, Section 3, letter c) on the Act on Electronic Communications without a refund of the one-time payment for the right to use the frequencies, or its aliquot. The obligations to effectively use the frequency will be part of the Office's decision on the allocation of frequencies.

4.1.2 Definition of terms

Access to the provision of broadband services means providing at least one data service designed for all end-users with a guaranteed data transmission speed in the downlink of at least:

- from the commencement of service – 5 Mbit/s
- from 1.8.2018 – 15 Mbit/s
- from 1.8.2020 – 30 Mbit/s

The data speed will be measured against the server, which the holder of the Office's decision on the assignment of frequencies establishes in their network and in the server places the noncompressible file size:

- from commencement of service – 112.5 MB
- from 1.8.2018 – 337,5 MB
- from 1.8.2020 – 675 MB

If a file with the specified size will be transferred for time equal to or less than three minutes, the Office will consider the data speed condition to have been fulfilled. Information allowing access to the server will be delivered by the holder of the

Office's decision on the assignment of frequencies at the latest when putting the first access point into operation. If this server is not established, the data speed will be measured between two end users connected through devices operating on frequencies allocated on the basis of the results of the tender.

Data services means a telecommunications service involving data transmission over the SID so that each user can use the device connected to a network termination point for data exchange with another user's device connected to another end point.

The access point according to Section 4.1.1, Paragraphs 3-5 must provide access to the provision of broadband services as defined in this section in this part of the invitation in at least one sector within at least 2 km from the place of its setting, the sector meaning the geographic area served by one of the antennas of the access point whose radiation pattern has a width of the main lobe of at least 45°.

4.2 The decision determining the conditions

The terms of the use of frequencies on the 3400 – 3600MHz frequency band are listed in the Appendix to Frequency Spectrum Usage Plan no. FP/FS – 05 in the current version and will be reflected in the decision determining the conditions, in the event of other documents issued under the Electronic Communications Act.

The public electronic communications network operated under the 3400 – 3600MHz frequency band must meet the specifications set out in European Commission Decision 2014/276/EU, by the selected individual permission holder, ECC/DEC/(11)06 Decision and within the standard framework, the selected individual license holders, the conditions specified in the ETSI standards, or in other documents of the European Commission, CEPT or ITU.

European Commission Decision 2014/276/EU specifies the basic technical conditions for use of a frequency from the 3400 - 3600 MHz frequency band, also through the spectral mask concept (BEM).

On the state border with neighboring countries the maximum value of the power flux density levels $PFD = -122 \text{ dBW/m}^2$ cannot be exceeded for the 1 MHz bandwidth.

ECC Report no. 203) determines the least restrictive technical conditions through the spectral mask concept (BEM), which are regulatory requirements aimed at reducing the risk of harmful interference between neighboring networks and the parameters for base stations.

Pursuant to ECC/DEC/(11)06 Decision the 3400 – 3600MHz frequency band is designated for the mode of operation based on the time division duplex (TDD) and/or frequency division duplex (FDD).

The terms of use of a frequency from the 3400 – 3600MHz frequency band in the Slovak Republic are in accordance with Commission Decision 2014/276/EU and the documents referred to in this chapter, under which are mainly defined the following conditions of use:

- The maximum radiated power e.i.r.p. must be such, so that on the edge of the assigned frequency block the peak power on the channel is -34 dBm/5 MHz. Without the consent of the Office changing this value is not permitted. The maximum radiated power e.i.r.p. on the edge of the assigned frequency block may be intended for a different value however, after a bilateral agreement between the operators and subsequent approval by the Office.

All of the above specifications, based on the decision of the European Commission, will be referred to as specific technical conditions in the decision to determine the conditions.

4.3 The used technologies and services that will be allocated through the provided frequencies

The Office, in accordance with the principle of technological neutrality, is not indicating any conditions or restrictions on the use of the technologies.

The frequencies allocated in this tender may be used only by means of radio equipment, which must conform to technical standards and generally binding legal regulations. The Office reserves the right to lay down the technical specifications to ensure the avoidance of harmful interference and to limit public exposure to electromagnetic fields using these frequencies.

4.4 The duration of individual authorization for use of frequencies

Individual authorization for the use of frequencies (The Office's decisions on the allocation of frequencies and decisions setting the conditions) in the 3400 – 3600MHz frequency band, which is the subject of this tender, will be issued with a validity until 31.08.2025.

4.5 Change, cancellation of individual permits for the use of frequencies, and the withdrawal of allocated frequencies

Modification, revocation of the decision on the allocation of frequencies by the Office, or the withdrawal of allocated frequencies are governed by the provisions of Paragraph 34, Section 2 and Section 3 of the Electronic Communications Act.

5 Terms and conditions for participation in the tender

5.1 Requirements for the bid submitted to the tender

All requirements specified in the invitation for the submission of bids for the tender must be met at the time of the deadline for the submission of bids for the tender. If during this tender there is a fact that leads to a change in the position of the participant that would involve or may involve non-compliance under this call, the participant concerned shall immediately notify the Office in writing. Failure to notify the Office of that event will be considered an intent to impede the purpose of the tender.

5.1.1 Cash deposit

An integral part of the bidding for the tender is the composition of a cash deposit. The cash deposit must be credited for a specified account before the deadline fixed for submitting the bids for the tender.

The applicant may withdraw their bid before the expiry of the date for submission of the bid for the tender and the cash deposit shall be refunded.

The amount of the cash deposit

The cash deposit must be paid in the amount of:

- in the event that the applicant will apply for the allocation of frequency block 1 or block 2 or block 3 – **EUR 600,000**
- in the event that the applicant will apply for the allocation of frequency block 3 – **EUR 300,000**

If the applicant to lodge a cash deposit of EUR 600,000 may be in the electronic auction bid for frequency block 1 or frequency block 2, or frequency block 3.

If the applicant places a cash deposit in the amount of EUR 300,000, during the electronic auction they may only apply for frequency block 3.

The cash deposit must be placed in account number:

SK26 8180 0000 0070 0049 9798

In the report for the recipient the applicant must indicate: **Cash deposit VK 3500 MHz**, name and identification data of the applicant, the variable symbol being:

- in the case of a legal entity or natural person – entrepreneur – ID of the applicant
- in the case of a natural person – the date of birth of the applicant.

Purpose of cash deposit

The purpose of the cash deposit is to ensure the security of preventing such conduct by the participant that would result in the impeding of the purpose or the course of the tender.

The participant shall forfeit the cash deposit if the participant's conduct impedes the purpose or course of the tender, especially if the successful participant fails to pay within the period prescribed the amount corresponding to the one-time payment for the right to use frequencies or if the successful participant shall collect their application before the decision on the allocation of frequencies.

The participants shall become successful participants if they give the highest offer for a one-time payment in the electronic auction for a specific frequency block.

The cash deposit will be promptly refunded to the unsuccessful participant upon the termination of the proceedings on their application. The repayment of the cash deposit shall be made by bank transfer to the account from which it was paid.

If an applicant becomes a successful participant in the tender, the amount of the one time payment, payable by them, will be deducted from the value of the cash deposit.

5.2 A bid submitted to the tender

A bid submitted in this tender is considered to be an application for an individual permit for frequency use. The template for bids is given in Appendix 1.

The bids submitted in this tender shall include all requirements under the invitation to bid.

5.2.1 Conditions for participation in the tender

The tender is only open to entities that are not a mutually controlling or controlled person and/or acting in concert with any other bidder in this tender procedure under Paragraph 66a and Paragraph 66b of Act. no. 513/1991 Coll., the Commercial Code, as amended, demonstrated by a statutory declaration, which is part of Appendix 3 of this offer.

5.2.2 Formalities of submitting a bid for the tender

The administration fee for an application for the issuance of an individual permit for frequency use pursuant to Act 145/1995 Coll. on administrative fees is an integral part of the bid submitted to the tender and its amount is EUR 6.50. The applicant shall demonstrate the payment of the administrative fee in addition to the tender bid.

In the case of legal persons, the tender bid must be signed by a person or persons in accordance with an entry in the commercial register or other similar register, authorized to act on behalf of the applicant. In the case of legal persons whose tender bid is not signed by a person or persons authorized for this in accordance with an entry in the commercial register or other similar register, the applicant shall attach to the bid a mandate with a notarized signature, proving the authorized signatures of the natural persons signing the bid.

The tender bids shall be submitted in written form in **duplicate**, one of which is identified as the original and the other as a copy. The applicant is responsible for the consistency of both copies. The original bid must be accompanied by original documents or a certified copy. The copy of the bid may be accompanied by ordinary uncertified copies of relevant documents. The original bid must be secured against exclusion, or additional inserts.

In the part of the tender bid or appended data where there is classified information, bank secrecy, tax secret, trade secret, or should they breach an imposed disclosure law or recognized duty of confidentiality, the applicant shall attach to their tender bid also another copy of the tender bid, which contains the following information so that this version of the bid the Office can use for the purpose of viewing the file according to Paragraph 23 of Act no. 71/1967 on Administrative Procedure, as amended. According to Paragraph 9, Section 2 of the Electronic Communications Act the participant further appends to the bid a written reasoning for the designated information for the trade secret and will also provide a text of the information not containing the trade secret.

The applicant in Appendix 2 for the tenders shall state the identity, phone number and e-mail address of two authorized persons who in the filing of the tender bid are empowered to communicate with the authorities during the tender.

The tender bid shall be processed in the official (Slovak) language. The documents and other documents attached to the tender bid may be in a non-official language, but with an official translation into the official language.

There is no need to translate documents accompanying the tender bid if they are in Czech.

The tender bid must be delivered to the address of the Office before the expiry of the period referred to in Chapter 5.3. The original tender bid, as well as a copy, including electronic media, must be delivered to the Office together in a single envelope sealed

and secured against accidental opening that clearly shows “**DO NOT OPEN –3400 – 3600 MHz TENDER**”.

5.2.3 Mandatory appendices for tender

In the tender bid the participant is obliged to enclose all the following documents:

- a) The original or a certified copy of the Commercial Register certificate or the Trade Register or other similar register, or other similar registration document of the applicant's registration issued by the competent state authority, not older than three months (this is not valid for a non-entrepreneurial natural person)
- b) In the case of legal persons whose tender bid is not signed by a person or persons authorized for this in accordance with an entry in the commercial register or other similar register, authorization showing the authorized signatures of the individuals signing the bid
- c) Mandate authorizing communication with the Office during the tender and an e-mail address specified for participation in the electronic auction (Appendix 2, invitations)
- d) Statement of completeness of the tender bid and the affidavit under Point 5.2.1 (Appendix no. 3, invitations)
- e) An account statement on the proving the payment of the cash deposit
- f) Proof of payment of the administrative fee
- g) Consent with the processing of personal data of all individuals whose personal information is contained in the tender bid (Appendix no. 4, invitations).

5.2.4 The linking of tender bids

The applicant is entitled to amend or withdraw their bid in this tender at any time prior to the deadline for the submission of tender bids. Such a change, or withdrawal must be signed by the person or persons authorized to act on behalf of the applicant, or to substitute them.

5.3 The deadline for submission of tender bids

The tender bid must be delivered to the Office Registry in person or by mail no later than **18/02/2015 by 13:30** to the following address: Úrad pre reguláciu elektronických komunikácií a poštových služieb, Továrnská 7, P. O. Box 40, 828 55 Bratislava 24.

The Office Registry is open weekdays, from Monday to Thursday from 8:00 to 11:30 and 12:15 to 15:00 and Fridays from 8:00 to 11:30 and 12:15 to 13:30.

The bid received after the deadline will not be accepted by the Office in the case of personal delivery, and in the case of postal delivery it will be returned to the applicant

unopened.

If the applicant delivers the bid by mail, **the date and time of receipt by Office** is decisive.

5.4 Opening of envelopes with tender bids

In its assessment of the submitted bid the Office shall establish a selection panel according to Paragraph 33, Section 5 of the Electronic Communications Act.

The opening of the envelopes with a tender bid is not open to the public and will take place only in the presence of the members and the secretary of the selection panel. The selection panel will draw up minutes on the process of opening the envelopes.

The selection panel shall exclude from the tender the participant whose bid does not meet the requirements of the call, or with an individual permit the Office in the last three years cancelled under Paragraph 34, Section 3 of the Electronic Communications Act.

5.5 The assessment of the submitted bids

The selection panel will evaluate whether the tender bids meet the requirements specified in the invitation to tender. If a bid does not meet the requirements specified in the invitation to tender, the panel shall also eliminate the participant from the tender.

The Office invites to the auction the participants who have progressed to the auction.

The Office shall exclude from the auction a participant acting in breach of the auction procedure according to the Electronic Communications Act.

The Office shall cancel the tender performed through an electronic auction, if only one participant participates in the auction procedure.

6 Explanation of terms and abbreviations

Access point – a device that connects radio equipment end users.

Applicant – the provider of the bid submitted by the deadline specified in the invitation to tender; participant.

Auction – form of assessing the applications for the granting of individual authorization for the use of frequencies. The auction is part of the tender and its purpose is setting the amount of the one-time payment for individual frequency

blocks, as well as enterprises, which will be allocated the frequency from individual frequency blocks.

Auction phase – course of auction. It will consist of auction rounds in which the participant will be able to raise their offered one-time payment for a frequency block.

Auction round – in the auction round the participant will be able to repeatedly raise their offered one-time payment.

BEM – “Block Edge Mask” – spectral mask.

CEPT – European Conference of Postal and Telecommunications Administrations.

Commission – The European Commission is one of the main bodies of the European Union, which represents and defends the interests of the Union as a whole. The Commission prepares proposals for new European legislation and is responsible for the implementation of EU policies and the use of EU funds.

e.i.r.p – equivalent isotropically radiated power, overall performance or the spectral density transmitted power, to which corresponds the isotropic emitter.

Electronic Communications Act – Act no. 351/2011 Coll. on electronic communications, as amended.

ETSI – “European Telecommunications Standards Institute”

EU – European Union

FDD – Frequency Division Duplex

Holder of individual permit – holder of the individual authorization for the use of frequencies.

ITU – “International Telecommunication Union”

Mbit/s – data speed units of 1 Mbit /s = 1,048,600 bits/s.

Office – Regulatory Authority for Electronic Communications and Postal Services.

Participant – The provider of the bid submitted by the deadline specified in the invitation to tender; the participant; the applicant. **The participant pursuant to Paragraph 5, Section 4 of the Electronic Communications Act** – the participant is an end user who has concluded with an undertaking providing a public service contract for the provision of public services.

PFD - power flux density, the value of the power flux density levels.

PTN – a telecommunications network that provides telecommunications services to the general public.

Qualification phase – phase of the tender, assessing whether the participants fulfill the eligibility requirements and conditions specified in Chapter 5.1

TDD – “Time Division Duplex” – type of duplex operation with time division channels.

Tender bid - tender bid submitted to the tender. A bid submitted to the tender is also an application for the issuance of an individual permit for the use of frequencies.

Selection panel – Panel to assess the tender bids submitted, to be established by the Office pursuant to Paragraph 33, Section 5 of the Electronic Communications Act.

Successful participant – participant who offers the highest one-time payment in the electronic auction for a specific frequency block.

7 List of appendices

Appendix no. 1 – A template of “The submitted tender bid”.

Appendix no. 2 – Template of mandate authorizing communication with the Office during the tender and e-mail address designated for participation in the electronic auction

Appendix no. 3 – Template of the declaration of completeness of the tender bid and the affidavit

Appendix no. 4 – Template for consent to the processing of personal data

Appendix no. 5 – Auction Procedure

In Bratislava, on 16.01.2015

.....
Ing. Vladimír Kešjar
Head of the Office m. p.



**ÚRAD PRE REGULÁCIU
ELEKTRONICKÝCH KOMUNIKÁCIÍ
A POŠTOVÝCH SLUŽIEB**

REGULATORY AUTHORITY FOR ELECTRONIC COMMUNICATIONS AND POSTAL
SERVICES

Appendix no. 1

**of the invitation for a tender bid for the issue of an individual
permit to use frequencies in the
3400 – 3600 MHz frequency
band through an electronic auction**

A template of “the submitted tender bid”.

**Regulatory Authority for Electronic Communications and Postal
Services** at: Továrnská 7, Bratislava

Postal address: P. O. Box 40, 828 55 Bratislava 24

Bid
for a tender for issuing individual permits to use frequencies on
the 3400 – 3600MHz frequency band by means of an
electronic auction

I, as a participant hereby apply for the issuance of an individual permit to use frequencies on the 3400 – 3600MHz frequency band, on the basis of the tender publicly announced concerning the issue of individual permits to use frequencies on the 3400 – 3600MHz frequency band, by means of an electronic auction (hereinafter referred to as “the invitation”).

The terms defined in the tender bid submitted to the invitation have the same semantic content of such terms defined or listed in the invitation.

1 Identification data of participant

If the participant is a legal entity:

1.1 Business name of the participant

1.2 Formal data of the participant
Headquarters:
Postal address (if different from headquarters):
Legal Form:
Identification Number:
Telephone:
E-mail:
Fax:

If the participant is a natural person:

1.1 Participant name (Title, name and surname)

--

1.2 Formal data of the participant

Permanent Address:

Date of Birth:

Telephone:

E-mail:

Fax:

If the **participant is a natural person - entrepreneur:**

1.1 Business Name

--

1.2 Formal Data of participant

Place of Business:

Postal Address (if different from place of business):

Identification Number (if assigned):

Title, name and surname of natural person - entrepreneur

--

Telephone:

E-mail:

Fax:

2 Documents appended to the tender bid

Appendix number of the bid	Content	Number of sheets
1.	The original or certified copy of the certificate from the Commercial Register or Trade Register or an equivalent register or other equivalent registration document of the applicant issued by an authorized state body, not older than three months	
2.	In the case of legal persons whose tender bid is not signed by a person or persons authorized for this in accordance with an entry in the commercial register or other similar register, authorization showing authorized signatures of natural persons in the signed bids	
3.	Mandate authorizing communication with the Office during the tender and e-mail address designated for participation in the electronic auction (for template see Appendix 2, invitation)	
4.	Statement of completeness of submitted bid and affidavit (see Appendix 3, invitation)	
5.	Account statement of proving the payment of cash deposit	
6.	Proof of payment of the administrative fee	
7.	Consent to the processing of personal data of all persons whose personal data are listed in the bid (for template see Appendix no. 4, invitation)	

3 Declaration of participant

I declare that I am aware of the obligations set out in the invitation and its appendices, that the wording is understood, and if I am granted the frequency that is the subject of this tender, I accept the rights, duties, obligations and other restrictions related to the frequencies that are the subject of this tendering procedure.

I further declare that I submit this bid by knowing the conditions and obligations set out in the invitation, and that I accept the conditions and obligations.

I further declare that all the information contained in this tender bid is accurate and the submitted copies of the documents are in conformity with the original. I am aware that consciously giving false information or submitting incomplete information may expose me to criminal liability.

I further declare that I paid the cash deposit of **EUR** to the account number **SK26 8180 0000 0070 0049 9798** and in the report to the recipient stated **cash deposit VK 3500 MHz**, my name and identification data, the variable symbol stating:

- in the case of a legal entity or natural person – entrepreneur – my ID

- in the case of a natural person – my date of birth.

If the applicant pays a cash deposit of EUR 600,000, during the electronic auction they may apply for frequency block 1 or frequency block 2, or frequency block 3.

If the applicant pays a security in the amount of EUR 300,000, during the electronic auction they may apply only for frequency block 3.

I, as a participant hereby request ⁷⁾:

- the issue of individual authorization for use of frequencies of the 3400 – 3600 MHz frequency band for frequency block 1 or frequency block 2, or frequency block 3 (if the participant has made the EUR 600,000 cash deposit)
- the issue of individual authorization for use of frequencies of the 3400 – 3600 MHz frequency band for frequency block 3 (if the participant has made the EUR 300,000 cash deposit)

In on

.....
Participant
(company, title, name, surname, position and signature of the person authorized to act on behalf of the participant)

(notarized signature)

⁷⁾ It is necessary to check the correct checkbox. If the party pays the cash deposit for the amount based on which they cannot apply for the frequency block they requested, they shall be disqualified from the tender (i.e. if the applicant paid the cash deposit of EUR 300,000 and requests frequency block 1 or frequency block 2)



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Appendix no. 2

**of the invitation for a tender bid for the issue of individual
permits to use frequencies in the
3400 – 3600MHz frequency**

band through an electronic auction

**Template of mandate authorizing communication
with the Office during the tender and e-mail address
designated for participation in the electronic
auction**

**Mandate authorizing communication with the Office during the tender and e-
mail address designated for participation in the electronic auction**

The participant, for the issue of individual permits to use frequencies on the 3400 –
3600MHz frequency band, by means of an electronic auction,

Company:

Headquarters:
ID No.:
Representative:

or if the **participant is a natural person**

Title, name, surname:
Permanent address:.....
Date of birth:

or if it is a **natural person – entrepreneur,**

Business name:
Place of business:.....
Title, name, surname:
Identification number:

Hereby the authorized persons

Title, name, surname:
Address:
ID number:.....
Telephone number:
E-mail:

Title, name, surname:
Address:
ID number:.....
Telephone number:
E-mail:

for communication with the Office during the tender for issuing individual permits to use frequencies in the 3400 – 3600MHz frequency band by means of an electronic auction, and providing an e-mail, to which the invitation will be delivered, along with credentials for participating in the electronic auction

E-mail:

.

.....
Person authorized to communicate on behalf
of the participant with the Office during the
tender
(title, name, surname and signature)

(notarized signature)

.....
Person authorized to communicate on
behalf of the participant with the Office
during the tender
(title, name and signature)

(notarized signature)

In on.....

.....
Participant (company, title, name, surname,
position and signature of the person authorized
to act on behalf of the participant)

(notarized signature)



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Appendix no. 3

**of the invitation for a tender bid for the issue of individual
permits to use frequencies in the
3400 – 3600 MHz frequency**

band through an electronic auction

Template of the declaration of completeness of the
tender bid and the affidavit

Statement completeness of submitted tender bid

The participant, for the issue of individual permits to use frequencies on the 3400 –
3600MHz frequency band, by means of an electronic auction,

Company:
Headquarters:.....
ID No.:
Representative:

or in case **the participant is a natural person**,

Title, name, surname:
Permanent address:.....

Date of birth:

or if **the participant is a natural person – entrepreneur,**

Business name:

Place of business:.....

Title, name, surname:

Identification number:

hereby declares that the bid, which they are presenting for the tender for issuing individual permits to use frequencies on the 3400 – 3600MHz frequency band by means of an electronic auction has been deemed complete and binding with respect to all the requirements of the invitation for the submission of bids for the issue of individual permits to use the frequencies on the 3400 – 3600MHz frequency band by means of an electronic auction.

Also, I honorably declare that I am not a mutually controlling or controlled person and/or in collusion with any other bidder in this tender in accordance with Paragraph 66a and 66b of Act. no. 513/1991 Coll., the Commercial Code, as amended.

In on

.....
Participant (company, title, name, surname,
position and signature of the person authorized
to act on behalf of the participant)

(notarized signature)



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REGULATORY AUTHORITY FOR ELECTRONIC COMMUNICATIONS AND POSTAL
SERVICES

Appendix no. 4

**of the invitation for a tender bid for the issue of individual
permits to use frequencies in the
3400 – 3600 MHz frequency
band through an electronic auction**

**Template for consent to the processing of personal
data**

Consent to the processing of personal data

(according to Act no. 122/2013 Coll., on the protection of personal data and on amendments
to certain acts)

Title, name, surname

Permanent address:.....

Date of birth:

hereby grant my consent in accordance with Paragraph 11 of Act no. 122/2013 Coll. on the protection of personal data and amending certain laws to the processing of my personal data by the Regulatory Authority for Electronic Communications and Postal Services, Továrenská 7, 828 55 Bratislava, ID No.: 42 355 818 (hereinafter referred to as “the Office”), mentioned in the tender bid for the issue of individual permits to use frequencies on the 3400 – 3600MHz frequency band by means of an electronic auction announced by the Office, in the duration of the tender, if a generally binding regulation does not stipulate otherwise.

The purpose of the processing of personal data is the unique identification of the person acting on behalf of the participant and communication with the participant through them.

In on

.....
Person concerned
(title, name, surname and signature)

(notarized signature)



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A POŠTOVÝCH SLUŽIEB**

REGULATORY AUTHORITY FOR ELECTRONIC COMMUNICATIONS AND POSTAL
SERVICES

Appendix no. 5

**of the invitation for a tender bid for the issue of individual permits
to use frequencies on the
3400 – 3600 MHz frequency
band through an electronic auction**

Auction Procedure

Contents:

1	Introduction	3
1.1	Auction form.....	3
1.2	Flowchart of tender course	3
1.2.1	Conduct of tender	4

1.3	Subject of tender	4
1.4	3600-3800 MHz frequency band.....	4
1.5	Amount of one-time payment for the allocation of frequencies.....	5
2	Electronic Auction – Auction Rules.....	5
2.1	General Auction Rules.....	5
2.1.1	Electronic Auction System.....	5
2.1.2	Minimum technical requirements for EAS functionality	7
2.1.3	Information for participants on general regulations.....	7
2.1.4	Monitoring of auction.....	7
2.1.5	Exceptional circumstances.....	7
2.1.6	Auction’s purpose or course.....	8
2.1.7	Collusive behavior.....	8
2.2	Auction Rules	9
2.2.1	Planning auction rounds	9
2.2.2	Right to the extension of auction rounds	9
2.2.3	Information for auction participants during the auction.....	10
2.2.4	Activity rules.....	10
2.2.5	Rules of bidding at the auction and the end of the auction	11
2.3	Final provisions.....	12
2.4	Explanation of terms and abbreviations.....	12

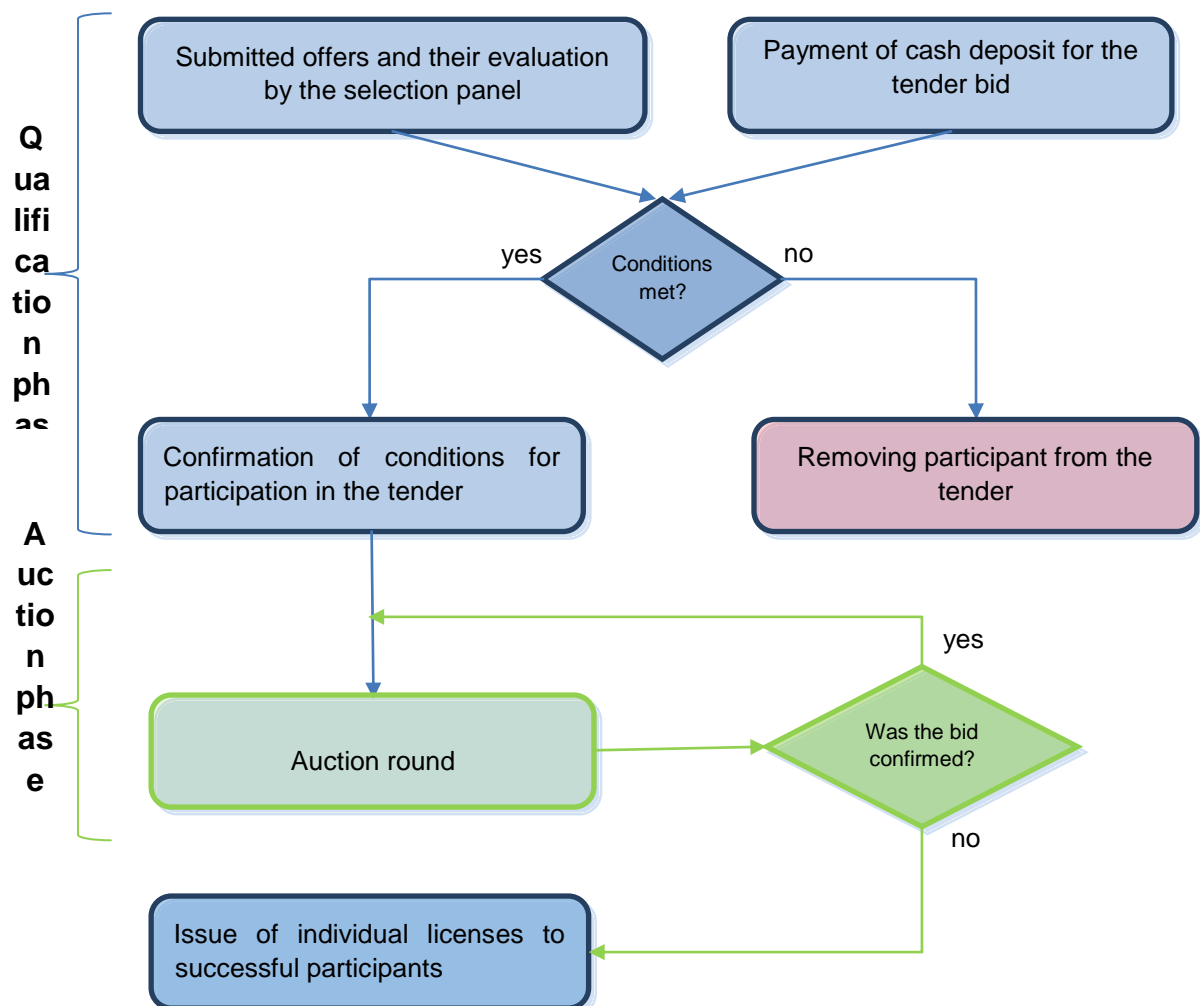
1 Introduction

This auction procedure is part of the invitation to the submitted tender bid for the issue of individual permits to use frequencies on the 3400 – 3600MHz frequency band by means of an electronic auction and contains the auction rules.

1.1 Auction Form

The electronic auction will be conducted in the classic SMRA auction format that allows you to bid in real time on an individual frequency block, ensuring the transparency of the tender.

1.2 Flowchart of the tender course



1.2.1 Tender course

Figure 2: Flowchart of tender course

- **Qualification Phase:** The selection panel will evaluate these bids and the tender participants who fulfill the conditions for participation in the tender under the Electronic Communications Act and this call for bids to progress to the Auction Stage.
- **Auction Phase:** implementation of the auction. The auction phase will consist of an auction round in which the tender participants will repeatedly raise their bids for the one-time payment. After the auction, the successful candidate will be the one who offered the highest amount of the one-time payment for the given frequency block. Each frequency block will be evaluated separately; the participant may obtain only one frequency block within this tender.

1.3 Subject of tender

1.4 3400 – 3600MHz frequency band

The 3400 – 3600MHz frequency band is harmonized through Decision CEPT ECC/DEC/(11) 06⁸⁾ and Decision 2008/411/EC, which was amended by Decision 2014/276/ EU⁹⁾ of 2.5.2014. On the basis of these decisions and the current status (Point 2.2) the Slovak Republic prepared the 3400 – 3600 MHz frequency band for assigning.

The range of frequencies allocated to one enterprise in this tender is one frequency block with a width of 2x20 MHz FDD paired composed of 8x5 MHz basic blocks.

In the 3400 – 3600MHz frequency band it is possible to assign 5x40 MHz. The subjects of this tender are frequency blocks 1, 2, 3 (Figure 2) of the 3400 – 3600 MHz frequency band. Block 1 and 2 have a total width of 2x20. Block 3 has a width of 20 MHz.

⁸⁾ ECC/DEC/(11)06 (Approved 09 December 2011, Amended 14 March 2014) on harmonized frequency arrangements for mobile/fixed communications networks (MFCN) operating in the bands 3400 – 3600 MHz and 3400 – 3600MHz or one of the frequency blocks with a width of 20 MHz TDD, unpaired, composed from 4x5)

<http://www.erodocdb.dk/docs/doc98/official/pdf/ECCDec1106.pdf>

⁹⁾ 2014/276/EU (COMMISSION IMPLEMENTING DECISION of 2 May 2014 on amending Decision 2008/411/EC on the harmonisation of the 3400 – 3800 MHz frequency band for terrestrial systems capable of providing electronic communications services in the Community)

<http://www.erodocdb.dk/Docs/doc98/official/pdf/2014276EU.PDF>

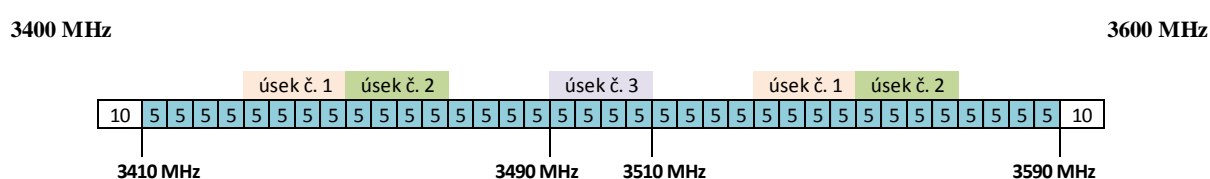


Figure 4: 3400 – 3600 MHz frequency band

1.4 One-time payment for the allocation of frequencies

The Office in the invitation to submit bids for the tender will provide the lowest bid for the proposed frequency blocks being tendered. **The lowest bid is the starting price, which represents for frequency block 1 and frequency block 2 a value of EUR 600,000 and a value of EUR 300,000 for frequency block 3.**

The one-time payment for the allocation of frequencies is the one-time payment amount offered by the participant with which they became the successful participant in the electronic auction.

Each one-time payment offered during this tender is binding and cannot be withdrawn.

2 Electronic Auction - Auction Rules

2.1 General Auction Rules

2.1.1 Electronic Auction System

The Auction will take place electronically via the electronic auction system (hereinafter referred to as “the EAS”). The EAS will run on secure servers of the EAS provider and the participants will access it via the Internet with a high level of security.

Only those participants who qualify will be able to login to the EAS. Any participant who received notification of qualification for the auction by the Office (hereinafter “the Auction Participant”) will receive an invitation to participate in the auction in the electronic form to the email address indicated in the bid for participation in the electronic auction (Appendix no. 2).

The auction participant is responsible for ensuring the invitation to participate in the auction, which will be delivered to them by the auction executor, and a chosen access password against abuse, for computer security against malicious software, and for the physical security of the computer that the auction participant uses to access the EAS. In the event of any breach of protection regarding data access, the auction participant is obliged to inform the Office as soon as possible about this fact.

The EAS will allow the auction participants to submit only those bids in accordance with the auction procedure. Besides the possibility of bidding, the EAS will also serve to provide information about the auction. The EAS will be set to minimize the risk of inadvertent errors on the part of the auction participant.

The Office shall not be liable for technical problems or problems with an Internet connection on the side of the auction participant, preventing them from logging into the EAS. Auction participants should have for their own interests a sufficiently secure and fast Internet connection and a backup computer in the event of a technical error. The Office recommends that the computer that will be used to access the EAS not be used during the auction used for any other purpose, and that they not use any parallel software not needed to access the EAS.

The anonymity of the auction participants will be ensured within the EAS. The EAS is secure against the attack and disclosure of the identity of the auction participant. Electronic communication with the EAS will be encrypted.

The EAS will include a two-way messaging system that enables the mutual transmission of messages throughout the course of the auction between the Office and the auction participants. This will be the primary method of communication during the course of the auction. Messages sent via EAS are deemed delivered the moment they are sent.

The EAS will also include a system providing time synchronization with the auction server. For a full display of the server time a good Internet connection is important, including a full passage communications through any security features on the side of the party. It is possible to calculate the time difference in the browser and the server ± 2 sec. Time on the server will be a crucial time for all transactions during the course of the auction, such as start time, the time remaining until the end, the time a bid is made, and the like.

The auction participants will have the opportunity to become acquainted with the environment and functionality of EAS use during EAS training and during a test of the electronic auction no later than 7 days before the electronic auction. The auction participants will be informed of the auction test and bidding training.

The EAS user manual will also be available to the auction participants. This manual will contain all information which the auction participant must become familiar with before the start of the electronic auction. The information contained in the EAS user manual will contain mostly requirements for software and hardware on the part of the auction participant, instructions for logging into the EAS, description of interface and forms for submitting bids during the auction, as well as a description of the use of the EAS.

2.1.2 Minimum technical requirements for EAS functionality

For EAS functionality it is necessary to meet the minimum technical requirements:

- PC running MS Windows (Win 7 or higher version).

- The current version of the web browser Google Chrome or Mozilla Firefox, or Internet Explorer (IE 10 and higher).
- Internet browser must support 128-bit SSL certificates to encrypt communications with the server.
- Set the browser:
 - o Default setting after installation.
 - o Fixed JavaScript support.
 - o Fixed cookies.
 - Internet connection with a minimum speed of 10 Mb/s, stable without disruption.
 - If there is not direct access to the server (proxy) or a firewall with advanced protection technology is used, it is appropriate to insert the domain www.krcitender.com among trusted servers.

2.1.3 Information for participants on general rules

The Office will provide the necessary information to participants prior to the auction phase, during the auction phase and the auction results becoming known after the completion and evaluation of the last auction rounds. The information to be provided by the auction participant are specified in these auction rules.

The method and deadline for the submission of bids during the auction are specified in these auction procedures in Point 2.2.

2.1.4 Monitoring the auction

The auction will be monitored through the EAS.

Information about the course of the auction will be reported in two separate servers, located in two different places. Information about the course of the auction during the auction will not be published. Information about the course of the auction will be used only in exceptional cases, especially in the resolution of disputes about the auction.

2.1.5 Exceptional circumstances

In case of exceptional circumstances, the Office may take the following decisions:

- a) Postpone the auction phase
- b) end the auction phase prematurely
- c) disrupt the auction round
- d) cancel the auction round
- e) suspend the auction
- f) cancel the auction
- g) delay the provision of information to participants.

An exceptional circumstance can be considered obstacles that occurred independently of the will of the Office and the auction participants (force majeure, e.g. natural disasters, demonstrations, strikes, violent conflicts, and so on.), technical problems with the EAS supplier, which may act on the auction so that the auction procedure cannot be met, removing an auction participant or a serious collapse of internet connection, or any other exceptional circumstances that could disrupt or could have a significant impact on the progress and results of the auction.

The Office has the right to assess whether a particular situation is exceptional. The Office will justify the decision to declare an exceptional situation.

The auction participants are required to immediately notify the Office of any event that could disrupt the auction. The method of notification will be clarified by the participants who qualify for the auction phase in the course of the training.

2.1.6 Impeding the purpose or course of the auction

From the publishing of the invitation to submit bids the participants must refrain from acts that would impede the purpose or cause of the auction.

In accordance with Paragraph 33, Section 11 of the Electronic Communications Act the Office shall exclude the auction participant from the auction if their conduct infringes on the auction procedure.

In accordance with Paragraph 33, Section 16 of the Electronic Communications Act the participants shall forfeit the cash deposit if the participant's conduct impedes the purpose or course of the auction.

2.1.7 Collusive Behavior

Participants, throughout the course of the tender shall refrain from any form of coordination and information exchange in order to influence the outcome of the auction, with other entities wishing to participate in the tender, whether directly or through a third party.

The participants are also obliged to refrain from acts that would constitute any disclosure of the submitted bids, the estimated costs, or the estimated or actual strategy of bidding at the auction.

Any breach of these obligations will be considered a breach of order and obstruction of the auction procedure and violation of the auction's purpose, or course. In accordance with Paragraph 33, Section 11 of the Electronic Communications Act the Office shall exclude the auction participant from the auction if their conduct infringes on the auction procedure. In accordance with Paragraph 33, Section 16 of the

Electronic Communications Act the participant shall forfeit the cash deposit if the participant's conduct impedes the purpose or course of the auction.

2.2 Auction Rules

2.2.1 Planning the auction rounds

At least 48 hours before the start of the first auction round the Office will notify the auction participant of the date and time of the first auction round's launch, the time when they can sign in to the EAS.

Each round will be scheduled by the Office continuously, always after the previous round. At least **10 minutes** before the start of the next round the Office will notify of the date and time of the start of the next round, disclosing this term in the EAS and sending messages through the EAS chat.

The duration of the round is fixed, lasting **30 minutes**. The Office reserves the right to shorten the length of the round during the course of the auction, if it is shown that the duration of the round is long enough for tender offers.

Rounds will be scheduled on weekdays between **9:00 am and 4:00 pm**. The responsibility of each participant is to ensure the continued participation of their representative in the auction and during the entire period from **9:00 am to 4:00 pm**, or until the Office announces the end of the rounds for the day.

In one day, the Office may schedule a few rounds. Between rounds within a single day there will be **20-minute** long breaks. Each round must be completed within one auction day. The Office reserves the right to extend the break between rounds.

No later than the beginning of the last round within the auction day the Office shall announce the final round within the given day. Within **15 minutes** after the last round in the given auction day the Office shall announce the determined time and date of the first round for the next auction day. The Office may postpone the first round for the next auction day, in which case the change will be communicated to participants at least **15 minutes** before the originally scheduled start of the first round following the auction day.

The Office has the right to plan each auction day, as well as auction day rounds at its own discretion, including interrupting the auction for one or several days.

2.2.2 Right to the extension of auction rounds

The right to the extension of auction rounds allows the participant to extend the duration of the round and provide an offer in the additional time.

At the start of the auction, each participant has three opportunities to exercise the right to extend the auction round.

If the participant applies for the right to extend the round, that round is extended for the participant by **15 minutes** from the scheduled end of the round. The extension of a round may be terminated earlier, at the moment when all the participants, who within the round may submit their bids, have submitted.

The number of rights of a participant to the extension of a round is reduced by one upon each application. Within one round a participant may exercise the right to extend just once.

If in the given round the participant may submit a bid and has also one or more of the remaining rights to extending the round and does not submit any bid within that round, the round will be automatically renewed and the number of their rights to extending the round will be reduced by one.

Participants who did not exercise their right to an extension of the round within the given round do not have another opportunity to submit their bids within the round extension by another participant. These participants will be informed that the round has been extended and will wait for its completion.

The primary purpose of the right to extend a round is protection against unforeseen technical problems on the side of the participant.

2.2.3 Informing Auction Participants on the course of the auction

The Office shall provide each participant at the start of the auction round with the following information:

- a) the duration of an incoming round along with the time of its completion, provided that no participant exercises their right to an extension of the round
- b) default one-time payment for all frequency blocks
- c) the number of remaining participant possibilities to draw the right to extend the round
- d) information about whether the participant is the highest bidder from the previous auction rounds
- e) information that they do not need to raise their bid if they are the holder of the highest bid

Within 5 minutes following the end of a round the Office shall inform each participant on the amount of the highest bid for the given frequency block.

2.2.4 Activity rules

Any participant who qualifies for participation in the tender shall be entitled in each round to submit a bid for one frequency block, as follows:

- A) for block 1, or block 2, or block 3, if they paid a cash deposit of EUR 600,000 and request the issue of an individual license for frequency block 1, block 2, or block 3.
- B) for block 3 a cash deposit of EUR 300,000.

. Each participant may receive and in any given round make a bid on only one frequency block. Their activity in a given round may be equal to one or zero.

If the participant in a given round bids on one frequency block according to the rules described below, it equals one activity. If the participant does not make an offer, even after the automatic extension of rounds, their activity in the given round equals zero and their participation in the auction ends. The last valid offer remains effective. The condition of the offered bid is not valid for the auction participant who is the highest bidder. The holder of the highest bid does not have to submit a new offer and their activity will be equal to one.

2.2.5 The rules of bidding at the auction and the end of the auction

The lowest bid for each frequency block in the auction is declared by the Office.

In the first round of the auction the participant shall submit their bid by selecting one of the options, with the EAS offering the amount of the one-time payment in Euros. The offered one-time payment shall be calculated as follows:

1. The amount of the lowest bid offered in Euros
2. The amount of the lowest bid increased by 4%, offered in Euros
3. The amount of the lowest bid increased by 12%, offered in Euros

In each subsequent round the participant submits their bid by selecting one of the three default one-time payments for a frequency block.

Three options for a frequency block shall be determined for each frequency block separately. Each bid will contain a specific amount of the one-time payment in Euros, and will be calculated as follows:

- the lowest bid for a frequency block in the round = the highest bid in the previous round, increased by 4%, quoted in Euros
- the medium bid for a frequency block in the round = the highest bid in the previous round, increased by 12%, quoted in Euros
- the highest bid for a frequency block in the round = the highest bid in the previous round, increased by 20%, quoted in Euros

If the participant chooses one of the preset options for the frequency block bid, their bid is submitted and the participant cannot change its amount during the round or move the bid to another frequency block, not even if the round time has not elapsed yet.

After each round the value of the highest bids for a given frequency block will be announced.

The participant with the highest bid for a given frequency block is determined by the following rules:

- i. the participant has the highest bid and another offer of equal size has not been made in the given round

- ii. if two or more equal highest bids have been submitted (i.e. by selecting the highest bid for the frequency block in the given round), the participant who holds the highest bid is the participant who submitted the bid with the highest value later.

If at least one bid was submitted in the given round by topping off the onetime payment, the Office shall declare the next round. In the next round:

- The participant who held the highest bid for the given frequency block in the last round has the right to increase the bid only for this frequency block by selecting one of the preset amounts of the offered one-time payment, or retain their original bid (thus it is considered that they hold their bid but do not increase it and the value of their activity equals one). Such a participant does not have the option of moving their bid to another frequency block.
- The participant who did not hold the highest bid in the last round has the right to bid on any frequency block (which may be offered under 2.2.4.) by selecting one of the default one-time payments. In the event that such a participant does not make a new bid, they lose the value of the activity and the new value of the activity will be zero.

Auction is ended in the round in which the one-time payment of none of the frequency blocks was increased, or by excluding all participants, or through the decision of the Office on the early termination.

2.3 Final Provisions

By submitting the tender bid the participant agrees to all the terms and conditions set out in the auction procedure and undertakes to comply with them.

2.4 Explanation of terms and abbreviations

Applicant – the provider of the bid submitted by the deadline specified in the invitation to tender; participant.

Auction – form of assessing the applications for the granting of individual authorization for the use of frequencies. The auction is part of the tender and its purpose is setting the amount of the one-time payment for individual frequency blocks, as well as enterprises, which will be allocated the frequency from individual frequency blocks.

Auction participant – tender participant who qualified in the auction phase.

Auction round – in the auction round the tender participants will be able to repeatedly raise their offered one-time payment.

Default bid for frequency block – one of the three possible bids for a frequency block in a given auction round.

EAS – electronic auction system is a software that allows the organization and participation of participants in the auction.

Electronic Communications Act – Act No. 351/2011 Coll. on Electronic Communications, as amended.

Office – Regulatory Authority for Electronic Communications and Postal Services.

Participant – bidder who submitted the bid by the deadline specified in the invitation to submit tender bids; a participant; an applicant.

Participant – bidder who submitted the bid by the deadline specified in the invitation to submit tender bids; an applicant.

Period of time extension – a time period of 15 minutes, by which the relevant auction round is prolonged by a particular participant.

Selection panel – Commission to assess the submitted bids, established by the Office pursuant to Paragraph 33, Section 5 of the Act on Electronic Communications.

Starting bid – the lowest bid for the frequency block specified in the call for the submission of tender bids.

Successful participant – participant who offers the highest one-time payment in the electronic auction for a specific frequency block.

Unsuccessful participant – tenderer participant who has not offered the highest amount of the one-time payment in the electronic auction for a particular frequency block; Unsuccessful tenderer.