

Amendment under section 94(5) of the
the Communications Act 2003 (the
“Act”) to the Notification to Spacotel
under Section 94 of the Act of
Contravention of General Condition 18

**Amendment to the notice served on Spacotel UK Ltd by the Office of
Communications (“Ofcom”)**

**This is the non-confidential version. Confidential information and data
have been redacted. Redactions are indicated by “[]”**

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Amendment under section 94(5) of the Communications Act 2003 to the Notification to Spacetel UK Limited under section 94 of the Act of contravention of General Condition 18

Whereas:

(A) Ofcom issued to Spacetel UK Ltd (“Spacetel”) a Notification (the “Notification”) under Section 94 of the Communications Act 2003 (the “Act”) regarding the contravention of the general conditions of entitlement on 13 January 2006;

(B) in accordance with section 94 (4) of the Act, Spacetel was given a period of a month beginning with the day after the one on which the Notification was given to do those things set out in section 94(3) of the Act;

(C) the Notification therefore stated, at paragraph 15, that Spacetel had until 14 February 2006 to make written representations;

(C) the Notification therefore stated, at paragraphs 11-14, that Spacetel was required to comply with General Conditions 18.1 and 18.2 as soon as reasonably practicable after 14 February 2006;

(D) on 14 February 2006 Spacetel asked Ofcom, by telephone and thereafter in writing, for an extension of 14 days to the deadline for making representations on the Notification and to the deadline for carrying out the actions specified at paragraphs 11-14 of the Notification;

(E) Spacetel explained that it had concluded that the swiftest route to addressing the matters described in the Notification was to enter into an agreement with another communications provider whereby it would use that communications provider’s network infrastructure to host its numbers;

(F) [redacted];

(G) in accordance with 94(5)(b) of the Act, Ofcom can grant a longer period for those matters set out in section 94(3) of the Act;

(H) in light of Spacetel’s representations and in order to allow it to progress a proposed solution by meeting a potential partner, Ofcom has therefore decided, in accordance with section 94(5)(b) to grant Spacetel a further 14 days for complying with General Condition 18.1 and General Condition 18.2 and a further 14 days to make written representations.

Hereby:

1. Paragraph 11 of the Notification is amended as follows:
 - “14 February 2006” is replaced with “28 February 2006”.
2. Paragraph 12 of the Notification is amended as follows:
 - “14 February 2006” is replaced with “28 February 2006”.
3. Paragraph 15 of the Notification is amended as follows:

¹ Text redacted for confidentiality.

- “14 February 2006” is replaced with “28 February 2006”.

Interpretation

4. Words and expressions used in this notification have the same meaning as in the General Conditions and in the Act except as otherwise stated in this notification.

David Stewart

Director of Investigations

23 February 2006