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STATUTORY INSTRUMENTS

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**2020 No. 1199**

**The Wireless Telegraphy (Licence Award) Regulations 2020**

**PART 5**

The principal stage

**CHAPTER 5**

Information released during and following the principal stage

**Notice to be given to bidders before each principal stage round**

- 45.** Before the start of each principal stage round, OFCOM shall notify each bidder of—
- (a) the date on which, and the times on that date within which, the principal stage round will take place;
  - (b) the round price for—
    - (i) a 3.6 GHz lot;
    - (ii) a 700 MHz individual frequency lot; and
    - (iii) a 700 MHz paired frequency lot;
  - (c) the remaining number of occasions on which an eligibility event may occur in respect of that bidder; and
  - (d) the bidder's eligibility limit for that principal stage round.

**Notification of information to bidders after the end of each principal stage round**

- 46.—(1)** After the end of each principal stage round, except the final principal stage round, and before the start of the next principal stage round, OFCOM shall notify each bidder of—
- (a) for each lot type, the number of valid principal stage bids made by the bidder in the most recent round;
  - (b) for each lot type, the number of valid principal stage bids made by the bidder to which OFCOM has assigned standing high bid status after the end of the most recent round;
  - (c) for each lot type for which the bidder made valid principal stage bids to which OFCOM assigned standing high bid status, the round price of the round when those principal stage bids were made;
  - (d) the remaining number of occasions on which an eligibility event may occur in respect of that bidder;
  - (e) the bidder's eligibility limit for the next principal stage round;
  - (f) the bidder's financial exposure after the end of the most recent round;
  - (g) for 3.6 GHz lots, the amount in MHz which is the smallest strictly positive whole multiple of twenty which is greater than the excess demand as determined in accordance with paragraph (2);

- (h) for 700 MHz individual frequency lots, the amount in MHz which is the smallest strictly positive whole multiple of ten which is greater than the excess demand as determined in accordance with paragraph (5); and
  - (i) for 700 MHz paired frequency lots, the amount in MHz which is the smallest strictly positive whole multiple of twenty which is greater than the excess demand as determined in accordance with paragraph (6).
- (2) The excess demand for 3.6 GHz lots (*ed3.6 GHz*) is the amount in MHz which is calculated in accordance with the formula set out in paragraph (3).
- (3) The formula is  $ed3.6\ GHz = (e + f - 24) \times 5$ , where—
- (a) “e” is the total number of valid principal stage bids for 3.6 GHz lots made by all bidders in the most recent round; and
  - (b) “f” is the total number of bids for 3.6 GHz lots with standing high bid status immediately prior to the most recent round made by all bidders who have not made bids for 3.6 GHz lots in the most recent round.
- (4) The excess demand for 700 MHz individual frequency lots (*ed700 MHz individual*) is the amount in MHz which is calculated in accordance with the formula set out in paragraph (5).
- (5) The formula is  $ed700\ MHz\ individual = (g + h - 4) \times 5$  where—
- (a) “g” is the total number of valid principal stage bids for 700 MHz individual frequency lots made by all bidders in the most recent round; and
  - (b) “h” is the total number of valid bids for 700 MHz individual frequency lots with standing high bid status immediately prior to the most recent round made by all bidders who have not made bids for 700 MHz individual frequency lots in the most recent round.
- (6) The excess demand for 700 MHz paired frequency lots (*ed700 MHz paired*) is the amount in MHz which is calculated in accordance with the formula set out in paragraph (7).
- (7) The formula is  $ed700\ MHz\ paired = (i + j - 6) \times 10$  where—
- (a) “i” is the total number of valid principal stage bids for 700 MHz paired frequency lots made by all bidders in the most recent round; and
  - (b) “j” is the total number of valid bids for 700 MHz paired frequency lots with standing high bid status immediately prior to the most recent round made by all bidders who have not made bids for 700 MHz paired frequency lots in the most recent round.

### **Publication of information at the end of each day during the principal stage**

47. After the end of the latest principal stage round to take place on any given day, OFCOM shall publish on their website, in relation to that latest principal stage round—

- (a) the round price for—
  - (i) a 3.6 GHz lot;
  - (ii) a 700 MHz individual frequency lot; and
  - (iii) a 700 MHz paired frequency lot;
- (b) for the 3.6 GHz lot type, the amount in MHz which is the smallest strictly positive whole multiple of twenty which is greater than the excess demand;
- (c) for the 700 MHz individual frequency lot type, the amount in MHz which is the smallest strictly positive whole multiple of ten which is greater than the excess demand; and
- (d) for the 700 MHz paired frequency lot type, the amount in MHz which is the smallest strictly positive whole multiple of twenty which is greater than the excess demand.

### **Notification of results of the principal stage to bidders**

**48.** After the end of the final principal stage round, and after the determination of the winning principal stage bids and the determination of the base price for each winning principal stage bid, OFCOM shall notify each bidder of—

- (a) the end of the principal stage;
- (b) the names of the winning bidders, and in respect of each of them—
  - (i) the number of 3.6 GHz lots won, the 3.6 GHz base price;
  - (ii) the number of 700 MHz individual frequency lots won, the 700 MHz individual frequency lot base price; and
  - (iii) the number of 700 MHz paired frequency lots won, the 700 MHz paired frequency lot base price; and
- (c) the number of 3.6 GHz lots, the number of 700 MHz individual frequency lots and the number of 700 MHz paired frequency lots not won by any bidder.

### **Publication of results of the principal stage**

**49.** After the notification given in accordance with regulation 48, OFCOM shall publish on their website—

- (a) the names of the winning bidders, and in respect of each of them—
  - (i) the number of 3.6 GHz lots won, the 3.6 GHz base price and the total 3.6 GHz base price;
  - (ii) the number of 700 MHz individual frequency lots won, the 700 MHz individual frequency lot base price and the total 700 MHz individual frequency lot base price; and
  - (iii) the number of 700 MHz paired frequency lots won, the 700 MHz paired frequency lot base price and the total 700 MHz paired frequency lot base price; and
- (b) the number of 3.6 GHz lots and the number of 700 MHz individual frequency lots and the number of 700 MHz paired frequency lots not won by any bidder.