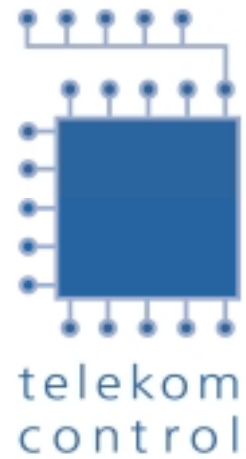


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**Vienna, September 15, 2000**

**Tender Documentation for Wireless Local Loop Frequency  
Allocations in the 26 GHz Frequency Range**

***NON-BINDING TRANSLATION***

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## Austrian Laws Cited in this Document

TKG	Telecommunications Act
AVG	General Administrative Procedures Act
HGB	Commercial Code
AktG	Securities Act
KartG	Anti-Trust Act
BörseG	Stock Exchange Act
ZustG	Correspondence Act

# 1 Introduction

Telekom-Control GmbH is carrying out a procedure to allocate frequencies in the 26 GHz frequency range for wireless local loop (WLL) systems. 6 Regions consisting of 5 frequency packages each will be awarded, with each frequency package consisting of several duplex frequency channels.

## 1.1 General Conditions under Austrian Law

This invitation to tender is being carried out on the basis of the Austrian Telecommunications Act (TKG) BGBl. I No. 100/1997, in its current version (BGBl. I No. 26/2000). In addition, the regulations regarding procedure in Austria are likewise applicable, especially the General Administrative Procedures Act of 1991 (AVG) BGBl. No. 51 in its current version (BGBl. I No. 29/2000).

Due to the amendment to the Telecommunications Act (BGBl. I No. 26/2000) that went into effect on June 1, 2000, responsibility for the allocation of frequencies intended for the rendering of public telecommunications services was transferred from the Austrian Telecommunications Offices to the regulatory authority.

The frequency allocation procedure is now governed by § 49a TKG.

### 1.1.1 Frequency Allocation Procedure

Pursuant to § 49a par. 1 TKG, the regulatory authority is to allocate the frequencies placed under its authority to the applicant that fulfills all general prerequisites under § 15 par. 2 no. 1 and 2 TKG and guarantees the most efficient use of frequencies. This will be determined by the amount of the frequency license fee offered. The frequency allocation procedure is divided into two parts:

1. Once the applications have been submitted, the regulatory authority will check whether all prerequisites have been met in accordance with § 15 par. 2 no. 1 and 2 TKG (cf. Section 4). Those applications which do not fulfill the prerequisites will be excluded from the frequency allocation procedure in accordance with § 49a par. 6 TKG. The rules for determining the standing high bid in the course of the auction will be defined by Telekom-Control GmbH in accordance with § 49a par. 7 TKG and sent to the applicants at the latest 2 weeks before the start of the auction. Telekom-Control GmbH plans to publish a draft of the auction rules on its web site ([www.tkc.at](http://www.tkc.at)) in December 2000 and to send the Rules of Procedure to the applicants as soon after the application deadline as possible.
2. The second part of the frequency allocation procedure will be carried out in the form of an auction.

## 1.2 Allocation Procedure Schedule

The table below contains the most important dates in the allocation process. The exact time of the auction will be announced to the applicants once Telekom-Control GmbH has made its decision on this matter.

Activity	Date	Reference
Publication of invitation to tender	September 15, 2000	
Questions answered by Telekom-Control GmbH		Section 5.4
Deadline for questions	October 3, 2000, 10.00am (local time)	
Questions will be answered by	October 20, 2000	
End of tender submission period	November 20, 2000, 2:00pm (local time)	
Auction procedure	January/February 2001	Section 2.7
Date of frequency allocations	Within 14 days after end of auction	Section 2.8

TABLE 1: ALLOCATION PROCEDURE SCHEDULE

Figure 1 gives a general overview of the steps involved in the allocation procedure.

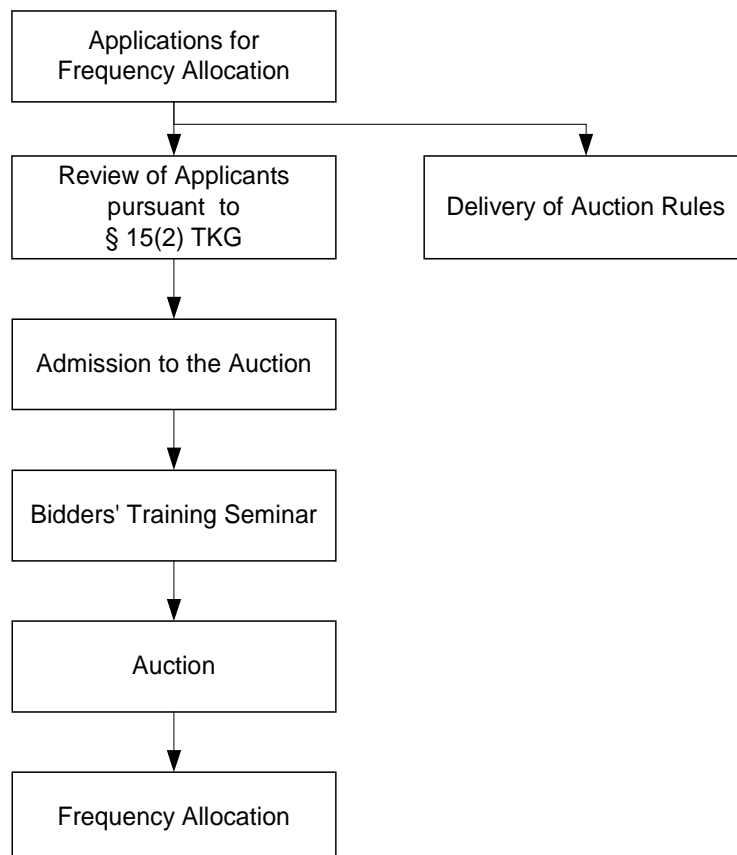


FIGURE 1: PROCEDURE STEPS

## **2 Frequency Allocation Procedure**

### **2.1 Steps in the Procedure**

As mentioned in Section 1, the frequency allocation procedure is divided into 2 parts. In accordance with § 49a par. 1 TKG, in the first stage the regulatory authority will check whether the applications fulfill the criteria stipulated in § 15 par. 2 no. 1 and 2 TKG. Those applications which do not fulfill the prerequisites pursuant to § 15 par. 2 no. 1 and 2 TKG will be excluded from the frequency allocation procedure in accordance with § 49a par. 6 TKG. In addition, the first stage will involve a review of the applicants for each region to determine whether they are affiliated with each other through groups of companies. If applications are received for the same region from such affiliated companies, the company that submitted its application first for the given region will be admitted to the frequency auction.

### **2.2 Objects of the Auction**

6 regions with 5 frequency packages each will be allocated in the auction (cf. Section 3.1). The division of regions is described in the next section.

#### **2.2.1 Regions**

The regions have been divided up according to the criteria of sociodemographics, geographical business considerations and technical demands. The regions are numbered 1 to 6. For the most part, the borders of the regions are identical to those of Austrian districts. Only in the case of Regions 1 and 2 were municipality borders used for the purpose of delineation. The figure below shows the division of regions. The specific delineation of regions is shown in Appendix A.

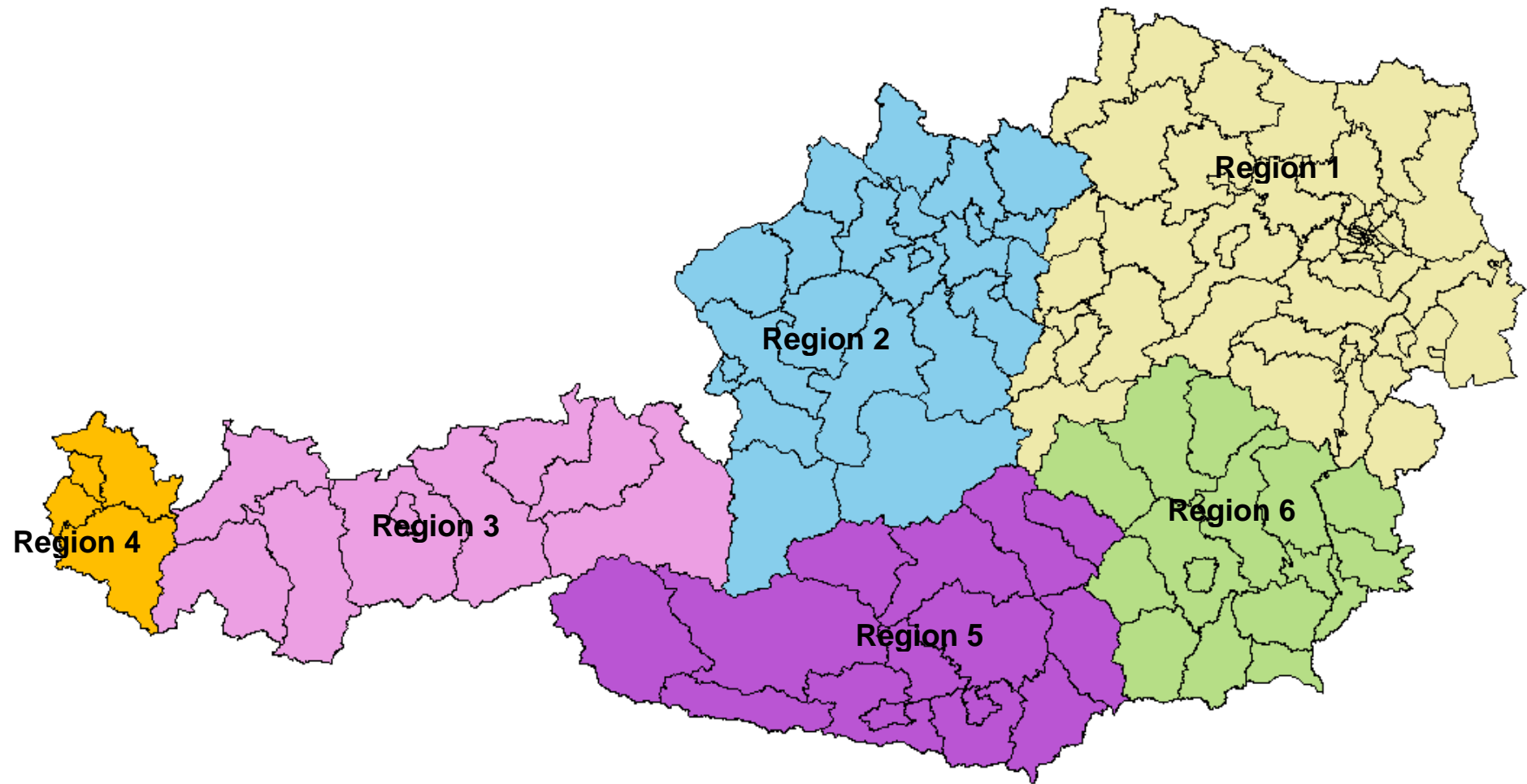


FIGURE 2: DIVISION OF REGIONS

### 2.2.2 Frequency Packages

The frequencies will be auctioned off in the form of concrete frequency packages. These frequency packages are distinguished by their bandwidths (Table 2) and the conditions applying to their use (cf. Section 3).

Frequency Package	Bandwidth	Number of Duplex Channels
<b>A</b>	2x56 MHz	2
<b>B</b>	2x56 MHz	2
<b>C</b>	2x84 MHz	3
<b>D</b>	2x84 MHz	3
<b>E</b>	2x112 MHz	4

TABLE 2: OBJECTS OF THE AUCTION

The individual frequency packages have been assessed according to the frequencies they contain and according to sociodemographic criteria (population, number of households and number of SMEs). This assessment will be referred to as the *lot rating* throughout the procedure. This assessment yields the following values for each frequency package and region:

Region	Frequency Package				
	A	B	C	D	E
	2x56 MHz	2x56 MHz	2x84 MHz	2x84 MHz	2x112 MHz
1	200	200	250	250	300
2	110	110	140	140	165
3	40	40	50	50	60
4	20	20	25	25	30
5	40	40	50	50	60
6	70	70	90	90	105

TABLE 3: LOT RATING PER FREQUENCY PACKAGE AND REGION



## 2.3 Applications

Using the application form enclosed, all applicants are to submit their applications with the following information:

- Selected regions for which the applicant would like to take part in the auction

Applicants are to select the regions for which they would like to acquire a frequency package. The applicants are free to submit applications for all regions. One exception is provided for in the case of affiliated companies: If two affiliated companies apply for the same region, one of the companies must be excluded from the allocation procedure for that region. Only one frequency package per region can be acquired by each applicant.

- Application for bidding entitlement points in the auction procedure

No concrete frequency packages can be named in the application. Instead, applicants request bidding entitlement points for the auction procedure (cf. Section 2.7). The bidding entitlement must be backed by a bank guarantee. The number of bidding entitlement points applied for is equal to the total lot ratings for the maximum number of frequency packages a bidder would like to acquire (cf. Table 3). The required amount of the bank guarantee is calculated by multiplying the bidding entitlement points by ATS 100,000. The bidder can bid on any combination of frequency packages, provided that the total of all lot ratings for his bids does not exceed the bidding entitlement points applied for. The bidding entitlement can be reduced in the course of the auction procedure on the basis of the bidder's actual activities in the auction (cf. Section 2.7). The maximum bidding entitlement points that can be applied for is 720 (an application for frequency package E in all regions). The following examples will shed more light on the issue of bidding entitlement:

Example 1: A bidder applies for 300 points and names all regions. This would enable the bidder to acquire Frequency Package E in Region 1 only (and thus no other frequency package in any other region) or to acquire frequency packages in several other regions up to a total lot rating of 300 points (e.g., Package A in Region 3, Package B in Region 4 and Package B in Region 5, amounting to a total of 260 lot rating points).

Example 2: A bidder would like to acquire Frequency Package E in all 6 regions. The bidder names all regions in his application and applies for a bidding entitlement of (the maximum) 720 points.

Example 3: A bidder would like to acquire Frequency Package A or B (2 blocks) in one region but does not know which specific region at the time the application is submitted. The bidder names all regions in his application and applies for a bidding entitlement of (the maximum) 200 points, i.e., the lot rating of the region with the highest valuation.

## 2.4 Bank Guarantees

All applicants are to secure the bidding entitlement applied for by means of an abstract bank guarantee payable at first demand from a bank in good credit standing. The required amount of the bank guarantee is calculated by multiplying the bidding entitlement points by ATS 100,000. If the bidding entitlement applied for is not completely secured by the bank guarantee, the bidding entitlement will be reduced to the number of points actually secured by the bank guarantee.

The bank guarantee's sole purpose provision is to be for the allocation of frequencies to the applicant in the course of this tender procedure. The guarantee must name the Federal Government of the Republic of Austria as beneficiary and be valid from January 1, 2001 at the latest until at least April 30, 2001. The bank guarantee is to be enclosed in the application.

Once the procedure has been completed, bank guarantees will be returned to those applicants to whom the frequency packages applied for were not allocated. Bank guarantees will be returned to those applicants to whom frequencies were allocated in this procedure once the frequency license fee has been paid in full.

The table below gives an overview of the required amount of the bank guarantee in ATS (EUR), broken down by frequency package and region and calculated on the basis of the lot ratings in Table 3.

Region	Bank Guarantee per Frequency Package in ATS (EUR)				
	A 2x56 MHz	B 2x56 MHz	C 2x84 MHz	D 2x84 MHz	E 2x112 MHz
1	20,000,000.- (1,453,456.68)	20,000,000.- (1,453,456.68)	25,000,000.- (1,816,820.85)	25,000,000.- (1,816,820.85)	30,000,000.- (2,180,185.03)
2	11,000,000.- (799,401.18)	11,000,000.- (799,401.18)	14,000,000.- (1,017,419.68)	14,000,000.- (1,017,419.68)	16,500,000.- (1,199,101.76)
3	4,000,000.- (290,691.34)	4,000,000.- (290,691.34)	5,000,000.- (363,364.17)	5,000,000.- (363,364.17)	6,000,000.- (436,037.01)
4	2,000,000.- (145,345.67)	2,000,000.- (145,345.67)	2,500,000.- (181,682.09)	2,500,000.- (181,682.09)	3,000,000.- (218,018.50)
5	4,000,000.- (290,691.34)	4,000,000.- (290,691.34)	5,000,000.- (363,364.17)	5,000,000.- (363,364.17)	6,000,000.- (436,037.01)
6	7,000,000.- (508,709.84)	7,000,000.- (508,709.84)	9,000,000.- (654,055.51)	9,000,000.- (654,055.51)	10,500,000.- (763,064.76)

TABLE 4: AMOUNT OF BANK GUARANTEES PER FREQUENCY PACKAGE AND REGION

## 2.5 Opening Bids in the Auction

The auction will begin with an opening bid (the minimum bid for the first round) set by Telekom-Control GmbH. The table below shows the amount of the opening bid for each frequency package and region in ATS (EUR).

Region	Opening Bid per Frequency Package in ATS (EUR)				
	A 2x56 MHz	B 2x56 MHz	C 2x84 MHz	D 2x84 MHz	E 2x112 MHz
1	3,000,000.- (218,018.50)	3,000,000.- (218,018.50)	4,500,000.- (327,027.75)	4,500,000.- (327,027.75)	6,000,000.- (436,037.01)
2	1,650,000.- (119,910.18)	1,650,000.- (119,910.18)	2,475,000.- (179,865.26)	2,475,000.- (179,865.26)	3,300,000.- (239,820.35)
3	600,000.- (43,603.70)	600,000.- (43,603.70)	900,000.- (65,405.55)	900,000.- (65,405.55)	1,200,000.- (87,207.40)
4	300,000.- (21,801.85)	300,000.- (21,801.85)	450,000.- (32,702.78)	450,000.- (32,702.78)	600,000.- (43,603.70)
5	600,000.- (43,603.70)	600,000.- (43,603.70)	900,000.- (65,405.55)	900,000.- (65,405.55)	1,200,000.- (87,207.40)
6	1,050,000.- (76,306.48)	1,050,000.- (76,306.48)	1,575,000.- (114,459.71)	1,575,000.- (114,459.71)	2,100,000.- (152,612.95)

TABLE 5: OPENING BID PER FREQUENCY PACKAGE AND REGION

## 2.6 Terms of Participation

The applicant must be a physical person or legal entity that is completely capable of entering into legally binding contracts as specified in § 9 of the General Administrative Procedures Act (AVG). Applicants must have their main residence (for legal entities their place of incorporation) in a country belonging to the European Economic Area.

### 2.6.1 Affiliated Companies

In this invitation to tender, only one application to participate in the frequency auction will be admitted per region from companies that are affiliated with one another under § 244 HGB, § 15 AktG or § 115 GmbHG, or in the form described under § 41 KartG 1988 (directly or indirectly). The same applies when applicants are affiliated with each other in another way which could lead to one applicant directly or indirectly exercising influence over another applicant in a manner that affects competition considerably (e.g., by syndicate agreements, etc.). For the purposes of this invitation to tender, "influence which affects competition considerably" is considered to be present where a significant stake (as specified in §§ 91ff. BörseG) is held, with the exception of purely financial stakes.

When assessing individual cases, the regulatory authority will also take into consideration whether the applicants are currently in the process of a demerger. In such cases, previous decisions made by competition authorities (on both the national and EU levels) are to be taken into special consideration (e.g., the restrictions imposed in permits regarding the execution of the demerger, etc.).

Should two or more applicants that are affiliated in the manner described above apply for a frequencies in the same region, the applicant who submitted the application first will be admitted to the frequency auction.

However, applications submitted by affiliated companies for different regions are permissible.

### 2.6.2 Changes in Ownership Structure

Changes in the person submitting an application, or any and all – direct or indirect – substantial changes in the stakes held in a company submitting an application at any point in this procedure require the permission of the regulatory authority. Permission shall be granted in cases where the company's competitive independence is maintained even after the changes are introduced. In all cases, a substantial change is regarded as an ownership change (exceeding the percentage limits set forth in §§ 91ff. BörseG) or the initial acquisition of a significant stake as defined in §§ 91ff. BörseG, with the exception of purely financial stakes.

The previous paragraph does not apply to changes in ownership structure ordered by anti-trust authorities or required by the proceedings of such authorities. All applicants are required to inform Telekom-Control GmbH of all official anti-trust proceedings, both pending and to be expected, relating to their ownership structure and to include any and all decisions made in this context in their applications. All changes in ownership structure carried out in order to fulfill such obligations are to be reported to Telekom-Control GmbH immediately, even after submission of the application.

### 2.6.3 Changes in Ownership Structure after the Frequency Allocation Procedure

The official frequency allocation decisions will contain a provision regarding changes in ownership structure that arise after the frequency allocation procedure has been completed, to the effect that substantial changes in stakeholdings will require the permission of the regulatory authority. In any case, substantial changes shall be regarded as those by which the competitive independence of the company is affected.

## 2.7 Auction Procedure

The auction will be carried out in an open, ascending, simultaneous, multiple-round format. In accordance with § 49a par. 7 (last line) TKG, the detailed rules governing the auction procedure will be delivered to the parties participating in the auction at least two weeks before the start of the auction. Telekom-Control GmbH plans to publish a draft of the auction rules on its web site ([www.tkc.at](http://www.tkc.at)) in December 2000 and to send the Rules of Procedure to the applicants as soon after the application deadline as possible.

### 2.7.1 Admission to the Auction

Applicants will be admitted to the auction if they were not excluded from the frequency allocation procedure under § 49a par. 6 TKG nor from participating in the frequency auction by official decision in the case of affiliated companies applying for frequency packages in the same region.

### 2.7.2 Auction Procedure: General

In the course of this simultaneous, multiple-round procedure, all frequency packages will be auctioned off at the same time. Each bid shall be placed for a specific frequency package. Bidders are generally free to choose which frequency packages they actively bid on, within the limits set forth in the Rules of Activity and within the scope of their bidding entitlement. A bidder shall be considered to be bidding actively on a frequency package when s/he holds the standing high bid from the previous round or submits a valid bid in the current round for that package. Bids shall be considered valid when they exceed the standing high bid from the previous round by at least the minimum bid increment. If no standing high bid has been submitted yet, the opening bid shall also be considered a valid bid. The minimum bid increment will be set by the auctioneer at the beginning of each round.

The auction procedure is divided into several phases with varying minimum activity provisions. The auction procedure will come to an end when no valid bid is submitted for any of the frequency packages in a given round of the last phase of the auction. If no valid bids are submitted in an earlier phase of the auction, the auctioneer shall be obliged to continue the procedure by moving on to the next phase or to end the procedure immediately. From the 50<sup>th</sup> round onward, the auctioneer furthermore reserves the right to announce that the auction will end after three final rounds. The frequency packages will then be allocated to the high bidders in accordance with their respective standing high bids.

### 2.7.3 Bidding Entitlement

Bidders will only be permitted to exercise their bidding entitlement in the regions which they selected in their applications and in which they were not excluded from the auction procedure due to the regulation concerning affiliated companies. A bidder can only bid actively on one frequency package per region in each round.

The bidding entitlement determines the maximum number of frequency packages on which a bidder can actively bid in one round. Bidders are allowed to bid actively for any combination of frequency packages (in different regions) as long as the total of all of the packages' lot ratings does not exceed the bidder's current number of bidding entitlement points.

Each bidder's bidding entitlement points for the first round of the auction procedure will be determined by the information in that bidder's application. In the ensuing rounds, bidding entitlements will be determined on the basis of each bidder's activity in the previous round; bidders who fall below a set minimum activity level will lose part of their bidding entitlement.

### 2.7.4 Rules of Activity

The auction procedure will be carried out in several phases with increasing minimum activity provisions. A bidder shall be considered to be bidding actively on a given frequency package if s/he either

- holds the standing high bid for the frequency package or
- submits a valid bid in the current round of the auction.

The minimum level of activity is defined as that portion of the bidding entitlement (e.g., 50%) for which a bidder has to remain active in a certain round in order to retain his/her bidding entitlement in its entirety. Bidders who fall below the the minimum activity level will lose a portion of their bidding entitlement.

## **2.8 Frequency Allocation**

Frequencies will be allocated by Telekom-Control GmbH at the latest within 14 days after the end of the auction procedure.

### 3 Frequency Spectrum

In the course of the frequency allocation procedure for WLL systems, frequency channels in the 26 GHz frequency range, assigned to the regulatory authority by the Austrian Federal Minister of Science and Transport in accordance with § 47 par. 3 TKG, will be allocated to the applicants.

#### 3.1 Division of the Frequency Spectrum

5 frequency packages, each consisting of several duplex frequency channels of 2x28 MHz each in the 26 GHz range, will be auctioned off for each of the regions described in Section 2.2.1.

##### 3.1.1 Frequency Range

The duplex frequency channels to be auctioned off are in the 24.549-25.053 GHz (lower band) and 25.557-26.061 GHz (upper band) frequency ranges. Certain sections of this frequency range serve as guard bands between operators and are thus not to be allocated to applicants.

##### 3.1.2 Table of Channels

Frequency allocation is being carried out in accordance with CEPT Recommendation T/R 13-02 Annex B, with a carrier frequency distance of 28 MHz. Table 6 shows the exact position of Duplex Channels 1-18, with a width of 2x28 MHz each, in the frequency spectrum.

Duplex Channel No.	Lower Band	Upper Band
1	24,549 to 24,577 MHz	25,557 to 25,585 MHz
2	24,577 to 24,605 MHz	25,585 to 25,613 MHz
3	24,605 to 24,633 MHz	25,613 to 25,641 MHz
4	24,633 to 24,661 MHz	25,641 to 25,669 MHz
5	24,661 to 24,689 MHz	25,669 to 25,697 MHz
6	24,689 to 24,717 MHz	25,697 to 25,725 MHz
7	24,717 to 24,745 MHz	25,725 to 25,753 MHz
8	24,745 to 24,773 MHz	25,753 to 25,781 MHz
9	24,773 to 24,801 MHz	25,781 to 25,809 MHz
10	24,801 to 24,829 MHz	25,809 to 25,837 MHz
11	24,829 to 24,857 MHz	25,837 to 25,865 MHz

Duplex Channel No.	Lower Band	Upper Band
12	24,857 to 24,885 MHz	25,865 to 25,893 MHz
13	24,885 to 24,913 MHz	25,893 to 25,921 MHz
14	24,913 to 24,941 MHz	25,921 to 25,949 MHz
15	24,941 to 24,969 MHz	25,949 to 25,977 MHz
16	24,969 to 24,997 MHz	25,977 to 26,005 MHz
17	24,997 to 25,025 MHz	26,005 to 26,033 MHz
18	25,025 to 25,053 MHz	26,033 to 26,061 MHz

TABLE 6: FREQUENCY RANGES FOR DUPLEX CHANNELS 1 – 18

### 3.1.3 Frequency Packages

5 frequency packages will be auctioned off for each region, with each frequency package consisting of several duplex channels. A buffer channel of 28 MHz is provided for between each frequency package. Table 7 and Figure 3 show the assignment of duplex channels to each frequency package.

Frequency Package	Assigned Duplex Channel	Number of Duplex Channels
<b>A</b>	1, 2	2
<b>B</b>	13, 14	2
<b>C</b>	9, 10, 11	3
<b>D</b>	16, 17, 18	3
<b>E</b>	4, 5, 6, 7	4

TABLE 7: ASSIGNMENT OF DUPLEX CHANNELS TO FREQUENCY PACKAGES

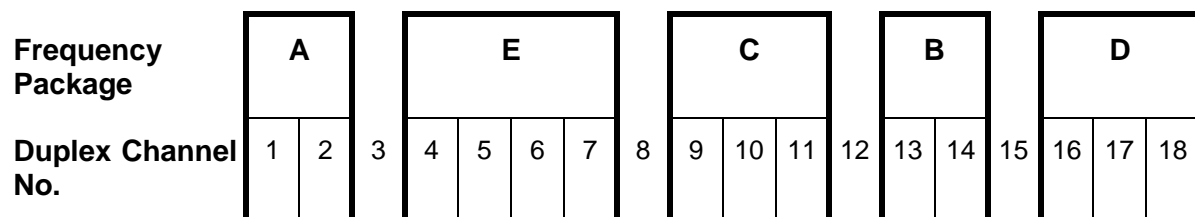


FIGURE 3: ASSIGNMENT OF DUPLEX CHANNELS TO FREQUENCY PACKAGES

Duplex Channels 3, 8, 12 and 15 are intended as guard bands between the frequency packages and will therefore not be allocated to applicants.



## 3.2 Terms of Frequency Use

### 3.2.1 Purpose of Use

The frequency packages to be auctioned off are to be used for wireless local loop systems. Wireless local loop systems are digital radio systems for fixed wireless services and consist of radio base stations and subscriber terminals. A duplex radio connection is established between the radio base station and the subscriber terminals.

These frequency packages are intended exclusively for the wireless connection of fixed-link subscribers for public telecommunications services. Use of these frequency packages for connections within the core network – such as connecting base stations in cellular mobile radio communications networks – is not permitted.

### 3.2.2 Time Period of Frequency Allocation

Frequencies will be allocated for a limited time period ending on December 31, 2010.

### 3.2.3 Network Launch

Pursuant to § 49 par. 11 TKG, the frequency allocation can be revoked if the allocated frequency is not being used for the allocation purpose within 6 months of allocation at the latest.

### 3.2.4 Operation Permits

Pursuant to § 49 par. 1 TKG, each frequency can only be put into operation with the corresponding permit from the telecommunications authority (operation permit). The operation permit is to be applied for at the relevant Telecommunications Office after frequency allocation.

### 3.2.5 Basic Technical Features of WLL Systems

The technical features defined in EN 301 213 Parts 1-3 shall apply to these WLL systems.

### 3.2.6 Basic Technical Features of WLL Antennas

In order to ensure the efficient use of the allocated frequencies, the antennas used must fulfill the following technical demands:

a) Characteristics of antennas for radio base stations:

Antennas that comply with EN 301215-2, with an Azimuth Radiation Pattern Envelope (RPE) Class CS 2 in compliance with EN 301215-2 Item 4.2.1 Table 3, Elevation Radiation Pattern Envelope (RPE) in compliance with EN 301215-2 Item 4.4 and antenna gain in the direction of maximum radiation in compliance with EN 301215-2 Item 4.2.2.

b) Characteristics of antennas for subscriber terminals:

Antennas that comply with EN 301215-2 with a Radiation Pattern Envelope (RPE) Class TS 1 in compliance with EN 301215-2 Item 4.1.1 and antenna gain in the direction of maximum radiation in compliance with EN 301215-2 Item 4.1.2, or antennas compliant with ETS 300833 in Gain Category 2, Radiation Pattern Envelope (RPE) Class 2 and XPD category 2.

### 3.2.7 Conditions for the Assignment of Transmission Directions

The following conditions apply to the assignment of upper and lower band frequencies to transmission directions:

a) Transmission from radio base station to subscriber terminal:

Transmissions exclusively in the lower band.

a) Transmission from subscriber terminal to radio base station:

Transmissions exclusively in the upper band.

### 3.2.8 Carrier Power, Radiated Power

The provisions for maximum values of power flux density notwithstanding, the maximum values defined in Article S21 of the Radio Services Enforcement Order shall apply to carrier power and radiated power.

### 3.2.9 Transmissions outside the Assigned Range

Outside of the allocated bandwidth, the relative spectral power density must adhere to the values set forth in EN 301213-2 Item 5.5.4 and EN 301213-3 Item 5.5.4.

### 3.2.10 Buffer Distances between Frequency Packages

As mentioned in Section 3.1.3, a buffer channel of 28 MHz will be maintained between frequency packages allocated to different network operators. Should a WLL system deployed by a network operator require a greater buffer distance, the additional buffer distance will be subtracted from that operator's bandwidth. Furthermore, network operators to whom adjacent frequency packages are allocated are advised to coordinate the planning of their radio networks with one another in order to avoid frequency losses.

### 3.2.11 Power Flux Density at Regional Borders within Austria

As mentioned in Section 2.2.1, frequencies will be allocated for a number of regions in Austria. The following conditions are to be upheld with regard to regional borders within Austria:

- a) Within Austria, the spectral power flux density (PFD) generated by a WLL system may not exceed  $-105 \text{ dBW}/(\text{MHz}\cdot\text{m}^2)$  in the adjacent region at a distance of 7.5 km from the border of the region for which the frequency was allocated.

- b) Agreements among network operators to whom the same frequencies are allocated in adjacent regions to change the maximum values for power flux density in paragraph a) are permitted but require the permission of the telecommunications authority.
- c) Network operators to whom the same frequencies are allocated in adjacent regions will be required to coordinate the construction of radio base stations within 7.5 km of shared regional borders with each other in order to avoid frequency losses. In this context, the locations of the radio base stations or the radio network planning (with regard to the polarization used and/or the sub-frequencies used in the individual sectors) are to be coordinated by the operators.

### 3.2.12 Power Flux Density near National Borders

The specific terms of frequency use in the proximity of Austria's national borders will be defined in the operation permits. The general conditions of frequency use in these border areas are indicated below.

In the proximity of national borders, a preference frequency regulation is used. In this context, the spectral power flux density (PFD) generated by a WLL system must not exceed the values indicated in Table 8.

	<b>Maximum Spectral Power Flux Density</b>
Preferred frequency	-105 dBW/(MHz*m <sup>2</sup> ) in the adjacent country at a distance of 15 km from the national border
Non-preferred frequency	-105 dBW/(MHz*m <sup>2</sup> ) along the national border

TABLE 8: MAXIMUM SPECTRAL POWER FLUX DENSITY

The power flux density and distance indicated in Table 8 assume that there is an angle decoupling of 20 dB (corresponding to an angle offset of 20°) between the directions of maximum radiation of the radio stations involved on both sides of the border.

Table 9 shows the preferred frequency channels in the border areas with Germany (west of 13° 15' E), Liechtenstein and Switzerland.

Border Area	Starting and ending points of the national border to which the preference regulation applies		Preferred Frequency Channel Numbers (see Table 6)
	From	To	
Switzerland (two-country border area)	10° 28' E 46° 51' N	09° 48' E 47° 02' N	1, 3 <sup>1)</sup> , 4 <sup>1)</sup> , 5, 6, 9, 11, 13, 14, 16 <sup>1)</sup> Preferred frequency conditions only for radio stations constructed lower than 2000 m above sea level.
Switzerland and Liechtenstein (three-country border area)	09° 48' E 47° 02' N	09° 40' E 47° 23' N	1, 4, 6, 13, 14, 16
Switzerland and Germany (three-country border area)	09° 40' E 47° 23' N	09° 46' E 47° 35' N	1, 4, 6, 13, 14, 16
Germany (two-country border area, west of 10° 20' E)	09° 46' E 47° 35' N	10° 20' E 47° 18' N	1, 2, 4, 6, 7, 13, 14, 16, 17
Germany (two-country border area, east of 10° 20' E)	10° 20' E 47° 18' N	13° 15' E 48° 17' 30" N	1, 2, 5, 6, 10, 11, 13, 14, 17

TABLE 9: PREFERRED FREQUENCY CHANNELS FOR GERMANY, LIECHTENSTEIN AND SWITZERLAND

Provided that the preferred frequency agreements with the telecommunications administrative authorities of Germany, Liechtenstein and Switzerland (currently in draft form) actually go into effect, the maximum values indicated in Table 8 will apply to preferred frequencies' power flux density for the frequency channels and border areas in Table 9. The conditions for non-preferred frequencies indicated in Table 8 shall apply to all other frequency channels in the areas bordering Germany (west of 13° 15' E), Liechtenstein and Switzerland.

The conditions for non-preferred frequencies indicated in Table 8 currently apply to all frequency channels in areas bordering other countries not mentioned above. At present, negotiations on the use of individual frequency channels as preferred frequencies in this range are being conducted with those neighboring countries. The Austrian telecommunications authority hopes to conclude preferred frequency agreements with the respective telecommunications administrative authorities regarding the areas bordering Germany (east of 13° 15' E), the Czech Republic, the Slovakian Republic and Hungary by the beginning of 2001.

The spectral power flux density is calculated according to the propagation model in ITU Recommendation ITU-R P.452; however, this calculation was performed with attention to open-space propagation only.

Domestic network operators to whom frequencies are allocated will be allowed to conclude agreements with network operators in neighboring countries to change the preferred frequency

conditions indicated in Tables 8 and 9; however, such agreements will require the permission of the respective telecommunications authorities.

### 3.2.13 Changes in Use and Additional Restrictions of Use

According to the results of ongoing coordination procedures with foreign telecommunications administrative authorities, the Austrian telecommunications authority may order changes in use or restrictions of use for individual frequency packages and areas in order to protect existing or planned radio services abroad (cf. § 81 par. 2 TKG). Coordination procedures are to be carried out for radio services in accordance with the Radio Services Enforcement Order and bilateral or multilateral agreements.

## 3.3 Supervisory Rights

Network operators to whom frequencies are allocated will be required to convey the following data to Telekom-Control GmbH each year in electronic format and in compliance with one of the data models prescribed by Telekom-Control GmbH:

- a) Number of subscribers
- b) Overview of current network structure
- c) Coverage areas
- d) Locations (GIS format) of radio base stations and (where applicable) subscriber terminals, essential technical characteristics of these infrastructure elements (frequency range, capacity, transmission capacity, etc.)

## 4 Application Documents

Pursuant to § 49a par. 1 TKG, frequencies can be allocated to those applicants who fulfill the prerequisites stipulated under § 15 par. 2 no. 1 and 2 TKG. Applications for frequency allocations are to contain the documents and information listed in the following sections:

### 4.1 Organizational Structure

In order to determine whether applicants fulfill the prerequisites indicated in § 15 par. 2 TKG, certain information on the applicant's organizational structure will be necessary. This information includes precise indications as to the applicant's legal and financial situation as well as the ownership structure (up to the ultimate owner). In addition, due attention must be paid to the provisions in Section 2.6.1.

The applications are to contain the following information (wherever applicable):

#### 4.1.1 Information on the Applicant

- a) Name (company), place of incorporation (address), date and place of establishment, including a current excerpt from the Commercial Register;
- b) Type and number of capital shares, nominal value of capital shares as well as voting and dividend rights associated with any and all types of shares;
- c) Subscribed capital per type of capital shares, precise information on the stakeholders at the time of application submission as well as any and all foreseeable changes in this respect;
- d) Number, value and rights (including conversion rights) of any and all options, certificates of entitlement, preferred stock or debt capital as well as any other securities issued by the applicant;
- e) The company's articles of incorporation and bylaws in their current applicable version;
- f) A description of the applicant's business activities;
- g) The name of the applicant's authorized recipient (as defined in § 8a ZustG) as well as that of an authorized representative (as defined in § 10 AVG) along with his/her telephone and fax numbers as well as postal and e-mail addresses (cf. Section 5.3). These two parties can be the same person.
- h) Any and all other matters which, if mentioned or omitted, could substantially influence Telekom-Control GmbH's decision in the review to be carried out prior to the frequency allocation procedure in compliance with § 15 par. 2 TKG.

#### 4.1.2 Information on the Applicant's Stakeholders

For each stakeholder, shareholder, bearer of options, of certificates of entitlement, of preferred stock, of debt capital or of other securities issued by the applicant, the information indicated in lit. a) to f) is to be submitted wherever applicable. In cases where the applicant has a large

number of stakeholders (shareholders), the information indicated is to be provided on all main shareholders. In the case of minority shareholders owning a small portion of the company's capital (up to 5%), general information will be sufficient, unless their share is considered a significant stake as defined in §§ 91 f BörseG. In such cases, Telekom-Control GmbH will request further information as it sees necessary.

- a) Name (company), place of incorporation (address), date and place of establishment;
- b) A description of the stakeholder's main business activity;
- c) The stakeholder's relationship to the applicant (e.g., number and type of capital shares or securities held), syndicate / consortium agreements;
- d) Parent company of the group

In cases where capital shares or other securities issued by the applicant are held for third parties by persons acting as trustees or in another similar function, these circumstances are to be noted in the application and the aforementioned information is to be provided for the actual economic owner.

#### 4.1.3 Information on Consortia

In the case of consortia or joint ventures, the following additional information will be necessary:

The type of relationship among the members as well as detailed information on:

- Syndicate agreements, consortium agreements or
- Joint venture agreements;
- Declarations of intent;
- Stakeholder agreements.

In addition, the information indicated in Section 4.1.2 is to be included in the application for all consortium members.

## 4.2 Technical Abilities, Quality of Services and Coverage Obligations

Pursuant § 15 par. 2 TKG, there must be no reason to believe that the applicant will fail to render the service applied for in compliance with the license to be issued, especially with regard to service quality and coverage obligations. In addition, the applicant must possess the technical abilities necessary to render such services. The information requested in the following sections is intended to aid the regulatory authority in reviewing each applicant's fulfillment of these prerequisites.

#### 4.2.1 Description of Planned Services and Service Quality

The following information is necessary:

- Description of planned services
- Customer groups
- Data rates per customer
- Quality of services (reliability)

#### 4.2.2 Planned Radio Communications Network

The following information is necessary:

- Technology planned for the radio communications system
- Methods of radio communications network planning, coverage areas, number of base stations
- Transmission capacity of the system

#### 4.2.3 Core Network

In this section, the applicant is to provide information on the connection of the WLL system to the core network and (where applicable) on the integration of the WLL system into the applicant's own existing networks.

### 4.3 Financial Strength

Applicants will be required to prove that they have at their disposal the financial resources necessary to build and operate a WLL system.

In this context, applicants should pay special attention to the fact that their financial strength and stability are also able to absorb increases in the frequency license fee in the course of the auction.

With regard to financial strength, application documents are to contain the following information:

#### 4.3.1 Business Plan

Applicants are to submit a business plan for the business area(s) in which the frequencies applied for are to be used, based on their strategy, their overall market assessment as well as their assessment of operations in the five years after frequency allocation. Applicants are to take into account that the frequency license fee offered in the application as well as all frequency license fees offered in the course of the auction are to be in line with the financial situation of the overall company as described in the application and with the business development to be expected. The business plan can be structured in any way the applicant chooses. However, the most essential costs and revenues should be visible in the outline.



A bank guarantee is also to be enclosed in the application. Details on the bank guarantee can be found in Section 2.4.

#### 4.3.2 Financing

In addition, applicants will be required to prove that they can obtain financing commensurate to the business plan described in the application. For this purpose, the following information is necessary:

Equity financing	Schedule and sources of equity capital, including planned issues of company capital
Debt financing	Credit lines, available collateral, credit terms and lenders for all loans in the first three years after frequency allocation

#### 4.4 Declaration of Completeness

Properly completed written applications must contain all information requested in Section 4. In addition, a Declaration of Completeness (Appendix C) is to be enclosed with the application to confirm that the application contains correct and complete indications of all information requested in this tender document as well as all information relevant to Telekom-Control GmbH's evaluation of the objective facts.

## 5 Arrangements

The following sections contain information on the deadlines to be adhered to as well as other essential issues in the allocation procedure.

### 5.1 Rights to Application Documents

In submitting an application for frequency allocation, the applicant irrevocably agrees to allow Telekom-Control GmbH to use – without restriction – all information and documents received in connection with the application for the purposes of the allocation procedure, for the review of compliance with the official allocation decision and for all procedures otherwise associated with frequency allocation.

### 5.2 Applications for Frequency Allocation

Please send applications to:

Telekom-Control GmbH  
Mariahilferstrasse 77-79  
A-1060 Vienna  
Austria

The frequency allocation application (abbreviated "the application") is to be sent in a sealed envelope or package marked "Frequency Allocation Application: WLL Systems RFQZ 5/00" and received at the Telekom-Control Commission by 2:00pm (local time) on November 20, 2000. Applications received after the deadline will not be reviewed.

Applications are to be submitted in triplicate (one original and two copies) in German language, as well as in electronic format (CD-ROM or diskette in Microsoft WinWord and/or Excel format).

Changing or withdrawing applications after the application deadline will not be permitted. This does not apply to post-submission corrections to the amount of the frequency license fee offered in the application (§ 49a par. 5 TKG).

The application may be no longer than 100 pages in a 12-point font. However, necessary enclosures, such as annual reports and maps, can be attached additionally and in English.

### **5.3 Authorized Correspondence Recipients**

Applicants are required to name an authorized correspondence recipient in their applications (cf. Section 4.1.1) The unlimited authorization of the correspondence recipient must be signed by official representatives of the company and included with the application documents. In cases where the correspondence recipient is changed, a new unlimited authorization is to be sent to Telekom-Control GmbH immediately.

### **5.4 Clarifications**

For the purpose of preparing their applications, interested parties who have paid the fee of ATS 5,000.00 (EUR 363.36) for the provision of tender documentation will be allowed to pose questions regarding the tender documentation in a question and answer session with Telekom-Control GmbH. Telekom-Control GmbH reserves the right to decide whether questions are answered in each individual case.

Questions to Telekom-Control GmbH can be sent only by fax (+43 1 58058 9402) or in writing by October 3, 2000, 10:00am local time (date and time of receipt). Questions will be answered exclusively by fax or in writing by October 20, 2000 (date of dispatch).

Questions submitted to Telekom-Control GmbH will be collected and forwarded along with the answers to all potential bidders, without disclosure of the names of the parties who posed the questions.

If Telekom-Control GmbH considers it necessary or appropriate to pose questions to applicants, the applicant irrevocably agrees in submitting the application to reply to such inquiries and submit the requested additional information within the period specified by Telekom-Control GmbH.

### **5.5 Inquiries – Consultants**

In this tender procedure, Telekom-Control GmbH may call in consultants in the course of its inquiries and surveys (§ 49a par. 11 TKG). This also applies, *inter alia* (however in no way exclusively), to inquiries related to the clarification issues mentioned in Section 5.4, to inquiries related to the review of eligibility criteria under § 15 par. 2 TKG, and to support in the course of the auction.

### **5.6 Inspection of Records**

Upon request, all applicants will be allowed to inspect records to the same extent. No separate appeal against the refusal to allow an inspection of records is permitted (§ 17 AVG).

Telekom-Control GmbH acknowledges the fact that in the course of this procedure a large amount of information will be provided and that the inspection of these records may damage the legitimate interests of a party to the procedure or those of third parties. In addition, the procedure may involve information which, if inspected by one of the parties, could endanger the fulfillment of the regulatory authority's duties or frustrate the purpose of the procedure. Telekom-Control GmbH thus reserves the right to deny parties the right to inspect such parts of the records.

In order to ensure the confidentiality of the sensitive information provided by the applicants, the applicants are to label all data they regard as company and trade secrets appropriately in their applications. In addition, a copy of the application is to be submitted in which the company and trade secrets have been omitted; in this copy of the application, it must be made obvious that those elements have been removed from this version. Telekom-Control GmbH furthermore reserves the right to deny parties the right to inspect other records pursuant to § 17 par. 3 AVG. Likewise, Telekom-Control GmbH reserves the right to allow the inspection of records which are labelled as company or trade secrets by the applicants if damage to the legitimate interests of a party or third party is not expected to arise from allowing such an inspection.

The applicants undertake to use any information about other applicants obtained in the course of this procedure exclusively for the purposes of this procedure.

## **5.7 Review and Information Obligations**

All applicants are requested to carry out a review of the information provided in these tender documents and in the attachments themselves and to notify Telekom-Control GmbH of any and all additional (e.g., technical) remarks or corrections.

## **5.8 Publication**

Telekom-Control GmbH intends to publish the names of the applicants in the allocation procedure. In addition, the applicants admitted to the auction, the bids submitted in each round of the auction as well as the frequencies allocated thereafter will be made available to the public on the Telekom-Control GmbH web site.

## **5.9 Annulment of the Tender, Discontinuation of the Procedure**

Under § 49a par. 12 TKG, Telekom-Control GmbH is authorized to annul the tender and discontinue the procedure at any stage for important reasons, especially if:

1. Telekom-Control GmbH detects collusive behavior on the part of the applicants and an efficient, fair and non-discriminatory procedure can not be carried out
2. None or only one of the applicants fulfills the prerequisites pursuant to § 49a par. 1 TKG
3. None or only one of the applicants that fulfill the prerequisites under § 49a par. 1 TKG actually participates in determining the standing high bid
4. The procedure results in the applicants requesting less frequency spectrum than that which to be allocated

None of these circumstances justify any claim to remuneration, government authority liability claims notwithstanding.

## **6 Fees**

### **6.1 Frequency License Fee**

The successful applicants are to effect payment of the frequency license fee determined in the course of the auction within 14 days after the official frequency allocation decision takes legal effect.

In case of non-payment (including incomplete or delayed payments) of the frequency license fee, the frequency allocation will be rendered void. This fact notwithstanding, the Federal Republic of Austria shall have the right in such cases to draw the bank guarantee and to collect any unpaid portion of the frequency license fee by means of administrative enforcement.

### **6.2 Spectrum Fees**

In accordance with § 51 TKG, spectrum fees for the use of frequencies are also to be paid by the network operators. These fees will be determined and mandated by the Telecommunications Offices when the operation permit is issued.

### **6.3 Consultancy Costs**

Any and all costs arising in the course of the procedure for experts or consultants, who may be called in by Telekom-Control GmbH at any point in this procedure, are to be paid on a *pro rata* basis by those applicants to whom frequencies are allocated (§ 49a par. 11 TKG). These costs will be prescribed in the official frequency allocation decision and are to be paid within 14 days of receipt of the official decision.

**Appendix A**  
**Index of Districts and Municipalities in Allocation Regions**

## 1 Region 1



FIGURE 1: REGION 1

The table below lists the districts assigned to Region 1.

District ID	District	Province
101	Eisenstadt (town)	Burgenland
102	Rust (town)	Burgenland
103	Eisenstadt-Umgebung	Burgenland
106	Mattersburg	Burgenland
107	Neusiedl am See	Burgenland
108	Oberpullendorf	Burgenland
301	Krems an der Donau (town)	Lower Austria

<b>District ID</b>	<b>District</b>	<b>Province</b>
302	Sankt Pölten (town)	Lower Austria
303	Waidhofen an der Ybbs (town)	Lower Austria
304	Wiener Neustadt (town)	Lower Austria
306	Baden	Lower Austria
307	Bruck an der Leitha	Lower Austria
308	Gänserndorf	Lower Austria
309	Gmünd	Lower Austria
310	Hollabrunn	Lower Austria
311	Horn	Lower Austria
312	Korneuburg	Lower Austria
313	Krems (Land)	Lower Austria
314	Lilienfeld	Lower Austria
315	Melk	Lower Austria
316	Mistelbach	Lower Austria
317	Mödling	Lower Austria
318	Neunkirchen	Lower Austria
319	Sankt Pölten (Land)	Lower Austria
320	Scheibbs	Lower Austria
321	Tulln	Lower Austria
322	Waidhofen an der Thaya	Lower Austria
323	Wiener Neustadt (Land)	Lower Austria
324	Wien-Umgebung (Vienna area)	Lower Austria
325	Zwettl	Lower Austria
901	Vienna / Center	Vienna
902	Vienna/Leopoldstadt	Vienna
903	Vienna/Landstrasse	Vienna
904	Vienna/Wieden	Vienna
905	Vienna/Margareten	Vienna
906	Vienna/Mariahilf	Vienna
907	Vienna/Neubau	Vienna
908	Vienna/Josefstadt	Vienna
909	Vienna/Alsergrund	Vienna
910	Vienna/Favoriten	Vienna
911	Vienna/Simmering	Vienna
912	Vienna/Meidling	Vienna
913	Vienna/Hietzing	Vienna



<b>District ID</b>	<b>District</b>	<b>Province</b>
914	Vienna/Penzing	Vienna
915	Vienna/Rudolfsheim-Fünfhaus	Vienna
916	Vienna/Ottakring	Vienna
917	Vienna/Hernals	Vienna
918	Vienna/Währing	Vienna
919	Vienna/Döbling	Vienna
920	Vienna/Brigittenau	Vienna
921	Vienna/Floridsdorf	Vienna
922	Vienna/Donaustadt	Vienna
923	Vienna/Liesing	Vienna

TABLE 1: DISTRICTS IN REGION 1

The table below lists the municipalities assigned to Region 1 in addition to the districts indicated above.

<b>District ID</b>	<b>District</b>	<b>Municipality ID</b>	<b>Municipality</b>	<b>Province</b>
305	Amstetten	30501	Allhartsberg	Lower Austria
305	Amstetten	30502	Amstetten	Lower Austria
305	Amstetten	30503	Ardagger	Lower Austria
305	Amstetten	30504	Aschbach-Markt	Lower Austria
305	Amstetten	30507	Biberbach	Lower Austria
305	Amstetten	30510	Ertl	Lower Austria
305	Amstetten	30511	Euratsfeld	Lower Austria
305	Amstetten	30512	Ferschnitz	Lower Austria
305	Amstetten	30516	Hollenstein an der Ybbs	Lower Austria
305	Amstetten	30517	Kematen an der Ybbs	Lower Austria
305	Amstetten	30520	Neuhofen an der Ybbs	Lower Austria
305	Amstetten	30521	Neustadtl an der Donau	Lower Austria
305	Amstetten	30522	Oed-Oehling	Lower Austria
305	Amstetten	30524	Opponitz	Lower Austria
305	Amstetten	30532	Seitenstetten	Lower Austria
305	Amstetten	30533	Sonntagberg	Lower Austria
305	Amstetten	30526	St.Georgen am Reith	Lower Austria
305	Amstetten	30527	St.Georgen am Ybbsfeld	Lower Austria
305	Amstetten	30536	Viehdorf	Lower Austria
305	Amstetten	30538	Wallsee-Sindelburg	Lower Austria

<b>District ID</b>	<b>District</b>	<b>Municipality ID</b>	<b>Municipality</b>	<b>Province</b>
305	Amstetten	30541	Winklarn	Lower Austria
305	Amstetten	30542	Wolfsbach	Lower Austria
305	Amstetten	30543	Ybbsitz	Lower Austria
305	Amstetten	30544	Zeillern	Lower Austria
612	Liezen	61205	Altenmarkt bei St.Gallen	Styria
612	Liezen	61210	Gaishorn am See	Styria
612	Liezen	61211	Gams bei Hieflau	Styria
612	Liezen	61219	Johnsbach	Styria
612	Liezen	61221	Landl	Styria
612	Liezen	61230	Palfau	Styria
612	Liezen	61239	St.Gallen	Styria
612	Liezen	61246	Treglwang	Styria
612	Liezen	61248	Wießenbach an der Enns	Styria
612	Liezen	61250	Weng bei Admont	Styria
612	Liezen	61251	Wildalpen	Styria
411	Perg	41102	Arbing	Upper Austria
411	Perg	41108	Bad Kreuzen	Upper Austria
411	Perg	41103	Baumgartenberg	Upper Austria
411	Perg	41104	Dimbach	Upper Austria
411	Perg	41105	Grein	Upper Austria
411	Perg	41107	Klam	Upper Austria
411	Perg	41112	Mitterkirchen im Machland	Upper Austria
411	Perg	41113	Münzbach	Upper Austria
411	Perg	41115	Pabneukirchen	Upper Austria
411	Perg	41123	Saxen	Upper Austria
411	Perg	41119	St.Georgen am Walde	Upper Austria
411	Perg	41121	St.Nikola an der Donau	Upper Austria
411	Perg	41122	St.Thomas am Blasenstein	Upper Austria
411	Perg	41125	Waldhausen im Strudengau	Upper Austria
415	Steyr-Land	41505	Gafrenz	Upper Austria
415	Steyr-Land	41519	Weyer Land	Upper Austria
415	Steyr-Land	41520	Weyer Markt	Upper Austria

TABLE 2: MUNICIPALITIES ASSIGNED TO REGION 1

## 2 Region 2



FIGURE 2: REGION 2

The table below lists the districts assigned to Region 2.

District ID	District	Province
401	Linz (town)	Upper Austria
402	Steyr (town)	Upper Austria
403	Wels (town)	Upper Austria
404	Braunau am Inn	Upper Austria
405	Eferding	Upper Austria
406	Freistadt	Upper Austria
407	Gmunden	Upper Austria

District ID	District	Province
408	Grieskirchen	Upper Austria
409	Kirchdorf an der Krems	Upper Austria
410	Linz-Land	Upper Austria
412	Ried im Innkreis	Upper Austria
413	Rohrbach	Upper Austria
414	Schärding	Upper Austria
416	Urfahr-Umgebung	Upper Austria
417	Vöcklabruck	Upper Austria
418	Wels-Land	Upper Austria
501	Salzburg (town)	Salzburg
502	Hallein	Salzburg
503	Salzburg-Umgebung	Salzburg
504	Sankt Johann im Pongau	Salzburg

TABLE 3: DISTRICTS IN REGION 2

The table below lists the municipalities assigned to Region 1 in addition to the districts indicated above.

District ID	District	Municipality ID	Municipality	Province
305	Amstetten	30506	Behamberg	Lower Austria
305	Amstetten	30508	Ennsdorf	Lower Austria
305	Amstetten	30509	Ernsthofen	Lower Austria
305	Amstetten	30514	Haag	Lower Austria
305	Amstetten	30515	Haidershofen	Lower Austria
305	Amstetten	30529	St.Pantaleon-Erla	Lower Austria
305	Amstetten	30530	St.Peter in der Au	Lower Austria
305	Amstetten	30531	St.Valentin	Lower Austria
305	Amstetten	30534	Strengberg	Lower Austria
305	Amstetten	30539	Weistrach	Lower Austria
612	Liezen	61228	Öblarn	Styria
612	Liezen	61201	Admont	Styria
612	Liezen	61202	Aich	Styria
612	Liezen	61203	Aigen im Ennstal	Styria
612	Liezen	61204	Altaussee	Styria
612	Liezen	61206	Ardning	Styria

<b>District ID</b>	<b>District</b>	<b>Municipality ID</b>	<b>Municipality</b>	<b>Province</b>
612	Liezen	61207	Bad Aussee	Styria
612	Liezen	61226	Bad Mitterndorf	Styria
612	Liezen	61208	Donnersbach	Styria
612	Liezen	61209	Donnersbachwald	Styria
612	Liezen	61212	Gössenberg	Styria
612	Liezen	61213	Gröbming	Styria
612	Liezen	61214	Großsölk	Styria
612	Liezen	61215	Grundlsee	Styria
612	Liezen	61216	Hall	Styria
612	Liezen	61217	Haus	Styria
612	Liezen	61218	Irdning	Styria
612	Liezen	61220	Kleinsölk	Styria
612	Liezen	61222	Lassing	Styria
612	Liezen	61223	Liezen	Styria
612	Liezen	61224	Michaelerberg	Styria
612	Liezen	61225	Mitterberg	Styria
612	Liezen	61227	Niederöblarn	Styria
612	Liezen	61229	Oppenberg	Styria
612	Liezen	61233	Pichl-Kainisch	Styria
612	Liezen	61232	Pichl-Preunegg	Styria
612	Liezen	61235	Pürgg-Trautenfels	Styria
612	Liezen	61234	Pruggern	Styria
612	Liezen	61236	Ramsau am Dachstein	Styria
612	Liezen	61237	Rohrmoos-Untertal	Styria
612	Liezen	61238	Rottenmann	Styria
612	Liezen	61242	Schladming	Styria
612	Liezen	61243	Selzthal	Styria
612	Liezen	61240	St.Martin am Grimming	Styria
612	Liezen	61241	St.Nikolai im Sölkta	Styria
612	Liezen	61244	Stainach	Styria
612	Liezen	61245	Tauplitz	Styria
612	Liezen	61247	Trieben	Styria
612	Liezen	61252	Wörschach	Styria
612	Liezen	61249	Wießenbach bei Liezen	Styria

<b>District ID</b>	<b>District</b>	<b>Municipality ID</b>	<b>Municipality</b>	<b>Province</b>
411	Perg	41101	Allerheiligen/Mühlkreis	Upper Austria
411	Perg	41106	Katsdorf	Upper Austria
411	Perg	41109	Langenstein	Upper Austria
411	Perg	41110	Luftenberg an der Donau	Upper Austria
411	Perg	41111	Mauthausen	Upper Austria
411	Perg	41114	Naarn im Machlande	Upper Austria
411	Perg	41116	Perg	Upper Austria
411	Perg	41117	Rechberg	Upper Austria
411	Perg	41118	Ried in der Riedmark	Upper Austria
411	Perg	41124	Schwertberg	Upper Austria
411	Perg	41120	St.Georgen an der Gusen	Upper Austria
411	Perg	41126	Windhaag bei Perg	Upper Austria
415	Steyr-Land	41501	Adlwang	Upper Austria
415	Steyr-Land	41502	Aschach an der Steyr	Upper Austria
415	Steyr-Land	41503	Bad Hall	Upper Austria
415	Steyr-Land	41504	Dietach	Upper Austria
415	Steyr-Land	41506	Garsten	Upper Austria
415	Steyr-Land	41507	Großraming	Upper Austria
415	Steyr-Land	41508	Laussa	Upper Austria
415	Steyr-Land	41509	Losenstein	Upper Austria
415	Steyr-Land	41510	Maria Neustift	Upper Austria
415	Steyr-Land	41511	Pfarrkirchen bei Bad Hall	Upper Austria
415	Steyr-Land	41512	Reichraming	Upper Austria
415	Steyr-Land	41513	Rohr im Kremstal	Upper Austria
415	Steyr-Land	41515	Schiedlberg	Upper Austria
415	Steyr-Land	41516	Sierning	Upper Austria
415	Steyr-Land	41514	St.Ulrich bei Steyr	Upper Austria
415	Steyr-Land	41517	Ternberg	Upper Austria
415	Steyr-Land	41518	Waldneukirchen	Upper Austria
415	Steyr-Land	41521	Wolfert	Upper Austria

TABLE 4: MUNICIPALITIES ASSIGNED TO REGION 2

### 3 Region 3



FIGURE 3: REGION 3

The table below lists the districts assigned to Region 3.

District ID	District	Province
506	Zell am See	Salzburg
701	Innsbruck (town)	Tyrol
702	Imst	Tyrol
703	Innsbruck (Land)	Tyrol
704	Kitzbühel	Tyrol
705	Kufstein	Tyrol
706	Landeck	Tyrol
708	Reutte	Tyrol
709	Schwaz	Tyrol

TABLE 5: DISTRICTS IN REGION 3

## 4 Region 4



FIGURE 4: REGION 4

The table below lists the districts assigned to Region 4.

<b>District ID</b>	<b>District</b>	<b>Province</b>
801	Bludenz	Vorarlberg
802	Bregenz	Vorarlberg
803	Dornbirn	Vorarlberg
804	Feldkirch	Vorarlberg

TABLE 6: DISTRICTS IN REGION 4



## 5 Region 5



FIGURE 5: REGION 5

The table below lists the districts assigned to Region 5.

District ID	District	Province
201	Klagenfurt (town)	Carinthia
202	Villach (town)	Carinthia
203	Hermagor	Carinthia
204	Klagenfurt (Land)	Carinthia
205	Sankt Veit an der Glan	Carinthia
206	Spittal an der Drau	Carinthia
207	Villach Land	Carinthia
208	Völkermarkt	Carinthia
209	Wolfsberg	Carinthia
210	Feldkirchen	Carinthia
505	Tamsweg	Salzburg
608	Judenburg	Styria
609	Knittelfeld	Styria
614	Murau	Styria
707	Lienz	Tyrol

TABLE 7: DISTRICTS IN REGION 5

## 6 Region 6



FIGURE 6: REGION 6

The table below lists the districts assigned to Region 6.

District ID	District	Province
104	Güssing	Burgenland
105	Jennersdorf	Burgenland
109	Oberwart	Burgenland
601	Graz (town)	Styria
602	Bruck an der Mur	Styria
603	Deutschlandsberg	Styria

<b>District ID</b>	<b>District</b>	<b>Province</b>
604	Feldbach	Styria
605	Fürstenfeld	Styria
606	Graz-Umgebung	Styria
607	Hartberg	Styria
610	Leibnitz	Styria
611	Leoben	Styria
613	Mürzzuschlag	Styria
615	Radkersburg	Styria
616	Voitsberg	Styria
617	Weiz	Styria

TABLE 8: DISTRICTS IN REGION 6

**Appendix B**  
**Sociodemographic Data**

The table below shows the differences among the various regions with regard to area, population and number of households:

Region	Area	Population	Households
1	23,252,390,004	3,186,775	1,362,372
2	17,584,770,364	1,795,782	656,801
3	13,263,670,889	658,802	230,275
4	2,599,751,205	331,472	112,313
5	15,635,915,505	728,653	258,791
6	11,544,387,698	1,089,532	390,946

TABLE 9: AREA, POPULATION, NUMBER OF HOUSEHOLDS

The following illustrations give a graphic overview of this data:

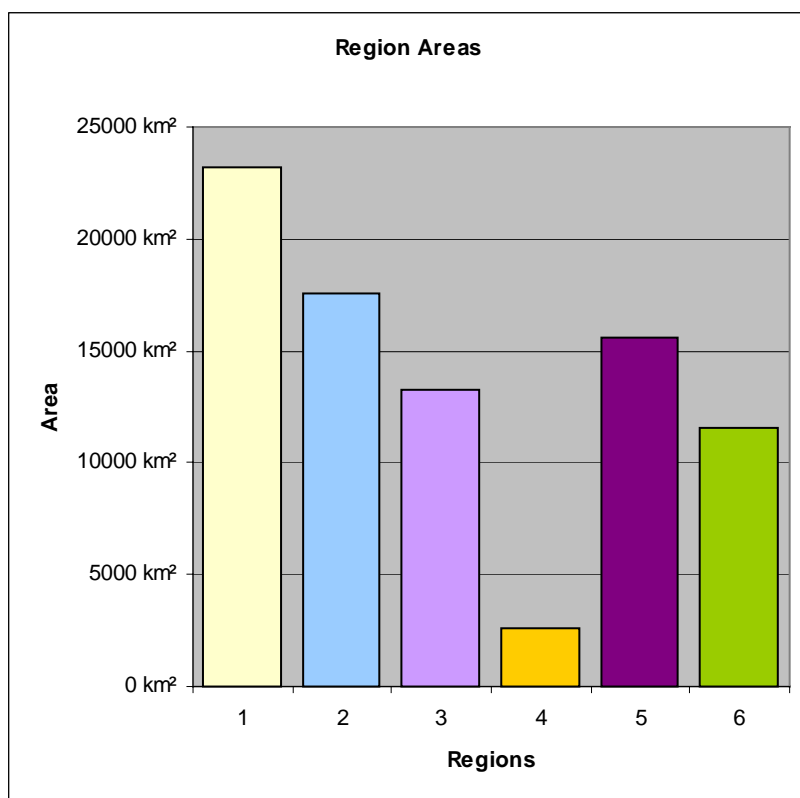


FIGURE 7: AREA PER REGION

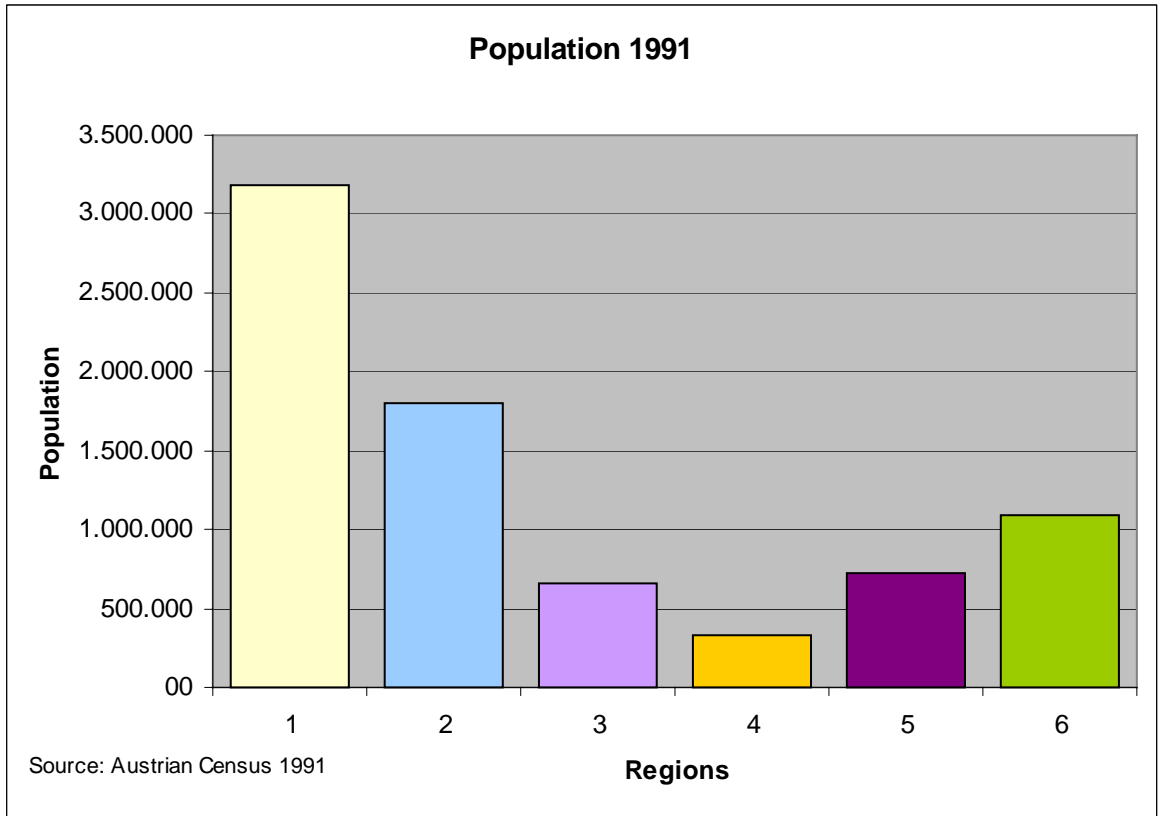


FIGURE 8: POPULATION PER REGION

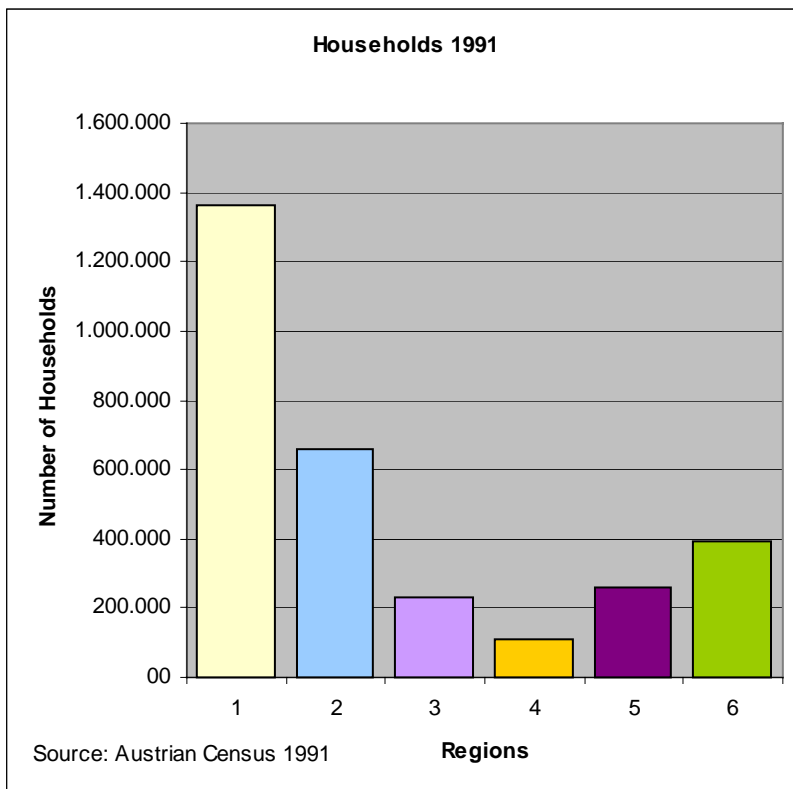


FIGURE 9: NUMBER OF HOUSEHOLDS PER REGION

The table below shows the number of business (broken down by size) per region.

<b>Region</b>	<b>Total businesses</b>	<b>Business with up to 99 employees</b>	<b>Business with up to 49 employees</b>	<b>Business with up to 19 employees</b>	<b>Business with up to 9 employees</b>
1	129,820	128,214	126,274	120,231	110,218
2	69,453	68,514	67,414	63,817	58,044
3	34,737	34,490	34,100	32,775	30,324
4	13,897	13,748	13,533	12,827	11,793
5	29,513	29,229	28,867	27,593	25,399
6	37,004	36,553	35,952	34,075	31,009

TABLE 10: NUMBER OF BUSINESSES PER REGION

**Appendix C**  
**Declaration of Completeness**



## Declaration of Completeness

To:

*Telekom-Control GmbH  
Mariahilferstrasse 77-79  
A-1060 Vienna  
Austria*

\_\_\_\_\_  
Name and address of applicant

Re: **Application (RFQZ 5/00)**

The applicant hereby declares the following:

The information and documents requested in the tender documentation RFQZ 5/00 and required for the evaluation of the application for the the frequency allocation procedure in compliance with European Community law and all applicable Austrian legal regulations, especially those of the Telecommunications Act (TKG), has been included truthfully and in its entirety in this application, even in cases where said information is not expressly requested in the application form.

In particular, with regard to

- the ownership structure of the applicant,
- the planned means of financing and
- the business plan,

no additional agreements, understandings or other relevant matters exist which could influence the regulatory authority's evaluation of this application.

Date:

Signature

**Appendix D**  
**Application Form**

**Application Form for Wireless Local Loop Frequency  
Allocations in the 26 GHz Frequency Range**

1. Name and address of applicant



## Regions

I (we) will participate in the auction for the following regions:

- Region 1
- Region 2
- Region 3
- Region 4
- Region 5
- Region 6

## Bidding Entitlement

I (we) would like to apply for a bidding entitlement of \_\_\_\_\_

(in words: \_\_\_\_\_ ) points.

## Bank Guarantee

A bank guarantee in the amount of ATS \_\_\_\_\_

(in words: \_\_\_\_\_ )

is enclosed with this application.

Date: \_\_\_\_\_

\_\_\_\_\_  
(authorized company signature)