

# IRAC

INTERNATIONAL REGULATORY AFFAIRS CONSULTING ESTABLISHMENT

## SUBMISSION

to

### **Apek Tender Procedure:**

*4300-17/2012/8: Inquiry regarding consultation on writing a final version of the background document for a multiband auction and its translation*

IRAC

████████████████████ CEO IRAC Est.

Office: Egerthastrasse 20  
FL 9490, Vaduz

████████████████████

████████████████████



# IRAC


INTERNATIONAL REGULATORY AFFAIRS CONSULTING ESTABLISHMENT

## **Apek Tender Procedure 4300-17/2012/8:**

*Inquiry regarding consultation on writing a final version of the background document for a multiband auction and its translation*

### **List of documents submitted:**

1. Offer
2. Statement of non-disclosure
3. Statement on presence at APEK during the project
4. Reference document
5. Supporting evidence
  - a. Confirmation letter by AEK, Director Ordanoski
  - b. Memorandum of Common Understanding, Ljubljana, 27.06.2012
  - c. Confirmation letter by RTR, Dr. Roland Neustädter, Head of HR and Finance Department
  - d. Signed Order Form of the European Commission, signed by Dr. Bernd Langeheine, Director Dept. A2, DG INFSO and Media.
  - e. Letter of Confirmation by Mrs. Prado Wagner, ITU
  - f. Letter of Confirmation by CITC
  - g. Letter of Confirmation of H3G
  - h. Letter of Confirmation of T-Mobile Austria
  - i. Confirmation letter by Steinbacher Dämmstoffe GmbH

 Vaduz, 05.11.2012

Vaduz, 05.11.2012

**OFFER to Apek Tender Procedure:**

*4300-17/2012/8: Inquiry regarding consultation on writing a final version of the background document for a multiband auction and its translation*

Hereby, IRAC Est. has the pleasure to submit their offer to the aforementioned tender procedure of Apek.

IRAC Est. offers to provide the requested "*consultation and cooperation in finalisation of background document for multiband auction entitled "Analysis of spectrum usage for Electronic Communication Services" and its eventual completion*".

IRAC Est. accepts and will comply with Apek's rules on pricing and offers these services at a price of

**€ 18.740.—**

which includes compensation for our services (including translation) and all travel costs. There will be no charging of VAT, since IRAC Est., under Liechtenstein Law, has opted for a regime excluding VAT receipts. The consulting will be performed by our CEO Professor Dr. Heinrich OTRUBA.

To support its submission, IRAC Est. includes the requested references along with documents to proof these references, a non-disclosure statement and a statement of presence.

Looking forward towards a fruitful cooperation on this project,

With best regards



# IRAC

INTERNATIONAL REGULATORY AFFAIRS CONSULTING ESTABLISHMENT

## **Non-Disclosure Statement**

I, the undersigned [REDACTED] born [REDACTED] residing at [REDACTED]  
[REDACTED] participating in the project "The usage of radio frequency spectrum for Electronic Communications Services", lead by Agency for Post and Electronic Communications of the Republic of Slovenia (hereinafter: the Agency)

### **HEREBY DECLARE**

- I will protect personal information and business secrets, which I will be informed of during my participation in the project;
- that data and information, which I will be informed of during my participation in the project will not be disclosed to unauthorized persons<sup>1</sup> and I will not use them for my own purposes, but only for the purposes of participation in the project and preparation of my contributions to the project;
- that I waive my rights on the contributions, which I will prepare during my participation in the project, and I agree that agency can decide whether and how to use my contributions in the project;
- I will act in professional and transparent way.

I am aware that disclosure of personal information that derive from this project to unauthorized persons or misuse of this information are criminal offences.

I am aware that I have to keep confidential all the information related to operating activities of the agency that derive from this project and are not publicly available. Conducting contrary to this provision is a criminal offence.

[REDACTED]

Vienna, 05.11.2012

<sup>1</sup> The list of authorised persons is kept by the Agency



**APEK**

Agencija za pošto in elektronske  
komunikacije Republike Slovenije  
Stegne 7, p. p. 418  
1001 Ljubljana  
telefon: 01 583 63 00, faks: 01 511 11 01  
e-naslov: info.box@apek.si, http://www.apek.si  
davčna št.: 10482369

Podpisani/ *The undersigned* [redacted] roj./born [redacted] stanujoč/  
*residing at* [redacted], sodelujoč pri  
projektu »Uporaba radiofrekvenčnega spektra za storitve elektronskih komunikacij«, ki ga  
vodi Agencija za pošto in elektronske komunikacije Republike Slovenije (v nadaljevanju:  
agencija), *participating in the project The usage of radio frequency spectrum for Electronic  
Communications Services*, lead by Agency for Post and Electronic Communications of the  
Republic of Slovenia (*hereinafter: the Agency*)

**IZJAVLJAM /  
I HEREBY DECLARE**

da sem pripravljen po potrebi oziroma največ enkrat tedensko prihajati na sedež agencije v  
zvezi s svetovanjem pri dokončni izdelavi strokovnih podlag za dražbo radiofrekvenčnih  
pasov za javne mobilne storitve z naslovom "Analiza stanja uporabe frekvenčnega spektra  
za elektronske komunikacijske storitve". Vsi stroški mojih obiskov so upoštevani v ponujeni  
ceni za predmet razpisa.

*I am prepared to attend meetings at head office of Agency regarding consultation and  
cooperation in finalisation of background document for multiband auction entitled "Analysis  
of spectrum usage for Electronic Communication Services", if needed but not more than  
once a week. Costs of these visits are included in the offered price.*

Podpis/Signature



*Vienna, 05.11.2012*

# IRAC

INTERNATIONAL REGULATORY AFFAIRS CONSULTING ESTABLISHMENT

**Statement on presence at Apek during the project**

I, the undersigned [REDACTED], born [REDACTED] residing at [REDACTED]  
[REDACTED] participating in the project "The usage of radio frequency spectrum for  
Electronic Communications Services", lead by Agency for Post and Electronic  
Communications of the Republic of Slovenia (hereinafter: the Agency)

**HEREBY DECLARE:**

*I am prepared to attend meetings at the Head Office of the Agency regarding consultation  
and cooperation in finalizing the background document for the multiband auction entitled  
"Analysis of spectrum usage for Electronic Communication Services", if needed but not more  
than once a week. Costs of these visits are included in the offered price.*

[REDACTED]

05.11.2012

# IRAC

INTERNATIONAL REGULATORY AFFAIRS CONSULTING ESTABLISHMENT

## List of References:

The following sections are intended as documentation of my relevant activities as requested by APEK. All individual projects are briefly described and the relevant documentation of proof is given. I have to note here that some of the Letters of Confirmation have already been used for a submission of another project in the past. For newer projects and projects, which were not requested in older submissions I managed to obtain recent Letters of Confirmation. The sequence of sections follow the ToR of this tender.

### **1. *Involvement as partner or as leader in the last 5 years in 4G (LTE) projects of an European regulator***

I have been involved as project leader in the following two projects of a European NRA with a focus on the implementation of 4G services

#### **i. *Regulatory strategy of AEK:***

This project was dealing with the development of a regulatory strategy for the Macedonian NRA AEK. The chapter on mobile strategy deals explicitly with the relevant issues of creating a positive regulatory framework for the introduction of 4G services in Macedonia. I functioned in this project as principal consultant and project leader.

**Proof:** Letter of Confirmation by [REDACTED] Director of AEK

#### **ii. *Two Staff seminars on Recent Frequency Issues in Slovenia; June, October 2012***

These two staff seminars were dealing with the crucial issues of frequency policy in the light of expiring/expired GSM licenses, Digital Dividend, coverage requirements, sharing arrangements as well as with the experience of EU NRAs with creating a favorable climate for the introduction of 4G. My role in these seminars was project leader.

**Proof:** These seminars were held under a Memorandum of Understanding between APEK and by IRAC Est. (CEO: [REDACTED])

### **2. *Involvement as partner or as leader public mobile services auction projects of European regulators***

During my term as CEO of the Austrian Regulatory Authority for Telecommunications and Media RTR (former TKC) I was the ultimately responsible project leader for all frequency auctions of the Austrian NRA. There were five projects dealing with mobile frequency allocations, including a new GSM license in the 1800MHz band and the licensing procedure for the 3G frequencies and one project dealing with Wireless Local Loop licences. The list of projects reads as:



4<sup>th</sup> GSM License (1999): 2 x 14,6 MHz, 1800MHz band

Tetra 400 License (2000): 2x1 MHz, 400 MHz band

6 UMTS Licenses (2000): 2 x 60 MHz; 1x 25MHz 2,1 GHz 3G band

Supplementary GSM 1800 Licenses (2001): 2 x 21,2 MHz; 1800 MHz band

Supplementary GSM 1800 Licenses (2002): 2 x 18,8 MHz; 1800 MHz band

Several WLL Licenses: 2 x 392 MHz MHz, 26 GHz band

**Proof:** Letter of Confirmation by RTR, signed by [REDACTED] Head of Finance and HR Department

**3. *Involvement as partner or as leader in the last 5 years in public mobile services projects of the European Commission or an other institution of the European Union***

In 2008, I was awarded with a contract to assist the EC in the development of an economic model to assess the impact of the Roaming Regulation. The results of this project were used to back up the economic reasoning in the Policy Assessment of the second Roaming Regulation. My role in this project was project leader.

**Proof:** Signed order form of the European Commission

**4. *Involvement as partner or as leader in public mobile services project of International Telecommunication Union or regulators from other non-European continents***

**i. *ITU Projects***

In the last five years, I have conducted a series of ITU- Seminars for Heads of Regulatory Authorities and cost accounting specialists from operators and NRAs. The main topic was cost accounting methods and models for mobile and fixed networks. (See the complete list of projects in the Letter of Confirmation by ITU). My involvement was as leader of these projects.

**Proof:** Letter of Confirmation by [REDACTED] ITU

**ii. *Project with CITC (Saudi Arabia)***

In addition, in 2010, I completed a project for CITC, the Saudi Arabian NRA for telecommunications, which was dealing with an evaluation of their existing costing models for mobile and fixed networks and the development of strategic options to improve the status quo. I was involved in this project as project leader and senior consultant, some research was done by freelancing staff of IRAC Est.

**Proof:** Letter of Confirmation by CITC

**5. *Involvement as partner or as leader public mobile services project of European mobile operator***

In 2010, I was invited by Hutchison 3G Austria to investigate the welfare effects of the implementation of LTE in Austria. This study is based on the basic insight, that regulatory actions should maximize social welfare. Starting from this fundamental concept a simulation model was developed, which allowed calculating estimates of the social welfare for different regulatory scenarios. The scenarios mirrored different approaches and time schedules for the reallocation of expiring licenses for 900MHz and 1800MHz frequencies and the allocation of 800MHz. Time schedules for the liberalization of frequency usage were also considered. I was the project leader and senior consultant, supported by graduate students of the Research Institute of Regulatory Economics of the Economics University of Vienna.

**Proof:** Letter of Confirmation of H3G.

**6. *Involvement as partner or as leader in competition issues project regarding electronic communications service providers***

- i. T-Mobile Austria invited me to support them in the current merger control procedure before the European Commission: H3G Austria/Orange Austria (Case: M.6497). The first part of this project has been successfully finished; the second part is still on-going. My role in this project is project leader, the scope is to analyze the effects of this on the competitive situation of mobile voice and data markets in Austria and to support T-Mobile before the competent authorities.

**Proof:** Letter of Confirmation of T-Mobile Austria.

- ii. I take the liberty here to point to my involvement in competition issues in sectors other than electronic communication. In cooperation with colleagues from my former university I published a scientific paper on ineffective competition in urban road construction projects, (Vienna, 2004). I recently finished a study on the effectiveness of a vertical price cartel in the market for house insulation. Both of these studies were/are used by the competent authorities for their decision making.

**Reference:**

[REDACTED]  
[REDACTED] Vergaberechtliche Steuerungsmöglichkeiten bei  
möglicherweise zu geringem Wettbewerb auf einem unvollkommenen Bau-  
Teilmarkt. Zeitschrift für Vergaberecht und Bauvertragsrecht, 2004, pp164.

Confirmation letter by Steinbacher Dämmstoffe GmbH.



**APEK**

Agencija za pošto in elektronske  
komunikacije Republike Slovenije  
Stegne 7, p. p. 418  
1001 Ljubljana  
telefon: 01 583 63 00, faks: 01 511 11 01  
e-naslov: info.box@apek.si, http://www.apek.si  
davčna št.: 10482369

Podpisani/ *The undersigned* [redacted], roj./born [redacted], stanujoč/  
*residing at* [redacted], sodelujoč pri  
projektu »Uporaba radiofrekvenčnega spektra za storitve elektronskih komunikacij«, ki ga  
vodi Agencija za pošto in elektronske komunikacije Republike Slovenije (v nadaljevanju:  
agencija),/ *participating in the project "The usage of radio frequency spectrum for Electronic  
Communications Services", lead by Agency for Post and Electronic Communications of the  
Republic of Slovenia (hereinafter: the Agency)*

**IZJAVLJAM/  
I HEREBY DECLARE**

- da bom varoval osebne podatke in poslovne skrivnosti, s katerimi se bom seznanil pri delu na projektu;/ *I will protect personal information and business secrets, which I will be informed of during my participation in the project;*
- da nepooblaščenim osebam<sup>1</sup> ne bom razkrival podatkov in informacij, s katerimi se bom seznanil pri delu na projektu (npr. vsebina analize uporabe radiofrekvencnega spektra za storitve elektronskih komunikacij, ideja, koncepti, variante, načrti agencije, ki jih bo ta razvila pri delu na projektu...), in jih ne bom uporabljal v lastne namene, ampak le za namene sodelovanja pri projektu oziroma priprave lastnih prispevkov v okviru projekta;/ *that data and information, which I will be informed of during my participation in the project will not be disclosed to unauthorized persons<sup>2</sup> and I will not use them for my own purposes, but only for the purposes of participation in the project and preparation of my contributions to the project;*

<sup>1</sup> Seznam pooblaščenih oseb hrani agencija

<sup>2</sup> The list of authorised persons is kept by the Agency

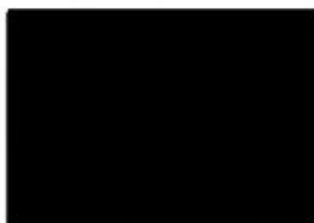


- da se odpovedujem vsem pravicam na prispevkih, ki jih bom pripravil v okviru dela na projektu, in se strinjam, da agencija sama odloča ali in na kakšen način bo prispevke uporabila pri svojem delu; / *that I waive my rights on the contributions, which I prepared during my participation in the project, and I agree that agency can decide whether and how to use my contributions in the project;*
- da bom svoje delo pri projektu opravil strokovno in transparentno. / *I will act in professional and transparent way.*

Podpisani se zavedam, da je razkrivanje osebnih podatkov, s katerimi se bom seznanil pri delu na projektu, nepooblaščenim osebam ali zloraba teh podatkov kaznivo dejanje. / *I am aware that disclosure of personal information that derive from this project to unauthorized persons or misuse of this information are criminal offences.*

Podpisani se zavedam, da moram varovati kot poslovno skrivnost vse podatke v zvezi s poslovanjem agencije, s katerimi se bom seznanil pri delu na projektu in niso splošno znani, dajanje teh podatkov tretjim nepooblaščenim osebam pa predstavlja kaznivo dejanje. / *I am aware that I have to keep confidential all the information related to operating activities of the agency that derive from this project and are not publicly available. Conducting contrary to this provision is a criminal offence.*

Podpis/Signature:



*Vilma, 05.11.2012*

REGISTRARNA PRAVNA OSOBNOST  
A E T B S O

opis: *02-386/1*  
*30.10.2017*

Subject: Confirmation

Intended to: APEK, Stegne 7, 1000 Ljubljana, Slovenija; All interested party

Hereby AEC confirms that International Regulatory Affairs Consulting (Project Leader [REDACTED] [REDACTED] on 13.09.2011 was awarded with a contract to develop a regulatory strategy for AER. The final report contains strategies for fixed and mobile markets in Macedonia, in particular on frequency policy, to creating favorable conditions for the introduction of 4G services.

Best regards



[REDACTED] Director AER



**APEK**

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e-naslov: info.box@apek.si, http://www.apek.si  
davčna št.: 10482369

**International Regulatory Affairs  
Consulting  
Egertastrasse 20  
9490 Vaduz, FL**

Our Ref.  
No.: 38115-5/2012/20  
Date: 27.06.2012

and

**Agencija za pošto in elektronske  
komunikacije  
Stegne 7  
1000 LJUBLJANA**

## **Memorandum of common understanding**

### Article 1 (Content of the MoU)

The contractual parties agree, that the lectures regarding the general overview, discussion of some EU examples, showing how other member states have handled or plan to handle frequency allocations in the context of new spectrum (800MHz) and already licensed spectrum, with the expectation of close expiration dates of existing licenses and discussion of the Slovenian situation in the light of the practices in other EU Member States will be of mutual interest

### Article 2 (Obligations of International Regulatory Affairs Consulting)

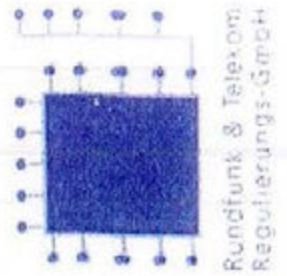
The International Regulatory Affairs Consulting would held two lectures, one in June 2012, a very detailed with 3 days of preparation of the material and to deliver the seminar and one shorter one in September to discuss some issues regarding European praxis in light of possible solutions in Slovenia.

### Article 3 (Obligations of APEK)

APEK will pay 6.000€ to cover the expenses of obligations of International Regulatory Affairs Consulting as stated in Article 2.

**Franc DOLENC  
DIRECTOR of APEK**

**DIRECTOR of Affairs Consulting**



RTR

APEK  
c/o [REDACTED]  
Stegne 7  
1000 Ljubljana  
Slovenija

RN

Wien, am 31.10.2012

### Confirmation

Hereby we confirm that [REDACTED] in his capacity as CEO of RTR (former TKC) from 01.11.1997 to 31.10.2002 was the ultimately responsible project leader for the following auctions of mobile licenses:

GSM (2002): 2 x 18,8 MHz; concluded: 14.10.2002; price: € 14.800.000,00  
GSM-1800 (2001): 2 x 21,2 MHz; concluded 07.05.2001; price: € 69.911.266,47  
WLL 26 GHz (2001): 2 x 392 MHz; concluded 05.02.2001; price: € 1.351.714,72  
UMTS 2 GHz (2000): 2 x 60 MHz; 1 x 25 MHz; concluded: 20.11.2000; price € 831.595.241,38  
TETRA 400 MHz (2000): 2 x 1 MHz; concluded: 03.02.2000; price: € 4.832.743,47  
GSM (1999): 2 x 14,6 MHz; concluded: 03.05.1999; price: € 98.108.326,13

Best regards



**RTR-GmbH**  
Rundfunk und Telekom  
Regulierungs-GmbH

[REDACTED]  
Leiter Finanzen, Personal & IT

RUNDFUNK UND TELEKOM  
REGULIERUNGS-GMBH  
A-1060 Wien, Mariahilfer Straße 77-79  
Tel: +43 (0) 1 58058 - 0  
Fax: +43 (0) 1 58058 - 9191  
http://www.rtr.at  
e-mail: rtr@rtr.at  
FN: 2083121 HG Wien  
DVR-Nr.: 0956732 Austria  
UID-Nr.: ATU43773001

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Version of January 2008 - R2

	<b>EUROPEAN COMMISSION</b> Address DG and administrative unit: Information Society and Media Electronic Communications Policy Implementation of Regulatory Tel.: +32-2-2953437 Fax: +32-2-2968394	<b>PURCHASE ORDER</b> (to be mentioned in all correspondence) No INFSO/B-2008/45705		Number of sheets 1	Sheet No 1	Date and reference of your quote 30/05/08
		Contractor code: Country of origin: Austria Currency of payment: EUR Code country of origin/currency			(Name and address of Contractor) Vienna University of Economics and Business Administration Augasse 2-6 A-1090 Wien	
This purchase order constitutes acceptance of the Contractor's quote submitted on 30/05/2008 by e-mail and is valid for 3 months from the date of issue.						
By agreeing to this contract, the Contractor states that he is familiar with and accepts the General Conditions hereby attached and waives all other terms of sale or performance of services.						
DESCRIPTION OF THE GOODS OR SERVICES				UNIT	QUANTITY	PRICE in € UNIT PRICE    TOTAL
assistance in the development of an economic model to assess the impact of the Roaming Regulation on operators as well as the potential impacts of an extension in time and/or in scope to SMS and data services both on the industry in general and on consumer welfare in particular.				days	5	5.000,00 €
Pursuant to the provisions of Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities, the Commission is exempt from all taxes and dues, including value added tax, on payments due in respect of this Contract.				Packaging Insurance Transport Assembly VAT		
				<b>TOTAL : 5.000 €</b>		
Place of delivery/performance and/or Incoterm and opening hours: Media, Avenue de Beaulieu 33, 1160 Brussels/Belgium				<b>Contractor's signature</b>		
Delivery/performance dates: from 16/06/2008 to 20/06/2008 inclusive				Name: [Redacted]		
Payment: 30 days from receipt of the invoice <b>Invoice to be sent to:</b> European Commission Information Society and Media Directorate General Directorate B - Electronic Communications Policy for the attention of [Redacted] BU33 6/55 Avenue Bourget, 1 B-1140 Brussels - Belgium				Position: Date: 18.06.2008		
Contractor's bank account: [Redacted] 1200000710484494						
Acceptance of the quote by the Commission: Date of issue: [Redacted] -86- 2008 Signature: Bernd [Redacted] Director						
The request for payment is permissible only if the Contractor returns a signed copy of this purchase order with the invoice. This Contract shall be governed by the Community law complemented where necessary, by Belgian law. Any dispute shall be brought before the courts of Brussels.						





**Telecommunication  
Development Bureau (BDT)**

Ref. BDT/POL/RME/

Geneva, 13 June 2011

Contact:

[REDACTED]  
Regulatory and Market Environment  
Division

[REDACTED]  
A-1020 Vienna  
Austria

Telephone:

Telefax:

E-mail:

[REDACTED]

Subject: **Statement of project Completion**

**To whom it may concern**

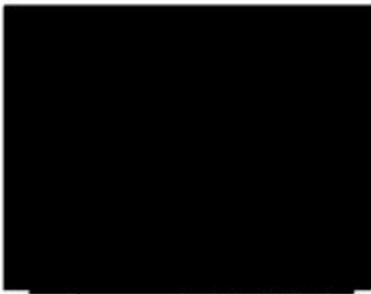
We hereby confirm that [REDACTED] University Professor at Wirtschaftsuniversität Wien has completed to our full satisfaction the following projects for the ITU-D. All these projects deal with strategic and operational regulatory topics connected to regulatory cost accounting and price regulation:

1. Development of training material for two training modules on strategic regulatory cost accounting and regulatory cost accounting models.
2. Executive Level Training for Heads of Regulatory Authorities: Strategic Impact of Cost Modeling on ICT development, Geneva, Switzerland 10-11 November 2008.
3. ITU Expert-Level Training for national regulatory authorities on cost model development, Geneva, Switzerland 12-21 November 2008.
4. Developing a section on Regulatory Accounting for the Module 2 Competition and Price Regulation of the ITU-infoDev ITC regulation toolkit ([www.ictregulationtoolkit.org/](http://www.ictregulationtoolkit.org/)).
5. ITU Expert-Level Training for national regulatory authorities on cost modeling for English-speaking African Countries (Level I); Lesotho, 06.07.2009 – 10.07.2009.
6. ITU Expert-Level Training for national regulatory authorities and operators on cost modeling for Arab States (Level I); Damascus, Syria, 11.10.2009 – 15.10.2009.
7. ITU Expert-Level Training on network cost modeling for the Asia Pacific Region (Level I); Bangkok Thailand, 09.11.2009-13.11.2009.
8. Development of training material for the ITU High-Level Training on Cost Modeling (Level II); SSA of 08.04.2010.
9. ITU Expert-Level Training on 3G network cost modeling for Arab States - Level II, Damascus, Syria, 01.08.2010 – 05.08.2010; Training of Trainers (Spanish and French speaking Experts), Damascus, Syria, 06.08.2010.

10. ITU Expert-Level Training on 3G network cost modeling for the Caribbean countries - Level I, Kingston, Jamaica, 04.10.2010 to 08.10.2010.
11. ITU Expert-Level Training on 3G mobile network cost modeling for the Asia Pacific Region, Bangkok, Thailand, 15.11.2010 – 19.11.2010.
12. ITU Expert-Level Training on network cost modeling for English-Speaking African Countries - Level II, Malawi, 01.11.2010 to 05.11.2010.

The works have been satisfactorily performed and completed in compliance with the Terms of reference.

This certificate is issued upon the request of the same.



Regulatory and Market Strategies Division (RME)

No. .... : الرقم  
Date: ..... : التاريخ  
Attached: ..... : المرفقات

هيئة الاتصالات وتقنية المعلومات  
Communications and Information Technology Commission



To/ Mr. [REDACTED]

Director of Agency for Electronic Communications  
(Regulatory Authority of Macedonia)

Dear [REDACTED]

The CITC confirms that [REDACTED] has successfully completed a project for CITC on the CITC "Bottom-Up" LRIC models for the fixed and the mobile services by 29<sup>th</sup> of March, 2010.

The project was on the appropriateness of the approach and the correctness of the models and as a result Dr. Otruba gave a list of suggestions on strategic and operational issues.

Best Regards,

[REDACTED]

Deputy Governor Regulatory Policies and Licensing Affairs

C.C. Director of Sector Policies.

[REDACTED]

[REDACTED]

[REDACTED]

Hutchison 3G Austria GmbH  
Gasometer C, Guglgasse 12/10/3  
1110 Wien, Österreich

Tel. +43 5 0660 65200  
Fax +43 5 0660 65009  
gerhard.horvath@drei.com



Vienna, 26<sup>th</sup> of July 2011

## Confirmation

To whom it may concern,

Hereby, Hutchison 3G Austria GmbH confirms that International Regulatory Affairs Consulting Est. (IRAC Est.) seated in FL Liechtenstein, Egertastrasse 20, 9490 Vaduz, has successfully completed the project: Welfare Effects of the Implementation of LTE in Austria. The project deals with alternative regulatory strategies for the implementation of LTE under the special circumstances in Austria. The results of the project were a substantial part of our response to a consultation of RTR (Austrian Regulatory Authority for Telecommunications and Media) and were used in a hearing before the decision body (Telekom-Control-Kommission; TKK) to further explain H3G's position on these issues.

For further information, please do not hesitate to contact us, we will be happy to clarify open questions.



Head of Regulatory Affairs & Carrier Relations

T-Mobile Austria GmbH  
A-1030 Wien, Rennweg 97-99

APEK  
c/o [REDACTED]  
Stegne 7  
1000 Ljubljana

Wien, 30. Oktober 2012

Betreff: Confirmation

Dear [REDACTED]

We hereby confirm that International Regulatory Affairs Consulting Est. ([REDACTED]) is providing us with consulting services in the merger control case H3G/Orange.

The first part of the study has been successfully completed, the second part, depending on the further development of the legal procedures at the European Commission is pending. The subject of this contract is to evaluate legal aspects and the competitive effects of this merger on the Austrian mobile markets and on T-Mobile Austria, in particular with regards to the implementation of 4G services.

Best regards  
[REDACTED]

**T-Mobile**  
T-Mobile Austria GmbH  
Rennweg 97-99  
A-1030 Wien

10003

Hausanschrift      T-Mobile Austria GmbH  
Telekontakte      A-1030 Wien, Rennweg 97-99  
Konto                Telefon (+43 1) 795 85-0  
Geschäftsführung    UniCredit Bank Austria AG 52844 072 301, BLZ: 12000  
Firmenbuch         Ing. Robert Chvátal (Vorsitzender), Dipl. Wi.-Ing. Wolfgang Kniese (stv. Vorsitzender)  
                              Handelsgericht Wien, Sitz Wien, FN 171112k, UID ATU 45011703, DVR 0898295

APEK  
c/o [REDACTED]  
Stegne 7  
1000 Ljubljana  
Slovenija

Erfendorf, 5. November 2012  
cb

Letter of Confirmation

Dear [REDACTED]

we hereby confirm that in 2012 [REDACTED] conducted a study for Steinbacher Dämmstoff Gesellschaft mbH on, inter alia, the effects of alleged anti-competitive conduct regarding resale prices of certain insulating material. The project has just very recently been successfully completed.

Best regards

[REDACTED]

Steinbacher Dämmstoff GmbH  
A-6383 Erfendorf/Tirol, Salzburger Str. 35  
T+43/5352/7000, F+43/5352/700530  
[www.steinbacher.at](http://www.steinbacher.at), e-mail: [office@steinbacher.at](mailto:office@steinbacher.at)  
HRB: FN 39 703 m, ARA-Nr. 811  
UID-Nummer: ATU 31 89 50 09



Qualitätsmanagement  
We sind zertifiziert  
Reg. Nr. 123456789  
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