



## **Consultation on Allocation of 3G Spectrum**

### **Consultation 2008-T3**

**23 September 2008**

## **Introduction**

In November 2005 following a JCRA consultation, the JCRA requested Ofcom to issue Wireless Telegraphy Act licences for UMTS spectrum to four applicants: Cable & Wireless Jersey Limited (“CWJ”), Colt Telecommunications plc (“Colt”), Jersey Airtel Limited (“JA”) and Jersey Telecom Limited (“JT”). CWJ, JA and JT currently provide mobile telephony services in Jersey. Although Colt was awarded spectrum by Ofcom, to date it has not applied to the JCRA for a licence to run a telecommunications system under the Telecommunications (Jersey) Law 2002 (the “Law”), and thus currently does not operate in Jersey.

The JCRA is aware that in order for this technology to be fully exploited to maximize the benefits to Jersey consumers and to minimise the impact on the environment, additional spectrum allocations would be needed to ensure island-wide network coverage and capacity.

## **Additional Spectrum Packages**

In reviewing its frequency allocation arrangements, Ofcom has indicated to the JCRA that more spectrum can be made available to local operators for the provision of 3G mobile telephony services consisting of packages of 2 x 5MHz of Frequency Division Duplex (FDD) UMTS spectrum in the 2100 MHz band. The Time Division Duplex (TDD) UMTS spectrum is fully allocated in Jersey.

## **Process**

Under the provisions of the UK’s Communications Act 2003 as extended to Jersey under an Order in Council, the UK’s telecommunications regulator, Ofcom, is responsible for the allocation of radio spectrum in Jersey. Thus, the JCRA may make recommendations to Ofcom concerning the allocation of spectrum in Jersey, but the award of spectrum, and the process and time-table associated therewith, remain matters within Ofcom’s sole discretion. The purpose of this consultation, therefore, is to inform the JCRA’s recommendation to Ofcom on the allocation of additional spectrum in Jersey.

## **Proposed Recommendation to Ofcom on the Distribution of Additional Spectrum Packages**

Subject to the outcome of this consultation, the JCRA proposes to recommend that Ofcom should allocate additional spectrum to the existing JCRA licensees. This would mean that CWJ, JA and JT each would receive a package consisting of 2 x 5MHz, giving each a total of 2 x 10MHz, of (FDD) UMTS 2100 MHz spectrum. In addition, such a package also would be available to Colt, should it apply to the JCRA for a licence under the Law. It is the preliminary view of the JCRA that this form of allocation best serves

the island in terms of competition, innovation, efficiency and the economic interests of Jersey.

### **Responses to this Consultation**

The JCRA now consults on this proposal and interested parties are invited to submit comments. All interested parties are invited to respond to the following question:

- Do you agree with the JCRA's proposed recommendation to Ofcom on the allocation of additional spectrum in Jersey? If not, can interested parties suggest alternative proposed recommended allocations, and why these would be in Jersey's best interests pursuant to the duties set out in Article 7 of the Telecommunications (Jersey) Law 2002?

In addition, for parties that wish to receive additional spectrum allocations in Jersey, the JCRA would like to receive the following information:

- The proposed usage of any additional spectrum received;
- A statement of what current or prospective demands for telecommunication services in Jersey would be satisfied by an allocation of additional spectrum;
- A statement of why additional allocation of spectrum would be in the short-term and long-term best interests of users of telecommunication services in Jersey;
- How the allocation of additional spectrum would contribute to the efficient use of spectrum in Jersey;
- Reasons why an additional allocation of spectrum would be in Jersey's best economic interests;
- A summary of the party's financial resources available to utilise any additional spectrum allocated to it;
- A statement concerning additional infrastructure requirements, including but not limited to erection of new phone masts, that the party would require in Jersey to utilise any additional spectrum allocated to it; and
- The timescale within which any additional allocation will be used.

The JCRA would welcome any additional comments interested parties may wish to submit concerning this consultation or the proposal contained herein.

To the extent any of the information provided in response to these questions is confidential, please indicate this clearly in the response.

## Consultation Period

Written responses to this Consultation Paper are invited from interested parties. Responses must be received no later than **5pm on 17 October 2008**. Submissions should be clearly marked “Consultation on Allocation of 3G Spectrum” and may be supplied either in hard copy or electronically, addressed (as appropriate) to:

Mr G. Marett  
Case Officer  
Jersey Competition Regulatory Authority  
2nd Floor Salisbury House  
Union Street  
St Helier  
Jersey JE2 3RF

E-mail: [enquiries@jcra.je](mailto:enquiries@jcra.je)

Any inquiry concerning this matter should be directed to Graeme Marett on +44 (0)1534 514990.

**N.B.** The JCRA reserves the right to publish any submissions to its consultations on its website. Any commercially sensitive information should therefore be clearly marked as such.