

**Office of Communications (Ofcom)  
Wireless Telegraphy Act 2006**



**SPECTRUM ACCESS 1472 – 1492 MHz LICENCE**

The spectrum authorised under this Licence was formerly authorised under the licence issued by Ofcom on **19 June 2015** to **Qualcomm UK Spectrum Ltd.**<sup>1</sup>

Licence no. **1053624**

Date of issue: **08 October 2015**

1. The Office of Communications (Ofcom) grants this wireless telegraphy licence ("the licence") to

**Hutchison 3G UK Limited**  
(Company registration number 03885486)  
("the Licensee")  
**Star House**  
**20 Grenfell Road**  
**Maidenhead**  
**Berkshire**  
**SL6 1EH**

to establish, install and use wireless telegraphy stations and/or wireless telegraphy apparatus as described in Schedule 1 to this Licence (together "the Radio Equipment") subject to the terms set out below.

**Licence Term**

2. This Licence shall continue in force until revoked by Ofcom or surrendered by the Licensee.

**Licence Variation and Revocation**

3. Pursuant to Schedule 1 paragraph 8 of the Wireless Telegraphy Act 2006 ("the Act") Ofcom may not revoke this Licence under Schedule 1 paragraph 6 of the Act except:
  - (a) at the request of, or with the consent of, the Licensee;
  - (b) if there has been a breach of any of the terms of this Licence;
  - (c) in accordance with Schedule 1, paragraph 8(5) of the Act;
  - (d) if it appears to Ofcom to be necessary or expedient to revoke the Licence for the purposes of complying with a direction by the Secretary of State given to Ofcom under section 5 of the Act or section 5 of the Communications Act 2003;

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<sup>1</sup> This Licence reflects the terms and conditions first issued to Qualcomm UK Spectrum Ltd under licence number 0309189 from which this spectrum was traded to Hutchison 3G UK Limited under Trading Register Number PTN-2015-08-001 on 08 October 2015.

- (e) if, in connection with the transfer or proposed transfer of rights and obligations arising by virtue of the Licence, there has been a breach of any provision of regulations made by Ofcom under the powers conferred by section 30(1) and section 30(3) of the Act<sup>2</sup>;
  - (f) for reasons related to the management of the radio spectrum, provided that in such case:
    - (i) this power to revoke may only be exercised after at least five (5) year's notice is given in writing to the Licensee; and
    - (ii) such notice must expire on or after 15 May 2023.
4. Ofcom may only revoke or vary this Licence by notification in writing to the Licensee and in accordance with Schedule 1, paragraphs 6, 6A and 7 of the Act.

### **Transfer**

5. This Licence may not be transferred. The transfer of rights and obligations arising by virtue of this Licence may however be authorised in accordance with regulations made by Ofcom under powers conferred by section 30 of the Act<sup>3</sup>.

### **Changes to Licensee Details**

6. The Licensee shall give prior notice to Ofcom in writing of any changes to the Licensee's name and/or address as recorded in paragraph 1 of this Licence.

### **Fees**

7. From 16 May 2023, the Licensee shall each year pay to Ofcom the relevant fee(s) as provided for in section 12 of the Act and the regulations made thereunder on or before such dates as are notified in writing to the Licensee.
8. The Licensee shall also pay interest to Ofcom on any amount which is due under the terms of this Licence or provided for in any regulations made by Ofcom under sections 12 and 13(2) of the Act, from the date such amount falls due until the date of payment, calculated with reference to the Bank of England base rate from time to time. In accordance with section 15 of the Act any such amount and any such interest is recoverable by Ofcom.
9. If the Licence is surrendered or revoked, no refund, whether in whole or in part of any amount which is due under the terms of this Licence or provided for in any regulations made by Ofcom under sections 12 and 13(2) of the Act will be made, except at the absolute discretion of Ofcom.

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<sup>2</sup> These are regulations on spectrum trading.

<sup>3</sup> See Ofcom's website for the latest position on spectrum trading and the types of trade which are permitted.

## Radio Equipment Use

10. The Licensee shall ensure that the Radio Equipment is established, installed and used only in accordance with the provisions specified in the Schedule(s) to this licence. Any proposal to amend any detail specified in the Schedule(s) to this Licence must be agreed with Ofcom in advance and implemented only after this Licence has been varied or reissued accordingly.
11. The Licensee shall ensure that the Radio Equipment is operated in compliance with the terms of this Licence and is used only by persons who have been authorised in writing by the Licensee to do so and that such persons are made aware of, and of the requirement to comply with, the terms of this Licence.

## Access and Inspection

12. The Licensee shall permit a person authorised by Ofcom:
  - (a) to have access to the Radio Equipment; and
  - (b) to inspect this Licence and to inspect, examine and test the Radio Equipment, at any and all reasonable times or, when in the opinion of that person an urgent situation exists, at any time to ensure the Radio Equipment is being used in accordance with the terms of this Licence.

## Modification, Restriction and Closedown

13. Any person authorised by Ofcom may require the Radio Equipment or any part thereof, to be modified or restricted in use, or temporarily or permanently closed down immediately if in the opinion of the person authorised by Ofcom:
  - (a) a breach of a term of the Licence has occurred; and/or
  - (b) the use of the Radio Equipment is causing or contributing to interference to the use of other authorised radio equipment.
14. Ofcom may require any of the Radio Equipment to be modified or restricted in use, or temporarily closed down either immediately or on the expiry of such period as may be specified in the event of a national or local state of emergency being declared. Ofcom may only exercise this power after a written notice has been served on the Licensee or a general notice applicable to holders of a named class of Licence has been published.

## Geographical Boundaries

15. This Licence authorises the Licensee to establish, install and use the Radio Equipment only in the United Kingdom.

## Interpretation

16. In this Licence:

- (a) the establishment, installation and use of the Radio Equipment shall be interpreted as establishment and use of stations and installation and use of apparatus for wireless telegraphy as specified in section 8(1) of the Act;
- (b) the expression "interference" shall have the meaning given by section 115 of the Act;
- (c) the expressions "wireless telegraphy apparatus" and "wireless telegraphy station" shall have the meanings given by section 117 of the Act.
- (d) the Schedule(s) to this Licence form part of this Licence together with any subsequent Schedule(s) which Ofcom may issue as a variation to this Licence; and
- (e) the Interpretation Act 1978 shall apply to the Licence as it applies to an Act of Parliament.

**Issued by Ofcom**

**Office of Communications**

## SCHEDULE 1 TO LICENCE NUMBER: **1053624**

Schedule Date: **08 October 2015**

Licence Category: **Spectrum Access Licence (1472 – 1492 MHz)**

### Description of Radio Equipment Licensed

1. The Radio Equipment means any radio transmitting Base station that transmits in accordance with the requirements of paragraphs 7, 8 and 9 of this Schedule.

### Interface Requirements for the Radio Equipment use

2. Use of the Radio Equipment shall be in accordance with the following Interface Requirement:

IR 2068<sup>4</sup> for Spectrum Access in the Band 1452 – 1492 MHz

### Special Conditions relating to the Operation of the Radio Equipment

3.
  - (a) During the period that this Licence remains in force and, unless consent has otherwise been given by Ofcom, the Licensee shall compile and maintain accurate written records of:
    - (i) The following details relating to the Radio Equipment:
      - a) postal address; and
      - b) radio frequencies used by the Radio Equipment;
    - (ii) the operational details of all transmitting stations including:
      - (a) the National Grid Reference to a one (1) metre resolution of each transmitting site;
      - (b) the date on which each transmitting station is brought into operation;
      - (c) the height above ground level of each transmitting antenna to an accuracy of 1 metre;
      - (d) the azimuth of each transmitting antenna on each site;
      - (e) the horizontal and vertical profile of each transmitting antenna on each site (without taking into account any down-tilt);
      - (f) the down-tilt (physical and electrical) of each transmitting antenna;
      - (g) ITU Class of Emission of the radiated signal;

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<sup>4</sup> Available from the Ofcom website at <http://www.ofcom.org.uk>

- (h) the operational e.i.r.p. per MHz over the Permitted Frequencies for each transmitting antenna; and
- (i) the out of band emission profile in e.i.r.p. per MHz to a maximum of 25 MHz either side of the Permitted Frequencies for each transmitting antenna.

and the Licensee must produce these records if requested by a person authorised by Ofcom.

- (b) The Licensee shall inform Ofcom of the address of the premises at which this Licence and the information detailed at sub-paragraph 3(a) above shall be kept.
- (c) The Licensee must submit to Ofcom copies of the records detailed in sub-paragraph 3 (a) above at such intervals as Ofcom shall notify to the Licensee.
- (d) The Licensee must also submit to Ofcom in such manner and at such times, all information relating to the establishment, installation or use of the Radio Equipment, whether stored in hard copy or electronic form, as reasonably requested for the purposes of verifying compliance with this Licence or for statistical purposes.
- (e) The Licensee must ensure that the Radio Equipment is established and installed only for terrestrial use.

#### **Avoidance of Undue Interference**

4.

- (a) The Licensee must ensure that the establishment, installation and use of Radio Equipment will allow Notified Licensed Links (to the extent that such Notified Licensed Links are operated in accordance with such guidance as Ofcom may issue from time to time) to be operated without undue interference.
- (b) In complying with its obligations under sub-paragraph 4(a), the Licensee must:
  - (i) in respect of an Existing Licensed Link, pay to the licensee of such Existing Licensed Link all costs which may be reasonably incurred by that licensee to mitigate the risk of undue interference with such Existing Licensed Link from Radio Equipment established by the Licensee; and
  - (ii) in respect of a New Licensed Link, take appropriate measures to avoid the risk of undue interference with such New Licensed Link from Radio Equipment established by the Licensee.
- (c) The Licensee shall not be responsible for the payment of:
  - (i) any operation, repair, maintenance or other recurring costs associated with an Existing Licensed Link; and
  - (ii) any costs incurred in respect of a New Licensed Link to mitigate the risk of undue interference from Radio Equipment established by the Licensee.
- (d) Ofcom shall supply the Licensee with such information in relation to Wireless Telegraphy Licences relating to a frequency within the band 1492 – 1517 MHz as Ofcom may consider appropriate for the purposes of enabling the Licensee to fulfil its obligations under sub-paragraph 4(a).

## Co-ordination at frequency and geographical boundaries and compliance with other procedures relating to interference

5. The Licensee shall ensure that the Radio Equipment is operated in compliance with such co-ordination procedures as may be notified to the Licensee by Ofcom from time to time. The Licensee shall also ensure that it complies with any other procedures relating to the mitigation of interference as may be notified to the Licensee by Ofcom from time to time.

## Cross-border coordination

6. The Licensee must ensure that the Radio Equipment is operated in compliance with such cross-border coordination and sharing procedures as may be notified to the Licensee by Ofcom.

## Permitted Frequencies

7. Subject to the out of band emissions permitted under Paragraph 9, the Radio Equipment must only transmit on the following frequencies (the “Permitted Frequencies”):

**1472 – 1492 MHz**

## Maximum permissible (mean) e.i.r.p. within the Permitted Frequencies

8. The power transmitted in any direction in the Permitted Frequencies by the Radio Equipment shall not exceed 68 dBm/5MHz e.i.r.p in respect of any given radio transmitting station.

## Maximum power outside the Permitted Frequencies

9. The e.i.r.p. emanating from the Radio Equipment transmissions at any frequency outside the Permitted Frequencies shall not exceed:

<b>Frequency range</b>	<b>Maximum mean e.i.r.p.</b>	<b>Measurement bandwidth</b>
1427 – 1449 MHz	-20 dBm	1 MHz
1449 – 1452 MHz	14 dBm	3 MHz
1492 – 1495 MHz	14 dBm	3 MHz
1495 – 1498.5 MHz	-20 dBm	1 MHz
1498.5 – 1518 MHz	-62.5 dBm	1 MHz

## Interpretation of terms in this Schedule

10. In this Schedule:

- (a) "e.i.r.p." means the equivalent isotropically radiated power. This is the product of the power supplied to the antenna and the antenna gain in a given direction relative to an isotropic antenna (absolute or isotropic gain);
- (b) "dBm" means the power level in decibels (logarithmic scale) referenced against 1 milliWatt (i.e. a value of 0 dBm is 1mW);
- (c) "out of band emissions" means radio frequency emissions generated by the Radio Equipment and radiated into the frequency(s) adjacent (in terms of frequency) to the Licensee's Permitted Frequency(s);
- (d) "Base station" means a radio transmitter not intended to be used while in motion to provide a communications service, typically used in mobile or broadcasting radio systems;
- (e) "Existing Licensed Link" means each of an Existing Link and an Existing Traded Link;
- (f) "Existing Link" means a Notified Licensed Link operating in accordance with a Wireless Telegraphy Licence granted before 29 May 2015 which has not been varied on or after 29 May 2015 other than in respect of the details of the holder of the licence;
- (g) "Existing Traded Link" means a Notified Licensed Link which:
  - (i) was operated in accordance with a Wireless Telegraphy Licence granted before 29 May 2015; but
  - (ii) is subsequently operated in accordance with a Wireless Telegraphy Licence granted on or after 29 May 2015 following a transfer of such licence;
- (h) "ITU" means the International Telecommunication Union, and "Class of Emission" shall have the meaning as defined in the ITU Radio Regulations Appendix 1;
- (i) "New Licensed Link" means each of a New Link and a Varied Link;
- (j) "New Link" means a Notified Licensed Link which is not an Existing Traded Link operating in accordance with a Wireless Telegraphy Licence granted on or after 29 May 2015;
- (k) "Notified Licensed Links" means Radio Equipment operating in accordance with a Wireless Telegraphy Licence which is notified to the Licensee by Ofcom in accordance with paragraph 4(c);
- (l) "Varied Link" means a Notified Licensed Link operating in accordance with a Wireless Telegraphy Licence granted before 29 May 2015 and varied on or after 29 May 2015 in respect of any matters other than the details of the holder of the licence;
- (m) "Wireless Telegraphy Licence" means a licence granted by Ofcom under the Wireless Telegraphy Act 2006 relating to a frequency within the band 1492 – 1517 MHz.