

Public Consultation on the usage of 900, 1800 and 2100 MHz frequency bands by mobile systems

CONSULTATION MODALITIES

The Authority hereby calls a public consultation for the purpose of acquiring comments, information and documentation elements on the possibility for 900 and 1800 MHz frequency bands (currently used for GSM) to be taken up for third generation mobile systems development (IMT2000/UMTS) or any other technology equivalent and compatible under the applicable regulation, and verifying whether the market is interested in any re-use of 2100 MHz frequency blocks already assigned for the UMTS and recently revoked by the Administration.

Hence, the main goal of the consultation is that of collecting elements in order to define the regulatory framework, under art. 29 of the Code and as far as any possible Authority's competence is concerned.

In particular, the Authority

INVITES

all interested parties, to send the Authority itself their remarks on the above mentioned subject, with special reference to the issues stated in the consultation document, which is reported in Annex B, and highlighted through the questions that are proposed in order to facilitate any observation.

All communication bearing the phrase "Public consultation on the usage of 900, 1800 and 2100 MHz frequency bands by mobile systems" and indicating the name of the responding party, must be sent to arrive within 60 days from the publication of this document in the Official Journal, by registered letter with return receipt or hand delivery, to the following address:

*Autorità per le Garanzie nelle Comunicazioni
Direzione Reti e Servizi di Comunicazione Elettronica
c.a. ing. Mauro Martino
Responsabile del procedimento
Centro Direzionale, Isola B/5, Torre Francesco
80143 Napoli*

The communications may be sent by fax in advance, with the same deadline, to the following number: +39 081 7507621.

Additional sending by email is welcome, to the following address: dir@agcom.it, stating, in the subject line, the name of the responding party followed by the above indicated reference wording. It

is made clear that submission by email does not replace the sending of the paper document following the above-explained modalities.

The communications must be structured as to contain, in short and precisely, the interested party's observations and information on the matters of interest reported in details in Annex B, preferably following the proposed presentation order.

The communications provided by the parties attending the consultation, do not constitute any right, condition or other restraint with reference to any eventual decision of the Authority itself.

The interested parties may ask, with an *ad hoc* application, to illustrate, in the course of a hearing, their own observations based on the written document sent before or rather handed in prior to the beginning of the hearing itself. Such an application must be sent to the Authority by registered letter with return receipt or hand delivered and must be faxed in advance, at least 10 days earlier than the above mentioned final deadline occurs, excluding the application arrival day. On the same occasion, a contact person and a fax number must be indicated in order for any subsequent communication to be sent.

The responding subjects must enclose to the provided documentation, the declaration mentioned at art. 3 of the Regulation on access to documents - approved by Decision no. 217/01/CONS, as modified by Decision no. 335/03/CONS - with the indication of documents or parts of them that cannot be accessed and the specific reasons, of confidentiality or of privacy, justifying such a request. In default of the above illustrated declaration, the whole sent document will be considered as accessible. In particular, the attention is called to the necessity, provided for by regulation, to accurately justify the sections of documents not to be accessible.

The contributions received are published on the Authority's website - www.agcom.it - , taking into account the level of accessibility to the documents indicated by the parties.