

The undersigned, Secretary of the Council of the Superintendencia de Telecomunicaciones, acting in exercise of the powers granted to him in subsection b) of article 50 of the Ley General de la Administración Pública, Law number 6227, and in article 35 of the Reglamento Interno de Organización y Funciones de la Autoridad Reguladora de los Servicios Públicos y su Órgano Desconcentrado, informs that in ordinary session 080-2020, held on November 19th, 2020, unanimously approved the following:

PUBLIC HEARING

In accordance with article 361 of the Ley General de la Administración Pública, Law No. 6227, approves submitting to public hearing, so that general public can submit in writing to this regulator within a period of **10 business days from the publication of this document**, their estimation regarding the following:

“PUBLIC HEARING OF THE POSSIBLE SPECTRUM AUCTION FOR THE DEVELOPMENT OF IMT MOBILE SERVICES IN COSTA RICA”

In accordance to subsection g) of article 2 of the Ley General de Telecomunicaciones, which establishes as one of the objectives of the law: *“g) To guarantee the efficient and effective allocation, use, exploitation, administration and control of the radioelectric spectrum and other scarce resources.”*; as well as in subsection i) of article 3 of the same normative establishes that one of law’s guiding principles is the optimization in the use of scarce resources, which is defined as: *“the allocation and use of scarce resources and telecommunications infrastructures in objective, timely, transparent, non-discriminatory and efficient manner, with the dual objective of ensuring effective competition in the market, as well as the expansion and improvement of the networks and services.”*; and in subsection f) of article 60 of the Ley de la Autoridad Reguladora de los Servicios Públicos, Law No. 7593, states that: *“To ensure, in an objective, proportional, timely, transparent, efficient and non-discriminatory manner, access to the scarce resources associated with the operation of networks and the provision of telecommunications services.”*

This public hearing is to know the interest, spectrum demand and possible new applications, for the following frequency bands¹:

Frequency band	Amount of spectrum	Duplexing
700 MHz	90 MHz	FDD
2300 MHz	100 MHz	TDD
3300-3400 MHz	100 MHz	TDD
26 GHz	1250 MHz	TDD
28 GHz	2000 MHz	TDD

¹ Según oficio número MICITT-DVT-OF-313-2020 recibido el 12 de noviembre del 2020 (NI-15546-2020).

1. Interested new operators

The MICITT requested SUTEL to analyze if there are any possible new operators interested in entering the Costa Rican telecom market in addition to the existing ones, for the development of IMT services in the hereinabove mentioned frequencies.

Therefore, the SUTEL is interested in your feedback of the following questions:

- If your company isn't currently an operator of IMT services, but is interested in participating in a spectrum auction in accordance with article 12 of the Ley General de Telecomunicaciones, please complete the following:

Table 1. Answer to public hearing's section 1a

Question	Answer
Which conditions should be included in the public tender and during the auction to encourage your entrance in the telecom market?	
Which telecommunication services would you be interested in providing with this spectrum?	

In case you are interested in becoming a new IMT services operator, please complete the following questions using table 2 format:

- Indicate which frequency bands your company will be interested, in an eventual spectrum auction for the implementation of IMT systems, in accordance with article 12 of the Ley General de Telecomunicaciones.
- For the frequency bands your company might be interested, please indicate the minimum bandwidth you expect to obtain in an eventual spectrum auction for the implementation of IMT systems.
- Any additional comments.

Table 2. Answers to public hearing's section 1b

Frequency band	Your company is interested (Yes / No)	Expected bandwidth (MHz)	Additional comments
700 MHz			
2300 MHz			
3300-3400 MHz			
26 GHz			
28 GHz			

2. Spectrum demand from current operators

In this section, the SUTEL requires the current operators authorized to provide IMT services, to complete the following information, using table 3 format:

- Indicate which frequency bands your company will be interested, in an eventual spectrum auction for the implementation of IMT systems, in accordance with article 12 of the Ley General de Telecomunicaciones.
- For the frequency bands your company might be interested, please indicate the minimum bandwidth you expect to obtain in an eventual spectrum auction for the implementation of IMT systems.
- Any additional comments.

Table 3. Answers to public hearing's section 2

Frequency band	Your company is interested (Yes / No)	Expected bandwidth (MHz)	Additional comments
700 MHz			
2300 MHz			
3300-3400 MHz			
26 GHz			
28 GHz			

3. Private mobile networks

The MICITT requested SUTEL to assess the possibility to dedicate one or more segments of the frequency bands for the implementation of private mobile networks². In this regard, please provide your feedback to the following questions:

Table 4. Answers to public hearing's section 3

Queries about the possibility to implement private IMT networks	Answer																								
Would your company be interested in requesting spectrum for private IMT applications, via a permit in accordance with article 26 of the Ley General de Telecomunicaciones?																									
Justify your answer																									
Which use would your company give the spectrum? Or in which applications would use it?																									
In case of affirmative answer, please indicate which frequency bands and which bandwidth your company will be interested in each frequency band, in the following table:																									
<table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="background-color: #008080; color: white;">Frequency band</th> <th style="background-color: #008080; color: white;">Your company is interested (Yes / No)</th> <th style="background-color: #008080; color: white;">Expected bandwidth (MHz)</th> <th style="background-color: #008080; color: white;">Additional comments</th> </tr> </thead> <tbody> <tr> <td>700 MHz</td> <td></td> <td></td> <td></td> </tr> <tr> <td>2300 MHz</td> <td></td> <td></td> <td></td> </tr> <tr> <td>3300-3400 MHz</td> <td></td> <td></td> <td></td> </tr> <tr> <td>26 GHz</td> <td></td> <td></td> <td></td> </tr> <tr> <td>28 GHz</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		Frequency band	Your company is interested (Yes / No)	Expected bandwidth (MHz)	Additional comments	700 MHz				2300 MHz				3300-3400 MHz				26 GHz				28 GHz			
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Please be advised that your input on this matter should indicate your full name and address for notifications and should be send to the email gestiondocumental@sutel.go.cr, received in the facilities of the Sutel in Guachipelín, Escazú, Oficentro Multipark, Tapantí building, 3rd floor, from 8:00 am to 4:00 pm, or via fax 2215-68821. The phone number of the SUTEL is: 4000-0000.

² Private mobile networks for specific uses and other vertical applications, to promote development of industrial services and investigation.

TO BE PUBLISHED IN DIARIO OFICIAL LA GACETA

La anterior transcripción se realiza a efectos de comunicar el acuerdo citado adoptado por el Consejo de la Superintendencia de Telecomunicaciones.

Atentamente,
CONSEJO DE LA SUPERINTENDENCIA DE TELECOMUNICACIONES

Luis Alberto Cascante Alvarado
Secretario del Consejo