



APEK

Post and Electronic Communications Agency
of the Republic of Slovenia
Stegne 7, p. p. 418
SI-1000 Ljubljana
telephone: + 386 (0) 1 583 63 00, fax: + 386 (0) 1
511 11 01
e-mail: info.box@apek.si, <http://www.apek.si>
tax ID number: 10482369

NON-BINDING TRANSLATION

**PUBLIC TENDER WITH A PUBLIC AUCTION FOR ASSIGNING
RADIO FREQUENCIES FOR THE PROVISION OF PUBLIC
COMMUNICATION SERVICES IN THE 800 MHz, 900 MHz, 1800
MHz, 1800 MHz, 2100 MHz, AND 2600 MHz FREQUENCY BANDS**

TENDER DOCUMENTATION

Ljubljana, 31 December 2013

CONTENT

A. GENERAL INFORMATION 6

A.1 INTRODUCTION 6

A.2 PARTICIPATING IN THE TENDER..... 6

A.3 DATA AND PROCEDURE CONFIDENTIALITY 6

A.4 SELECTING THE WINNING BID 7

A.5 DESCRIPTION OF THE SUBJECT OF THE TENDER 8

A.5.1 FREQUENCY BLOCKS IN THE 800 MHZ RADIO FREQUENCY BAND..... 8

A.5.2 FREQUENCY BLOCKS IN THE 900 MHZ RADIO FREQUENCY BAND..... 9

A.5.3 FREQUENCY BLOCKS IN THE 1800 MHZ RADIO FREQUENCY BAND..... 10

A.5.4 FREQUENCY BLOCKS IN THE 2100 MHZ RADIO FREQUENCY BAND..... 11

A.5.5 FREQUENCY BLOCKS IN THE 2600 MHZ RADIO FREQUENCY BAND..... 13

A.6 FREQUENCY CAPS AND RESERVATIONS 15

A.6.1 SPECTRUM CAPS 15

A.6.2 RESERVATIONS 15

A.6.3 RESTRICTIONS ON DEMAND FOR FREQUENCIES IN THE 2600 MHZ BAND 17

A.7 CONDITIONS AND REQUIREMENTS OF THE PUBLIC TENDER WHICH THE APPLICANTS MUST FULFILL..... 17

A.7.1 CONDITIONS OF THE PUBLIC TENDER WHICH THE APPLICANTS MUST FULFILL 17

A.7.2 CONDITIONS WHICH A BIDDER MUST MEET TO QUALIFY FOR THE PUBLIC AUCTION 18

A.7.3 REQUIREMENTS OF THE PUBLIC TENDER WHICH THE APPLICANT MUST FULFILL 19

B. EXPLANATIONS TO THE TENDER DOCUMENTATION..... 37

C. THE PREPARATION OF THE TENDER APPLICATION 38

C.1 THE PREPARATION AND SUBMISSION OF THE TENDER APPLICATION 38

C.1.1 THE LANGUAGE OF THE TENDER APPLICATION..... 38

C.1.2 BINDING 38

C.1.3 SIGNATURE..... 38

C.1.4 AMENDMENTS TO THE APPLICATION..... 39

C.1.5 INFORMATION ACCURACY AND COMPLETENESS 39

C.2 DOCUMENTS CONSISTING THE APPLICATION..... 39

C.2.1 GENERAL INFORMATION ON THE APPLICANT (FORM I.1.1 OR I.1.2)..... 39

C.2.2 APPLICANT’S STATEMENTS (FORM I.2)	40
C.2.3 AUTHORIZATION FOR SIGNING THE APPLICATION (FORM I.3)	41
C.2.4 INFORMATION ON APPLICANT’S OWNERSHIP (NO FORM)	41
C.2.5 FINANCIAL, ORGANIZATIONAL AND TECHNICAL PLANS REGARDING THE CONSTRUCTION AND ADMINISTRATION OF THE MOBILE COMMUNICATION NETWORK (BUSINESS PLAN) (no form)	42
C.2.6 THE APPOINTMENT OF THREE PERSONS WHO SHALL BE AUTHORIZED TO ISSUE BIDS DURING THE PUBLIC AUCTION (FORM I.4)	42
C.2.7 LIST OF THE FREQUENCY LOTS THE APPLICANT IS INTERESTED IN (INITIAL BID) (FORMS I.6.1, I.6.2, I.6.3);	43
C.2.8 STATEMENT OF PAYMENT OF THE TENDER BOND (FORM I.5);	43
C.3 SEALING AND LABELING THE BID	44
C.4 DEADLINE FOR SUBMITTING APPLICATIONS	44
C.5 LATE APPLICATION SUBMISSION	44
C.6 CHANGES, AMENDMENTS, REPLACEMENTS OR WITHDRAWAL OF THE APPLICATION	44
D. ADDITIONAL INFORMATION REGARDING THE PUBLIC TENDER	46
D.1 COSTS FOR PREPARING AN APPLICATION	46
D.2 LEGAL ORDER	46
D.3 NOTIFICATIONS RELATED TO THE PUBLIC TENDER	46
D.4 A CHANGE OR SUPPLEMENT TO THE DECISION ON INITIATING A PUBLIC TENDER AND THE TENDER DOCUMENTATION	46
D.5 ANNULMENT OF THE PUBLIC TENDER	46
E. OPENING AND REVIEWING APPLICATIONS	47
E.1 PROCEDURE OF PUBLICLY OPENING APPLICATIONS	47
E.2 REVIEW OF APPLICATIONS	48
E.2.1 SUPPLEMENTS AND CLARIFICATIONS TO AN APPLICATION	48
E.3 ISSUE OF THE DECISION ON THE SELECTION OF BIDDERS	48
F. PROCEDURE OF THE PUBLIC AUCTION	49
F.1 THE LOWEST AMOUNT OF PAYMENT FOR THE EFFICIENT USE OF A LIMITED NATURAL RESOURCE (STARTING PRICE) AND THE METHOD OF PAYMENT	49
F.2 AUCTION RULES	NAPAKA! ZAZNAMEK NI DEFINIRAN.
F.2.1 GENERAL PROVISIONS	Napaka! Zaznamek ni definiran.
F.2.2 THE PRINCIPAL STAGE	Napaka! Zaznamek ni definiran.
F.2.3 THE ASSIGNMENT STAGE	Napaka! Zaznamek ni definiran.
F.2.4 END OF THE AUCTION	Napaka! Zaznamek ni definiran.

F.3	OUTCOME OF THE AUCTION	50
F.4	ISSUING DECISIONS ON THE ASSIGNMENT OF RADIO FREQUENCIES	71
G.	MONITORING THE FULFILLMENT OF COVERAGE OBLIGATIONS	73
G.1	CALCULATING THE COVERAGE WHEN VERIFYING THE FULFILLMENT OF SPECIAL COVERAGE OBLIGATIONS IN THE 800 MHZ BAND	74
G.2	VERIFICATION MEASUREMENTS	75
H.	TECHNICAL REQUIREMENTS FOR PROVIDING SERVICES	76
H.1	TECHNICAL REQUIREMENTS OF SERVICE PROVISION IN THE 800 MHZ RADIO FREQUENCY BAND	76
H.1.1	OTHER RELEVANT DOCUMENTS AND INFORMATION	76
H.1.2	CONDITIONS FOR THE USE OF FREQUENCY BLOCKS IN THE 800 MHZ RADIO FREQUENCY BAND	77
H.2	TECHNICAL REQUIREMENTS OF SERVICE PROVISION IN THE 900 MHZ RADIO FREQUENCY BAND	79
H.2.1	OTHER RELEVANT DOCUMENTS	79
H.2.2	CONDITIONS FOR THE USE OF FREQUENCY BLOCKS IN THE 900 AND 1800 MHZ RADIO FREQUENCY BANDS	80
H.3	TECHNICAL REQUIREMENTS OF SERVICE PROVISION IN THE 2100 MHZ RADIO FREQUENCY BAND	82
H.3.1	OTHER RELEVANT DOCUMENTS	82
H.3.2	CONDITIONS FOR THE USE OF FREQUENCY BLOCKS IN THE 2100 MHZ RADIO FREQUENCY BAND	82
H.4	TECHNICAL REQUIREMENTS OF SERVICE PROVISION IN THE 2600 MHZ RADIO FREQUENCY BAND	83
H.4.1	OTHER RELEVANT DOCUMENTS	83
H.4.2	CONDITIONS FOR USING BLOCKS IN THE 2600 MHZ (WITH AND WITHOUT LIMITATIONS)	84
I.	FORMS I	
I.1	GENERAL INFORMATION ABOUT THE PROVIDER	I
I.1.1	LEGAL ENTITY	I
I.1.2	NATURAL PERSON	III
I.2	APPLICANTS' STATEMENTS	IV
I.3	AUTHORIZATION FOR SIGNING THE APPLICATION	VI
I.4	APPOINTMENT OF 3 PEOPLE WHO SHALL BE AUTHORIZED TO SUBMIT BIDS FOR THE APPLICANT DURING THE PUBLIC AUCTION	VII
I.5	STATEMENT OF PAYMENT OF THE TENDER BOND	IX
I.6	LOTS FOR WHICH THE APPLICANT IS INTERESTED (THE INITIAL BID).	X



I.6.1	DEFAULT SCENARIO	XI
I.6.2	ALTERNATIVE SCENARIO 1	XIV
I.6.3	ALTERNATIVE SCENARIO 2	XVII
I.7	STATEMENT ON THE SUBMISSION OF DOCUMENTS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TENDER DOCUMENTATION	XX

A. GENERAL INFORMATION

A.1 INTRODUCTION

The Post and Electronic Communications Agency of Slovenia (hereinafter: the Agency) holds the public mandate for managing the radio frequency spectrum of the Republic of Slovenia. With the purpose of the timely assignment of a sufficient and suitable part of the spectrum, encouraging the efficient use of the spectrum, including the suitable payment for the efficient use of a limited natural resource, bridging the digital divide, and contributing to the goals of the Digital Agenda for Europe, providing access to advanced mobile communications to the broadest possible share of the population, providing flexibility in the spectrum use, preserving and developing effective competition in mobile electronic communications markets, promoting technology and service neutrality in spectrum use in compliance with EU frameworks, and encouraging investments and development, the Agency published in the Official Gazette of the RS no. 114 of 31 December 2013 a **“Decision on Initiating a Public Tender with a Public Auction for Assigning Radio Frequencies for the Provision of Public Communication Services”** no. 38144-11/2013/1 of 30 December 2013 (hereinafter referred to as the Decision on Initiating a Public Tender), which it adopted based on Articles 38 and 44 of the Electronic Communications Act (Official Gazette of the RS no. 110/2013, 110/2013; hereinafter referred to as ZEKom-1).

The Agency calls on all interested providers to submit their applications, which must be prepared in accordance with the Decision on Initiating a Public Tender and tender documentation.

A.2 PARTICIPATING IN THE TENDER

All natural persons and legal entities which are financially, organizationally, and technically capable of planning, deploying, and operating public mobile communication networks and providing public communications services may participate in this public tender as applicants by submitting their applications.

Applicants in this public tender shall be treated in accordance with Chapter C.2.4 Information on the Applicant's Ownership Structure.

The application must be valid at least until 17 October 2014. Each applicant may submit only one application.

In accordance with provisions from paragraph 2 of Article 41 of ZEKom-1, this public tender is anonymous, so instead of the data on applicants' names, their codes shall be used in the public opening of applications. The Agency shall allocate codes to applications upon their submission.

For the duration of this public tender with a public auction, all the subjects who submit an application for this public tender shall be deemed applicants. In the scope of this applicants may, in accordance with conditions and requirements of this public tender, receive the status of a bidder during the public tender.

A.3 DATA AND PROCEDURE CONFIDENTIALITY

Until the decisions from paragraph 6 of Article 45 of ZEKom-1 are issued, the Agency shall deem all the information received from applicants as confidential. This applies especially to information related to the initial bid, as well as all further bids submitted during the public auction.

Upon the issue of a written decision from paragraph 6 of Article 45 of ZEKom-1, the Agency shall, *inter alla*, also provide winning bidders with information on the bids that were issued during the auction. The recipients must treat this information as confidential and must not disclose it to third parties or publish it.

The data that the applicant justifiably labels as confidential shall be used only for the purpose of the tender, and shall not be available to anyone except for the persons authorized by the Agency to execute said tender (The Tender Commission). Applicants may label as confidential documents with personal data which are not available in any publicly available registry or otherwise publicly available, as well as other business data in accordance with Art. 39 and 40 of the Companies Act (Official Gazette of the RS no. 65/2009-UPB3, 83/2009 Constitutional Court ruling: U-I-165/08-10, Up-1772/08-14, Up-379/09-8, 33/2011, 91/2011, 100/2011 Constitutional Court decision: U-I-311/11-5, 32/2012, 57/2012, 44/2013 Constitutional Court ruling: U-I-311/11-16, 82/2013; hereinafter: ZGD-1).

The applicant may not label as confidential the data that affect the selection. If data affecting the selection are labeled as confidential, the Agency shall not treat them as confidential.

If an applicant wants to label a piece of personal data that is not included in any public registry or otherwise publicly available as confidential, this piece of data must be clearly marked, with the text "PERSONAL DATA – CONFIDENTIAL" written in the line along the right margin.

The Agency shall treat as trade secrets only those files in the tender documentation that shall have the text "TRADE SECRET" written in capital letters in the top right corner, with the signature of the person signing the application underneath this text. If only a certain piece of data in the document is deemed confidential, this confidential part must be clearly marked, with the text "TRADE SECRET" written in the line along the right edge. In the event of marking individual items of data as trade secrets, the applicant shall also provide a company decision on the protection of trade secrets, as defined Articles 39 and 40 of ZGD-1, for the data marked this way, otherwise the Agency shall not treat such data as trade secrets.

Notwithstanding the above, the Agency shall protect the list of applicants and the submitted applications as a trade secret until the deadline for submitting applications expires.

The Agency is not responsible for the confidentiality of the data not marked as described above.

A.4 SELECTING THE WINNING BID

As the selection of winning bids only relies on selecting bids that provide the highest total bid amounts subject to the availability of lots, the Agency shall, following a successful public tender and in accordance with Article 44 of ZEKom-1, conduct a public auction in compliance with the auction rules.

The public auction shall only be conducted if at least two applicants qualify.

The chairperson of the commission from paragraph 2 of Article 37 of ZEKom-1 or their deputy acts as auctioneer in the public auction.

The Agency shall issue DARFs to successful bidders.

Successful bidders shall have to pay the fee for the efficient use of a limited natural resource in accordance with the valid regulations.

A.5 DESCRIPTION OF THE SUBJECT OF THE TENDER

A total of 500 MHz of the spectrum (2 x 215 MHz of paired and 70 MHz of unpaired frequencies) for terrestrial radio applications capable of providing electronic communications services shall be available in the public tender. The available part of the spectrum in individual frequency bands that are the subject of this public tender is divided into 5 MHz blocks, which shall for the purposes of bidding in the auction be grouped into lot categories, where lots in the same category shall have comparable technical and usage properties. Specific technical conditions and restrictions for using parts of the frequency spectrum are detailed in Chapter H Technical Requirements for Service Provision of this tender documentation.

The frequency spectrum available in this public tender:

Frequency band	Lower band (FDD) from ... to ... [MHz]	Upper band (FDD) from ... to ... [MHz]	Simplex band (TDD) from ... to ... [MHz]	Bandwidth to be awarded [MHz]	Available for use
800 MHz	791–821	832–862		2 x 30	from award of license for 15 years
900 MHz	880–915	925–960		2 x 35	from 4 January 2016 for 15 years
1800 MHz	1710–1785	1805–1880		2 x 75	from 4 January 2016 for 15 years
2100 MHz FDD	1920–1980	2110–2170		2 x 5	from award of license until 21 September 2021
2100 MHz TDD			1900–1920 2010–2025	1 x 5 1 x 15	from award of license until 21 September 2021
2600 MHz FDD	2500–2570	2620–2690		2 x 70	from award of license for 15 years
2600 MHz TDD			2570–2620	1 x 50	from award of license for 15 years

A.5.1 FREQUENCY BLOCKS IN THE 800 MHz RADIO FREQUENCY BAND

The band includes a total of 2 x 30 MHz of paired frequency bands between 791 MHz and 862 MHz (downlink: 791-821 MHz, uplink: 832–862 MHz). Six 2 x 5 MHz blocks (from BA01 to BA06) shall be available in the public tender for terrestrial systems in the territory of the Republic of Slovenia that support electronic communications services in accordance with the Commission's

decision no. 2010/267/EU. The frequencies are in the 800 MHz radio frequency band and shall be assigned for the period of 15 years from the day of the assignment of the license.

Overview of the 800 MHz frequency band:

BA 01	BA 02	BA 03	BA 04	BA 05	BA 06
----------	----------	----------	----------	----------	----------



Available from the day on which the DARF is served.

A detailed list of radio frequencies:

Block name	Frequencies	Bandwidth
BA01	791–796 paired with 832–837 MHz	2 x 5 MHz
BA02	796–801 paired with 837–842 MHz	2 x 5 MHz
BA03	801–806 paired with 842–847 MHz	2 x 5 MHz
BA04	806–811 paired with 847–852 MHz	2 x 5 MHz
BA05	811–816 paired with 852–857 MHz	2 x 5 MHz
BA06	816–821 paired with 857–862 MHz	2 x 5 MHz

For the purposes of bidding in the public auction, this frequency spectrum is divided into three lot categories.

Detailed list of lots by category:

Category	No. of lots	Included lots	Spectrum amount per lot	Frequency range
A1	2 (or 3 if there is no demand for A3)	A1_01, A1_02, (A1_03)	2 x 5 MHz	Generic frequency lots in the range 791–821/832–862 MHz (FDD)
A2	1	A2	2 x 10 MHz (2 x 15 MHz, if the demand for A3 is for less than 2 lots)	Generic frequency lots in the range 791–821/832–862 MHz (FDD)
A3 (reserved for eligible bidders)	Up to 2	A3_01, A3_02	2 x 5 MHz	Generic frequency lots in the range 791–821/832–862 MHz (FDD)

A.5.2 FREQUENCY BLOCKS IN THE 900 MHz RADIO FREQUENCY BAND

The 900 MHz band consists of 2 x 35 MHz of spectrum: 880–915 MHz (uplink) and 925–960 MHz (downlink). The 900 MHz band is currently completely assigned to three mobile operators. Since said spectrum is completely in use until 3 January 2016, it shall be available for use starting 4 January 2016 for a period of 15 years.

Seven 2 x 5 MHz blocks (from BB01 to BB07) shall be available in the public tender for terrestrial systems in the territory of the Republic of Slovenia that support electronic communications services in accordance with the Commission's Decision no. 2009/766/EC, amended with the Commission's Decision no. 2011/251/EU.

Overview of the 900 MHz frequency band:

BB 01	BB 02	BB 03	BB 04	BB 05	BB 06	BB 07
----------	----------	----------	----------	----------	----------	----------



Available from 4 January 2016.

A detailed list of radio frequencies:

Block name	Frequencies	Bandwidth
BB01	880–885 paired with 925–930 MHz	2 x 5 MHz
BB02	885–890 paired with 930–935 MHz	2 x 5 MHz
BB03	890–895 paired with 935–940 MHz	2 x 5 MHz
BB04	895–900 paired with 940–945 MHz	2 x 5 MHz
BB05	900–905 paired with 945–950 MHz	2 x 5 MHz
BB06	905–910 paired with 950–955 MHz	2 x 5 MHz
BB07	910–915 paired with 955–960 MHz	2 x 5 MHz

For the purposes of bidding in the public auction, this frequency spectrum is grouped in one lot category.

Detailed list of lots by category:

Category	No. of lots	Included lots	Spectrum amount per lot	Frequency range
B	7	B_01 to B_07	2 x 5 MHz	Generic frequency lots in the range 880–915/925–960 MHz (FDD)

A.5.3 FREQUENCY BLOCKS IN THE 1800 MHz RADIO FREQUENCY BAND

The 1800 MHz band consists of 2 x 75 MHz of spectrum in the range 1710–1785 MHz (uplink) to 1805–1880 MHz (downlink). 14 blocks of 2 x 5 MHz are currently assigned to three mobile operators. One block is currently unassigned. Fifteen 2 x 5 MHz blocks (from BC01 to BC15) shall be available in the public tender for terrestrial systems in the territory of the Republic of Slovenia that support electronic communications services in accordance with the Commission's Decision no. 2009/766/EC, amended with the Commission's Decision no. 2011/251/EU. These blocks are in the 1800 MHz radio frequency band and shall be assigned for a period of 15 years, starting 4 January 2016.

Overview of the 1800 MHz frequency band:

BC 01	BC 02	BC 03	BC 04	BC 05	BC 06	BC 07	BC 08	BC 09	BC 10	BC 11	BC 12	BC 13	BC 14	BC 15
-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------

 Available starting 4 January 2016

A detailed list of radio frequencies:

Block name	Frequencies	Bandwidth
BC01	1710–1715 paired with 1805–1810 MHz	2 x 5 MHz
BC02	1715–1720 paired with 1810–1815 MHz	2 x 5 MHz
BC03	1720–1725 paired with 1815–1820 MHz	2 x 5 MHz
BC04	1725–1730 paired with 1820–1825 MHz	2 x 5 MHz
BC05	1730–1735 paired with 1825–1830 MHz	2 x 5 MHz
BC06	1735–1740 paired with 1830–1835 MHz	2 x 5 MHz
BC07	1740–1745 paired with 1835–1840 MHz	2 x 5 MHz
BC08	1745–1750 paired with 1840–1845 MHz	2 x 5 MHz
BC09	1750–1755 paired with 1845–1850 MHz	2 x 5 MHz
BC10	1755–1760 paired with 1850–1855 MHz	2 x 5 MHz
BC11	1760–1765 paired with 1855–1860 MHz	2 x 5 MHz
BC12	1765–1770 paired with 1860–1865 MHz	2 x 5 MHz
BC13	1770–1775 paired with 1865–1870 MHz	2 x 5 MHz
BC14	1775–1780 paired with 1870–1875 MHz	2 x 5 MHz
BC15	1780–1785 paired with 1875–1880 MHz	2 x 5 MHz

For the purposes of bidding in the public auction, this frequency spectrum is grouped in one lot category.

Detailed list of lots by category:

Category	No. of lots	Included lots	Spectrum amount per lot	Frequency range
C	15	C_01 to C_15	2 x 5 MHz	Generic frequency lots in the range 1710–1785/1805–1880 MHz (FDD)

A.5.4 FREQUENCY BLOCKS IN THE 2100 MHZ RADIO FREQUENCY BAND

The 2100 MHz band consists of 2 x 60 MHz of paired FDD spectrum from 1920 to 1980 MHz (uplink) and from 2110 to 2170 MHz (downlink), and two unpaired TDD bands (20 MHz from 1900

to 1920 MHz, and 15 MHz from 2010 to 2025 MHz). At present 11 of the 12 FDD blocks and 3 of the 7 TDD blocks are assigned to four mobile operators. The existing Decisions on the Assignment of Radio Frequencies of three mobile operators expire on 21 September 2021, while the fourth operator's DARF expires on 8 April 2023. For this reason, these blocks shall not be made available in this public tender. Only the unassigned blocks are included in this tender. To align the expiration dates of the decisions on the assignment of frequencies in the 2100 MHz band, the decisions awarded in this public tender shall expire on 21 September 2021.

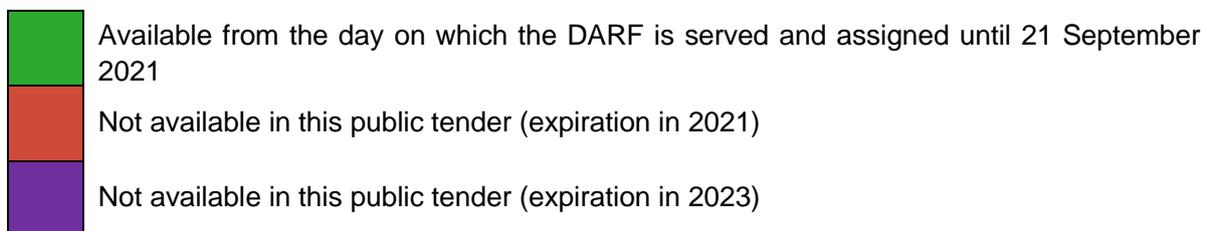
One paired 2 x 5 MHz FDD block (BD01) shall be available in the public tender for terrestrial systems in the territory of the Republic of Slovenia that support electronic communications services in accordance with the Commission's Decision no. 2012/688/EU, and four unpaired 1 x 5 MHz TDD blocks (from BT01 to BT04) for terrestrial systems that support electronic communications services in accordance with the Commission's Decision no. 128/1999/EC on the coordinated introduction of a third-generation mobile and wireless communications system (UMTS) into the Community. These blocks are in the 2100 MHz radio frequency band and shall be assigned starting the day of the award for the period until 21 September 2021.

Overview of the 2100 MHz frequency band:

FDD



TDD



A detailed list of radio frequencies:

Block name	Frequencies	Bandwidth
BD01	1955–1960 paired with 2145–2150 MHz	2 x 5 MHz
BT01	1905–1910 MHz (TDD)	5 MHz
BT02	2010–2015 MHz (TDD)	5 MHz
BT03	2015–2020 MHz (TDD)	5 MHz
BT04	2020–2025 MHz (TDD)	5 MHz

For the purposes of bidding in the public auction, this frequency spectrum is divided into three lot categories.

Detailed list of lots by category:

Category	No. of lots	Included lots	Spectrum amount per lot	Frequency range
D	1	D	2 x 5 MHz	1955–1960/2145–2150 MHz (FDD)
T1	1	T1	5 MHz	1905–1910 MHz (TDD)
T2	3	T2_01, T2_02, T2_03	5 MHz	Generic frequencies in the range 2010–2025 MHz (TDD)

A.5.5 FREQUENCY BLOCKS IN THE 2600 MHz RADIO FREQUENCY BAND

This band consists of frequencies in the range from 2500 to 2690 MHz, and includes paired FDD blocks (uplink: 2500–2570 MHz; downlink: 2620–2690 MHz) and unpaired TDD blocks in the 2570–2620 MHz range.

Fourteen paired 2 x 5 MHz blocks (from BE01 to BE14) and ten unpaired 1 x 5 MHz blocks (from BF01 to BF10) shall be available in the public tender for terrestrial systems in the territory of the Republic of Slovenia that support electronic communications services in accordance with the Commission’s decision no. 2008/477/EC. The frequencies are in the 2600 MHz radio frequency band and shall be assigned for the period of 15 years from the day of the assignment of the license.

The bidder that shall be assigned the BF09 block in this tender shall also be assigned the additional BF10 block (2615–2620 MHz). If the BF09 and BE01 blocks are awarded to the same bidder, this bidder may use the additional BF10 block as a block without additional restrictions as detailed in the tender documentation for this public tender. If not, the BF10 block is used as a block with additional restrictions, as defined in Chapter H Technical Requirements for Providing Services of this tender documentation.

Overview of the 2600 MHz frequency band

FDD

BE 01	BE 02	BE 03	BE 04	BE 05	BE 06	BE 07	BE 08	BE 09	BE 10	BE 11	BE 12	BE 13	BE 14
-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------	-------

TDD

BF 01	BF 02	BF 03	BF 04	BF 05	BF 06	BF 07	BF 08	BF 09	BF 10
-------	-------	-------	-------	-------	-------	-------	-------	-------	-------



Available from the day on which the DARF is served

A detailed list of radio frequencies:

Block name	Frequencies	Block size
BE01	2500–2505/2620–2625 MHz (FDD)	2 x 5 MHz
BE02	2505–2510/2625–2630 MHz (FDD)	2 x 5 MHz
BE03	2510–2515/2630–2635 MHz (FDD)	2 x 5 MHz
BE04	2515–2520/2635–2640 MHz (FDD)	2 x 5 MHz
BE05	2520–2525/2640–2645 MHz (FDD)	2 x 5 MHz
BE06	2525–2530/2645–2650 MHz (FDD)	2 x 5 MHz
BE07	2530–2535/2650–2655 MHz (FDD)	2 x 5 MHz
BE08	2535–2540/2655–2660 MHz (FDD)	2 x 5 MHz
BE09	2540–2545/2660–2665 MHz (FDD)	2 x 5 MHz
BE10	2545–2550/2665–2670 MHz (FDD)	2 x 5 MHz
BE11	2550–2555/2670–2675 MHz (FDD)	2 x 5 MHz
BE12	2555–2560/2675–2680 MHz (FDD)	2 x 5 MHz
BE13	2560–2565/2680–2685 MHz (FDD)	2 x 5 MHz
BE14	2565–2570/2685–2690 MHz (FDD)	2 x 5 MHz
BF01	2570–2575 MHz (TDD)	5 MHz
BF02	2575–2580 MHz (TDD)	5 MHz
BF03	2580–2585 MHz (TDD)	5 MHz
BF04	2585–2590 MHz (TDD)	5 MHz
BF05	2590–2595 MHz (TDD)	5 MHz
BF06	2595–2600 MHz (TDD)	5 MHz
BF07	2600–2605 MHz (TDD)	5 MHz
BF08	2605–2610 MHz (TDD)	5 MHz
BF09	2610–2615 MHz (TDD)	5 MHz
BF10	2615–2620 MHz (TDD)	5 MHz

For the purposes of bidding in the public auction, this frequency spectrum is divided into two lot categories.

Detailed list of lots by category:

Category	No. of lots	Included lots	Spectrum amount per lot	Frequency range
E	14	E_01 to E_14	2 x 5 MHz	Generic frequency lots in the range 2500–2570/2620–2690 MHz (FDD)
F	9	F_01 to F_09	5 MHz	Generic frequency lots in the range 2570–2615 MHz (TDD)

A.6 FREQUENCY CAPS AND RESERVATIONS

A.6.1 SPECTRUM CAPS

All bids in the public tender shall be subject to the following spectrum caps:

- 2 x 30 MHz across the 800 and 900 MHz bands,
- 2 x 15 MHz in the 900 MHz band,
- 2 x 30 MHz in the 1800 MHz band,
- 2 x 105 MHz FDD across the 800 MHz, 900 MHz, 1800 MHz, 2100 MHz, and 2600 MHz bands, including existing holdings in the 2100 MHz FDD spectrum.

The restrictions regarding the number of assigned frequency rights in the form of spectrum caps shall be, in accordance with the provisions of Article 51 of ZEKom-1, also listed in the DARFs. The frequency caps listed shall be respected in the procedures determining the transfer or leasing of usage rights according to Article 55 of ZEKom-1, except in the event of changes in technology or competitive conditions, whereupon the Agency may, in line with the changes in circumstances, permit the transfer or leasing of usage rights for frequencies outside of the listed restrictions, in accordance with the provisions of Article 55 of ZEKom-1.

A.6.2 RESERVATIONS

Two 2 x 5 MHz blocks in the 800 MHz band shall be reserved and available only to:

- applicants, which are new market entrants, or
- applicants, which are existing operators with at most a 15% market share of active end users of public mobile services.

Existing operators are considered those which, at the time of the submission of the public tender application, already hold a DARF or DARFs in any frequency band which is subject of this public tender, and which provide public mobile communication services in the Republic of Slovenia over these radio frequencies.

New operators are considered those which, at the time of the submission of the public tender application, do not already have a DARF or DARFs in the Republic of Slovenia in any frequency band which is subject of this public tender, and which would like to provide public mobile communication services over these radio frequencies.

In the event of a merger of an existing operator from the above definition with an operator which fits the definition of a new entrant, the resulting operator shall be, for the purposes of this tender, considered an existing operator. Similarly for the purposes of this public tender, a group of operators (see Chapter C.2.4 Information on the Applicant's Ownership Structure) is to be considered an existing operator if one of its members fits the above definition of existing operator.

For determining the market share of active end users of public mobile services for existing operators which submit a bid for a reserved part of the frequency spectrum, the Agency's last available data from the Quarterly Report on the Development of the Electronic Communications Market for Q3 2013 should be used, which is available on the Agency's website: <http://www.apek.si/tretje-cetrletje-2013:-porocilo-o-razvoju-trga-elektronskih-komunikacij>. It is clear on page 16 of said report that the last published market shares of active mobile service users per operator are:

	2012/1q	2012/2q	2012/3q	2012/4q	2013/1q	2013/2q	2013/3q
Telekom Slovenije	51,2	50,4	49,9	50,3	50,0	49,4	49,2
Si.mobil	29,7	29,6	29,7	29,5	29,8	29,9	29,8
Tušmobil	10,4	11,2	11,4	11,2	11,3	11,7	11,8
Debitel	4,3	4,3	4,2	4,0	3,9	3,8	3,8
T-2	1,9	2,1	2,2	2,4	2,5	2,6	2,8
Izi mobil	2,4	2,5	2,5	2,4	2,4	2,5	2,5
Telemach			0,0	0,1	0,1	0,1	0,1

Vir: APEK, december 2013

The amount of reserved spectrum in the 800 MHz band is determined as follows:

- if applicants which have the right to bid on the reserved parts of the spectrum express in their initial bids aggregate demand in both 2 x 5 MHz lots in the A3 category, both 2 x 5 MHz lots shall be reserved (default scenario),
- if applicants which have the right to bid on the reserved parts of the spectrum express in their initial bids aggregate demand in just one 2 x 5 MHz lot in the A3 category, just one 2 x 5 MHz block shall be reserved, and the A2 lot shall be increased to 2 x 15 MHz (alternative scenario 1),
- if applicants which have the right to bid on the reserved parts of the spectrum do not express in their initial bids aggregate demand in the reserved part of the spectrum, nothing shall be reserved and the A2 lot shall be increased to 2 x 15 MHz, and the number of lots in the A1 category shall be increased from 2 to 3 (alternative scenario 2),

The decision on spectrum reservation in the 800 MHz frequency band shall be announced to bidders in the Decision on the Selection of Bidders

The conditions governing the restricted number of assigned frequency rights, as well as other rights in the form of spectrum caps shall be, in accordance with Art. 51 of ZEKom-1, also listed in the DARFs.

Those applicants which in the public tender succeed in either partially or completely acquiring the reserved part of the spectrum shall be forbidden from transferring (or leasing) rights to the use of these frequencies to parties which, at the time of the transfer do not fulfill the conditions which apply for acquiring reserved parts of the spectrum, for a period of 5 years from the date of assignment. Rights to the usage of frequencies during this period can only be transferred to such entities which, at the time of the transfer, completely fulfill the conditions for obtaining the reserved part of the spectrum as defined in the public tender. The new rights holder shall also be transferred all obligations which were imposed upon the original rights holder for the given part of the frequency spectrum indicated in the DARF in accordance with the conditions of the public

tender. All transfers of usage rights for radio frequencies shall be, in addition to the mentioned restrictions, handled in accordance with Article 55 of ZEKom-1.

A.6.3 RESTRICTIONS ON DEMAND FOR FREQUENCIES IN THE 2600 MHZ BAND

Those bidding on lots from category F (2600 MHz TDD) must include at least 2 lots from this category in a package bid, which means that bidders must include in their bids at least 2 lots from category F or none at all.

Special handling of the lots in category F is a result of the fact that the bidder which acquires n amount of lots in category F shall actually have n-1 lots available to use, as one lot shall be subject to usage restrictions (as detailed by this tender documentation in Chapter H, Technical Requirements for Service Provision).

A.7 CONDITIONS AND REQUIREMENTS OF THE PUBLIC TENDER WHICH THE APPLICANTS MUST FULFILL

A.7.1 CONDITIONS OF THE PUBLIC TENDER WHICH THE APPLICANTS MUST FULFILL

To fulfill the conditions of the public tender, the applicant must:

- submit a complete and accurate application, which includes:
 - General information on the applicant (Form I.1.1 or I.1.2);
 - Applicant's statements (Form I.2);
 - Authorization for signing the application (Form I.3);
 - Information on the applicant's ownership structure (no form);
 - Financial, organizational, and technical plans for deployment and operation of a mobile communications network (business plan) (no form);
 - Nomination of 3 people who shall be authorized to submit bids for the applicant during the public auction (Form I.4);
 - Statement of payment of the tender bond (Form I.5);
 - List of the frequency lots the applicant is interested in (initial bid) (Forms I.6.1, I.6.2, I.6.3);
 - Statement on the submission of documents in accordance with the requirements of the tender documentation (Form I.7);
- Applicants must have settled all outstanding liabilities towards the Agency which are not the subject of legal proceedings;
- Applicants must be solvent and must not have any compulsory settlement proceedings initiated against them, nor bankruptcy nor forced liquidation proceedings.

An applicant is deemed solvent if it does not have any bank accounts blocked for more than 5 days at the time of the submission of the application, and for the duration of this public tender, until the issue of the Decision on the Assignment of Radio Frequencies.

Compulsory settlement proceedings are deemed initiated if a proposal for the launch of a compulsory settlement proceeding has been lodged, and the court has not yet decided on this proposal.

Bankruptcy proceedings are deemed initiated if the subject is already in a bankruptcy proceeding, or if a proposal for the launch of a bankruptcy proceeding has been lodged, and the court has not yet decided on this proposal.

Forced liquidation proceedings are deemed initiated if a proposal for the launch of forced liquidation proceedings has been lodged, and the court has not yet decided on this proposal, if its business operations are being handled by the court for other reasons, or if it has suspended its business activities, or if it is in a similar position.

A description of the requirements for a complete and accurate application (from the first indent) is found in Chapter C.2 Documents in the Application File.

A.7.2 CONDITIONS WHICH A BIDDER MUST MEET TO QUALIFY FOR THE PUBLIC AUCTION

As the offered price is the only criterion for selecting the winning bid, the selection shall be made through a public auction (paragraph 1 of Article 44 of ZEKom-1).

In order to qualify for the public auction in the public tender, the applicant must, along with fulfilling other conditions in accordance with Article A.7.1 Conditions of the Public Tender, also fulfill the following two conditions:

- payment of a deposit for its initial bid, and
- payment of administrative costs.

A.7.2.1 Payment of a Deposit for an Initial Bid

In order to participate in the public auction, the bidder must, at least one day before the beginning of the public auction, pay its deposit to a special bank account of the Republic of Slovenia and deliver to the Agency the confirmation of payment. The amount of this deposit must be at least the sum of the reserve price for all the lots included in the bidder's highest initial bid, in accordance with forms Lots for which the Applicant Is Interested (The Initial Bid) (Forms I.6.1, I.6.2, and I.6.3). All details regarding the transfer of the deposit (bank account, reference number, etc.) shall be detailed in the Decision on the Selection of Bidders.

The deposits of winning bidders shall be honored as regards the payment of the fee for the efficient use of a limited natural resource. Unsuccessful bidders shall have their deposits returned after the end of the public auction within the deadline determined in the written decision from paragraph 6 of Article 45 of ZEKom-1.

Bidders which are excluded during the public auction shall not have their deposits returned.

If the public tender is annulled, the deposits shall be returned to the bidders within the deadline determined in the decision on the annulment of the public tender.

No interest shall be paid for the deposits.

Transfer commissions and all other costs or taxes incurred during the transfer of funds must be paid by the bidder.

Deposits shall be returned (transferred) to the bank accounts indicated by the applicants.

A.7.2.2 Payment of Administrative Costs

In order to qualify for the public auction, the bidders must cover the administrative costs of holding a public auction (indent 2 of paragraph 2 of Article 44 of ZEKom-1). Before the beginning of the public auction each bidder must settle advance payment of administrative costs in the amount of €300,000.00. The Agency shall honor the tender bonds paid by the applicants which are selected as bidders by the Decision on the Selection of Bidders as advance payment of administrative costs in the same amount.

Administrative costs for holding a public auction represent all of the Agency's expenses in connection with preparing and holding a public auction, which shall not include the costs of the work of the Agency's full-time employees. Administrative costs are covered by all bidders in equal parts.

The advance amount paid by bidders for administrative costs shall be considered as advance payment of a share of the administrative costs.

Winning bidders must settle all additional payments in a lump sum within 15 days of the receipt of the written decision from paragraph 6 of Article 45 of ZEKom-1.

Similarly, the Agency shall within 15 days of issuing the written decision from paragraph 6 of Article 45 of ZEKom-1 return to bidders the difference in the advance payment, in the event that the amount of administrative costs shall be less than the advance amount paid by the bidders.

No interest shall be paid on the returned advance payment.

A.7.3 REQUIREMENTS OF THE PUBLIC TENDER WHICH THE APPLICANT MUST FULFILL

The requirements of the present public tender are:

- protection of confidential information;
- prohibition of collusive behavior;
- preservation of the applicant's ownership structure during the public tender;
- additional obligations the applicant assumes in this public tender:
 - a restriction on the transfer or lease of rights to use radio frequencies;
 - general coverage obligations;
 - specific coverage obligations in the 800 MHz band.

A.7.3.1 Protection of Confidential Information

The applicant must handle all information it receives from the Agency within the course of this procedure as confidential. Bidders are especially forbidden from communicating content and data from the Decision on the Selection of Bidders or any other decision within the scope of the public tender procedure, as well as from communicating their intentions regarding demand for frequencies or the bids they intend to submit within the course of the public tender or public auction. In the event the applicant or bidder violates this request, it shall be excluded from the public tender or public auction.

The obligation of keeping confidential all information received from the Agency remains in force until the issue of the written decision from paragraph 6 of Article 45 of ZEKom-1. The confidentiality obligations also apply to applicants which fail to be selected as bidders, as well as to bidders excluded during the course of the public auction. These must keep information confidential up until the moment that the winning bidders are issued the decision from paragraph

6 of Article 45 of ZEKom-1. In the event an applicant or bidder violates the confidentiality obligation, such an applicant forfeits the tender bond or the advance payment of administrative costs, as well as any already paid deposits.

A.7.3.2 Prohibition of Collusive Behavior

Throughout the procedure, applicants and bidders must not enter into agreements or engage in any other behavior that could have the effect of compromising the integrity of the tender procedure in accordance with the tender documentation and the Decision on the Initiation of the Public Tender.

Applicants are forbidden from establishing direct or indirect contact with each other or from exchanging information with the aim of influencing the outcome of the tender procedure.

In particular, the following actions during the tender procedure constitute collusive or prohibited behavior:

- any coordination between applicants, especially with the intention of influencing the course or outcome of the tender procedure,
- disclosure of any information concerning participation in the public tender procedure,
- disclosure of bid amounts or bidding strategies, or other statements which could influence the participation or bidding behavior of third parties,
- any announcements that might provide an indication of intended behavior throughout the tender procedure,
- coordinating bidding in the public auction.

Applicants violating these rules may be excluded from further bidding. The obligations on collusive behavior also apply to applicants which fail to be selected as bidders, as well as to bidders excluded during the course of the public auction. In the event an applicant or bidder violates the obligations on collusive behavior, such an applicant forfeits the tender bond or the advance payment of administrative costs, as well as any already paid deposits.

Should such behavior be discovered after the completion of the tender procedure or after issuing of the DARFs by any competent body, the Agency may launch a procedure for the revocation of such DARFs. In this event the fees paid for the efficient use of a limited natural resource as well as for administrative costs shall be forfeited.

A.7.3.3 No Changes to the Ownership Structure During the Public Tender

An applicant must not be associated with any other applicant through ownership which exceeds a controlling share in that other applicant. A controlling share is considered to be an ownership share in a given company which exceeds 25%. All applicants must operate as independent subjects.

All forms of joint ventures (see Chapter C.2.4 Information on the Applicant's Ownership Structure) in this public tender are considered to be a legal entity and in the procedure of this public tender as "groups".

In the procedure of this public tender a group may only submit one application, which must also contain information on the ownership structure of all members of the group.

Until the issue of the decision from paragraph 6 Article 45 of ZEKom-1 the obligation remains that applicants must maintain the same ownership structure as indicated in its application for the public tender and must not make any changes which would constitute affiliation between it and

any other applicant or applicants in the public tender, as is defined in Chapter C.2.4 Information on the Applicant's Ownership Structure of the tender documentation. In this case the applicant's ownership structure shall no longer match the structure indicated in its application or the requirements of the first two paragraphs of this chapter, and such an application shall thereupon be excluded from the procedure.

In the event of plans for changes to the ownership structure during the course of the public tender which do not fit the aforementioned case the Agency along with the Slovenian Competition Protection Agency shall decide on the appropriateness of such a change based on the requirements of the public tender, which for the purposes of the public tender shall constitute long-term changes to the control of the company, as defined in Article 10 of the Prevention of Restriction of Competition Act (Official Gazette of the RS, no. 36/2008, 40/2009, 26/2011, 87/2011, 57/2012, 63/2013-ZS-K). Applicants must immediately inform the Agency about such plans for changes to the ownership structure. The applicant shall be issued a decision regarding the appropriateness of changes in ownership structure within 15 days of its informing the Agency.

At any time during the course of the public tender, the Agency may call upon the applicant to give an account of its ownership structure.

Details on submitting and handling joint tenders are defined in Chapter C.2.4 Information on the Applicant's Ownership Structure.

A.7.3.4 Additional obligations the applicant assumes in this public tender:

A.7.3.4.1 Transfer or Lease of Frequency Usage Rights

All restrictions from Chapters A.6.1 Spectrum Caps and A.6.2 Reservations of the said tender documentation apply as obligations.

A.7.3.4.2 General Coverage Obligations

Applicants which acquire parts of the spectrum in bands under 1 GHz must provide commercial wireless electronic communications services in all assigned bands under 1 GHz in such a way that:

- existing operators and new entrants which acquire reserved parts of the spectrum in the 800 MHz band (category A3) provide coverage in this band to:
 - 25% of the population of the Republic of Slovenia after 1 year,
 - 50% of the population of the Republic of Slovenia after 2 years,
 - 75% of the population of the Republic of Slovenia after 3 years.
- new entrants provide coverage to:
 - 25% of the population of the Republic of Slovenia after 2 years,
 - 50% of the population of the Republic of Slovenia after 3 years,
 - 75% of the population of the Republic of Slovenia after 5 years,
 - where new entrants which at the same time acquire reserved parts of the spectrum in the 800 MHz band (category A3) are bound by the obligations from the first indent of this paragraph.

All the above obligations take effect on the day the applicant is assigned an individual frequency band under 1 GHz.

Applicants which acquire parts of the spectrum in bands above 1 GHz must provide commercial wireless electronic communications services by using any of its assigned bands above 1 GHz in such a way that they provide coverage to:

- 25% of the population of the Republic of Slovenia after 3 years,
- 40% of the population of the Republic of Slovenia after 5 years,

All the above obligations take effect on the day the applicant has at its disposal an individual frequency band above 1 GHz.

Existing operators and new entrants are defined in Chapter A.6.2 of the tender documentation – Reservations.

Selected bidders shall have these coverage obligations included in their DARF based on their acquired radio frequencies (Article 51 of ZEKom-1).

Details on verifying the fulfillment of these obligations are detailed in Chapter G, Monitoring of License Obligation Fulfillment, of this tender documentation. If operators which are awarded DARFs fail to fulfill their obligations, the Agency may in an inspection procedure order the remedy of irregularities and issue a fine and/or seize their proceeds in offense proceedings. The Agency may also on the basis of the provisions of article 58 of ZEKom-1 launch a procedure for the revocation of a DARF. In the event of a revocation of a DARF the fee paid for the efficient use of a limited natural resource shall not be returned.

A.7.3.4.3 Special Coverage Obligations in the 800 MHz Band

In addition to the general coverage and deployment obligations, the applicant which in the course of the public tender receives part of the spectrum in the 800 MHz band, which comes with special coverage obligations (from category A2), shall have to provide mobile broadband services at a bitrate of at least 10 Mbps downlink (outdoor) to at least 95% of the population of the Republic of Slovenia in accordance with Chapter G.1 Calculation of Coverage in Verifying Special Coverage Obligations in the 800 MHz Band of this tender documentation within 3 years of the date on which, in accordance with the issued Decisions on the Allocation of Radio Frequencies it shall receive radio frequencies in the said frequency band for use. Applicants can fulfill this obligation by using any of the frequency bands assigned.

Details on verifying the fulfillment of the in this Article, as well as in its subsections, are detailed in Chapter G Monitoring of License Obligation Fulfillment of this tender documentation. Failure to achieve the above requirements of population coverage and of covering all of the selected locations constitutes a failure to fulfill the obligations of the DARF.

If an operator which is awarded a DARF fails to fulfill their obligations in accordance with technical and other characteristics defined in Chapter G. Monitoring of License Obligation Fulfillment, the Agency may in an inspection procedure order the remedy of discovered irregularities and issue a fine and/or confiscate proceeds in offense proceedings. The Agency may also on the basis of the provisions of article 58 of ZEKom-1 launch a procedure for the revocation of a DARF. In the event of a revocation of a DARF the fee paid for the efficient use of a limited natural resource shall not be returned.

A.7.3.4.3.1 Special Coverage Areas

Within the scope of the special obligation of covering 95% of the population of the Republic of Slovenia, the Agency has, for the purpose of providing suitable coverage of white spots in rural

areas and appropriate regional distribution, as well as in accordance with the Strategic Guidelines of the relevant ministry, published a list of 300 locations – settlements or connected groups of settlements (a list of which is provided in the table below) – which are either not covered or poorly covered by a fixed broadband network. Within the scope of above requirements the applicant which acquires the part of the spectrum in the 800 MHz band for which special coverage obligations apply (from category A2) must after the first year also provide coverage to 75 selected settlements from the aforementioned list, another 75 after the second year (150 total), and another 75 after the third year (225 total), all selected at the operator's discretion. The applicant must provide at least 75% population coverage in each of the selected settlements or groups of settlements (selected locations) from the list. In relation to the aforementioned coverage obligation, the applicant must submit to the Agency within 15 days after the end of every quarter its plan for network deployment in the selected settlements to which it plans to provide coverage in the defined time periods, all the way up until the fulfillment of all obligations.

A.7.3.4.3.1.1 Substitutes for Fixed Wireless Broadband Access (FWBA)

The obligation of network deployment is tied to this list, as the network shall be providing these settlements or groups of settlements with mobile services as well as with a suitable service substituting for fixed broadband access. The operator must provide the service substituting for fixed wireless broadband access (FWBA) by installing appropriate internal or external customer-premises equipment (CPE) with a suitable antenna, providing a transfer speed for a user experience of at least 10 Mbps downlink and with a minimum data transfer rate of at least 2 Mbps, and terminally assured uplink speeds of at least 1 Mbps. FWBA service is obligatory only for those addresses of permanent residences and businesses, as well as institutions registered with the Agency of the Republic of Slovenia for Public Legal Records and Related Services (AJPES), which do not have the option of receiving a suitable alternative broadband connection with a bitrate of at least 10 Mbps, and which are within the area of coverage for individual settled locations, even if they are not a part of a settlement or a contiguous group of settlements from the list below. In providing this bitrate with a user experience of at least 10 Mbps or a minimum data transfer rate of at least 2 Mbps, the operator must appropriately design its network, and in doing so may use any of the frequency bands it was assigned. The Agency has the right to verify the suitability of the network design.

The Agency shall monitor the deployment of broadband networks in the country with a special emphasis on rural areas and if necessary can amend the list of settlements. It shall take action, for instance, in the event that a fixed broadband network is deployed in any of the listed settlements with a possible bitrate of at least 10 Mbps downlink. For any change to the list of settlements the Agency's analysis shall be used, as well as the recommendations of operators which shall be subject to special coverage obligations. The Agency shall be able to make changes to the list but shall not remove the settlements or groups of settlements where an operator has already begun deployment, and changes similarly shall not affect the number of settlements or groups of settlements on the list.

Selected applicants which acquire part of the spectrum in the 800 MHz frequency band, which is subject to special coverage obligations (from category A2), shall have these special coverage obligations included as part of their DARF with respect to their acquired radio frequencies (Article 51 of ZEKom-1).

A.7.3.4.3.1.2 List of Settlements

The table below is the list of the 300 locations (settlements or groups of settlements) for which the requirements of the Article A.7.3.4.3 Special Coverage Obligations in the 800 MHz Band with subsections hold:

Location no. ¹	MUNICIPALITY_SETTLEMENT	NA_MID
1	BREŽICE_Bizeljsko	10084695
2	GORIŠNICA_Moškanjci	10124891
3	GRAD_Grad	10115906
4	KRIŽEVCI_Lukavci	10113601
5	SLOVENJ GRADEC_Stari trg	10132550
6	NOVO MESTO_Gabrje	10119219
7	MISLINJA_Dovže	10132347
7	MISLINJA_Šentilj pod Turjakom	10132568
8	KOBILJE_Kobilje	10108039
9	AJDOVŠČINA_Gojače	10084105
9	AJDOVŠČINA_Selo	10084407
10	MUTA_Gortina	10126169
11	BOHINJ_Stara Fužina	10127360
12	LJUTOMER_Spodnji Kamenščak	10113792
12	LJUTOMER_Radomerje	10113725
13	GORNJI PETROVCI_Križevci	10116066
13	PUCONCI_Kuštancovci	10116155
14	BELTINCI_Lipa	10116180
15	SVETI JURIJ V SLOV. GORICAH_Zgornje Partinje	10107717
16	SLOVENSKA BISTRICA_Gabernik	10132908

¹The same location number means that the settlement is a part of a group of settlements

Location no. ¹	MUNICIPALITY_SETTLEMENT	NA_MID
17	VIDEM_Lancova vas	10124646
18	ŠMARJE PRI JELŠAH_Kristan Vrh	10139058
18	ŠMARJE PRI JELŠAH_Stranje	10139848
19	LENDAVA_Dolina pri Lendavi	10107903
19	LENDAVA_Pince	10108128
20	CIRKULANE_Medribnik	10124816
20	CIRKULANE_Paradiž	10124964
20	CIRKULANE_Pristava	10125154
21	MORAVSKE TOPLICE_Martjanci	10116287
22	KUNGOTA_Zgornja Kungota	10148952
23	PUCONCI_Otovci	10116457
23	GRAD_Vidonci	10116945
24	SREDIŠČE OB DRAVI_Obrež	10122481
25	GORNJA RADGONA_Hercegovščak	10092817
25	GORNJA RADGONA_Police	10093287
26	BOHINJ_Srednja vas v Bohinju	10127351
27	MISLINJA_Gornji Dolič	10132371
28	NOVO MESTO_Velike Brusnice	10121493
29	LJUTOMER_Stročja vas	10113822
30	ŠENČUR_Srednja vas pri Šenčurju	10103312
31	DOBREPOLJE_Ponikve	10095042
32	VELENJE_Kavče	10144698
33	CELJE_Škofja vas	10086817
34	KOČEVJE_Livold	10100151
35	MORAVSKE TOPLICE_Filovci	10115817
36	DRAVOGRAD_Selovec	10092493
37	ŽIROVNICA_Breznica	10097746
38	HOČE-SLIVNICA_Hočko Pohorje	10147514
39	ROGAŠKA SLATINA_Spodnje Sečovo	10139783

Location no. ¹	MUNICIPALITY_SETTLEMENT	NA_MID
40	MARKOVCI_Markovci	10124808
41	LJUBLJANA_Besnica	10110092
41	LJUBLJANA_Podgrad	10110319
42	MARKOVCI_Zabovci	10125839
43	SLOVENJ GRADEC_Gmajna	10132355
44	KAMNIK_Loke v Tuhinju	10098483
44	KAMNIK_Srednja vas pri Kamniku	10098904
45	ŠENTILJ_Spodnja Velka	10148740
46	MAKOLE_Jelovec pri Makolah	10132983
46	MAKOLE_Stari Grad	10133718
47	LENDAVA_Genterovci	10107946
47	LENDAVA_Radmožanci	10108144
48	VELENJE_Paka pri Velenju	10144744
49	ZAVRČ_Hrastovec	10124441
50	LOVRENC NA POHORJU_Rdeči Breg - part	10149177
50	LOVRENC NA POHORJU_Recenjak	10149185
51	LOŠKI POTOK_Retje	10128757
52	GORJE_Krnica	10126827
53	VELENJE_Plešivec	10144787
54	PUCONCI_Pečarovci	10116473
55	ZAVRČ_Turški Vrh	10125731
56	LAŠKO_Zgornja Rečica	10106915
57	ŠKOFLJICA_Želimlje	10113164
58	MORAVČE_Peče	10091250
58	MORAVČE_Gora pri Pečah	10090768
58	MORAVČE_Ples	10091268
59	MAJŠPERK_Kupčinja Vrh	10126002
59	ŽETALE_Čermožiše	10124000
60	MARKOVCI_Nova vas pri Markovcih	10124948

Location no. ¹	MUNICIPALITY_SETTLEMENT	NA_MID
61	VELENJE_Laze	10144701
62	ŠENTJUR_Loka pri Žusmu	10135478
63	ROGATEC_Sv. Jurij	10139899
63	ROGATEC_Žahenberc	10140366
64	DOBROVA-POLHOV GRADEC_Brezje pri Dobrovi	10111234
65	LJUTOMER_Moravci v Slov. goricah	10113628
66	KUZMA_Dolič	10115744
67	ŽETALE_Žetale	10125979
68	ŠMARTNO OB PAKI_Gavce	10144663
69	ČRNA NA KOROŠKEM_Žerjav	10128030
70	ZAGORJE OB SAVI_Podkum	10145813
70	ZAGORJE OB SAVI_Šklendrovec	10146046
71	VOJNIK_Socka	10086710
72	SVETI JURIJ V SLOV. GORICAH_Jurovski Dol	10107148
73	LJUTOMER_Gresovščak	10113440
73	LJUTOMER_Podgradje	10113687
74	AJDOVŠČINA_Predmeja	10084377
75	DOBROVA-POLHOV GRADEC_Šentjošt nad Horjulom	10112877
76	LAŠKO_Šentrupert	10105781
77	VELENJE_Črnova	10146283
78	KAMNIK_Markovo	10098513
78	KAMNIK_Poreber	10098726
79	PODVELKA_Spodnja Kapla	10126380
80	KRIŽEVCI_Ključarovci pri Ljutomeru	10113504
81	ORMOŽ_Lahonci	10122341
82	VELENJE_Hrastovec	10144680
83	AJDOVŠČINA_Gaberje	10084083
83	AJDOVŠČINA_Šmarje	10084431
84	LENDAVA_Mostje	10108080

Location no. ¹	MUNICIPALITY_SETTLEMENT	NA_MID
85	VIDEM_Popovci	10125120
85	VIDEM_Zgornja Pristava	10125910
86	BREŽICE_Cirnik	10084865
86	BREŽICE_Koritno	10085209
86	BREŽICE_Laze	10085241
86	BREŽICE_Ponikve	10085489
87	KRIŽEVCI_Stara Nova vas	10113814
88	KOZJE_Vrenska Gorca	10140170
88	KOZJE_Buče	10138507
89	BREŽICE_Pišece	10085438
90	ZAGORJE OB SAVI_Kandrše - part	10145635
90	ZAGORJE OB SAVI_Log pri Mlinšah	10145708
90	ZAGORJE OB SAVI_Vidrga	18679850
91	RADEČE_Jagnjenica	10106036
92	PESNICA_Zgornji Jakobski Dol	10149037
93	ŽELEZNIKI_Dražgoše	10136644
94	NOVO MESTO_Dolž	10119103
95	HOČE-SLIVNICA_Čreta	10147425
96	NOVA GORICA_Bate	10117054
96	NOVA GORICA_Grgarske Ravne	10117429
96	NOVA GORICA_Dragovica	19807258
97	KANAL_Kal nad Kanalom	10117488
98	SLOVENJ GRADEC_Gradišče	10132380
99	VELENJE_Bevče	10144639
100	ROGAŠKA SLATINA_Tržišče	10140021
100	ROGAŠKA SLATINA_Tuncovec	10140030
101	ROGAŠKA SLATINA_Irje	10138892
102	BRDA_Podsabotin	10117925
103	VOJNIK_Hrenova	10086108

Location no. ¹	MUNICIPALITY_SETTLEMENT	NA_MID
103	VOJNIK_Lemberg pri Novi Cerkvi	10086272
104	MUTA_Sv. Primož nad Muto	10126304
105	LOGATEC_Laze	10114055
106	ŠENTJUR_Krivica	10135443
106	ŠENTJUR_Lopaca	10135508
107	LJUTOMER_Radoslavci	10113741
108	DOBROVA-POLHOV GRADEC_Črni Vrh	10111331
109	ŠKOFJA LOKA_Sv. Andrej	10136326
109	ŠKOFJA LOKA_Sv. Barbara	10137888
110	IG_Zapotok	10113121
111	TOLMIN_Modrej	10141036
112	ZAGORJE OB SAVI_Jesenovo	10145627
113	GROSUPLJE_Velika Loka	10095565
114	ŠALOVCI_Dolenci	10115736
114	HODOŠ_Krplivnik	10116104
115	MAJŠPERK_Lešje	10124662
115	MAKOLE_Stopno	10133734
116	NOVA GORICA_Loke	10117658
117	MORAVSKE TOPLICE_Vučja Gomila	10116953
118	ŠENTILJ_Trate	10148898
119	TOLMIN_Dolenja Trebuša	10140510
120	VELENJE_Arnače	10144604
121	ROGATEC_Dobovec pri Rogatcu	10138612
122	ŠALOVCI_Čepinci	10115680
123	ŠENTJUR_Dolga Gora	10135150
124	NOVA GORICA_Lokovec	10117666
125	METLIKA_Radovica	10114667
126	ŠALOVCI_Domanjševci	10115795
127	ŠOŠTANJ_Bele Vode	10144612



Location no. ¹	MUNICIPALITY_SETTLEMENT	NA_MID
128	SODRAŽICA_Žimarice	10129001
129	CERKNO_Otalež	10096634
129	CERKNO_Pluznje	10096677
130	RADLJE OB DRAVI_Št. Janž pri Radljah	10126401
131	VOJNIK_Jankova	10086132
131	VOJNIK_Male Dole	10086418
132	PODVELKA_Janževski Vrh	10126185
133	CELJE_Pečovnik	10086507
134	POLJČANE_Lušečka vas	10133246
135	CELJE_Zvodno	10087074
136	KOPER_Gabrovica pri Črnem Kalu	10101581
136	KOPER_Osp	10101948
137	KRŠKO_Veliki Dol	10105528
137	KRŠKO_Koprivnica	10104572
138	PODVELKA_Vurmat - part	10126479
138	LOVRENC NA POHORJU_Ruta	10149207
139	PREDDVOR_Kokra	10102758
140	ORMOŽ_Žerovinci	10122937
141	ŽETALE_Kočice	10124573
142	VRHNIKA_Smrečje	10145309
143	RAZKRIŽJE_Gibina	10113407
144	PUCONCI_Brezovci	10115647
145	ROGAŠOVCI_Rogašovci	10116651
146	JESENICE_Javorniški Rovt	10097819
147	RADLJE OB DRAVI_Zgornja Vižinga	10126509
148	ŽETALE_Dobrina	10124069
149	ŠMARJE PRI JELŠAH_Lemberg pri Šmarju	10139147
149	ROGAŠKA SLATINA_Spodnji Gabernik	10139813
150	PODČETRTEK_Olimje	10139716

Location no. ¹	MUNICIPALITY_SETTLEMENT	NA_MID
151	BREŽICE_Križe	10085225
151	BREŽICE_Pečice	10085403
152	KRŠKO_Dovško	10104165
153	KOSTANJEVICA NA KRKI_Dolnja Prekopa	10104122
154	LAŠKO_Lahomno	10106117
155	LOŠKI POTOK_Mali Log	10128552
156	MARIBOR_Šober	10148103
157	LUKOVICA_Mali Jelnik	10091187
157	LUKOVICA_Podsmrečje	10091314
157	LUKOVICA_Prevoje	10091420
157	LUKOVICA_Suša	10091772
157	LUKOVICA_Zgornje Loke	10092183
158	POLJČANE_Spodnja Brežnica	10133645
159	ŽIRI_Žirovski Vrh	10138264
160	ROGAŠKA SLATINA_Topole	10139970
161	CERKNO_Straža	10096839
161	CERKNO_Lazec	10096553
162	BRASLOVČE_Male Braslovče	10146658
163	DOBROVNIK_Strehovci	10108187
164	VELENJE_Paški Kozjak	10144779
165	ZREČE_Boharina	10134153
166	POLJČANE_Stanovsko	10133700
167	TOLMIN_Kamno	10140749
168	CERKNO_Gorenji Novaki	10096367
169	LJUTOMER_Noršinci pri Ljutomeru	10113644
170	SLOVENJ GRADEC_Raduše	10132495
171	BREŽICE_Pavlova vas	10085390
172	METLIKA_Drašiči	10114357
173	DOBROVA-POLHOV GRADEC_Butajnova	10111293

Location no. ¹	MUNICIPALITY_SETTLEMENT	NA_MID
174	LITIJA_Golišče	10108497
175	LAŠKO_Mala Breza	10106249
176	MAJŠPERK_Stoperce	10125553
177	ŠENTILJ_Svečane	10148839
178	BREŽICE_Podgorje pri Pišecah	10085446
179	IDRIJA_Vojsko	10096871
180	ŽALEC_Podkraj	10146801
181	VIDEM_Velika Varnica	10125758
182	CANKOVA_Skakovci	10116716
183	ŠMARTNO OB PAKI_Skorno	10144850
184	TOLMIN_Kneža	10140781
185	ŠMARJE PRI JELŠAH_Spodnje Tinsko	10139805
185	ŠMARJE PRI JELŠAH_Zgornje Tinsko	10140323
186	SELNICA OB DRAVI_Gradišče na Kozjaku	10149096
187	ŠENTILJ_Šomat	10148863
188	ČRNA NA KOROŠKEM_Podpeca	10127858
189	ŠMARJE PRI JELŠAH_Grobelce	10138825
190	ZAVRČ_Goričak	10124310
191	ŠENTJUR_Kostrivnica	10135419
192	KOZJE_Zagorje	10140234
193	PUCONCI_Poznanovci	10116538
194	KANAL_Levpa	10117623
195	ŠMARJE PRI JELŠAH_Zibika	10140340
196	DOBROVA-POLHOV GRADEC_Setnik	10112702
197	PESNICA_Polički Vrh	10148669
198	LITIJA_Tepe	10109701
199	ZREČE_Skomarje	10098173
200	ZAGORJE OB SAVI_Borje pri Mlinšah	10145406
200	ZAGORJE OB SAVI_Kolovrat	10145660

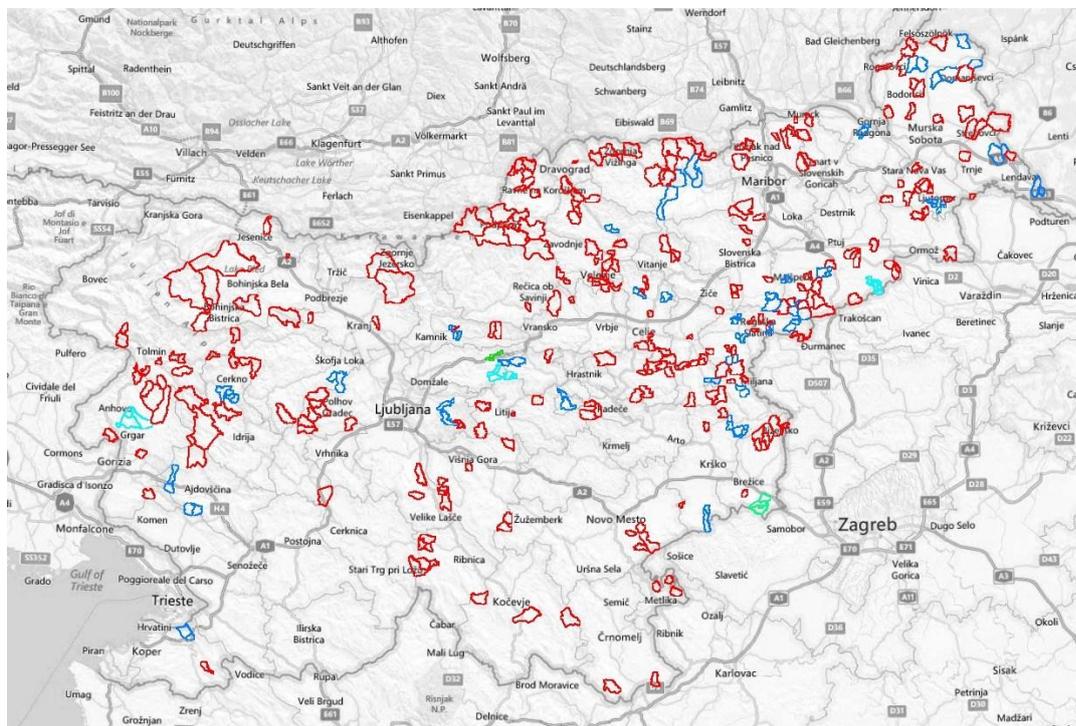
Location no. ¹	MUNICIPALITY_SETTLEMENT	NA_MID
201	LAŠKO_Tevče	10106672
202	VIDEM_Dolena	10124093
203	BREŽICE_Dednja vas	10084938
204	TOLMIN_Ponikve	10141168
205	KUZMA_Trdkova	10116856
206	MAKOLE_Mostečno	10133335
207	RIBNICA_Grčarice	10128307
208	ŠENTJUR_Javorje	10135320
209	BOHINJ_Nomenj	10126967
210	HOČE-SLIVNICA_Slivniško Pohorje	10148022
211	BOHINJ_Polje	10127084
212	PODVELKA_Javnik	10126193
213	PODVELKA_Zgornja Kapla	10126495
214	IVANČNA GORICA_Brezovi Dol	10093821
215	KOZJE_Lesično	10139155
216	BREŽICE_Mrzlava vas	10085322
217	ROGAŠKA SLATINA_Zagaj pod Bočem	10140226
218	METLIKA_Grabrovec	10114403
219	LAŠKO_Reka	10106478
220	LAŠKO_Lokavec	10106192
221	ŠENTJUR_Voduce	10136202
222	KRŠKO_Mrčna sela	10104831
223	RAČE-FRAM_Loka pri Framu	10147662
224	ŠENTJUR_Bukovje pri Slivnici	10135087
225	ŠTORE_Javornik	10086159
226	ZREČE_Loška gora pri Zrečah	10134471
227	BRASLOVČE_Dobrovlje	10146313
228	VOJNIK_Vizore	10086973
229	BREŽICE_Blatno	10084709

Location no. ¹	MUNICIPALITY_SETTLEMENT	NA_MID
230	ŠENTJUR_Doropolje	10135168
231	VELENJE_Škalske Cirkovce	10144906
232	NAZARJE_Spodnje Kraše	10115345
233	PREVALJE_Breznica	10127629
234	ČRNA NA KOROŠKEM_Javorje	10127670
235	LAŠKO_Trobni Dol	10106737
236	ŠMARTNO PRI LITIJI_Gradiške Laze	10108594
237	NOVO MESTO_Veliki Slatnik	10121582
238	KOSTANJEVICA NA KRKI_Črneča vas	10103991
238	KRŠKO_Gradnje	10104378
239	ČRNA NA KOROŠKEM_Koprivna	10127696
240	ČRNO MELJ_Zilje	10090440
241	KRIŽEVCI_Berkovci	10113237
242	ŠMARTNO PRI LITIJI_Gozd-Reka	10108551
243	NOVA GORICA_Potok pri Dornberku	10117933
244	GROSUPLJE_Velike Lipljene	10095638
245	ŽETALE_Nadole	10124913
246	PREVALJE_Zagrad	10128005
247	IDRIJA_Idrijske Krnice	10096430
248	KAMNIK_Golice	10098211
249	PODČETRTEK_Sela	10139660
250	KAMNIK_Rožično	10098807
251	BREŽICE_Drenovec pri Bukovju	10085004
252	KOBARID_Vrsno	10141575
253, 254	LAŠKO_Olešče	10106346
255	TOLMIN_Petrovo Brdo	10141095
256	PREVALJE_Poljana	10127866
257	MAJŠPERK_Grdina	10124395
258	RADEČE_Počakovo	10106397

Location no. ¹	MUNICIPALITY_SETTLEMENT	NA_MID
259	SODRAŽICA_Globel	10128242
260	ZAGORJE OB SAVI_Borovak pri Podkumu	10145414
261	ROGATEC_Trlično	10140013
262	KOZJE_Dobležiče	10138604
263	KUNGOTA_Vršnik	10148928
264	KRIŽEVCI_Grabe pri Ljutomeru	10113431
265	ŠMARJE PRI JELŠAH_Vršna vas	10140196
266	SELNICA OB DRAVI_Sv. Duh na Ostrem Vrhu	16151106
267	RAVNE NA KOROŠKEM_Strojna	10127947
268	KOPER_Dol pri Hrastovljah	10101557
269	KAMNIK_Češnjice v Tuhinju	10098149
270	ŠENTJUR_Bezovje pri Šentjurju	10135001
271	GROSUPLJE_Male Lipljene	10094577
272	TOLMIN_Hudajužna	10140668
273	DOBROVA-POLHOV GRADEC_Srednji Vrh	10112761
274	JEZERSKO_Spodnje Jezersko	10103258
275	DRAVOGRAD_Sv. Boštjan	10092507
276	SODRAŽICA_Podklanec	10128668
277	MAJŠPERK_Doklece	10124077
278	IVANČNA GORICA_Višnje	10095808
279	PODVELKA_Rdeči Breg - part	10126355
280	IVANČNA GORICA_Bukovica	10093856
281	MAJŠPERK_Naraplje	10124921
282	GROSUPLJE_Škocjan	10095336
283	TOLMIN_Kanalski Lom	10140757
284	CERKNO_Poče	10096685
285	RADEČE_Zagrad	10106834
286	PREVALJE_Suhi Vrh	10127955
287	TOLMIN_Podmelec	10141133

Location no. ¹	MUNICIPALITY_SETTLEMENT	NA_MID
288	TOLMIN_Sela pri Volčah	10141290
289	ČRNA NA KOROŠKEM_Ludranski Vrh	10127777
290	ČRNA NA KOROŠKEM_Bistra	10127572
291	KRANJ_Nemilje	10102936
292	KANAL_Doblar	10117259
293	PREVALJE_Jamnica	10128021
294	ČRNOMELJ_Sinji Vrh	10090024
295	KOČEVJE_Koprivnik	10099994
296, 297	LAŠKO_Paneče	10106362
298	PREVALJE_Belšak	10127564
299, 300	LJUBLJANA_Zgornja Besnica	10110513

The image below shows the areas where the settlements from the above list are located.



The individual settlements are circled in red, while groups of two settlements are in blue, groups of three in turquoise, and groups of more in green.

B. EXPLANATIONS TO THE TENDER DOCUMENTATION

The bidder taking part in the public tender must submit a complete bid prepared in accordance with the decision on the launch of the public tender and this tender documentation. The tender documentation is published on the Agency's website www.apek.si. The interested parties may also personally obtain tender documentation in hard copy at the Agency's headquarters: Stegne 7, Ljubljana, 1st floor, the mailroom, during office hours, Monday to Friday from 9 AM to 11 AM, and on Wednesdays also from 1 PM to 2 PM.

If an interested party requires any explanations regarding the tender documentation, the procedure of the public tender, or the subject of the public tender, they must request so in writing and in Slovenian. They should address their written request to the Agency (Agencija za pošto in elektronske komunikacije RS, Stegne 7, 1000 Ljubljana) with the caption "**Pojasnila v zvezi z javnim razpisom za dodelitev radijskih frekvenc za zagotavljanje javnih komunikacijskih storitev**" (Explanations regarding the public tender for the assignment of radio frequencies for the provision of public communications services), or by email to: info.box@apek.si.

The Agency must receive questions in writing by 5 February 2014. The Agency shall not respond to questions received after this deadline.

The Agency shall publish the received questions and answers to them, as it receives them, on its website www.apek.si (under the heading: "Javna posvetovanja in razpisi"), and on 10 February 2014 at the latest it shall also publish all the received questions and answers to them, whereby it shall be deemed that all the interested bidders have been informed of them. The questions received and the answers to them shall be published in such a way as to not reveal the identity of the applicant posing the question.

The questions and the answers to them do not present an integral part of this tender.

C. THE PREPARATION OF THE TENDER APPLICATION

C.1 THE PREPARATION AND SUBMISSION OF THE TENDER APPLICATION

Interested natural persons and companies that are entitled to take part in this public tender must submit their tender applications to the Agency by 17 February 2014 at 10 AM in the Agency's local time at the latest. The tender applications must be prepared in accordance with the Decision on Initiating a Public Tender and this tender documentation.

The application must be submitted in one (1) original and one (1) copy. If any differences between the two are found, the original prevails.

The original application must be printed or written in such a way that text cannot be deleted.

C.1.1 THE LANGUAGE OF THE TENDER APPLICATION

The application that the bidder prepares, as well as all correspondence and all the documents pertaining to the application, must be in the Slovenian language or translated into Slovenian. The exception to this rule can only relate to the standard catalogs, reference lists, brochures and similar. Such documents may be in the English language.

It must be clear on all the translated documents that they were translated by a sworn interpreter.

If the Agency upon reviewing and assessing the applications finds that a part of an application which was not submitted in Slovenian language should be translated into Slovenian, it may request the applicant to do so at its own cost, and set an appropriate deadline for this. If the applicant does not adhere to this request, the application shall be deemed as incomplete.

C.1.2 BINDING

All the pages of the application must be bound with a tricolored ribbon or string, with both ends on the back or the front side sealed with sealing wax or tape, and the seal secured with a stamp or signature of the person undersigning the application. The type of binding described is a summary from Article 35 of Notary Act (Official Gazette of the RS, no. 2/2007–UBP3, 33/2007-ZSReg-B, 45/2008, 91/2013). An overview of the application must be possible without damaging the seal wax or tape or the string. Binding with a tricolored ribbon or string is required only for the original.

C.1.3 SIGNATURE

The original copy of the application must be signed by the legal representative of the applicant or a person authorized by them. If the application is signed by an authorized person, the authorization must be made using the template in the appendix I.2, which is part of the application. The original must be signed on all the appendices, where signature is required. The legal representative of the applicant or a person authorized by them must initial each page of the application. The same holds if the applicant is a natural person.

C.1.4 AMENDMENTS TO THE APPLICATION

The application must not have any changes or amendments (corrections), except for those that the applicant made to correct the errors before submitting the application. In such a case the changes or amendments (corrections) must be initialed by the person who signed the application. Original text that was altered by a change or amendment, must remain visible.

C.1.5 INFORMATION ACCURACY AND COMPLETENESS

The applicant or the bidder can at any time be excluded from the public tender procedure if it is found that the application included incorrect or untrue data. In the event of an exclusion for these reasons the applicant receives the amounts already paid for the tender bond or the bidder with the advance on administrative costs and already paid in deposits. It is also possible that upon a subsequent discovery that incorrect or untrue data was provided in the application, a DARF already issued may be revoked, in which case administrative costs and payments made for the efficient use of a natural resource by the bidder would not be reimbursed.

C.2 DOCUMENTS TO BE PROVIDED WITH THE APPLICATION

This segment lists all the documents that the applicant must attach to their application. If a special form of a document (form) is required, this is stated for an individual document.

The applicant must attach the documents in the order listed below:

- General information on the applicant (Form I.1.1 or I.1.2);
- Applicant's statements (form I.2);
- Authorization for signing the application (Form I.3);
- Information on the applicant's ownership structure (no form);
- Financial, organizational, and technical plans for deployment and operation of a mobile communications network (business plan) (no form);
- Nomination of 3 people who shall be authorized to submit bids for the applicant during the public auction (Form I.4);
- Statement of payment of the tender bond (Form I.5);
- List of the frequency lots the applicant is interested in (Initial Bid) (Forms I.6.1, I.6.2, and I.6.3);
- Statement on the submission of documents in accordance with the requirements of the tender documentation (Form I.7);

In the event an applicant does not fill out a certain field in the form, it must strike through such field.

C.2.1 GENERAL INFORMATION ON THE APPLICANT (FORM I.1.1 OR I.1.2)

The applicant must attach to the application a correctly and completely filled out Form I.1.1 or I.1.2, which should include the following information on the applicant:

- for companies: company name, business address, headquarters, company registration number and VAT ID number, contact information, name of the legal representative, and any other persons authorized for representing the company, their signatures, and bank

account information (Form I.1.1.); The form must be signed by the applicant's statutory representative;

- for natural persons: full name, permanent and temporary address, registration number and tax number, contact information, signature, and bank account information (Form I.1.2).

The data on the fax number are optional. The data on the authorized person are obligatory only if the applicant appointed an authorized person with the Form I.3 Authorization for signing the application.

Applicants not registered in the Republic of Slovenia (hereinafter referred to as "foreign applicants") should list an address for receiving mail² in Slovenia to which any written correspondence, especially notifications, calls, and decisions connected to the public tender procedure may be sent, and information on the person or persons who are authorized for receiving such documents, along with appropriate authorizations. Foreign applicants which are legal entities must also attach a copy of their articles of association.

C.2.2 APPLICANT'S STATEMENTS (FORM I.2)

The applicant must attach to the application a correctly and completely filled out form I.2, which should include the following statements:

- the statement that it is familiar with the content of the tender documentation in Public Tender for the Assignment of Radio Frequencies for providing public communications services, and that it accepts its provisions;
- a statement that its application is valid until 17 October 2014;
- the statement that all the data in the application are true and accurate, and that it agrees that the Agency may annul the issued DARFs without returning the payment for the efficient use of a limited natural resource if it is found after the completion of the public tender procedure that the applicant provided false or untrue data in its application, or in the event that such facts come to light during the public tender procedure the Agency shall not return the already paid tender bonds or the advance for the administrative costs and the already paid deposits;
- the statement that the applicant is solvent, and there are no procedures of bankruptcy, compulsory settlement, compulsory liquidation, or removal from the court registry without liquidation launched against it, and that there is no valid reason that its current operations or any court or other procedures that the applicant is involved in could cause such procedures to be initiated;
- the statement that the applicant shall maintain its ownership structure, as stated in this application, until the issue of the decision from paragraph 6 of Article 45 of ZEKom-1, and that it shall not have changes in ownership in a way that would be in opposition to the requirements of this public tender;
- the statement that it shall adhere to the provisions of the tender documentation regarding information confidentiality as regards this public tender, and regarding the prohibition of collusion, and that it shall not act in such a way that could threaten the integrity of the public tender procedure, and that it agrees that the Agency may annul the

² In accordance of the provisions of paragraph one of Article 57 of the General Administrative Procedure Act (Official Gazette of the Republic of Slovenia no. 24/2006-UPB2, 105/2006-ZUS-1, 126/2007, 65/2008, 47/2009 Supreme Court ruling: U-I-54/06-32 (48/2009 rev.), 8/2010, 82/2013)

issued decisions on the assignment of radio frequencies, if it is found after the completion of the public tender procedure that the applicant acted in such a way, or in the event that such findings occur during the course of the public tender, the applicant shall not receive the returned payment for the tender bond, nor the advance of administrative costs, and the already paid deposits.

C.2.3 AUTHORIZATION FOR SIGNING THE APPLICATION (FORM I.3)

In the event the application is not signed by the applicant's legal representative, the application must have attached the authorization of the legal representative, with which it authorizes a certain natural person for signing the bid. The same holds if the applicant is a natural person.

In the event the applicant does not authorize anyone to sign the application, it must still attach this form to the application, with all the data input fields on the form struck through. The form must be initialized.

C.2.4 INFORMATION ON APPLICANT'S OWNERSHIP (NO FORM)

Each legal person applying must attach to the application the data on the value and structure of their equity, including the complete ownership structure of the applicant. This data must allow the Agency to ascertain who the owner of the applicant is, and in what scope different applicants might be connected through a common owner or interconnected through common shares.

An applicant must not be associated with any other applicant through ownership where one applicant holds a share that exceeds the controlling share for the other applicant. A controlling share is considered to be an ownership share in a given company which exceeds 25%.

If a share of the applicant is owned by a person who has the role of a trustee or a similar role for a third party, this must be stated in the application, and the information on the actual owner attached.

Besides these general provisions all the applicants must operate as independent subjects and abstain from any form of illegal collusion that might present an anticompetitive activity in connection with the subject of this public tender.

In case of consortiums, joint ventures, associations of companies or other types of joint cooperation, the application must also include the information on the relationships between the members, and detailed data on:

- consortium agreements,
- joint venture agreements,
- letters of intent,
- shareholder agreements, and
- other acts that detail cooperation.

All types of cooperation are treated as a legal entity and in the course of this public tender treated as "groups".

In the procedure of this public tender a group may only submit one application, which must also contain information on the ownership structure of all members of the group.

Until the issue of the decision from paragraph 6 of Article 45 of ZEKom-1, the obligation remains that applicants must maintain the same ownership structure as indicated in its application for the public tender, and must not until the issue of the decision from paragraph 6 of Article 45 of ZEKom-1 make any changes to its ownership structure which would constitute affiliation between

it and any other applicant or applicants in the public tender, as is defined in Article A.7.3.3 No Changes to the Ownership Structure During the Public Tender. In this case the applicant's ownership structure shall no longer match the structure indicated in its application or the requirements of this Article and Article A.7.3.3 No Changes to the Ownership Structure During the Public Tender, and such an application shall thereupon be excluded from further procedure.

In the event of plans for changes to the ownership structure during the course of the public tender which do not fit the aforementioned case the Agency along with the Slovenian Competition Protection Agency shall decide on the appropriateness of such a change based on the requirements of the public tender, which for the purposes of the public tender shall constitute long-term changes to the control of the company, as defined in Article 10 of the Prevention of Restriction of Competition Act (Official Gazette of the RS, no. 36/2008, 40/2009, 26/2011, 87/2011, 57/2012, 63/2013-ZS-K). Applicants must immediately inform the Agency about such plans for changes to the ownership structure. The applicant shall be issued a decision regarding the appropriateness of changes in ownership structure within 15 days of its informing the Agency.

In the event of a merger between an existing operator, as defined in Article A.6.2 Reservations, with an operator which fits the definition of a new entrant, the resulting operator shall be considered an existing operator for the purposes of this tender. Similarly for the purposes of this public tender, a group is to be considered an existing operator if one of its members fits the above definition of existing operator.

If the tender commission finds during the review of applications that two or more applicants which submitted separate applications, and not as a group, have a connection as described above, it shall notify all the affected applicants and request of them for an explanation which application should be deemed valid.

Should they not provide an explanation or select several different applications, all of the applications submitted by this group shall be excluded from the procedure. If a connection between two or more applicants is ascertained after the application review, all the applicants shall be excluded from further procedures. In this case they are reimbursed for the paid in amounts for tender bonds or the advance for administrative costs and any deposits paid.

C.2.5 FINANCIAL, ORGANIZATIONAL AND TECHNICAL PLANS REGARDING THE CONSTRUCTION AND ADMINISTRATION OF THE MOBILE COMMUNICATION NETWORK (BUSINESS PLAN) (no form)

The applicant must also submit a description of financial, organizational and technical plans, and their visions regarding the execution, use of technology, mobile network and service management in 5,000 characters or less.

C.2.6 THE APPOINTMENT OF THREE PERSONS WHO SHALL BE AUTHORIZED TO ISSUE BIDS DURING THE PUBLIC AUCTION (FORM I.4)

The applicant must fill out the form I.4, which is for the appointment of three persons who shall be authorized to issue bids during the public auction.

C.2.7 LIST OF THE FREQUENCY LOTS THE APPLICANT IS INTERESTED IN (INITIAL BID) (FORMS I.6.1, I.6.2, I.6.3);

The applicant must fill out the forms I.6.1, I.6.2 and I.6.3 in which it has to list the lots for which it wishes to obtain at reserve price for the default scenario, alternative scenario 1, and alternative scenario 2, as defined in chapter A.6.2 Reservations of this tender documentation, and which shall be followed depending on the demand for reserved spectrum.

For the avoidance of doubt, bidders who are entitled to bid for reserved spectrum may not include higher demand for reserved spectrum in their initial bids for alternative scenario 1 than in their initial bid for the default scenario.

The application is binding for the applicant, and must thus be completely in line with limitations (see chapter A.6 Frequency caps and reservations with all of its subsections of this tender documentation).

The applicant must fill out the forms I.6.1, I.6.2, and I.6.3 in full, even if it does not wish to submit a bid for individual lots in individual frequency bands and/or individual scenarios. In this case it must write the number zero (0) in the section of the form on the number of lots in the individual frequency band that they do not to submit a bid on, and sign, stamp and initial the form.

The applicant's legal representative or the person authorized for signing the application must fill out and sign the initial bid, whereby they must not delete and/or add anything, except where the document format requires them to do so. The same holds if the applicant is a natural person. This application represents the bidder's initial bid at the start of the public auction (see chapter F.2 Auction Rules of this tender documentation).

In accordance with paragraph 1 of Article 43 of ZEKom-1 all the applicants whose applications do not meet these requirements shall be excluded from further procedure. In the case of this public tender, the indication of lots that are the subject of this public tender may not be the subject of a supplement (Forms I.6.1, I.6.2, and I.6.3). An application that does not include the required forms or where these forms are not correctly filled in shall be excluded from further procedure.

C.2.8 STATEMENT OF PAYMENT OF THE TENDER BOND (FORM I.5);

The applicant must include the receipt for the payment of the tender bond in the amount of €300,000.00. Details regarding the payment are listed in form I.5.

If an applicant does not attach the required tender bond, as required in this tender documentation, their application shall be considered to be incomplete.

The Agency shall recognize the amounts from tender bonds by the applicants that shall become bidders after receiving a decision, as payment of advances for administrative costs in the same amount (see chapter A.7.2.2 Payment of Administrative Costs of this tender documentation).

The Agency shall return the tender bonds to the applicants which were not selected as bidders within 15 days after the decisions from paragraph 6 of Article 45 of ZEKom-1 are issued to winning bidders, in the event that they fulfill the requirements from Chapters A.7.3.1 Protection of Confidential Information, A.7.3.2 Prohibition of Collusive Behavior, and A.7.3.3 No Changes to the Ownership Structure During the Public Tender.

C.3 SEALING AND LABELING THE BID

The original and the copy of the application must be each enclosed in its own envelope marked "Original" or "Copy", respectively, with both envelopes enclosed in one envelope and marked: **"PONUDBA NA JAVNI RAZPIS Z JAVNO DRAŽBO ZA RADIOFREKVENČNE PASOVE 800 MHz, 900 MHz, 1800 MHz, 2100 MHz in 2600 MHz – NE ODPIRAJ"** ("Application for the public tender with a public auction for the 800 MHz, 900 MHz, 1800 MHz, 2100 MHz, and 2600 MHz radio frequency bands – Do not open"), and addressed to the Agency: Agencija za pošto in elektronske komunikacije Republike Slovenije, Stegne 7, SI-1000 Ljubljana. The applicant must also write their full address to the enclosing envelope for both. The envelope must be sealed or closed in such a way that it is possible to make sure at the public opening of applications that it has not been opened until then.

In accordance with the provisions of paragraph 4 of Article 41 of ZEKom-1 any applications that shall not be labeled correctly shall not be opened at the public opening (see chapter E.1 The Process of the Public Bid Opening).

C.4 DEADLINE FOR SUBMITTING APPLICATIONS

The applications must be delivered to the Agency's address by 17 February 2014 at 10 AM local time at the latest.

The applicants may submit their applications personally at the Agency's mailroom on the first floor at the address Stegne 7, Ljubljana any workday between 8:30 AM and 2 PM, or until 10 AM on the deadline date. Because this is an anonymous public tender, the applicant shall receive a code for their application upon submission, which it shall confirm with its signature. Each application shall be handled under that code at the public opening of applications. The application may be submitted by the legal representative of the applicant or a person authorized by the legal representative of the applicant, and in this case they must present their authorization and a personal ID. The same holds if the applicant is a natural person.

The Agency official in charge of accepting applications shall issue a receipt upon receiving a applications. Under the conditions of this public tender the applicant must treat their code as confidential. The applicant must take all the measures to ensure that the Agency receives the application until the deadline set, and they are responsible for any risks connected to transferring the application, including acts of force majeure.

C.5 LATE APPLICATION SUBMISSION

The Agency shall not accept any applications, amends to applications, or replaced applications received at the Agency's address after the deadline for submission stated in this tender documentation has passed, and shall return them to sender unopened.

C.6 CHANGES, AMENDMENTS, REPLACEMENTS OR WITHDRAWAL OF THE APPLICATION

Applicants may until the deadline for submitting the applications change, amend, replace or withdraw bids, if they notify the Agency of the change in writing and in the method detailed in Article C.4 Deadline for Submitting Bids. The applicant must present the code they received upon



submission of their application when changing, amending, replacing, or withdrawing their application.

The notification on the change or amendment must be clearly labeled on the envelope as follows: "PONUDBA NA JAVNI RAZPIS Z JAVNO DRAŽBO ZA RADIOFREKVENČNE PASOVE 800 MHz, 900MHz, 1800 MHz, 2100 MHz in 2600 MHz -sprememba /dopolnitev ponudbe" (Application for the public tender with a public auction for the radio frequency bands 800 MHz, 900 MHz, 1800 MHz, 2100 MHz, and 2600 MHz – change/amendment to the bid).

In the event the applicant replaces their application with a new application, they must at the same time withdraw their old application from the public tender. The withdrawal notice must be received by the Agency by the deadline for submissions, and it must be given in writing. The withdrawal notice must be clearly labeled on the envelope as follows: "**UMIK PONUDBE NA JAVNI RAZPIS Z JAVNO DRAŽBO ZA RADIOFREKVENČNE PASOVE 800 MHz, 900MHz, 1800 MHz, 2100 MHz in 2600 MHz**" (Withdrawal of the application for the public tender with a public auction for the radio frequency bands 800 MHz, 900 MHz, 1800 MHz, 2100 MHz, and 2600 MHz), and the applicant must deliver it to the Agency's address in the same way that is defined in Chapter C.4 Deadline for Submitting Applications for submitting the application.

The documentation that refers to the change, amendment, or replacement of the application must be prepared in accordance with chapter C.2 Documents of tender documentation, and addressed to the Agency.

The Agency shall return the withdrawn applications unopened to the applicants before the public bid opening.

D. ADDITIONAL INFORMATION REGARDING THE PUBLIC TENDER

D.1 COSTS FOR PREPARING AN APPLICATION

The applicant covers all costs in connection with preparing and submitting an application. Under no circumstance shall the Agency be responsible for any potential damage which might arise as a result of this, regardless of how the public tender and public auction procedures are carried out or of the final applicant selection.

D.2 LEGAL ORDER

The legal order of the Republic of Slovenia shall be used in resolving potential legal questions related to the holding of this public tender and public auction.

D.3 NOTIFICATIONS RELATED TO THE PUBLIC TENDER

If additional information which is not supplied in this tender documentation must be acquired for the preparation of a correct application, the applicant must obtain it at its own expense.

The Agency assumes no responsibility in connection with any information which might be spread by word of mouth, or in a way that is not in accordance with the requirements of this tender documentation.

D.4 CHANGES OR SUPPLEMENTS TO THE DECISION ON INITIATING A PUBLIC TENDER AND THE TENDER DOCUMENTATION

The Agency may alter the Decision on Initiating a Public Tender, and if so must, in line with the extent of the changes, also extend the deadline for submitting applications. All interested applicants must be equally and transparently informed about any changes. The Agency shall publish a potential new decision in the Official Gazette of the Republic of Slovenia at least 7 days before the deadline set for submitting applications (paragraph 6 of Article 38 of ZEKom-1), as well as on the Agency's website www.apek.si.

The Agency reserves the right to change or supplement the tender documentation. In the event, that the tender documentation is altered or supplemented, any change or supplement will be published on the Agency's website, by 10 February 2014 at the latest. In the event of a change or supplement to the tender documentation, the applicant must take such change or supplement into account in its entirety when preparing its application.

D.5 ANNULMENT OF THE PUBLIC TENDER

The Agency reserves the right at any point up to the issue of a DARF on the basis of this public tender to annul this public tender. A decision on the annulment of the public tender is published in the Official Gazette of the Republic of Slovenia.

E. OPENING AND REVIEWING APPLICATIONS

E.1 PROCEDURE OF PUBLICLY OPENING APPLICATIONS

The Agency shall publicly open applications which were properly marked and submitted on time on 17 February 2014 at 14:00 in the time zone at the Agency's headquarters in the Agency's conference room (Stegne 7, 1000 Ljubljana).

In accordance with provisions from paragraph 2 of Article 41 of ZEKom-1, this public tender is anonymous, so instead of the data on applicants' names, their codes shall be used in the public opening of applications. Bidders' codes shall be allocated by the Agency upon the submission of applications.

At the public opening of applications, all provisions from Chapter A.7.3.1 of this tender documentation, Protection of Confidential Information, shall apply. Those in attendance must record their presence on the list of those in attendance.

At the opening of applications the Agency shall, upon inspection, determine whether the applications meet the following criteria:

- it was submitted on time, in accordance with Chapter C.4 Deadline for Submitting Applications of this tender documentation;
- it is sealed and marked in accordance with Chapter C.3 of this tender documentation, Sealing and Labeling the Application
- it is properly bound in accordance with Chapter C.1.2, Binding;
- it has been prepared in accordance with Chapter C.2 Documents Comprising an Application (Formal Completeness) of this tender documentation, which it does by verifying the presence of the following documents:
 - General information on the applicant (Form I.1.1 or I.1.2);
 - Applicant's statements (Form I.2);
 - Authorization for signing the application (Form I.3);
 - Information on the applicant's ownership structure (no form);
 - Financial, organizational, and technical plans for deployment and operation of a mobile communications network (business plan) (no form);
 - Nomination of 3 people who shall be authorized to submit bids for the applicant during the public auction (Form I.4);
 - Statement of payment of the tender bond (Form I.5);
 - List of the frequency lots the applicant is interested in (Initial Bid) (Forms I.6.1, I.6.2, and I.6.3);
 - Statement on the submission of documents in accordance with the requirements of the tender documentation (Form I.7);

and in accordance with Chapter C.1.3 Signatures, check the signatures in all required places as well as initials on each page of the Application.

The public opening shall be recorded. The Agency shall keep minutes on the opening of applications according to the consecutive number of applications. Members of the tender commission in attendance all sign the minutes at the end of the public opening.

E.2 REVIEW OF APPLICATIONS

In the next phase the Agency verifies the completeness and accuracy of the applications' content. A proper application is one whose documents (from Chapter I. Forms of this Tender Documentation) have been filled out in their entirety in all the required fields and whose content conforms to the requirements of the law and the tender documentation. Inconsequential typos do not affect the accuracy of an application. However, applications shall be considered improper inasmuch as they significantly alter an applicant's rights and obligations under the tender documentation.

E.2.1 SUPPLEMENTS AND CLARIFICATIONS TO AN APPLICATION

The Agency shall within 5 days of the opening of applications invite applicants which submitted incomplete applications to supplement them. The deadline for supplementing shall thereupon be no less than 8 and no more than 15 days.

The content in parts of an application which are subject to evaluation in accordance with the provisions from paragraph 1 of Article 42 of ZEKom-1 may not be the subject of supplement. Incomplete applications which are not supplemented by the applicant within the required deadline are rejected.

In the case of this public tender, the indication of lots of the subject of this public tender may not be the subject of a supplement (Forms I.6.1, I.6.2, I.6.3). An application which does not contain the indicated forms or which in relation thereto are improper shall be excluded from the procedure.

The Agency may request from individual applicants a clarification of their application, but in doing so may not request, allow, or suggest any change or supplement to the content of the application. Applicants must send clarifications within the deadline and use the method the Agency determines.

The tender commission shall draft a report in which it shall be indicated whether an individual applicant has met the conditions for participation in this public tender.

E.3 ISSUE OF THE DECISION ON THE SELECTION OF BIDDERS

On the basis of a report from the tender commission, the Agency shall issue each individual applicant which meets all the conditions of this public tender a decision on the selection of a bidder, indicating therein the time, place, and manner of holding the public auction.

Each individual applicant which does not meet one or more of the conditions for the public tender shall receive a decision that it was not selected as a bidder, with an explanation thereto. Applicants which are not selected as bidders shall still be subject to the provisions of confidentiality, until the issue of the written decision from paragraph 6 of Article 45 of ZEKom-1, which shall be issued to successful bidders at the end of the auction.

The Agency shall inform each applicant as to its decision on the fulfillment of conditions of the public tender individually, but shall not reveal to them the identity of other selected bidders or the identity of the applicants which were not selected as bidders, nor shall it reveal to the public the number or identity of applicants or bidders.

The Agency shall also publish the time and place for holding the public auction on its website and in the Official Gazette of the Republic of Slovenia.

F. PROCEDURE OF THE PUBLIC AUCTION

F.1 THE LOWEST AMOUNT OF PAYMENT FOR THE EFFICIENT USE OF A LIMITED NATURAL RESOURCE (STARTING PRICE) AND THE METHOD OF PAYMENT

The Agency determined the lowest amount of payment for individual lots in each category of lots with the approval of the Government of the Republic of Slovenia, which were published in its decision no. 38100-9/2013/3 of 27 December 2013. With the above decision the Government of the Republic of Slovenia confirmed the lowest amount of payment for the efficient use of a limited natural resource as well as the method of payment. Considering the aforementioned, the lowest amount of payment for the efficient use of a limited natural resource (starting price) per lot for each category of lots amounts to the sums indicated in the following table:

Reserve prices in EUR for each lot:

Frequency band	Lot name	Lot size	No. of lots	Time period of assignment of radio frequencies	Reserve price for the lot
800 MHz	A1	2 x 5 MHz	2 (or 3 if there is no demand for A3)	15 years	5,400,000
	A2	2 x 10 MHz	1	15 years	1,000,000
	A2	2 x 15 MHz	1	15 years	6,300,000
	A3 (reserved for eligible bidders)	2 x 5 MHz	Up to 2	15 years	5,400,000
900 MHz	B	2 x 5 MHz	7	15 years (starting 3 January 2016)*	4,700,000
1800 MHz	C	2 x 5 MHz	15	15 years (starting 3 January 2016)*	2,400,000
2100 MHz	D	2 x 5 MHz	1	until 21 September 2021	1,800,000
	T1	5 MHz	1	until 21 September 2021	10,000
	T2	5 MHz	3	until 21 September 2021	10,000
2600 MHz	E	2 x 5 MHz	14	15 years	800,000
	F	5 MHz	9	15 years	10,000

*DARFs in the 900 MHz and 1800 MHz bands, which are to be assigned on the basis of the public tender, come into effect on 4 January 2016.

In accordance with the cited Decision of the Government of the Republic of Slovenia, applicants which are assigned DARFs by the Agency for frequencies which are the subject of this public tender must pay the final amount for the efficient use of a limited natural resource in a lump sum within 15 days of the receipt of the written decision from paragraph 6 of Article 45 of ZEKom-1.

Bidders which are successful in the public auction shall be issued the aforementioned written decisions, in which the frequency blocks they received within the scope of the public auction, the location of these blocks within individual frequency bands, the amount of payment for the efficient use of a limited natural resource, and potential additional payment for covering the difference between the amount of payment for the efficient use of a limited natural resource and the paid deposit that the bidder was required to provide before the auction shall be indicated.

F.2 AUCTION RULES

F.2.1 General

F.2.1.1 Available lots

- In total there are up to 55 lots available in the auction, grouped into ten lot categories. Table F 1: Lots available for award provides an overview of these categories, showing:
 - the number of lots available in each category;
 - the names of the lots included in each category;
 - their respective spectrum endowments; and
 - the associated frequency range for the lots included in each category.

Lot category	Number of lots	Lots included	Spectrum endowment per lot	Frequency range
A1	2 (or 3 if no demand for A3)	A1_01, A1_02 (A1_03)	2 x 5 MHz	Frequency-generic in 791-821/832-862 MHz (FDD)
A2(special coverage obligation)	1	A2	2 x 10 MHz (2 x 15 MHz if demand for A3 less than 2)	Frequency-generic in 791-821/832-862 MHz (FDD)
A3 (reserved for eligible bidders)	Up to 2	A3_01, A3_02	2 x 5 MHz	Frequency-generic in 791-821/832-862 MHz (FDD)
B	7	B_01 to B_07	2 x 5 MHz	Frequency-generic in 880-915/925-960 MHz (FDD)
C	15	C_01 to C_15	2 x 5 MHz	Frequency-generic in 1710-1785/1805-1880 MHz (FDD)
D	1	D	2 x 5 MHz	1955-1960/2145-2150 MHz (FDD)
T1	1	T1	5 MHz	1905-1910 MHz (TDD)
T2	3	T2_01, T2_02,	5 MHz	Frequency-generic in 2010-2025 MHz

		T2_03		(TDD)
E	14	E_01 to E_14	2 x 5 MHz	Frequency-generic in 2500-2570/2620-2690 MHz (FDD)
F	9	F_01 to F_09	5 MHz	Frequency-generic in 2570-2615 MHz (TDD)

Table F-1: Lots available for award

2. Table F 2: Reserve prices and eligibility points provides an overview of the reserve prices and eligibility points per lot for each lot category.

Lot category	Spectrum endowment per lot	Reserve price per lot in EUR	Eligibility points per lot
A1	2 x 5 MHz	5.400.000	6
A2	2 x 10 MHz	1.000.000	12
	2 x 15 MHz	6.300.000	18
A3	2 x 5 MHz	5.400.000	6
B	2 x 5 MHz	4.700.000	6
C	2 x 5 MHz	2.400.000	3
D	2 x 5 MHz	1.800.000	3
T1	5 MHz	10.000	1
T2	5 MHz	10.000	1
E	2 x 5 MHz	800.000	2
F	5 MHz	10.000	1

Table F 2: Reserve prices and eligibility points

- Lots in categories A1, A2, A3, B, C, T2, E and F will be auctioned initially on a frequency-generic basis, i.e. initial bids and any bids made in the primary rounds or supplementary round (see Section F.2.1.3 Overview of the process) will be made for blocks of spectrum that do not have any specific frequencies assigned to them. The specific frequency assignments are then decided in a separate assignment stage (see Section F.2.1.3 Overview of the process) to ensure that all frequency assignments to a particular winner are contiguous within each frequency band.
- Categories D and T1 contain a single lot with a specific frequency assignment each, and therefore these lots are not included in the assignment stage.
- The lot in category A2 will be subject to a special coverage obligation, as specified in Section 2.2.5 Special Coverage Obligations in the 800 MHz Band of Decision on Initiating a Public Tender with a Public Auction and from Section A.7.3.6 Special Coverage Obligations in the 800 MHz Band.

6. The lots in category A3 will be reserved for eligible bidders pursuant to the provisions set out in Section 1.3.2 Reservations of Decision on Initiating a Public Tender with a Public Auction and from Section A.6.2 Reservations and only such bidders will be allowed to bid for these lots.
7. The reserved spectrum will be available as two 2 x 5 MHz frequency-generic lots in category A3 as set out in Table F 1: Lots available for award, unless:
 - there is total demand for exactly one category A3 lot in the initial bids of bidders qualified to bid for the reserved spectrum, in which case category A3 will contain a single 2 x 5 MHz lot and the bandwidth of the lot in category A2 will be increased to 2 x 15 MHz; or
 - there is no demand for the category A3 lots in the initial bids, in which case there will be no reserved spectrum, the bandwidth of the lot in category A2 will be increased to 2 x 15 MHz and the number of lots in category A1 will be increased from two to three.
8. This implies that there are three potential supply scenarios that differ with regard to the number of available lots in the 800MHz band:
 - The Default Scenario, with two 2x5MHz lots in category A1, a single 2x10MHz lot in category A2, and two 2x5MHz lots in category A3;
 - Alternative Scenario 1, with two 2x5MHz lots in category A1, a single 2x15MHz lot in category A2, and a single 2x5MHz lot in category A3; and
 - Alternative Scenario 2, with three 2x5MHz lots in category A1, a single 2x15MHz lot in category A2, and category A3 withdrawn from the auction.
9. In order to determine which of these supply scenarios prevails, APEK will first evaluate the initial bids of all bidders who are eligible to bid for reserved spectrum. If aggregate demand for A3 lots from those bidders is two or more lots, the Default Scenario will apply. If aggregate demand for A3 lots is one lot, then Alternative Scenario 1 will apply. If there is no demand for A3 lots, then Alternative Scenario 2 will apply.

F.2.1.2 Bidding restrictions

F.2.1.2.1 Reserved spectrum

10. Up to 2 x 10 MHz of spectrum in the 800 MHz band will be reserved for bidders who meet the criteria set out in Section 1.3.2 Reservations of Decision on Initiating a Public Tender with a Public Auction and from Section A.6.2 Reservations, provided that such bidders have indicated demand for reserved spectrum in their initial bids.
11. Only bidders deemed eligible to bid for reserved spectrum who have indicated demand for the reserved spectrum in their initial bid will be able to bid for lots in category A3 during the auction.
12. Bidders who are eligible to bid for reserved spectrum cannot bid for a package containing lots in categories A1 and/or A2 during the primary rounds if the price of the package exceeds the price of any alternative package where some or all of the A1 and/or A2 lots are replaced with a combination of A1 and A3 lots and which:
 - has the same total bandwidth in the 800MHz band as the original package;
 - contains strictly more A3 lots than the original package; and
 - contains the same number of lots in all the remaining categories as the original package
13. For example, a bidder eligible to bid for reserved spectrum may only submit a bid in the primary rounds for a package containing one A1 lot and the A2 lot in the Default scenario if the price of one A1 lot plus the price of the A2 lot does not exceed:
 - the price of two A1 lots plus the price of one A3 lot;

- the price of one A1 lot plus the price of two A3 lots; and
 - the price of the A2 lot plus the price of one A3 lot.
14. Bidders who are eligible to bid for reserved spectrum may only make a supplementary bid for a package that contains lots in categories A1 and/or A2 but not all lots available in category A3 if they also make supplementary bids, with the same or a higher bid amount for every alternative package where some or all of the lots in A1 and/or A2 are replaced with a combination of A1 and A3 lots, and which:
- has the same total bandwidth in the 800MHz band as the original package;
 - contains strictly more A3 lots than the original package; and
 - contains the same number of lots in all the remaining categories as the original package.
15. For example, a bidder eligible to bid for reserved spectrum who wishes to submit a supplementary bid of X Euro for a package consisting of one A1 lot, the A2 lot and four E lots in the Default scenario would be required also to submit the following bids:
- a bid of $Y \geq X$ Euro for the package consisting of the A2 lot, one A3 lot and four E lots;
 - a bid of $Z \geq X$ Euro for the package consisting of two A1 lots, one A3 lot and four E lots; and
 - a bid of $W \geq Z$ Euro for the package consisting of one A1 lot, two A3 lots and four E lots.

F.2.1.2.2 Spectrum caps

16. Initial bids specified in bidders' frequency allocation applications (see Section C.2.7 List of all the radio frequency lots for which the applicant is interested (the initial bid) (Forms I.6.1, I.6.2 and I.6.3) and bids made in the primary rounds or supplementary round are subject to the following spectrum caps:
- 2 x 15 MHz in category B (900 MHz);
 - a total of 2 x 30 MHz across lot categories A1, A2, A3 and B (800 MHz and 900 MHz);
 - 2 x 30 MHz in category C (1800 MHz); and
 - 2 x 105 MHz of the total FDD spectrum available (categories A1, A2, A3, B, C, D and E) including existing holdings of 2100 MHz FDD spectrum.

F.2.1.2.3 Minimum demand for F lots

17. If bidding for lots in category F (2600 MHz TDD), a bidder must include a minimum of two lots in that category in the package bid for. That is, a bidder must include either zero or at least two category F lots in any package bid.
18. The special treatment of lots in category F reflects the requirement that if a bidder wins n lots in category F, then only n-1 of these lots are available for use under standard terms, with one lot having more restricted usage conditions (See Section H: Technical requirements for providing services, Frequency band 2600 MHz).

F.2.1.3 Overview of the process

19. The public auction proceeds through the following steps:
- The principal stage: this determines the number of lots awarded to each bidder in each lot category, and the base prices that winning bidders will have to pay for their lots. The principal stage may require a bidding process, consisting of:
 1. a number of primary rounds; followed by
 2. a single supplementary round.

- The assignment stage: this determines the specific frequencies that will be assigned to winners of frequency-generic lots and any additional prices they will have to pay. APEK will identify the feasible options for assigning specific frequencies to the winners of spectrum in categories A1, A2, A3, B, C, T2, E and F. The assignment stage may require a bidding process consisting of a single bidding round if there are multiple assignment options for any band.
20. All bids submitted during the primary rounds, supplementary round or assignment round are submitted using the Electronic Auction System (EAS) made available by APEK. Each bidder will be supplied with information about how to access and use the system, and will have the opportunity to take part in a bidder training session. Bidders will also be supplied with passwords and digital certificates to access the system.
 21. Prior to any bidding process, APEK will give bidders the opportunity to participate in a mock auction that will allow them to familiarise themselves with the EAS and test their own systems and procedures. APEK will notify bidders of the dates of the mock auction and the commencement of the auction in advance.

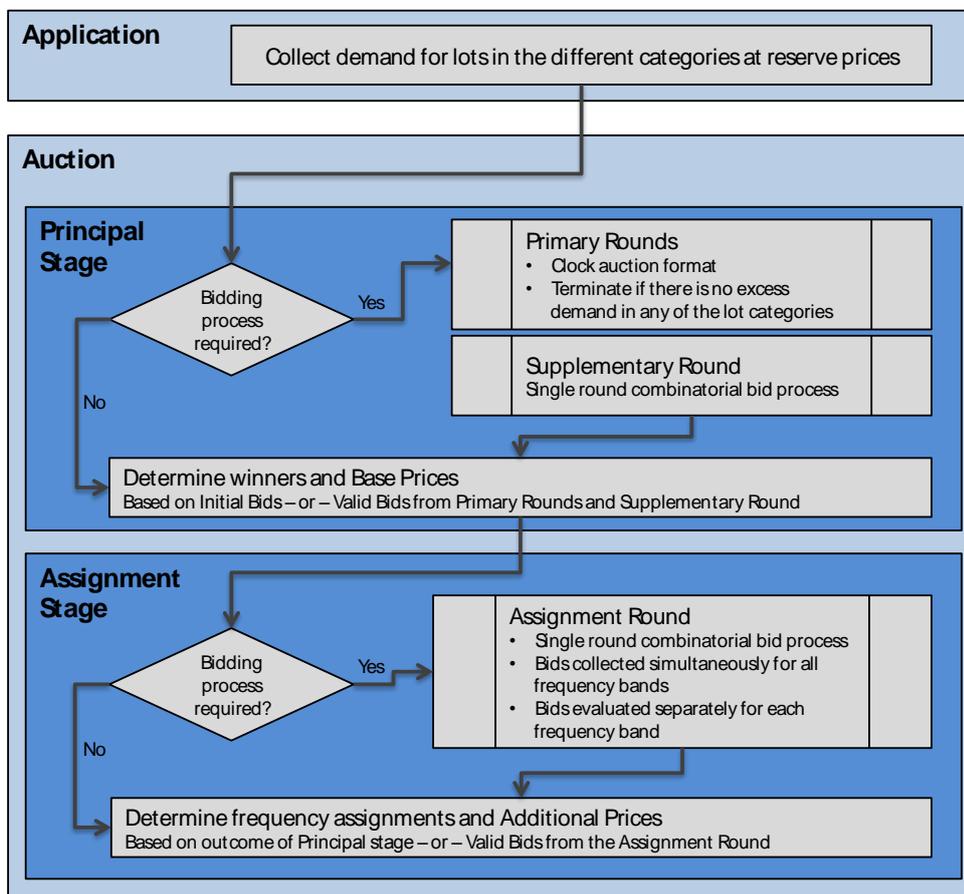


Figure F 1: Overview of the process

F.2.1.4 Deposit

22. Before the commencement of the auction, bidders will have to transfer their initial deposit to the value of 100% of their highest initial bid across all three supply scenarios as set out in Section 3.2.1: Deposit requirements from the Decision on Initiating a Public Tender with a Public Auction and Section A.7.2.1: Deposit requirements, and in accordance with all forms I.6.1, I.6.2 and I.6.3 from Frequency allocation application (THE INITIAL BID) .

23. If after the completion of any primary round the deposit provided by a bidder covers less than 50% of its bid, the bidder will have to increase its deposit so that it is no less than 70% of its bid. APEK will notify bidders if they are required to increase their deposit. For the avoidance of doubt, bidders are free to increase their deposit above the required amount in order to reduce the need of further deposit increases as the auction progresses. Bidders are also free to increase their deposit at any point during the auction process – and in particular well in advance of any required increase - notifying APEK of any deposit increase they have effected and providing appropriate proof of payment.
24. If APEK requests an increase of a bidder's deposit it will notify the bidder of the deadline by which the additional amount corresponding to the increase of deposit has to be provided. Such notice will be provided no longer than 24 hours and no less than 6 hours prior to the expiry of the deadline. Bidding will be suspended until this deadline has expired.
25. A bidder who fails to increase its deposit as required will be excluded from further bidding in the primary bid rounds. However, all bids made by the bidder up to that point that are not higher than 50% of the deposit provided will remain valid, and the bidder will be able to submit supplementary bids in line with the deposit requirements set out in Rule 26 and the rules governing the validity of supplementary bids (see Section F.2.3.4).
26. In the supplementary round, the deposit provided by a bidder must cover at least 50% of the highest supplementary bid made by that bidder. APEK will notify bidders if their deposit falls short of this requirement, and the deadline by which the bidder has to increase its deposit. Such notice will be provided no longer than 24 hours and no less than 6 hours prior to the expiry of the deadline. The determination of winners and prices for the principal stage will be suspended until this deadline has expired.
27. If the bidder fails to increase its deposit by the deadline set by APEK, all of its supplementary bids will be discarded. However, any primary bids made during the primary rounds will remain valid and will be considered in the determination of winners.

F.2.1.5 Collusion

28. See Section 2.2.2: Prohibition of collusive behavior from the Decision on Initiating a Public Tender with a Public Auction and A.7.3.2: Prohibition of collusive behavior.

F.2.1.6 Breach of auction rules

29. APEK may exclude a bidder who is in breach of the auction rules. A bidder excluded will forfeit its deposit and all bids made by the bidder will be cancelled.

F.2.1.7 Communication with APEK

30. The Electronic Auction System (EAS) provides a one-way messaging system, which will be used as the primary method for APEK to send messages to bidders during the auction.
31. Bidders may contact APEK by telephone, fax or email, only in case of technical problems. Further information will be made available to bidders in advance of the auction.

F.2.1.8 Exceptional circumstances

32. In the case of exceptional circumstances during any stage of the auction, APEK has the discretion to:
 - postpone the end of a round in progress or the release of results of a round;
 - postpone the scheduling of further rounds;

- cancel a round that is either underway or for which round results have not yet been released, and re-schedule the round;
 - void one or more rounds and the bids made therein, and resume the auction from an earlier round;
 - void all bids received in the auction, and either suspend the auction or start the auction again; and/or
 - end the primary rounds early (i.e. while there is still excess demand in at least one lot category), and proceed directly to the supplementary round.
33. APEK determines whether a situation of exceptional circumstances has arisen. Exceptional circumstances could include, for example, widespread technical failure or concern about possible collusion amongst bidders.

F.2.2 The principal stage

34. The purpose of the principal stage is to determine the number of lots in each of the lot categories that will be awarded to bidders.
35. The principal stage begins with the evaluation of initial bids. A further bidding process in the principal stage is required if, for one or more of the lot categories, the total demand expressed in bidder's initial bids for lots in the respective category exceeds the number of lots available in that category for the applicable supply scenario; otherwise the auction proceeds to the assignment stage. The further bidding process in the principal stage consists of one or more primary rounds (following a clock auction format) and a single (sealed bid) supplementary round.
36. For the avoidance of doubt, if a further bidding process in the principal stage is required, bidders may, within the scope of these rules and subject to the bidding constraints set out in Section F.2.1.2, bid for any lot in any category, regardless of whether the lot was included in their initial bid.

F.2.2.1 Evaluation of initial bids

37. Details of the application process and necessary documentation are set out in Section C: The preparation of the tender application and Forms: I.6.1, I.6.2 in I.6.3 FREQUENCY ALLOCATION APPLICATION (THE INITIAL BID) of the Tender Documentation.
38. As part of its application, each bidder has submitted an initial bid for each supply scenario, which specifies the number of lots in each category that the bidder is willing to buy at the respective reserve prices in that supply scenario. Bidders who are eligible to bid for reserved spectrum must not specify a greater number of A3 lots in their Initial Bid for Alternative Scenario 1 than in their Initial Bid for the Default Scenario.
39. The total demand for lots in each lot category expressed in the bidders' initial bids is the sum of lots in that lot category specified in the initial bids for the applicable supply scenario across all bidders who are taking part in the public auction (i.e. bidders who have complied with the deposit requirements set out in Section F.2.1.4: Deposit).
40. APEK will assess the total demand for lots in lot category A3 (determined by the initial bids from bidders qualified to bid for reserved spectrum) to establish the applicable supply scenario:
- if the total demand for A3 lots in the Initial Bids for the Default Scenario is two or more, then the applicable supply scenario will be the Default Scenario;
 - otherwise, if the total demand for A3 lots in Initial Bids for the Alternative Scenario 1 is one, then the applicable supply scenario will be Alternative Scenario 1 (where the

- bandwidth of the A2 lot is increased to 2x15MHz, and the number of A3 lots available reduced to one);
- otherwise, if there is no demand for A3 lots at all, then the applicable supply scenario will be Alternative Scenario 2 (where the bandwidth of the A2 lot is increased to 2x15MHz, the number of lots in category A1 increased from two to three, and category A3 is eliminated from the process).
41. Once APEK has established the applicable supply scenario, APEK will establish whether a further bidding process is required for the principal stage:
 - If in each and every lot category total demand for that lot category is not greater than the number of lots available in the lot category given the applicable supply scenario, then no further bidding will be required in the principal stage. In this case, all bidders win the amount of spectrum demanded in their initial bid (for the applicable supply scenario), and the base price to be paid by each winning bidder will be the sum of the reserve prices for the lots included in its initial bid (for the applicable supply scenario). The auction will then proceed immediately to the assignment stage (see Section F.2.3: The assignment stage).
 - If for one or more of the lot categories the total demand for that lot category exceeds the number of lots available in the lot category, then a further bidding process in the principal stage is required, in order to determine the allocation of lots amongst bidders.
 42. If a further bidding process is required, all lot categories (with their respective lots) will be allocated on the basis of all bids submitted in the principal stage, regardless of whether there was excess demand for the respective category at the application stage.
 43. If a further bidding process is required, APEK determines the initial eligibility of a bidder on the basis of the bidder's initial bid for the applicable supply scenario, as the sum of:
 - the eligibility points associated with all lots included in the bidder's initial bid, except for lots in category F; and
 - if the bidder's initial bid includes $n > 1$ lots in category F, the eligibility points associated with $n-1$ lots in category F.
 44. After the evaluation of initial bids, APEK will inform each bidder about the applicable supply scenario, whether a further bidding process in the principal stage is needed and:
 - if a further bidding process in the principal stage is needed, the timing of the first primary round and the bidder's initial eligibility; or
 - if a further bidding process is not needed and a bidding process for the assignment stage is required, the timing for the assignment stage bidding round.

F.2.2.2 Primary rounds

45. The primary rounds follow a clock auction format. Bidding proceeds in discrete rounds, with all bidders invited to submit bids within the same fixed time window (subject to the provisions for extensions, described further below).
46. Before the start of each primary round, APEK will announce a price per lot for each lot category for that round (the 'clock prices').
47. In any given primary round, each bidder can submit at most one primary bid for a single package of lots, where the bidder specifies the number of lots it wishes to acquire in each category and the bid amount is determined automatically by the sum total of the prevailing clock prices of the lots included in the bid.
48. Each bid is for the package of lots specified by the bidder, i.e. it will be considered in its entirety and will not be subdivided.

F.2.2.2.1 Scheduling of primary rounds

49. Primary rounds are scheduled at APEK's discretion. There is no minimum or maximum length for a primary round set in advance. However, APEK does not anticipate running individual primary rounds shorter than 15 minutes or longer than two hours. Subject to the constraints implied by Rule 52, the time between primary rounds is discretionary and may be varied by APEK without notification.
50. All primary rounds will be scheduled to start between 08.30 and 18.00 hours on Slovenian business days.
51. There is no upper bound on the number of primary rounds per day, although APEK does not anticipate running more than eight primary rounds in a single day.
52. Bidders will be notified of the start time for a primary round at least 15 minutes before the scheduled round start.
53. Along with the start time for the next primary round, each bidder will receive the following information through the bidder interface of the EAS:
 - the duration of the primary round;
 - the bidder's eligibility to bid in the primary round (expressed as a number of eligibility points);
 - the bidder's remaining number of extension rights; and
 - the clock price for each lot category in the round.
54. APEK may, at its discretion, publish details of its anticipated primary round schedule for the following day in advance. However, such a published primary round schedule is provisional and for information purposes only. APEK shall not be bound by the provisional primary round schedule, and will retain the right to schedule primary rounds at its discretion, subject to the constraints implied by Rule 52.

F.2.2.2.2 Bid submission during a primary round

55. When a primary round is in progress, bidders may submit a single bid for a package of lots using the EAS. A bid specifies the number of lots in each lot category that a bidder wishes to acquire at the prevailing clock prices. Subject to the constraints arising from the application of the bidding restrictions set out in Section F.2.1.2 Bidding restrictions and Rule 72, a package may include any combination of lots.
56. The interface of the EAS will provide a bid form with the relevant details for each lot category, and which will allow the bidder to specify the package of lots on which it wishes to bid at the prevailing clock prices.
57. Primary bid submissions are made in the following way:
 - First, the bidder must specify the number lots in each category it wishes to bid for at current clock prices using the drop down boxes provided on the bid form presented by the EAS.
 - Second, the bidder must send the bid to the auction server so that it can be checked for validity against the auction rules.
 - If the bid is not compliant with the auction rules, the bidder will be redirected to the bid form so that it can modify the bid. Otherwise the EAS will present the bidder with a summary statement of the bid and allow the bidder to confirm the bid or, alternatively, return to the bid form to revise its bid.
 - The bidder will need to confirm this bid summary in order to complete the bid submission. Only confirmed bids will be registered by the EAS and considered to have been made.
58. Once the bidder has confirmed a bid in a primary round, the bidder will not be able to revise or withdraw this bid, or submit any further bids in the round.

59. A bidder is deemed not to have submitted a bid until such time as confirmation of a valid bid is received by the EAS. Receipt of such confirmation will be communicated to the bidder through the EAS. It is the responsibility of the bidder to check receipt of the bid confirmation by the EAS, and to alert APEK if problems are suspected to have prevented successful confirmation of the bid.
60. In the first primary round, each bidder must submit a bid for a package containing at least one lot. In subsequent rounds, bidders have the option to submit a 'zero bid', i.e. to bid for an empty package containing no lots. In the case that a bidder submits a zero bid, the bidder's eligibility for subsequent primary rounds will be set to zero, and the bidder will no longer be able to participate in the primary rounds.
61. If a bidder fails to submit a bid within the round or before the end of an extension period granted to that bidder (see Rule 81), the EAS would automatically enter a zero bid on the bidder's behalf.

F.2.2.2.3 Clock Prices

62. For each primary round, APEK will specify a clock price per lot for each lot category.
63. In the first primary round, the clock price for each lot category will be set equal to the reserve price for that category. In subsequent primary rounds, the clock price for a particular category will be increased if in the previous round demand for lots in that category has exceeded supply.
64. Excess demand in a category exists where the number of lots in that category across all valid bids submitted in the round is greater than the number of lots available in that category.
65. For categories where there is no excess demand, the clock price will remain unchanged.
66. For the avoidance of doubt, it is not possible for the clock price for any category to fall during the primary rounds.
67. For each lot category, the amount by which the clock price is increased in the case of excess demand is set at APEK's discretion, and may vary across categories and across primary rounds. APEK expects that the clock price for a category with excess demand will not increase by less than 2% or more than 20% from one primary round to the next, but may, at the discretion of APEK, be set outside this range. Clock price increments will not be lower than 1% of the reserve price per lot or greater than 50% of the clock price per lot in the previous primary round for the respective category.
68. Clock prices will be in units of EUR 1,000.

F.2.2.2.4 Activity rules

69. Each lot available in the auction is assigned a number of eligibility points, as set out in Table F 2: Reserve prices and eligibility points, Rule 2.
70. A bidder starts each primary round with a number of eligibility points; this is the bidder's eligibility for the round.
71. The activity associated with a bid is the sum of:
 - the eligibility points associated with all lots included in the package, except for lots in category F; and
 - if the package includes $n > 1$ lots in category F, the eligibility points associated with $n-1$ lots in category F.
72. In each primary round, a bidder may only submit a bid with an activity level that does not exceed the bidder's current eligibility, and that complies with the bidding restrictions set out in Section F.2.1.2: Bidding restrictions.
73. The eligibility of a bidder for the first primary round (the bidder's initial eligibility) is calculated in accordance with Rule 43. For each subsequent primary round, a bidder's eligibility is equal



to its activity in the previous primary round. This means that a bidder's eligibility can stay the same or fall over successive primary rounds, but can never increase.

74. The EAS will not allow bidders to submit a bid with activity that exceeds the bidder's current eligibility or which is in violation of the bidding restrictions set out in Section F.2.1.2: Bidding restrictions. If a bidder submits an invalid bid for checking, the EAS will require the bidder to return to the bid form to revise the bid.
75. The EAS will also warn a bidder if its bid would result in a reduction of eligibility for the next round. In this case, bidders will be able to return to the bid form to revise their bid.
76. As the primary rounds progress, bidders may switch their activity between categories of lots. Therefore, it is possible that a bidder's activity in one or more categories may increase, provided that the bidder's activity in other categories is sufficiently reduced.

F.2.2.2.5 Validity of primary bids

77. Valid bids in the primary rounds must satisfy the following:
 - the bid must satisfy the activity rules, and thus the total activity of the bidder cannot exceed the eligibility of the bidder in the round;
 - the bidder would be able to acquire all lots included in the bid without breaching the spectrum caps;
 - the bidder is eligible (in accordance with Rule 6) to bid for all lots included in the bid; and
 - the package bid for includes either zero or at least two lots in category F.
78. The EAS is designed to block submission of invalid bids.
79. Each bid submitted in accordance with the auction rules is considered to be a valid bid. A valid bid represents a binding commitment to buy the specified package of lots at the specified bid amount.
80. A bid remains valid until it is replaced by a higher bid for the same package by the same bidder in a subsequent primary round or the supplementary round, or it is voided by APEK pursuant to Rule 29.

F.2.2.2.6 Extension rights in the primary rounds

81. An extension right allows a bidder additional time in which to submit a bid during a primary round. In the event that a bidder with non-zero eligibility and one or more remaining extension rights fails to submit a bid during a primary round, the round will automatically be extended for that bidder, and one of its remaining extension rights deducted. The EAS will automatically extend the time within which that bidder can submit a bid by 30 minutes from the scheduled end of the round.
82. The extension period ends 30 minutes after the scheduled end of the round, or once all bidders who are using extensions have successfully submitted their bids, whichever is the earlier.
83. Bidders who have already submitted a bid during the round cannot take any further action during the extension period; they will be informed that the round has been extended and should wait for the announcement that the extension period has ended.
84. Bidders who have not submitted a bid during the primary round and have no remaining extension rights will not be able to enter a bid during the extension period, and a zero bid will be entered automatically on their behalf.
85. Each bidder starts the primary rounds with two extension rights for the primary rounds.
86. Additional extension rights for the primary rounds may be granted either to all bidders or to individual bidders at the absolute discretion of APEK. APEK does not expect to grant additional extension rights unless it has good reason to believe that one or more bidders

faced technical problems that precluded them from submitting a bid within the round schedule, and that this may adversely affect the outcome of the auction. Even where bidders have experienced technical problems, APEK will not grant additional extension rights unless it deems this to be absolutely necessary. Additional extension rights can only be granted in the periods between primary rounds. They cannot be granted during a primary round.

87. A bidder may notify APEK that it is unable to submit a bid during a primary round and is likely to require an extension period; notification is not mandatory but would assist administration of the process.

F.2.2.2.7 Information available during the primary rounds

88. Before the start of the first primary round, each bidder will be informed of its own initial eligibility. This information will not be provided to other bidders.
89. At the end of each primary round, each bidder will be informed of:
 - the clock prices in the round just ended;
 - the aggregate demand for each lot category;
 - its own bid during the round;
 - its eligibility for the next primary round; and
 - the number of extension rights it has remaining for the primary rounds.
90. No information will be released about the bids submitted by other bidders during the primary rounds.
91. The EAS includes the functionality to view and download information on clock prices, aggregate demand and the bidder's own demand in previous primary rounds.

F.2.2.2.8 End of the primary rounds

92. The primary rounds end after a round in which there has been no excess demand for lots in any of the categories. At this point, APEK will announce that the primary rounds have finished and that the auction will progress to the supplementary round.
93. In addition, following the close of a primary round, APEK may announce that it is ending the primary rounds early (i.e. while demand is still above supply in one or more of the categories). In this case, the auction will proceed directly to the supplementary round, and there will be no further primary rounds.
94. APEK will only terminate the primary rounds early if it believes that proceeding directly to the supplementary round at this time is in the general interest of running an efficient award process.

F.2.2.3 The supplementary round

95. The supplementary round consists of a single round of bidding in which bidders may submit a number of bids for packages of lots across all lot categories, subject to the restrictions set out below.
96. The supplementary round provides an opportunity for bidders to:
 - submit bids for packages for which they are willing and eligible to bid, but on which they did not bid in the primary rounds; and
 - increase their bids for packages that they bid for in the primary rounds.
97. Unlike in the primary rounds, bid amounts are discretionary and can be freely chosen by the bidder, subject to a minimum and in some cases a maximum as determined pursuant to Rules 112-114.

98. All valid bids received in the primary rounds and the valid bids from the supplementary round are then considered together to determine the winners of the principal stage, and the base prices to be paid by winning bidders.

F.2.2.3.1 Schedule for the supplementary round

99. The start time and duration of the supplementary round will be announced by APEK after the completion of the primary rounds.

100. There will be at least three clear business days between the last primary round and the start of the supplementary round.

101. APEK has discretion over the time and duration of the round. However, APEK anticipates that the round will take place between 08.30 and 18.00 hours on a single business day, and last for at least 4 hours and no more than 6 hours.

102. A single extension right will be available to all bidders in the supplementary round. The extension period will not be longer than 30 minutes.

F.2.2.3.2 Bid submission in the supplementary round

103. When the supplementary round is in progress, bidders may submit supplementary bids for multiple packages using the EAS. Each individual supplementary bid specifies a package of lots (the number of lots in each lot category that a bidder wishes to acquire) and a bid amount for that package.

104. Subject to the constraints arising from the application of the bidding restrictions set out in Section F.2.1.2 Bidding restrictions and provided that the activity associated with the bid is not higher than the bidder's initial eligibility, a package may include any combination of lots.

105. The interface of the EAS will provide a supplementary bids form that allows the bidder to:

- generate and amend a list of packages on which the bidder wants to submit supplementary bids (subject to the requirement that packages bid for in the primary rounds must all be included in the list); and
- specify the bid amount for each of the packages on the list.

106. The amount of each supplementary bid is discretionary, subject to the restrictions set out in Section F.2.2.3.3 Restrictions on bid amounts for supplementary bids, and the requirement that all supplementary bids must be in units of EUR 1,000.

107. A bid form may contain bids for up to 3,000 packages. This limit includes all packages on which the bidder submitted bids during the primary rounds.

108. Supplementary bid submission is made in the following way:

- First, the bidder must generate the list of supplementary bids it wishes to submit using the bid form presented by the EAS. Packages for which the bidder bid in the primary rounds are added to the list automatically and cannot be removed.
- Second, the bidder must send the supplementary bids to the auction server so that they can be checked for validity against the auction rules.
- If any of the supplementary bids are not compliant with the auction rules, the bidder will be redirected to the bid form so that it can modify the bids. Otherwise the EAS will present the bidder with a summary statement of the bids and allow the bidder to either confirm the bids or return to the bid form to revise its bids.
- The bidder will need to confirm this summary of bids in order to complete the supplementary bid submission. Only confirmed supplementary bids will be registered by the EAS and considered to have been made.

109. A bidder may submit only one bid form in the supplementary round. Once the bidder has confirmed its supplementary bids, the bidder will not be able to revise or withdraw any of these bids, or submit further bids in the supplementary round.

110. A bidder is deemed not to have submitted supplementary bids until such time as confirmation of a valid set of bids is received by the EAS. Receipt of such confirmation will be communicated to the bidder through the EAS. It is the responsibility of the bidder to check receipt of the supplementary bids confirmation by the EAS, and to alert APEK if problems are suspected to have prevented successful confirmation.

F.2.2.3.3 Restrictions on bid amounts for supplementary bids

111. Bidders may submit at most one supplementary bid for any package of lots for which they submitted a primary bid. Bidders may also submit supplementary bids for packages of lots for which they had sufficient initial eligibility at the start of the auction, but for which they did not make primary bids. Bidders may submit only one supplementary bid for each such package. Bid amounts are discretionary and can be freely chosen by the bidder subject to the following constraints:

112. First, the bid amount must not be lower than the sum of the reserve prices for the lots included in the bid. Bid amounts have to be specified in units of EUR 1,000.

113. Second, bid amounts for packages on which the bidder has made primary bids must not be lower than the highest primary bid for the corresponding package.

114. Third, the bid amount for a supplementary bid cannot exceed the applicable cap, which is determined in the following way:

- Each bidder has a 'final primary bid'. This is the most recent, non-zero primary bid submitted by that bidder. If a bidder submitted its final primary bid in the last primary round, the supplementary bid the bidder can make for this package is uncapped.
- If a bidder's final primary bid was submitted in any earlier primary round, then the bidder's supplementary bid for this package is capped according to the prevailing prices for the component lots in the round immediately after the one in which the bidder submitted its final primary bid.
- The maximum amount of the supplementary bid on any other package is limited by the prices in the most recent primary round in which the bidder could have made a bid on the package in question, but bid on a different package instead. More specifically, assume that the bidder was last eligible to bid for package X in round n, but chose to bid on another package Y instead. In this case, the supplementary bid for X cannot exceed the highest bid that the bidder made for Y (which may be a supplementary bid or the clock round bid if no supplementary bid was made) plus the difference between the price of package X and package Y at the clock prices in round n.

F.2.2.3.4 Validity of supplementary bids

115. Each valid bid in the supplementary round must satisfy the following:

- the total eligibility points associated with the package bid for cannot exceed the initial eligibility of the bidder;
- the bidder would be able to acquire all lots included in the bid without breaching the spectrum caps;
- the bidder is eligible (in accordance with Rule 6) to bid for all lots included in the bid;
- the package bid for includes either zero or at least two lots in category F; and
- the bid amount specified satisfies the restrictions on supplementary bid amounts as set out in Section F.2.2.3.3.

116. The EAS is designed to block the submission of invalid bids.

117. Each bid submitted in accordance with the auction rules as part of a valid bid form is a valid bid. A valid bid represents a binding commitment to buy the specified package of lots at the specified bid amount.

118. A bid identified as valid under Rule 115 remains valid unless it is voided pursuant to Rule 29.

F.2.2.3.5 Winner determination

119. Following the close of the supplementary round, APEK will determine the combination of winning bids.

120. The winner determination process will include a “reserve bid” for every lot available in the auction. That is, it will be as if a bid for each individual lot at an amount equal to the reserve price for the lot has been placed during the principal stage.

121. The combination of winning bids is the combination of valid bids submitted in the primary rounds and supplementary round, initial bids for the applicable supply scenario, and reserve bids that, taken together, have the greatest total value, subject to the conditions that:

- in each lot category, no more lots are awarded than are available in that category; and
- at most one bid is accepted from each bidder.

122. The combination of bids that meets these criteria will be determined algorithmically.

123. If more than one set of bids meeting the conditions in Rule 121 have the equal highest value, the set of bids amongst those with the equal highest value that includes the most winning bidders will be declared the winning combination of bids.

124. If the preceding Rule 123 does not identify a single winning combination, the set of bids amongst the combinations identified by Rule 123 that leads to the most even distribution of eligibility points will be declared the winning combination of bids. This will be determined as follows:

- Bids in each combination are ordered according to their eligibility points.
- The sum of the squared differences between a bid and the next bid in each ordered list of bids is calculated for all bids.
- The combination of bids with the lowest sum of squared differences is then chosen to be the winning combination of bids.

125. If the preceding Rule 124 does not identify a single winning combination, the set of bids amongst the combinations identified by Rule 124 that minimises the total eligibility associated with the packages awarded to winning bidders will be declared the winning combination of bids.

126. If the preceding Rule 125 does not identify a single winning combination, one of the potential winning combinations identified by Rule 125 will be picked by the EAS using a process of random selection.

127. A simple example of the winner determination process is provided below.

Consider a simple example with only two lot categories (A and B) containing two lots each, and four bidders. For simplicity, we assume that reserve prices are zero.

We denote a bid by $(x,y)@z$, where x is the number of A lots, y is the number of B lots, and z is the bid amount.

Bidder 1 makes the following bids: $(1,0)@8$, $(1,1)@10$, $(0,2)@12$

Bidder 2 makes the following bids: $(2,0)@16$, $(1,1)@15$

Bidder 3 makes the following bid: $(1,1)@15$

Bidder 4 makes the following bid: $(2,2)@24$

In this simple case it is easy to verify that the combination giving the highest total bid value is Bidder 3's bid and Bidder 2's bid for $(1,1)$, generating a total value of 30.

If we were to take Bidder 1's first bid, we could only accept either Bidder 2's bid for $(1,1)$ producing a total value of 23, or Bidder 3's bid for $(1,1)$ producing a total value of 23 (and leaving one B-lot unsold).

If we were to take Bidder 1's second bid, we could accept a bid for $(1,1)$ from either Bidder 2 or Bidder 3, creating a total value of 25 in each case.

If we were to take Bidder 1's third bid, we could only accommodate Bidder 2's bid for $(2,0)$, producing a total value of 28.

If we were to accept Bidder 4's bid, we could not accommodate any other bidder, giving a total value of 24.

This means that accepting $(1,1)@15$ from Bidder 2 and $(1,1)@15$ from Bidder 3 is the unique winning combination.

F.2.2.3.6 Determining base prices

128. For each winning bid (and thus for each winning bidder), the EAS will determine a base price that must be paid by the bidder. This is an overall price for the entire package (i.e. the combination of lots included in the winning bid).

129. Base prices are the minimum amount that each winning bidder, and each group of winning bidders jointly, could have bid without changing the outcome of the winner determination process, and are based on the concept of opportunity cost.

130. The opportunity cost of a bidder, or a group of bidders, is given by the difference between:

- the value of the winning allocation in a scenario where all bids from the bidder(s) in question were excluded and unallocated lots are valued at reserve prices; and
- the value of the original winning allocation, excluding the bid amount from all winning bids from the bidder(s) in question with unallocated lots being valued at reserve prices.

131. Base prices are determined jointly for all winners in a single calculation. A unique set of base prices is found by applying the following conditions:

- First condition: the base price of a winning bid must be greater than or equal to the total reserve prices of the lots in the package associated with that winning bid, but less than or equal to the winning bid amount.
- Second condition: the set of base prices must be sufficiently high such that the sum of prices to be paid by each possible subset of winners must be at least their joint opportunity cost. If there is only one set of base prices that meet the first and second conditions, this determines the base prices for the principal stage.
- Third condition: If there are multiple sets of base prices that fulfil the first and second conditions, the set(s) of base prices that minimise(s) the sum of base prices across

winning bidders is selected. If there is only one set of base prices satisfying these three conditions, this determines the base prices for the principal stage.

- Fourth condition: If there are many sets of base prices that satisfy the first three conditions, the set of base prices that minimise the sum of squares of differences between the base prices for each winner and the individual opportunity cost for that winner is selected.

132. These conditions characterise a unique base price for each winning bidder that is no more than their winning bid and is at least the reserve price for that package. Finally, if these base prices are not amounts in units of EUR 1,000 they are rounded up to the nearest EUR 1,000.

133. A simple example of the price determination is provided below.

Taking the example provided above, we establish the opportunity cost associated with Bidder 2's winning bid. If we eliminated Bidder 2 completely from the auction, the winning combination would be (1,1)@10 from Bidder 1, and (1,1)@15 from Bidder 3, creating a total value of 25. From this, we have to subtract the amount in the winning combination that comes from the winning bids of bidders other than Bidder 2 – which in this case is the 15 from Bidder 3's winning bid. This means that the opportunity cost of accepting Bidder 2's winning bid is $25 - 15 = 10$.

If we eliminated Bidder 3 from the auction, our best option would be to accept Bidder 1's bid for (0,2) together with Bidder 2's bid for (2,0), creating a total value of 28. The opportunity cost of accepting Bidder 3's bid is therefore given by $28 - 15 = 13$.

If we eliminate both winners, the best option is to give both A lots and both B lots to Bidder 4. This generates a total bid value of 24, so the joint opportunity costs of the two bidders is 24.

This means that individual opportunity costs are 10 for Bidder 2 and 13 for Bidder 3 respectively, and 24 for both bidders together.

If Bidder 2 had bid less than 10 for (1,1), it would clearly have been better to take Bidder 1's bid of 10 for (1,1) instead.

If Bidder 3 had bid less than 13 for (1,1), it would have been better to take Bidder 1's bid for (0,2)@12, and Bidder 2's bid for (2,0)@16 instead.

So base prices cannot be lower than individual opportunity costs.

Setting base prices at individual opportunity cost is not sufficient in this case, however, as the bidders would not cover their joint opportunity cost. Together, they need to pay an additional 1 over and above the sum of their individual opportunity costs.

Any set of prices for Bidder 2 and 3 that ensures Bidder 2 pays at least 10, Bidder 3 pays at least 13 and Bidders 2 and 3 pay 24 jointly minimises the sum of base prices. The pricing rule splits the additional cost above the sum of individual opportunity costs equally. So Bidder 2's base price is 10.5 and Bidder 3's base price is 13.5.

F.2.2.4 End of the principal stage

134. Once APEK has determined the winning bids and the base prices, the outcome of the principal stage will be announced to bidders.

135. Each bidder will be informed about the lots it has won and the base price that applies to its own winning bid, as well as:

- the identity of all winning bidders;
- the number of lots won in each category by each winning bidder; and
- whether the assignment stage requires the use of a bidding process, and if so the timing of the assignment round (see below).

136. Bidders will not be informed of the base prices that other winning bidders will be required to pay.

F.2.3 The assignment stage

137. The purpose of the assignment stage is to determine how the available frequencies in each of the frequency bands are to be assigned to the winners of frequency-generic lots in lot categories A1, A2, A3, B, C, T2, E and F. Table F 3: Assignment round categories and placement of unallocated provides an overview of the categories associated with each frequency band. The lowest block (BA01) in 800 MHz frequency band will not be assigned as a lot category A2 in accordance with Rule 147.

138. It is possible that some or all lots in some frequency bands may be unallocated at the end of the principal stage. Any unallocated lots will be placed contiguously as described below in Table F 3: Assignment round categories and placement of unallocated lots.

Frequency band	Associated lot categories	Placement of unallocated lot
800 MHz: 791-821 MHz paired with 832-862 MHz	A1, A2 and A3	lower (from BA01 forward)
900 MHz: 880-915 MHz paired with 925-960 MHz	B	lower (from BB01 forward)
1800 MHz: 1710-1760 MHz paired with 1805-1855 MHz	C	upper (from BC15 backward)
2100 MHz: 2010-2025 MHz	T2	lower (from BT01 forward)
2600 MHz FDD: 2500-2570 MHz paired with 2620-2690 MHz	E	upper (from BE14 backward)
2600 MHz TDD: 2570-2620 MHz	F	upper (from BF10 or BF09 backward)

Table F 3: Assignment round categories and placement of unallocated lots

F.2.3.1 Need for a bidding process

139. If there is only one winning bidder in a frequency band following the principal stage, then no bidding process is required for that frequency band. In this case, the single winner will be assigned frequencies in accordance with the rules on the placement of unallocated lots as set out above.

140. If there is more than one winner of frequency-generic lots in at least one of the frequency bands following the principal stage, the assignment stage requires a bidding process

141. The bidding process in the assignment stage involves a single round of bidding (the assignment round) in which bidders submit sealed bids for their preferred frequency assignments in each of the frequency bands in which there is more than one winner of frequency-generic lots.

F.2.3.2 Schedule for the assignment round

142. The start time and duration of the assignment round will be announced by APEK after the completion of the principal stage.
143. There will be at least one clear business day between the supplementary round and the start of the assignment round.
144. APEK has discretion over the time and duration of the assignment round. However, APEK anticipates that the assignment round will take place between 08.30 and 18.00 hours on a single business day, and last for at least 2 hours.
145. A single extension right will be available to all bidders in the assignment round. The extension period will not be longer than 30 minutes.

F.2.3.3 Bid options for the assignment round

146. Winning a certain number of lots in the principal stage entails both a right and an obligation to purchase one of the corresponding frequency assignment options presented to that bidder in the assignment round.
147. Bidders are invited to submit bids for specific frequency assignment options as determined by APEK. For each frequency band included in the assignment stage bidding process, APEK will establish an exhaustive list of assignment options that split the available spectrum into blocks of contiguous frequencies consistent with the following conditions:
- the number of lots in each option presented to a bidder equals the number of lots that the bidder won in the principal stage in each band;
 - any option for assigning frequencies to a particular bidder is consistent with all other winners in the same frequency band receiving contiguous spectrum;
 - the winner of the A2 lot is not assigned frequencies at the bottom of the 800 MHz band, unless the total amount of 800 MHz spectrum won by that bidder exceeds 2 x 10 MHz; and
 - any unsold lots are allocated as a contiguous block and placed as set out in Table F 3: Assignment round categories and placement of unallocated.
148. All assignment bids are submitted simultaneously, but they are evaluated separately for each frequency band.

F.2.3.4 Bid submission in the assignment round

149. When the assignment round is in progress, participating bidders may submit assignment bids for each of the assignment options presented to them using the EAS.
150. The interface of the EAS will provide a bid form that lists all frequency assignment options available to the bidder in each of the frequency bands for which a bidding process is required, and allows the bidder to specify a bid amount for each of the assignment options presented to them.
151. The amount of each assignment bid is discretionary. Assignment bids must be in whole EUR. The minimum bid for each frequency assignment option is zero. There is no upper limit. Note that all bidders eligible to participate in the assignment round are guaranteed to win the amount of spectrum in each frequency band that they won in the principal stage. Bids will only affect which of the possible frequency assignment options will be implemented, and any additional prices to be paid. Bids for different assignment options with the same bid amount indicate that the bidder is indifferent between these options. It is recommended (but not obligatory) that bidders submit a bid of zero EUR for their least favoured option(s) in every category where they are eligible to bid.

152. Assignment bid submission is made in the following way:

- First, the bidder must specify the bid amounts it wishes to submit for each of its assignment options in the input fields provided on the bid form presented by the EAS.
- Second, the bidder must send the assignment bids to the auction server so that they can be checked for validity against the auction rules.
- If any of the assignment bids are not compliant with the auction rules, the bidder will be redirected to the bid form so that it can modify the bids. Otherwise the EAS will present the bidder with a summary statement of the bids and allow the bidder to either confirm the bids or return to the bid form to revise its bids.
- The bidder will need to confirm this summary of bids in order to complete the assignment bid submission. Only confirmed assignment bids will be registered by the EAS and considered to have been made

153. A bidder is deemed not to have submitted assignment bids until such time as confirmation of a valid set of bids is received by the EAS. Receipt of such confirmation will be communicated to the bidder through the EAS. It is the responsibility of the bidder to check receipt of the assignment bids confirmation by the EAS, and to alert APEK if problems are suspected to have prevented successful confirmation

154. The EAS will generate automatic bids of zero for all assignment options for which bidders did not specify a bid amount. If a bidder fails to submit a bid form in the available time, then it will be deemed to have made a bid of zero for every frequency assignment option in every frequency band where it was eligible to bid.

F.2.3.5 Validity of assignment bids

155. Each valid bid in the assignment round must satisfy the following:

- the bid is for a valid assignment option in accordance with the conditions set out in Rule 147; and
- the bid amount is at least zero and specified in whole EUR.

156. The EAS is designed to block submission of invalid bids.

157. Each bid submitted in accordance with the auction rules as part of a valid bid form represents a valid bid. A valid bid constitutes a binding commitment to pay an amount up to the bid amount for the specific frequencies assignment (the additional price) in addition to the bidder's base price.

158. An assignment bid identified as valid under Rule 155 remains valid unless it is voided in line with the provisions in Rule 29.

F.2.3.6 Winner determination in the assignment round

159. Following the close of the assignment bid round, APEK will proceed to determine the winning assignment bids.

160. For each applicable frequency band, the winning assignment bids are the combination of valid assignment bids of greatest total value amongst all valid assignment bids submitted, subject to the conditions that:

- exactly one bid is accepted from each bidder;
- each bidder is assigned the amount of spectrum in each frequency band that it has won in the principal stage;
- each bidder receives contiguous frequencies per frequency band;
- the frequency assignments included in the winning assignment bids do not overlap; and

- any unsold lots are contiguous and placed in line with the provisions in Table F 3: Assignment round categories and placement of unallocated lots.

161. The combination of bids that meets the conditions in Rule 160 will be determined algorithmically.
162. Each bidder will have one winning assignment bid in each frequency band in which they have won lots in the principal stage. The winning assignment bid may be an automatically generated bid of zero for an assignment option on which the bidder has not submitted an assignment bid.
163. If more than one combination of assignment bids meeting the conditions in Rule 160 have equal highest value, one of those combinations will be selected by the EAS at random.

F.2.3.7 Determining additional prices

164. No additional price will be due for the assignment of frequencies in a frequency band where no bidding process is required.
165. For each frequency band where a bidding process was required, additional prices will be determined.
166. The opportunity cost for a subset of winners is the amount of the winning assignment bids of the winners in the subset less the difference between the total of all winning assignment bids in the winning combination and the value of bids determined in the same manner but for the case in which the bid amounts for all of the bids submitted by the winners in the subset were set to zero EUR (i.e. the case in which the winners in the subset are assumed to be indifferent with respect to all assignment options).
167. Additional prices are determined in each frequency band jointly for all winners in a single calculation. A unique set of additional prices is found by applying the following conditions:
- **First condition:** the additional prices are required to be positive or zero, and no greater than the amount of the winning bid.
 - **Second condition:** the set of additional prices must be sufficiently high such that the sum of additional prices to be paid by each possible subset of winners must be at least their joint opportunity cost. If there is only one set of additional prices that satisfies the first two conditions, this determines the additional prices for that frequency band.
 - **Third condition:** If there are multiple sets of additional prices that fulfil the first and second condition, the set(s) of additional prices that minimise(s) the sum of additional prices across winning bidders is selected. If there is only one set of additional prices satisfying these three conditions, this determines the additional prices for that frequency band.
 - **Fourth condition:** If there are multiple sets of additional prices that satisfy the first three conditions, the set of additional prices that minimises the sum of squares of differences between the additional prices for each winner and the individual opportunity cost for that frequency band for that winner is selected.
168. These conditions characterise a unique additional price for each winning bidder in each frequency band that is no more than their winning assignment bid. Finally, if these additional prices are not amounts in whole EUR, they are rounded up to the nearest whole EUR.

F.2.3.8 End of the assignment stage

169. Once APEK has determined the winning bids and the additional prices, the outcome of the assignment stage will be announced to bidders. The following information will be released:

- Each bidder will be informed about the specific frequency ranges assigned in each of the bands in which it has won lots in the principal stage. This information will not be released to other bidders.
- Each winning bidder in each of the bands will be told the additional price that applies to their own winning bid. This information will not be released to other bidders.

F.2.4 End of the auction

170. The auction ends with the completion of the assignment stage. At this point, the following information will be released to all bidders:

- the identity of the winning bidders;
- the frequency ranges awarded to each winning bidder; and
- the awarding price to be paid by each winning bidder, including a breakdown of the base price and any additional prices.

F.3 OUTCOME OF THE AUCTION

As the auction closes, the Tender Commission's chairperson shall prepare a report with the outcome of the public auction, the assignment of frequencies, and the winning bid amounts for these frequencies. In accordance with the auction rules and paragraph 6, Article 45 of ZEKom-1, successful bidders shall receive a decision informing them about the assigned frequency blocks, their location in the frequency bands, the fee for the efficient use of a limited natural resource, and any additional payments due to cover the difference between the fee for the efficient use of a limited natural resource and their deposit.

Successful bidders shall have to make any potential additional payments as a lump-sum within 15 days of receiving the written decision. With said decision successful bidders shall also be informed about any potential additional payments for covering their share of actual administrative costs, which they must settle within the same deadline.

Bidders shall be informed about the outcome of the auction with a written decision within 30 days of the end of the auction.

The bidder or bidders which won in the public auction and paid the fee for the efficient use of a limited natural resource (paragraph 9 of Article 45 of ZEKom-1) and a potential remainder of their share of the administrative costs within the set deadline shall be selected in said public tender.

F.4 ISSUING DECISIONS ON THE ASSIGNMENT OF RADIO FREQUENCIES

According to paragraph 2 of Article 47 of ZEKom-1 the administrative procedure of issuing DARFs shall be commenced only after the successful bidder or bidders have paid the fee for the efficient use of a limited natural resource, and any potential outstanding share of administrative costs. All applicants which have submitted properly labeled applications within the deadline shall have the status of a party to the administrative procedure of issuing DARFs.

Successful bidder or bidders shall have to make any potential additional payments within 15 days of receiving the decision based on paragraph 6 of Article 45 of ZEKom-1. They shall have to provide a confirmation of the payment (with the bank account number and reference) to the Agency. DARFs shall then be issued to these bidders.



In accordance with the deadline determined in the provisions of Article 49 of ZEKom-1, the Agency shall issue DARFs upon the precondition that the individual winning bidder settles its fee for the efficient use of a limited natural resource and the potential share of administrative costs. The Agency shall issue individual DARFs no more than 15 days from the payment of the fee for the efficient use of a limited natural resource and potential outstanding amounts of the share of administrative costs.

G. MONITORING THE FULFILLMENT OF COVERAGE OBLIGATIONS

The Agency shall monitor the fulfillment of population coverage obligations in two ways, namely:

- based on the calculation of coverage using the information about base stations submitted to the Agency by the holder of the DARF; and
- based on random measurements of service quality at user locations, which the Agency conducts at its own discretion to verify the accuracy of information submitted by the holder of the DARF.

The holder of a DARF must within a month of expiry of a deadline for meeting coverage obligations as set in the DARF and at the Agency's request submit relevant documentation on network operation related to the fulfillment of coverage obligations comprising selected technical parameters and simulation of service levels provided by the network. The submitted information must comprise:

- the locations of the base stations in accordance with a specified geographical projection;
- heights above ground level in meters;
- For each sector:
 - azimuth – direction (degrees);
 - horizontal 3 dB beamwidth (degrees);
 - combined mechanical and electrical downtilt (degrees);
 - vertical 3 dB beamwidth (degrees);
 - the effective isotropic radiated power EIRP;
 - an indication of the frequency blocks used in each cell (sector);
- a map of Slovenia with base station locations and covered areas (GIS format, vector graphics, defined by the Agency in cooperation with each operator);
- a list of raster cells³ covered and the coverage level calculated on that basis; and
- in the event of special coverage obligations for the 800 MHz band:
 - a list of covered populated addresses[1] in certain settlements from the list as determined by this tender documentation in Chapter A.7.3.4.3 Special Coverage Obligations in the 800 MHz Band and its subsections;
 - the population coverage in percent for each selected settlement in accordance with the data base on populated addresses (available on the Agency's website);
 - and a list of addresses (HS_MID⁴) and the number of FWBA connections at these addresses.

Based on the information about base stations submitted by the holders of DARFs and the tests made in the field based on the list of active base stations, the calculations shall be made to assess the fulfillment of the coverage obligations. The analysis shall be made based on technical parameters of base stations and by using the ICS Telecom software (a software tool for planning and analyzing telecommunication and broadcasting networks and radio frequency spectrum planning, which is used by numerous European national regulatory agencies) from the French developers ATDI. The analysis shall be made on a model selected in accordance with the ITU-R

³ For calculating population coverage in the Republic of Slovenia in percent, the raster cells in the 100 × 100m grid are to be used as population units. The actual population data are taken from the database of the Statistical Office of the Republic of Slovenia. A raster cell is considered to be covered if its geometrical center is covered.

⁴ Identifier of house numbers from the Register of Spatial Units of the Survey and Mapping Authority of the Republic of Slovenia.

P.1812 recommendation, with raster cells in the 100 x 100 m grid as population units (e.g. Geostatistical database of the Statistical Office of the Republic of Slovenia. Detailed information about the calculation procedure shall be made available when the decisions on the assignment of radio frequencies are issued in collaboration with each holder of a decision on the assignment of radio frequencies.

G.1 CALCULATING THE COVERAGE WHEN VERIFYING THE FULFILLMENT OF SPECIAL COVERAGE OBLIGATIONS IN THE 800 MHZ BAND

Based on the information about base stations submitted by the holder of a Decision on the Assignment of Radio Frequencies, the calculations shall be made to assess the fulfillment of the coverage obligations. The calculation of coverage is based on the service provided by technologies in accordance with 3GPP TS 36.201 V11.1.0 (2012-12) and other 3GPPP technical specification – versions 8 and 9 for the E-UTRA air interface, or ETSI EN 301 908-13 V6.2.1 (2013-10), ETSI EN 301 908-14 V6.2.1 (2013-10) standards in the 800 MHz frequency band. A holder of a DARF with imposed special coverage obligations must fulfill these obligations with technologies in accordance with 3GPP TS 36.201 V11.1.0 (2012-12) and other 3GPPP technical specification – versions 8 and 9 for the E-UTRA air interface, or ETSI EN 301 908-13 V6.2.1 (2013-10), ETSI EN 301 908-14 V6.2.1 (2013-10), whereby it can also fulfill the obligations using other frequencies at its disposal.

Based on this data, the Agency shall calculate the locations and the number of population points, where services are provided, in accordance with the following assumptions:

- median propagation loss based on the ITU-R P.1812 recommendation⁵ with specified clutter parameters and a time percentage of 50%;
- lognormal location variation with a specified standard deviation;
- a specified terrain database (DTM);
- a specified clutter database;
- specified population locations⁶ and settlement identifiers⁷;
- specified use equipment noise figure and antenna gain;
- theoretical base station antenna azimuth and elevation radiation patterns taken from 3GPP TR36.814;
- network load of 15%;

Each population location shall be considered as covered with a bitrate of 10 Mbps downlink if the resulting predicted signal to interference plus noise ratio is greater than or equal to a specified value.

The coverage obligation shall be considered as fulfilled if, based on the data supplied:

- the total covered population is at least 95% of the total population of Slovenia, and
- at least 75% of the population within every settlement or group of settlements shall have access to services

⁵ <http://www.itu.int/rec/R-REC-P.1812/en>

⁶ For calculating population coverage in the Republic of Slovenia in percent the raster cells in the 100 × 100 m grid are to be used as population units. The actual population data are taken from the database of the Statistical Office of the Republic Slovenia. A raster cell is considered to be covered if its geometrical center is covered.

⁷ A database of populated addresses is used (publicly available on the Agency's website) – addresses with permanent residence



- in accordance with the requirements from Chapter A.7.3.4.3 Special Coverage Obligations in the 800 MHz Band and its subsections; and in accordance with the schedule and requirements from these sections.

G.2 VERIFICATION MEASUREMENTS

The Agency shall at its own discretion, conduct tests on the license holder's network and measure the quality of service at times and places of its choice in order to verify that the submitted information regarding base stations and coverage is an accurate representation of the actual state of the license holder's network. These tests shall be intended to verify the base station parameters, level of field strength and quality of service at some end users locations to directly verify network coverage determined by the above calculation. For the purposes of verifying the provision of FWBA service, the Agency may verify capacity and network coverage.

H. TECHNICAL REQUIREMENTS FOR PROVIDING SERVICES

The Agency shall issue a decision on the assignment of radio frequencies or terrestrial systems capable of providing electronic communications services (TRA-ECS) in accordance with the valid Frequency Allocation Table Regulation, and the valid Frequency Usage Table Act (NURF) under additional conditions of use, as defined below.

H.1 TECHNICAL REQUIREMENTS OF SERVICE PROVISION IN THE 800 MHz RADIO FREQUENCY BAND

The holder of the DARF must provide terrestrial electronic communications services in accordance with the EU Commission decision no. 2012/688/EU: Commission Implementing Decision on the harmonisation of the frequency bands 1920–1980 MHz and 2110–2170 MHz for terrestrial systems capable of providing electronic communications services in the Union.

H.1.1 OTHER RELEVANT DOCUMENTS AND INFORMATION

As the 800 MHz band is not used for terrestrial broadcasting anymore it is the subject of this tender, however for the lowest block (BA01) there is some potential interference with analogue TV in Hungary until 1 January 2015 in Prekmurje, and some potential interference with DVB-T close to transmitters of neighboring countries on Channel 60 and 59.

During the auction process the blocks shall be bid upon in accordance with Chapter A.5.1 Frequency Blocks in the 800 MHz Radio Frequency Band as generic blocks, and shall only be assigned to the bidders as specific blocks in the final stage of the auction in accordance with chapter F.2 Auction Rules. The bottom block BA01 shall in accordance with Rule 147 (F.2.3.3 Bidding Options for the Assignment Round) not be assigned as a block with special coverage obligations as defined in Chapter A.7.3.4.3 Special Coverage Obligations in the 800 MHz Frequency Band.

Below are listed all other relevant documents, which in addition to the conditions set in the previous section of this chapter define the method of using radio frequencies in the 800 MHz radio frequency band.

The following decisions, recommendations, and CEPT⁸ reports are valid for the 800 MHz radio frequency band:

- ECC/DEC/(09)03: ECC Decision on harmonised conditions for mobile/fixed communications networks (MFCN) operating in the band 790 - 862 MHz;
- ECC/REC/(11)04: Frequency planning and frequency coordination for terrestrial systems for mobile/fixed communication networks (MFCN) capable of providing electronic communications services in the frequency band 790–862 MHz;
- CEPT Report 19: Report on the development of the least restrictive technical conditions for frequency bands addressed in the context of WAPECS;

⁸ European Conference of Postal and Telecommunications Administration

- CEPT Report 30: The Report on the identification of common and minimal (least restrictive) technical conditions for 790–862 MHz for the digital dividend in the European Union;
- CEPT Report 31: Frequency (channeling) arrangements for the 790–862 MHz band;

Said Decision, Recommendation, and Reports that set the conditions for the use of the 800 MHz radio frequency band are freely available on the CEPT website: <http://www.eroocdb.dk/>

Besides the above Decision, Recommendation, and CEPT Reports, any amendments or new versions of the above documents are also applicable.

Other regulation that have to be adhered to when using the 800 MHz radio frequency band are:

- frequencies also have to be used accordance with the other technical requirements defined in valid NURF,
- In border regions cross-border coordination must be conducted in accordance with relevant CEPT documents, which are freely available at <http://www.ecodocdb.dk>, and international agreements, which are available at the Agency's website: <http://www.apek.si/direktive,-priporocila-in-mednarodni-sporazumi>.

H.1.2 CONDITIONS FOR THE USE OF FREQUENCY BLOCKS IN THE 800 MHz RADIO FREQUENCY BAND

The block edge masks (BEM) are defined in European Commission Decision no. 2010/267/EU. This document includes especially the following conditions of use regarding block edge masks:

- Duplex mode: FDD;
- In accordance with paragraph 1 “In-block limits” of chapter B “Technical conditions for FDD and TDD base stations (BS)” of the Annex to the Decision no. 2010/267/EU the highest average in-block EIRP⁹ for base stations is set to +64 dBm/5 MHz. The limit applies to all the blocks;
- The highest average EIRP for out-of-block base stations must be in accordance with case A (for TV channels where broadcasting is protected) of Table 4 “Baseline requirements – BS BEM out-of-block EIRP limits over frequencies below 790 MHz” of chapter B of the Annex to the Decision no. 2010/267/EU;
- Block edge masks (BEM) must be harmonized with the provisions of chapter B of the Annex to the Decision no. 2010/267/EU.

H.1.2.1 Measures for Ensuring Compatibility Between Mobile and Radio Broadcast Services at the Edge of the 800 MHz Band (791 MHz)

With the objective of ensuring uninterrupted operation of radio equipment in the radio frequency bands below 791 in Slovenia and in neighboring countries, the Agency may change the DARF *ex officio* if harmful interference cannot otherwise be avoided or radio frequency protection ratio is not achieved in any other way (indent 4 of paragraph 2 of Article 57 of ZEKom-1).

In the event of interference the following are among the measures that the Agency has at its disposal:

- installation of input filters to DVB-T receivers (suppression of channels > 60),

⁹The effective isotropic radiated power

- reducing spurious emissions from base station transmitters (filter at the transmitter side),
- changing the orientation of the DVB-T receiving antenna,
- changing in the polarization of the transmitting antenna at the base station,
- reducing the base station transmission power.

The broadcast channels actually used are listed in the Register of Radio and TV Frequencies on APEK's website¹⁰. Channels 59 and 60 are not currently used for TV broadcasting in Slovenia.

A holder of a Decision on the Assignment of Radio Frequencies must cooperate in exercising measures for eliminating harmful interference and finding solutions for any individual user of DVB-T network services.

The Agency may instruct a holder of a Decision on the Assignment of Radio Frequencies for the said frequency band to reimburse the costs of eliminating harmful interference for any individual user of DVB-T network services.

H.1.2.2 Measures for Providing Compatibility with Other Services in the 800 MHz Radio Frequency Band (EMC)

With the objective of adhering to item 3 of Article 52 of ZEKom-1, and preventing harmful interferences between wireless mobile communication devices and other devices (such as e.g. cable TV networks and other home communication installations) these must adhere to the two equipment EMC standards SIST EN 50529-1 and SIST EN 50529-2. In the event that the systems are not in accordance with the above two standards, and interference is caused by mobile communications, this interference of other cable-linked applications must be accepted if unavoidable due to the state of the equipment. In the event that cable-connected equipment within the frequency range of 791–821/832–862 MHz corresponds to the above standards, the following measures may remedy the interference caused by wireless mobile communications devices:

- reducing the transmission power in the base station sector,
- increasing of the effective power by the cable TV operator,
- using of DVB-C receivers (set-top boxes, cable modems) with adequate EMC immunity,
- avoiding the use of DVB-C receivers that pass the cable TV signal through a broadband amplifier,
- using coaxial cables with adequate EMC resistance,
- information and recommendations to users regarding the mutual effects of wireless mobile communications in the 800 MHz frequency range and cable TV reception.

Mobile communications operators must cooperate with cable TV network operators in exercising measures for eliminating harmful interference and finding solutions for any cable TV network services user.

If it is proven that a cable TV network operator's equipment has fulfilled the above requirement the Agency may instruct a holder of a Decision on the Assignment of Radio Frequencies for said

¹⁰ http://www.apek.si/ra-in-tv-frekvence?search=search&page=1&vrsta_postaje=dvb_t&imetnik=-1&ime_programa_radio=-1&mrezn_i_program_radio=-1&oddajne_tocke_radio=-1×taring_radio=-1&ime_programa_sr_val=-1×taring_sr_val=-1&obmoce_pokrivanja_dvb_t=-1&mux=&sort=kanal&direction=DESC#obroba

frequency band to reimburse the costs for eliminating harmful interference for any individual user of the cable TV network operator.

H.2 TECHNICAL REQUIREMENTS OF SERVICE PROVISION IN THE 900 MHz AND 1800MHz RADIO FREQUENCY BANDS

The holder of a DARF must provide terrestrial electronic communications services in accordance with the EU Commission decision no. 2011/251/EU: Commission Implementing Decision on the harmonisation of the 900 MHz and 1 800 MHz frequency bands for terrestrial systems capable of providing pan-European electronic communications services in the Community.

H.2.1 OTHER RELEVANT DOCUMENTS

Below are listed all other relevant documents to which the valid NURF refers, and all other relevant documents which, in addition to the conditions set in the previous section of this chapter, define the method of using radio frequencies in the 900 MHz and 1800 MHz radio frequency bands.

The following decisions, recommendations, and CEPT reports are valid for the 900 MHz and 1800 MHz radio frequency bands:

- the amended decision ECC/DEC/(02)05: The designation and availability of frequency bands for railway purposes in the 876-880 MHz and 921-925 MHz bands;
- ECC/DEC/(06)13: Designation of the 880-915 MHz, 925-960 MHz, 1710-1785 MHz and 1805-1880 MHz bands for terrestrial UMTS, LTE and WiMAX systems;
- ECC/DEC/(06)13: Designation of GSM-900/1800 bands for terrestrial IMT-2000/UMTS systems;
- ECC/DEC/(06)07: ECC Decision on the harmonised use of airborne GSM systems in the frequency bands 1710-1785 and 1805-1880 MHz;
- ECC/DEC/(08)08: ECC Decision on the harmonised use of GSM system on board vessels in the frequency bands 880-915/925-960 MHz and 1710-1785/1805-1880 MHz;
- ECC/REC/(08)02: Frequency planning and international frequency coordination for GSM 900 (including E-GSM) / UMTS 900, GSM 1800 / UMTS 1800 Land Mobile systems;
- ECC/REC/(05)08: Frequency planning and frequency coordination for the GSM 900, GSM 1800, E-GSM and GSM-R land mobile systems;
- CEPT Report 40: Report on compatibility study for LTE and WiMAX operating within the bands 880-915 MHz / 925-960 MHz and 1710-1785 MHz / 1805-1880 MHz (900/1800 MHz bands);
- CEPT Report 41: Report on compatibility between LTE and WiMAX operating within the bands 880–915 MHz / 925-960 MHz and 1710–1785 MHz / 1805-1880 MHz (900/1800 MHz bands) and systems operating in adjacent bands;
- CEPT Report 42: Compatibility between UMTS and existing and planned aeronautical systems above 960 MHz;
- ECC Report 82: Report on the compatibility study for UMTS operating within the GSM 900/1800;
- ECC Report 96: Report on the compatibility between UMTS 900/1800 and systems operating in adjacent bands;

- ECC Report 146: Report on the compatibility between GSM MCBTS and other services (TRR, RSBN/PRMG, HC-SDMA, GSM-R, DME, MIDS, DECT) operating in the 900 and 1800 MHz frequency bands,
- CEPT Report 19: Report on the development of the least restrictive technical conditions for frequency bands addressed in the context of WAPECS;
- ERC Report 100: Report on the compatibility between certain radio communications systems operating in adjacent bands; Evaluation of DECT/GSM 1800 compatibility.

Said Decisions, Recommendations, and Reports that set the conditions for the use of the 900 MHz and the 1800 MHz radio frequency bands are freely available on the CEPT website: <http://www.eroocdb.dk/>

Besides the above Decisions, Recommendations, and CEPT Reports any amendments or new versions of the above documents are also applicable.

Other regulations that must be adhered to when using the 900 MHz and the 1800 MHz radio frequency bands are:

- frequencies also have to be used accordance with the other technical requirements defined in valid NURF,
- In border regions cross-border coordination must be conducted in accordance with relevant CEPT documents, which are freely available at <http://www.ecodocdb.dk>, and international agreements, which are available at the Agency's website: <http://www.apek.si/direktive,-priporocila-in-mednarodni-sporazumi>.

H.2.2 CONDITIONS FOR THE USE OF FREQUENCY BLOCKS IN THE 900 AND 1800 MHZ RADIO FREQUENCY BANDS

No block edge masks (BEM) are defined for the 900 MHz and 1800 MHz bands. The transmission technologies are limited to GSM and the members of the IMT family (see ITU-R Rec. M.1457), in particular IMT-2000/UMTS and LTE.

General terms and conditions for the 900 MHz and 1800 MHz bands;

- in order to protect potential future GSM-R construction, the holder of the BB01 frequency block must coordinate its base stations in the 900 MHz band that are constructed up to a distance of 4 km from the railway route with potential GSM-R operators and/or utilize interference prevention techniques;
- the holder of the BB07 frequency block shall have to utilize interference prevention techniques in the event of operation of systems in the 960 MHz to 1215 MHz frequency band (e.g. DME).

Conditions of use for GSM:

- In the 1878–1880 frequency band harmful interference from DECT systems may occur (see ERC Report 100), and consequently it is not recommended to use these two channels for transmitting pilot channels (BCCH); otherwise appropriate measures have to be taken, in line with the ERC Report 100.

H.2.2.1 Preferred channels for GSM

Each block of the 900 MHz radio frequency band consists of a different number of preferred channels for GSM. Empty cells in the table below mean that no agreement has been signed between the two countries mentioned on the preferred channels.

GSM 900 MHz preferred channels:

Frequency block		Border region						
		BB 01	BB 02	BB 03	BB 04	BB 05	BB 06	BB 07
Slovenia	Austria	13	12	5	25	9	1	19
Slovenia	Austria-Hungary	8	8	12	2	14	7	6
Slovenia	Hungary	13	11	19	1	20	14	6
Slovenia	Hungary-Croatia	-		13	1	14	7	6
Slovenia	Croatia			4	24	9	0	19
Slovenia	Austria-Croatia	-		12	2	13	7	6
Slovenia	Croatia – Italy							
Slovenia	Italy							
Slovenia	Italy – Austria							

GSM 1800 MHz preferential channels

Frequency block		Border region														
		BC 01	BC 02	BC 03	BC 04	BC 05	BC 06	BC 07	BC 08	BC 09	BC 10	BC 11	BC 12	BC 13	BC 14	B 15
Slovenia	Austria	0	25	14	0	24	25	1	24	14	0	25	14	0	25	1
Slovenia	Austria-Hungary	4	21	0	0	15	0	4	25	1	8	25	1	0	13	1
Slovenia	Hungary	9	17	0	8	16	0	14	25	1	15	25	1	9	25	1
Slovenia	Hungary-Croatia	4	17	0	0	13	0	4	25	1	8	25	1	0	13	1
Slovenia	Croatia	0	25	11	0	24	25	1	24	11	0	24	11	0	24	1
Slovenia	Croatia – Italy															
Slovenia	Italy															
Slovenia	Italy – Austria	4	17	0	0	13	0	4	25	1	8	25	1	0	13	1

H.3 TECHNICAL REQUIREMENTS OF SERVICE PROVISION IN THE 2100 MHZ RADIO FREQUENCY BAND

The holder of a DARF for the FDD paired spectrum from 1920 to 1980 MHz (connection from the terminal to the base station) and from 2110 to 2170 MHz (connection from the base station to the terminal) must provide terrestrial electronic communications services in accordance with the EU Commission decision no. 2012/688/EU: Commission Implementing Decision on the harmonisation of the frequency bands 1920–1980 and 2110–2170 MHz for terrestrial systems capable of providing electronic communications services in the Union.

The holder of the DARF for TDD non-paired bands (20 MHz from 1900 to 1920 MHz, and 15 MHz from 2010 to 2025 MHz) must provide services in accordance with the EU Decision no. 128/1999/EC: Decision of the European Parliament and of the Council on the coordinated introduction of a third-generation mobile and wireless communications system (UMTS) in the European Union.

H.3.1 OTHER RELEVANT DOCUMENTS

Below are listed all other relevant documents to which the valid NURF refers, and all other relevant documents, which in addition to the conditions set in the previous section of this chapter define the method of using radio frequencies in the 2100 MHz radio frequency band.

The following decisions, recommendations, and CEPT reports are valid for the 2100 MHz radio frequency band:

- CEPT Report 39: Report on the development of the least restrictive technical conditions for 2 GHz bands;
- CEPT Report 19: Report on the development of the least restrictive technical conditions for frequency bands addressed in the context of WAPECS;
- ERC Report 65: Adjacent band compatibility between UMTS and other services in the 2 GHz band,

Said Reports that set the conditions for the use of the 2100 MHz radio frequency band are freely available on the CEPT website: <http://www.eroocdb.dk/>

Besides the above Reports any amendments or new versions of the above documents are also applicable.

Other regulations that must be adhered to when using the 2100 MHz radio frequency band are:

- frequencies also have to be used accordance with the other technical requirements defined in valid NURF,
- In border regions cross-border coordination must be conducted in accordance with relevant CEPT documents, which are freely available at <http://www.ecodocdb.dk>, and international agreements, which are available at the Agency's website: <http://www.apek.si/direktive,-priporocila-in-mednarodni-sporazumi>.

H.3.2 CONDITIONS FOR THE USE OF FREQUENCY BLOCKS IN THE 2100 MHZ RADIO FREQUENCY BAND

Block edge masks and conditions of use for the 2100 MHz frequency band are detailed in the CEPT Report 39.

In the case of use of the 1920–1980 MHz FDD band paired with 2110–2170 MHz or 2010–2025 MHz TDD band, interference prevention techniques have to be applied in order to prevent harmful interference from MSS services in the 1980–2010 MHz/ 2170- 2200 MHz radio frequency bands.

H.4 TECHNICAL REQUIREMENTS OF SERVICE PROVISION IN THE 2600 MHz RADIO FREQUENCY BAND

The holder of a DARF must provide terrestrial electronic communications services in accordance with the EU Commission decision no. 2008/477/EU: Commission Decision on the harmonisation of the 2500–2690 MHz frequency band for terrestrial systems capable of providing electronic communications services in the Community.

H.4.1 OTHER RELEVANT DOCUMENTS

Below are listed all other relevant documents to which the valid NURF refers, and all other relevant documents, which in addition to the conditions set in the previous section of this chapter define the method of using radio frequencies in the 2600 MHz radio frequency band.

The following decisions, recommendations, and CEPT reports are valid for the 2600 MHz radio frequency band:

- ECC/DEC/(05)05: ECC Decision on harmonised utilisation of spectrum for IMT-2000/UMTS systems operating within the band 2500–2690 MHz;
- ECC/DEC/(02)06: ECC Decision of 15 November 2002 on the designation of frequency band 2500–2690 MHz for UMTS/IMT-2000,
- ECC/REC/(11)05: Frequency planning and frequency coordination for terrestrial systems for mobile/fixed communication networks (MFCN) capable of providing electronic communications services in the frequency band 2500–2690 MHz;
- CEPT Report 19: Report on the development of the least restrictive technical conditions for frequency bands addressed in the context of WAPECS;
- ECC Report 45: Report on sharing and adjacent band compatibility between UMTS/IMT-2000 in the band 2500–2690 MHz and other services;
- ECC Report 119: Report on the coexistence between mobile systems in the 2.6 GHz frequency band at the FDD/TDD boundary.

Said Decisions, Recommendation and Reports that set the conditions for the use of the 2.600 MHz radio frequency band are freely available on the CEPT website: <http://www.erodocdb.dk/>

Besides the above Decisions, Recommendation and CEPT Reports any amendments or new versions of the above documents are also applicable.

Other regulation that must be adhered to when using the 2600 MHz radio frequency band are:

- frequencies also must be used accordance with the other technical requirements defined in valid NURF,
- In border regions cross-border coordination must be conducted in accordance with relevant CEPT documents, which are freely available at <http://www.ecodocdb.dk>, and international agreements, which are available at the Agency's website: <http://www.apek.si/direktive,-priporocila-in-mednarodni-sporazumi>.

H.4.2 CONDITIONS FOR USING BLOCKS IN THE 2600 MHZ (WITH AND WITHOUT LIMITATIONS)

Block edge masks in the 2500–2690 MHz band are specified in the Annex to the Commission Decision 2008/477/EC. Due to strict requirements for BEM, the special provisions from Chapter A.6.3 Limitations for Demand in the 2600 MHz Frequency Spectrum apply.

The difference between both types of usage conditions pertains to block BF10 as defined in chapter A.5.5 Frequency Blocks in the 2600 MHz Radio Frequency Band, and is as follows:

- unrestricted blocks: maximum EIRP = 61dBm/5 MHz¹¹;
- restricted blocks: maximum EIRP = 25dBm/5 MHz¹².

Radar equipment for air traffic control is in operation in Slovenia at airports, especially at Jože Pučnik Ljubljana airport. This equipment uses frequencies adjacent to the downlink radio frequency band (2690 MHz). These radar installations use pulsed signals and generate high field intensities which may locally interfere with mobile radio base stations (which operate in the upper segment of the frequency band). An operator which shall obtain frequencies in this part of the spectrum shall face limitations that may be caused by said radar equipment, and must accept them.

¹¹ Table 2 from Annex to the Commission Decision 2008/477/EC.

¹² Table 4 from Annex to the Commission Decision 2008/477/EC.

I. FORMS

I.1 GENERAL INFORMATION ABOUT THE PROVIDER

Post and Electronic Communications Agency of the Republic of Slovenia

Stegne 7

SI-1000 Ljubljana

Slovenia

Subject: Application for the public tender with a public auction for the radio frequency bands 800 MHz, 900 MHz, 1800 MHz, 2100 MHz, and 2600 MHz, published in the Official Gazette of the Republic of Slovenia no. 114/2013 31 December 2013.

I.1.1 LEGAL ENTITY

Company name:	
Company address:	
Headquarters:	
Company registration number:	
VAT ID number:	
Telephone number:	
Fax number:	
E-mail:	
Legal representative:	
Signature of the legal representative:	

<p>Other persons representing the company (full name and signature):</p> <p>Fields left unfilled should be struck through</p>	
Person authorized for signing the application:	
Bank account no. (IBAN no.):	
Bank name:	
Bank identification code (BIC):	

Date:

The signature of the legal representative:

I.1.2 NATURAL PERSON

Full name (or name of the company for a sole proprietor):	
Signature:	
Permanent (and temporary) residence address:	
Personal identification number (EMŠO):	
VAT ID number:	
Telephone number:	
Fax number:	
E-mail:	
Person authorized for signing the application:	
Bank account no. (IBAN no.):	
Bank name:	
Bank identification code (BIC):	

Date:

Signature:

I.2 APPLICANTS' STATEMENTS

I, the undersigned* (full name)

*state the name of the legal representative or their authorized representative as stated on Form I.1.1 or state the full name of the natural person or their authorized person as stated on Form I.1.2 .

- I declare that I am familiar with the content of the tender documentation in Public Tender for the Assignment of Radio Frequencies for providing public communications services, and that I accept its provisions;
- I declare that this application is valid until 17 October 2014.
- I declare that all the data in the application are true and accurate, and I agree that the Agency may annul the issued DARFs without returning the payment for the efficient use of a limited natural resource if it is found after the completion of the public tender procedure that the applicant provided false or untrue data in the application, or in the event that such facts come to light during the public tender procedure I shall not receive the already paid tender bonds or the advance for the administrative costs and the already paid deposits,
- I declare that the applicant is solvent, and there are no procedures of bankruptcy, compulsory settlement, compulsory liquidation or removal from the court registry without liquidation launched against the applicant, and that there is no valid reason that its current operations or any court or other procedures that the applicant is involved in, could cause such procedures to be initiated,
- I declare that the applicant shall maintain its ownership structure, as stated in this application, until the issue of the decision from paragraph 6 of Article 45 of ZEKom-1, and that it shall not have changes in ownership in a way that would be in opposition to the requirements of this public tender,
- I declare that the applicant shall adhere to the provisions of the tender documentation regarding information confidentiality as regards this public tender, and regarding the prohibition of collusion, and that it shall not act in such a way that could threaten the integrity of the public tender procedure, and that it agrees that the Agency may annul the issued decisions on the assignment of radio frequencies, if it is found after the completion of the public tender procedure that the applicant acted in such a way, or in the event that such findings occur during the course of the public tender, the applicant shall not receive the returned payment for the tender bond, nor the advance of administrative costs, and the already paid deposits.

Date:
legal entity)

natural person)

Signature of the legal representative/authorized person: (if the applicant is a
or the signature of a natural person/authorized person(if the applicant is a

I.3 AUTHORIZATION FOR SIGNING THE APPLICATION

I, the undersigned*
(full name of authorized person)

*state the name of the legal representative as stated on Form I.1.1 or state the full name of the natural person as stated on Form I.1.2.

authorize
(full name of authorized person)

number of identity document
(number of identity document)

to sign the application for the public tender with a public auction for the radio frequency bands 800 MHz, 900 MHz, 1800 MHz, 2100 MHz, and 2600 MHz, published in the Official Gazette of the Republic of Slovenia no. 114/2013 of 31 December 2013.

Date:
legal entity)
natural person)

Signature of the legal representative/authorized person: (if the applicant is a
or the signature of a natural person/authorized person(if the applicant is a

I.4 APPOINTMENT OF 3 PEOPLE WHO SHALL BE AUTHORIZED TO SUBMIT BIDS FOR THE APPLICANT DURING THE PUBLIC AUCTION

The undersigned*
(full name of authorized person)

*state the name of the legal representative or their authorized representative as stated on Form I.1.1 or state the full name of the natural person or their authorized person as stated on Form I.1.2.

1. appoint
(full name of authorized person)

number of identity document
(number of identity document)

phone number of the authorized person:

email address of the authorized person:

2. appoint
(full name of authorized person)

number of identity document
(number of identity document)

phone number of the authorized person:

email address of the authorized person:

3. appoint.....',
(full name of authorized person)

number of identity document',
(number of identity document)

phone number of the authorized person:.....

email address of the authorized person:.....;

to submit bids in the public auction as part of the public tender for the radio frequency bands 800 MHz, 900 MHz, 1800 MHz, 2100 MHz, and 2600 MHz, published in the Official Gazette of the Republic of Slovenia no. 114/2013 of 31 December 2013.

Date:
legal entity)

natural person)

Signature of the legal representative/authorized person: (if the applicant is a
or the signature of a natural person/authorized person(if the applicant is a

I.5 STATEMENT OF PAYMENT OF THE TENDER BOND

The undersigned*
(full name)

*state the name of the legal representative or their authorized representative as stated on Form I.1.1 or state the full name of the natural person or their authorized person as stated on Form I.1.2.

declare that the applicant has paid the tender bond in the amount of **€300,000** for the public tender with a public auction for the radio frequency bands 800 MHz, 900 MHz, 1800 MHz, 2100 MHz, and 2600 MHz, published in the Official Gazette of the Republic of Slovenia no. 114/2013 of 31 December 2013, to the bank account of the Agency, Stegne 7, 1000 Ljubljana: IBAN: SI56 0110 0637 0284 040, SWIFT: BSLJSI2X, with reference number 00 3814213.

I am attaching a receipt of payment to the statement.

Date:
legal entity)

natural person)

Signature of the legal representative/authorized person: (if the applicant is a
or the signature of a natural person/authorized person(if the applicant is a

I.6 LOTS FOR WHICH THE APPLICANT IS INTERESTED (THE INITIAL BID).

The forms (I.6.1 Default scenario, I.6.2 Alternative scenario 1, and I.6.3 Alternative scenario 2) comprise the applicants binding application, which must in its entirety conform to the spectral caps defined in Chapter A.6.1 of this tender documentation, Spectrum Caps.

The number of lots the applicant is interested in must be in accordance with the requirements of Chapter C.2.7 Lots for Which the Applicant Is Interested (Initial Bid).

Applications must in their entirety be in accordance with Chapters A.6.2 Reservations, and A.6.3 Restrictions on Demand for Frequencies in the 2600 MHz Band.

I.6.1 DEFAULT SCENARIO

The Default Scenario, with two 2 x 5 MHz lots in category A1, a single 2 x 10 MHz lot in category A2, and two 2 x 5 MHz lots in category A3;

The applicant must fill out the forms this form in full, even if it does not wish to submit a bid for individual lots in individual frequency bands or even if it does not wish to submit a bid in this scenario. In these cases it must write the number zero (0) in each appropriate field of the form on the number of lots as well as the sum of the latter in the individual frequency band that they do not to submit a bid on, and sign, stamp and initial the form.

In the case of this public tender, the indication of lots of the subject of this public tender may not be the subject of a supplement (from the pursuant form). An application that does not include the said forms or one where these forms are not correctly filled out, shall be excluded from further procedure.

Title/full name of applicant:	
-------------------------------	--

	Default scenario	
A1	Available lots:	2
	Lot size	2 x 5 MHz
	Reserve price per lot	€5,400,000
	Eligibility points per lot:	6
	The number of lots the applicant is interested in:	
A2	Available lots:	1
	Lot size	2 x 10 MHz
	Reserve price per lot	€1,000,000
	Eligibility points per lot:	12
	The number of lots the applicant is interested in:	
A3 ¹³	Available lots:	2
	Lot size	2 x 5 MHz
	Reserve price per lot	€5,400,000
	Eligibility points per lot:	6

¹³Reserved for new entrants or existing operators with a market share of active users of at most 15%, as is defined in Chapter A.6.2 Reservations of this tender documentation.

	The number of lots the applicant is interested in:	
B	Available lots:	7
	Lot size	2 x 5 MHz
	Reserve price per lot	€4,700,000
	Eligibility points per lot:	6
	The number of lots the applicant is interested in:	
Sum of B (MHz)	MHz	The sum of B lots may not exceed 2 x 15 MHz
Sum: A1+A2+A3+B (MHz)	MHz	The sum of A1+A2+A3+B lots may not exceed 2 x 30 MHz
C	Available lots:	15
	Lot size	2 x 5 MHz
	Reserve price per lot	€2,400,000
	Eligibility points per lot:	3
	The number of lots the applicant is interested in:	
Sum of C (MHz)	MHz	The sum of C lots may not exceed 2 x 30 MHz
D	Available lots:	1
	Lot size:	2 x 5 MHz
	Reserve price per lot:	€1,800,000
	Eligibility points per lot:	3
	The number of lots the applicant is interested in:	
T1	Available lots:	1
	Lot size:	5 MHz
	Reserve price per lot:	€10,000
	Eligibility points per lot:	1
	The number of lots the applicant is interested in:	

T2	Available lots:	3
	Lot size:	5 MHz
	Reserve price per lot:	€10,000
	Eligibility points per lot:	1
	The number of lots the applicant is interested in:	
E	Available lots:	14
	Lot size:	2 x 5 MHz
	Reserve price per lot:	€800,000
	Eligibility points per lot:	2
	The number of lots the applicant is interested in:	
F	Available lots:	9
	Lot size:	5 MHz
	Reserve price per lot:	€10,000
	Eligibility points per lot:	1
	The number of lots the applicant is interested in:	
The sum of FDD lots: A1+A2+A3+B+C+D+E+ the existing part of the 2100MHz FDD (MHz) spectrum	MHz	The sum of FDD lots: A1+A2+A3+B+C+D+E+ the existing part of the 2100 MHz FDD (MHz) spectrum may not exceed 2 x 105 MHz

Date:
 legal entity)
 natural person)

Signature of the legal representative/authorized person: (if the applicant is a
 or the signature of a natural person/authorized person(if the applicant is a

I.6.2 ALTERNATIVE SCENARIO 1

Alternative Scenario 1, with two 2 x 5 MHz lots in category A1, a single 2 x 15 MHz lot in category A2, and a single 2 x 5 MHz lot in category A3; and

The applicant must fill out the forms this form in full, even if it does not wish to submit a bid for individual lots in individual frequency bands or even if it does not wish to submit a bid in this scenario. In these cases it must enter the number zero (0) in each appropriate field of the form on the number of lots as well as the sum of the latter in the individual frequency band that it does not submit a bid on, and sign, stamp, and initial the form.

In the case of this public tender, the indication of lots of the subject of this public tender may not be the subject of a supplement (from the pursuant form). An application that does not include the said forms or one where these forms are not correctly filled out, shall be excluded from further procedure.

Title/full name of applicant:	
-------------------------------	--

Alternative Scenario 1		
A1	Available lots:	2
	Lot size:	2 x 5 MHz
	Reserve price per lot:	€5,400,000
	Eligibility points per lot:	6
	The number of lots the applicant is interested in:	
A2	Available lots:	1
	Lot size:	2 x 15 MHz
	Reserve price per lot:	€6,300,000
	Eligibility points per lot:	18
	The number of lots the applicant is interested in:	
A3 ¹⁴	Available lots:	1
	Lot size:	2 x 5 MHz
	Reserve price per lot:	€5,400,000
	Eligibility points per lot:	6
	The number of lots the applicant	

¹⁴ Reserved for new entrants or existing operators with a market share of active users of at most 15%, as is defined in Chapter A.6.2 Reservations of this tender documentation.

	is interested in:	
B	Available lots:	7
	Lot size:	2 x 5 MHz
	Reserve price per lot:	€4,700,000
	Eligibility points per lot:	6
	The number of lots the applicant is interested in:	
Sum of B (MHz)	MHz	The sum of B lots may not exceed 2 x 15 MHz
Sum: A1+A2+A3+B (MHz)	MHz	The sum of A1+A2+A3+B lots may not exceed 2 x 30 MHz
C	Available lots:	15
	Lot size:	2 x 5 MHz
	Reserve price per lot:	€2,400,000
	Eligibility points per lot:	3
	The number of lots the applicant is interested in:	
Sum of C (MHz)	MHz	The sum of C lots may not exceed 2 x 30 MHz
D	Available lots:	1
	Lot size:	2 x 5 MHz
	Reserve price per lot:	€1,800,000
	Eligibility points per lot:	3
	The number of lots the applicant is interested in:	
T1	Available lots:	1
	Lot size:	5 MHz
	Reserve price per lot:	€10,000
	Eligibility points per lot:	1
	The number of lots the applicant is interested in:	

T2	Available lots:	3
	Lot size:	5 MHz
	Reserve price per lot:	€10,000
	Eligibility points per lot:	1
	The number of lots the applicant is interested in:	
E	Available lots:	14
	Lot size:	2 x 5 MHz
	Reserve price per lot:	€800,000
	Eligibility points per lot:	2
	The number of lots the applicant is interested in:	
F	Available lots:	9
	Lot size:	5 MHz
	Reserve price per lot:	€10,000
	Eligibility points per lot:	1
	The number of lots the applicant is interested in:	
The sum of FDD lots: A1+A2+A3+B+C+D+E+ the existing part of the 2100MHz FDD (MHz) spectrum	MHz	The sum of FDD lots: A1+A2+A3+B+C+D+E+ the existing part of the 2100 MHz FDD (MHz) spectrum may not exceed 2 x 105 MHz

Date:
 legal entity)
 natural person)

Signature of the legal representative/authorized person: (if the applicant is a
 or the signature of a natural person/authorized person(if the applicant is a

I.6.3 ALTERNATIVE SCENARIO 2

Alternative Scenario 2, with three 2 x 5 MHz lots in category A1, a single 2 x 15 MHz lot in category A2, and category A3 withdrawn from the auction.

The applicant must fill out the forms this form in full, even if it does not wish to submit a bid for individual lots in individual frequency bands or even if it does not wish to submit a bid in this scenario. In these cases it must enter the number zero (0) in each appropriate field of the form on the number of lots as well as the sum of the latter in the individual frequency band that it does not submit a bid on, and sign, stamp, and initial the form.

In the case of this public tender, the indication of lots of the subject of this public tender may not be the subject of a supplement (from the pursuant form). An application that does not include the said forms or one where these forms are not correctly filled out, shall be excluded from further procedure.

Title/full name of applicant:	
-------------------------------	--

Alternative Scenario 2		
A1	Available lots:	3
	Lot size:	2 x 5 MHz
	Reserve price per lot:	€5,400,000
	Eligibility points per lot:	6
	The number of lots the applicant is interested in:	
A2	Available lots:	1
	Lot size:	2 x 15 MHz
	Reserve price per lot:	€6,300,000
	Eligibility points per lot:	18
	The number of lots the applicant is interested in:	
A3 ¹⁵	Available lots:	0
	Lot size:	0
	Reserve price per lot:	0
	Eligibility points per lot:	0
	The number of lots the applicant	0

¹⁵ Reserved for new entrants or existing operators with a market share of active users of at most 15%, as is defined in Chapter A.6.2 Reservations of this tender documentation. There is not category A3 in this scenario, and it is not available.

	is interested in:	
B	Available lots:	7
	Lot size:	2 x 5 MHz
	Reserve price per lot:	€4,700,000
	Eligibility points per lot:	6
	The number of lots the applicant is interested in:	
Sum of B (MHz)	MHz	The sum of B lots may not exceed 2 x 15 MHz
Sum: A1+A2+B (MHz)	MHz	The sum of A1+A2+B lots may not exceed 2 x 30 MHz
C	Available lots:	15
	Lot size:	2 x 5 MHz
	Reserve price per lot:	€2,400,000
	Eligibility points per lot:	3
	The number of lots the applicant is interested in:	
Sum of C (MHz)	MHz	The sum of C lots may not exceed 2 x 30 MHz
D	Available lots:	1
	Lot size:	2 x 5 MHz
	Reserve price per lot:	€1,800,000
	Eligibility points per lot:	3
	The number of lots the applicant is interested in:	
T1	Available lots:	1
	Lot size:	5 MHz
	Reserve price per lot:	€10,000
	Eligibility points per lot:	1
	The number of lots the applicant is interested in:	

T2	Available lots:	3
	Lot size:	5 MHz
	Reserve price per lot:	€10,000
	Eligibility points per lot:	1
	The number of lots the applicant is interested in:	
E	Available lots:	14
	Lot size:	2 x 5 MHz
	Reserve price per lot:	€800,000
	Eligibility points per lot:	2
	The number of lots the applicant is interested in:	
F	Available lots:	9
	Lot size:	5 MHz
	Reserve price per lot:	€10,000
	Eligibility points per lot:	1
	The number of lots the applicant is interested in:	
The sum of FDD lots: A1+A2+B+C+D+E+ the existing part of the 2100MHz FDD (MHz) spectrum	MHz	The sum of FDD lots: A1+A2+B+C+D+E+ the existing part of the 2100 MHz FDD (MHz) spectrum may not exceed 2 x 105 MHz

Date:
 legal entity)
 natural person)

Signature of the legal representative/authorized person: (if the applicant is a
 or the signature of a natural person/authorized person(if the applicant is a

I.7 STATEMENT ON THE SUBMISSION OF DOCUMENTS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TENDER DOCUMENTATION

I, the undersigned* ,
(full name)

*state the name of the legal representative or their authorized representative as stated on Form I.1.1 or state the full name of the natural person or their authorized person as stated on Form I.1.2.

I declare that in accordance with the requirements and conditions of the public tender I am attaching the following documents:

- General information about the applicant (Form I.1.1 or I.1.2);
- Applicant’s statements (Form I.2);
- Information on the applicant’s ownership structure (no form),
- Authorization for signing the application (Form I.3);
- Financial, organizational and technical plans regarding the construction and administration of the mobile communication network (business plan) (no form)
- Nomination of 3 people who shall be authorized to submit bids for the applicant during the public auction (Form I.4);
- Statement and confirmation of payment of the tender bond (Form I.5);
- List of the frequency lots the applicant is interested in (Initial Bid) (Forms I.6.1, I.6.2, I.6.3);
- Statement on the submission of documents in accordance with the requirements of the tender documentation (Form I.7);

Date: _____ Signature of the legal representative/authorized person: (if the applicant is a legal entity)
or the signature of a natural person/authorized person(if the applicant is a natural person)
