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Hutchison 3G UK Ltd (“Three”) and UK Broadband Limited (“UKB”) response to Ofcom’s consultation on the variation of spectrum access licences in the 3400 to 3680 MHz band published 18 April 2019 (the “Consultation”)

Three and UKB welcome the opportunity to respond to the Consultation.

Ofcom has published the Consultation in response to separate licence variation requests submitted by each of the Mobile Network Operators, including our request dated 12 February 2019.

In the Consultation, Ofcom states that their *“provisional view, which is subject to this consultation, is that it is appropriate to grant the requested variations to the six licences and [Ofcom] are minded to do so.”*¹ As one may expect, Three and UKB agree with Ofcom’s provisional view that it is appropriate to vary the licences and support Ofcom’s approach. Given these circumstances, we do not propose to revisit the full details of our original variation request in this response.

We note that the requested changes to the licences will help to facilitate the deployment of Active Antenna Systems (AAS), which will be used to deliver 5G technology. We agree with Ofcom that the proposed changes are aligned with the EU Harmonisation Decision, which Ofcom is legally obliged to implement. We also agree with the proposed deletion of a historic reference in two of our licences to a boundary at 3605 MHz, which is no longer of practical application.

Finally, we note that the variations will have no effect on other users of the bands, nor on users of adjacent bands. Therefore, we urge Ofcom to act quickly once the Consultation period ends, and we welcome Ofcom’s stated aim to publish its statement and vary the licences as soon as possible.

¹ Consultation, *paragraph 4.22*