

Information Memorandum for a Public Call for Applications Procedure for the Assignment of Spectrum in the 614-698 MHz Band

Ref. No: SMA-IM-600-2024-08-26

Version: FINAL

Date: 26 August 2024

TABLE OF CONTENTS

TABLE OF CONTENTS	2
1 IMPORTANT NOTICE	4
2 TERMS AND ABBREVIATIONS USED	6
3 BACKGROUND AND OBJECTIVE OF THE PUBLIC CALL FOR APPLICATION	9
4 AVAILABLE SPECTRUM AND SPECTRUM ON OFFER	10
4.1 AVAILABLE SPECTRUM FOR MOBILE SERVICES	10
4.2 SPECTRUM ON OFFER IN THE PUBLIC CALL FOR APPLICATION	11
5 TERMS AND CONDITIONS OF THE SPECTRUM LICENCE	12
5.1 RIGHTS CONFERRED BY THE SPECTRUM LICENCE	12
5.2 TECHNICAL NETWORK IMPLEMENTATION STANDARD	12
5.3 MINIMUM SERVICE LEVELS	12
5.3.1 <i>Minimum network coverage</i>	12
5.3.2 <i>Minimum data rate</i>	12
5.4 SPECTRUM USE	13
5.5 HARMFUL INTERFERENCE	13
5.6 LICENCE DURATION	13
5.7 FEES PAYABLE	13
5.8 TERM, REVOCATION AND SUSPENSION	13
5.9 RADIO EQUIPMENT TECHNICAL CONDITIONS	14
5.10 ACCESS AND INSPECTION	14
5.11 MODIFICATION, RESTRICTION AND CLOSEDOWN	14
6 CALL FOR APPLICATION GUIDELINES & REQUIREMENTS	15
6.1 CALL FOR APPLICATION GUIDELINES & REQUIREMENTS	15
6.1.1 <i>Application Invitation Stage</i>	15
6.1.2 <i>Application Pre-qualification Stage</i>	16
6.1.3 <i>Application Evaluation Stage</i>	17
6.1.4 <i>Licence Assignment Stage</i>	21
6.2 INSTRUCTIONS TO THE APPLICANTS	22
6.2.1 <i>Preparation of Applications</i>	23
6.2.2 <i>Cost of preparation of Applications</i>	23
6.2.3 <i>Language</i>	23
6.2.4 <i>Only one Application</i>	23
6.2.5 <i>Application validity</i>	23
6.2.6 <i>Extension of validity period</i>	23
6.2.7 <i>Submission, sealing, and marking of Applications</i>	23
6.2.8 <i>The close of Application submission</i>	24
6.2.9 <i>Confidentiality</i>	24
6.2.10 <i>Late Applications</i>	24
6.2.11 <i>Clarification</i>	24
6.2.12 <i>Taxes</i>	25
6.2.13 <i>Currency of Application and payment</i>	25
6.2.14 <i>Corrections of errors</i>	25
6.2.15 <i>Collusion and anti-competitive behaviour</i>	25
6.2.16 <i>Deposit</i>	25
6.3 APPLICATION DATA SHEET	25

FORM 1: COMPANY INFORMATION REQUIREMENTS..... 33
FORM 2: QUALIFICATION INFORMATION 34
FORM 3: LEGAL INFORMATION 35
FORM 4: APPLICATION SECURING DECLARATION 37
FORM 5: APPLICATION SUBMISSION FORM..... 38
APPENDIX A: APPLICANT COMPLIANCE CERTIFICATE 40
APPENDIX B: IRREVOCABLE LETTER OF UNDERTAKING 41
APPENDIX C: SPECIMEN LICENCE 43
APPENDIX D: LIST OF UNSERVED AND UNDERSERVED COMMUNITIES 48
APPENDIX E: POWER OF ATTORNEY 51
APPENDIX F: NOMINATED BANK ACCOUNT – WIRE INSTRUCTIONS 52

1 IMPORTANT NOTICE

This Information Memorandum is prepared by the Spectrum Management Authority (the Authority), after consultation with the Office of Utilities Regulations (OUR) and the Fair Trading Commission (FTC), with the aim of provisioning mobile broadband services in the 614-698 MHz band in compliance with the 3GPP band plan 71/71N and bears reference number, SMA-IM-600-2024-08-26.

The publication of this Information Memorandum for the assignment of spectrum in the 614-698 MHz band, follows the natural end of the process identified with reference number SMA-IM-600-2024-05-29 and as defined in the Authority's Information Memorandum, dated the 29th of May 2024, due to the applicants not meeting the pre-qualification requirements.

This Information Memorandum is made available on the express understanding that it will be used for the sole purpose of assisting the recipient of this Information Memorandum in deciding whether it wishes to proceed with a further investigation of possible participation in the process. This Information Memorandum is not intended to form any part of or influence any investment decision or other evaluation or any decision to participate in the public call for applications and should not be considered as a recommendation by the Authority or its advisers to any recipient of this Information Memorandum to participate in the public call for applications. Each recipient of this Information Memorandum must make its own independent assessment of the potential value of the licence after making such investigation as it may deem necessary to determine whether to participate in the public call for applications.

While the information contained in this Information Memorandum is believed to be accurate as at the time of publication, it has not been independently verified. Neither the Authority, nor any of the Authority's respective directors, officers or employees make any representation or warranty (express or implied) nor accept, nor will accept, any responsibility or liability for, or in relation to, the accuracy or completeness of the information contained in this Information Memorandum, or any other written or oral information made available to any interested party or its advisers. Any liability in respect of any such information or any inaccuracy in this Information Memorandum, or omission from this Information Memorandum, is expressly disclaimed. In particular, but without prejudice to the generality of the foregoing, no representation or warranty is given as to the achievement or reasonableness of any future projections, estimates, prospects or returns contained in this Information Memorandum. This Information Memorandum does not constitute an offer nor the basis of any part of any contract which may be concluded in relation to the award process or in respect of any award of Spectrum Licences.

Recipients of this Information Memorandum shall not construe the content of this Information Memorandum, or any other communication by or on behalf of the Authority or any of its advisers, as financial, legal, tax or other advice. Accordingly, each recipient of this Information Memorandum should consult its own professional advisers regarding any financial, legal, tax and other matters concerning any potential participation in the public call for application.

This Information Memorandum is available on the Authority's website: www.sma.gov.jm

Following the issue of this Information Memorandum, the Authority reserves the right to make available additional relevant information through the publication of further documentation. All requests for information will be handled in accordance with the Access to Information Act, 2000.

The Authority will publish in whole or in part, questions received from recipients of this Information Memorandum and the answers provided. The identity of those asking the questions will not be published and requests for confidentiality of subject material will be considered in accordance with the need for transparency in the conduct of the award process. It will be the responsibility of each interested party to check the website of the Authority for updates.

2 TERMS AND ABBREVIATIONS USED

The words or phrases in bold, as listed below in Table 1, have specific meanings when used within this document. Abbreviations in bold used in this document are included in Table 2 below.

Term	Meaning
Active Period	Means the period specified by the Authority, in which no party involved with this public call for application procedure, is allowed to communicate with the parties who are or may be participants in or respondents to the Information Memorandum except in relation to clarification requests.
Applicant	Means the company responding to the call for applications and who is intending to provide the mobile services as requested in this Information Memorandum. The company shall be a private entity registered as a limited liability company.
Application	Means all the application documentation that an Applicant has submitted to the Authority in response to this Information Memorandum on or before the Application submission deadline specified in section 6.3 Application Data Sheet.
Application Evaluation Criteria	Means the criteria, as included in this Information Memorandum, by which the Evaluation Committee will assess the score for each Application of the Qualified Applicant(s).
Application Evaluation Stage	Means the third stage of the public call for application procedure in which the Evaluation Committee will assess the score of each Application of the Qualified Applicant(s), in accordance with the Application Evaluation Criteria.
Application Invitation Stage	Means the first stage of the public call for application procedure which starts on the date that the Authority publishes a Public Notice on the call for application procedure and makes the Information Memorandum available for potential Applicants. Applicants are required to submit their Application to the Authority on or before the application submission deadline specified in section 6.3 Application Data Sheet, which date and time signals the end of the Application Invitation Stage.
Application Pre-qualification Criteria	Means the set of requirements which an Applicant must meet to be qualified to deploy and maintain the requested mobile broadband services and to enter the Application Evaluation Stage.
Application Pre-qualification Stage	Means the second stage of the public call for application procedure in which the Authority will assess if the submitted Applications meet the Application Pre-qualification Criteria.
Authority	Means the Spectrum Management Authority of Jamaica.
Awardee(s)	Means a Qualified Applicant(s) whose Application is assessed by the Evaluation Committee to have earned at least 70 points of the Application Evaluation Criteria and is otherwise confirmed by the Authority as an Awardee, in accordance with the Application Evaluation Criteria.

Business Plan	Means a plan that is drafted for the purposes of deploying and maintaining the requested mobile broadband services over the stipulated licence period and that is structured as stipulated in this Information Memorandum.
Deposit	Means a percentage of the Spectrum Licence Fee which must be paid as a condition for passing the Application Pre-qualification Stage of the public call for application procedure and which shall be refunded to all Applicants, excepting the Spectrum Licensee(s).
Evaluation Committee	Means a committee that will evaluate the Applications of Qualified Applicants in accordance with the Application Evaluation Criteria.
Information Memorandum	Means this document, which is an invitation to apply for the provisioning of mobile broadband services in the 614-698 MHz band in compliance with 3GPP band plan 71/71N.
Licence Assignment Stage	Means the last stage of the public call for application procedure in which the Minister grants a Spectrum Licence, upon the recommendation of the Authority.
Qualified Applicant	Means an Applicant which is deemed by the Authority to have met the Application Pre-qualification Criteria.
Spectrum Licence	Means the licence, pursuant to section 23 (1) of the Telecommunications Act, that the Minister grants to the Licensee, upon the recommendation of the Authority.
Spectrum Licence Fees	Means the fees that the Spectrum Licensee is required to pay for utilizing the assigned spectrum and which value is set out in this Information Memorandum. The payment schedule for these Spectrum Licence Fees comprises the Deposit and the remaining value to be paid in accordance with the schedule as set in this Information Memorandum.
Spectrum Licensee	Means the Applicant(s) that successfully acquires the Spectrum Licence as included in this Information Memorandum.
Spectrum Regulatory Fees	Means Spectrum Regulatory Fees pursuant to Section 26 of the Telecommunications Act to cover the reasonable operating costs of the Authority. The Licensee shall be required to pay annual Spectrum Regulatory Fees, as invoiced by the Authority.

Table 1: Terms used in this document.

Abbreviation	Meaning
3GPP	3 rd Generation Partnership Project
ADS	Application Data Sheet
CAPEX	Capital Expenditure
E-UTRAN	Evolved Universal Terrestrial Radio Access Network
FTC	Fair Trading Commission
FWA	Fixed Wireless Access
GAAP	Generally Accepted Accounting Principles
GoJ	Government of Jamaica
GPRS	General Packet Radio Service
IM	Information Memorandum
IMT	International Mobile Telecommunications
ISM	Industrial, Scientific and Medical
ITU-RR	International Telecommunication Union-Radio Regulations
LTE	Long Term Evolution
Mbps	Megabits per second
MNO	Mobile Network Operator
NFAT	National Frequency Allocation Table
NPV	Net Present Value
OPEX	Operating Expenditure
OUR	Office of Utilities Regulations
TCL	Tax Compliance Letter
TS	Technical Standard
WACC	Weighted Average Cost of Capital
WRC	World Radio Conference

Table 2: Abbreviations used in this document.

3 BACKGROUND AND OBJECTIVE OF THE PUBLIC CALL FOR APPLICATION

As the global market for mobile broadband services is continuously growing, mobile network operators are seeking access to more spectrum. In Jamaica mobile broadband services are also expected to grow significantly because mobile users on legacy networks will migrate to 4G/LTE and 5G networks. Hence network traffic will increase significantly, in turn increasing the demand for spectrum.

The allocation and assignment of spectrum for mobile broadband services supports the objectives as defined in Jamaica's National Development Plan, Vision 2030 Jamaica. This national plan aims to expand the broadband networks island-wide, as well as increase access to internet connectivity on an affordable basis to help bridge Jamaica's internal digital divide.

After conducting an extensive industry consultation in 2022, the Authority repurposed the 614-698 MHz band which was previously allocated to broadcasting services. Subsequently, the service allocations for the 614-698 MHz band, as included in the National Frequency Allocation Table (NFAT), have been changed from the primary service allocations for broadcasting, mobile and fixed services to a primary service allocation for mobile services and a secondary service allocation for fixed services. Hence, the primary service allocation for broadcasting service is no longer included in the NFAT for this part of the spectrum.

In further support of this band repurposing effort, the Authority had the 614-698 MHz identified for International Mobile Telecommunications (IMT), which is the technical reference for mobile broadband services, in the International Telecommunication Union (ITU) Radio Regulations, at the World Radiocommunications Conference 2023 (WRC-23), held during 2023 November 20 to 2023 December 15.

The publication of this Information Memorandum for the assignment of spectrum in the 614-698 MHz band, follows the natural end of the process with reference number SMA-IM-600-2024-05-29 and as defined in the Authority's Information Memorandum, dated the 29th of May 2024, due to the applicants not meeting the pre-qualification requirements.

Considering the above, the Authority is initiating this public call for application procedure, as set out in this Information Memorandum, with the objective of assigning spectrum in the 614-698 MHz band for mobile broadband services. **The Authority wishes to indicate however that the spectrum range which is the subject of this call for applications is currently occupied and as such, the awardee(s) will only be granted a licence once the band is officially cleared.**

4 AVAILABLE SPECTRUM AND SPECTRUM ON OFFER

In the following two sections, the available spectrum for mobile services and the spectrum on offer in this public call for application are described.

4.1 AVAILABLE SPECTRUM FOR MOBILE SERVICES

A spectrum analysis was conducted to identify the available spectrum for mobile services. For this spectrum analysis the following activities were carried out:

1. Review of the National Frequency Allocation Table (NFAT), with special attention to the Jamaican footnotes and Jamaican deviations from the allocations as included in the ITU Radio Regulations, Article 5 (ITU-RR);
2. Identification of the IMT identifications in the ITU-RR for Region 2 and all Regions, and those relevant for Jamaica;
3. Identification of the 3GPP band plans for the spectrum bands 600, 700, 850, 900, 1900, 1700/2100, 2600 and 3500 MHz;
4. Retrieval of spectrum assignment data from the SMA's automated spectrum management system;
5. Identification of available bandwidth in the 3GPP band plans *in use* in Jamaica by applying the following key spectrum compatibility and priority rules:
 - a. For overlapping band plans in use in Jamaica, the overlapping spectrum not assigned in either band, is deemed to be available in the band plan with most MNOs (and hence not available in the other band plan with less MNOs);
 - b. Available bandwidth of band plans in use but overlapping with assignments in other co-primary allocations is not considered available;
 - c. Available bandwidth of band plans in use but overlapping with the ISM allocation in the Jamaican NFAT is not considered available;
6. Identification of available bandwidth in the 3GPP band plans *not in use* in Jamaica by applying the following key spectrum compatibility and priority rules¹:
 - a. Band plans not in use have a lower priority than band plans in use, resulting in that overlapping spectrum in either the up- or downlink of the band plan not in use, is not considered available;
 - b. Band plans not in use and reserved for Government use (14/14N), are not considered available;
 - c. Available bandwidth of band plans not in use but overlapping with assignments in other co-primary allocations is not considered available;
 - d. Available bandwidth of band plans not in use but overlapping with the ISM allocation in the Jamaican NFAT is not considered available.

¹ Only 3GPP band plans that have a recorded implementation elsewhere in the world are considered. Band plans without any implementation elsewhere in the world are not considered, as the availability and affordability of equipment will be problematic for Jamaica.

Table 3 shows the results of the spectrum analysis for the band plans in use in Jamaica, with the last column listing the total available bandwidth per band plan (h), which is defined as: assigned in band plan (b) + available bandwidth left in band plan (g).

Band (MHz)	3GPP band plan	Band width in band plan (MHz)	Assigned in band plan (MHz)	Un-assigned in band plan (MHz)	Unavailable due to overlap with other band plans in use (MHz)	Unavailable due to ISM (MHz)	Unavailable due to assignment to non-MNOs (MHz)	Available bandwidth left in band plan (MHz)	Total available bandwidth in band (assigned + available bandwidth left) (MHz)
		(a)	(b)	(c)=(a)-(b)	(d)	(e)	(f)	(g)=(c)-(d)-(e)-(f)	(h)=(b)+(g)
700	12/N12	34	30	4				4	34
700	13	20	20	0				0	20
850	5/N5	50	50	0				0	50
900	8/N8	70	10	60	28	26		6	16
1900	2/N2	120	90	30				30	120
1700/2100	4	90	80	10				10	90
1700/2100	66/N66	160	20	140	90			50	70
2600	41/N41	194	80	114				114	194
3500	42	200	64	136			40	96	160
Totals		938	444	494	118	26	40	310	754

Table 3: Total available bandwidth per band plan in use in Jamaica (in MHz).

Table 4 shows the results of the spectrum analysis of the band plans not in use in Jamaica, with the last column listing the available bandwidth left per band plan not in use in Jamaica.

Band (MHz)	3GPP band plan	Available bandwidth left in band plan (MHz)
600	71/N71	70
700	29/N29 (SDL)	11
700	67 (SDL)	2
850	26/26N	6
1900	25/N25	10
Totals		99

Table 4: Available bandwidth left per band plan not in use in Jamaica (in MHz).

4.2 SPECTRUM ON OFFER IN THE PUBLIC CALL FOR APPLICATION

Two spectrum lots are on offer in this public call for applications. In accordance with 3GPP band plan 71/71N, the spectrum lots are defined as follows:

1. **Contiguous 2x20 MHz in the band 617-652 MHz (downlink) and 663-698 MHz (uplink);**
2. **Contiguous 2x15 MHz in the band 617-652 MHz (downlink) and 663-698 MHz (uplink).**

The terms and conditions for the use of these spectrum lots are included in section 5.

5 TERMS AND CONDITIONS OF THE SPECTRUM LICENCE

This section provides an overview of the terms and conditions of the Spectrum Licence.

5.1 RIGHTS CONFERRED BY THE SPECTRUM LICENCE

The Spectrum Licence gives the Licensee the right to use the spectrum to offer mobile broadband services to the public in Jamaica via radio transmitting and receiving stations and/or radio apparatus, subject to the terms and conditions of the Spectrum Licence. The Spectrum Licence will not mandate a specific technology to be used.

The Spectrum Licence is a secondary licence to the required telecommunications carrier and service provider licences issued by the responsible Minister pursuant to section 13 of the Telecommunications Act and can only be awarded to a company which holds these necessary valid licences.

5.2 TECHNICAL NETWORK IMPLEMENTATION STANDARD

The technical network implementation needs to comply with the 3GPP Release for Cellular Mobile LTE, TS 23.401 latest version (currently 18.15.0 March 2024), *General Packet Radio Service (GPRS) enhancements for Evolved Universal Terrestrial Radio Access Network (E-UTRAN) access*. Applicants need to indicate what parts (or functionality) of the technical standard will be implemented.

5.3 MINIMUM SERVICE LEVELS

The following minimum service levels are stipulated:

5.3.1 *Minimum network coverage*

The Licensee is to utilise the assigned 600 MHz spectrum for the deployment of commercial mobile broadband services as follows:

1. At least 50% population coverage in the entire country within 12 months from the start date of the validity of the Licence;
2. At least 95% population coverage in the entire country within 24 months from the start date of the validity of the Licence.

In addition, the Licensee is to utilise the assigned 600 MHz spectrum for the deployment of commercial mobile broadband services within the unserved or underserved communities as detailed in Appendix D: List of Unserved and Underserved Communities, as follows:

1. At least 50% of the population in the unserved or underserved communities within 12 months from the start of the validity of the Licence;
2. At least 95% of the population in the unserved or underserved communities within 24 months from the start of the validity of the Licence.

5.3.2 *Minimum data rate*

The Licensee is to provide a minimum download data rate of five (5) Mbps under peak traffic conditions in any of the coverage areas as stipulated in section 5.3.1.

5.4 SPECTRUM USE

The mobile broadband services, as described in this Information Memorandum, are to be provided for nomadic, slow and high mobility use cases. This requires the deployment of a mobile-cellular network. This mobile-cellular network and the assigned spectrum should be deployed nationwide. The spectrum is explicitly not to be used for Fixed Wireless Access (FWA) applications.

The spectrum lot, as included in section 4.2, can be used when the associated Spectrum Licence is granted by the Minister. The Minister will grant the Spectrum Licence after the exit plan of the incumbent spectrum user has been approved and the 614-662 MHz has been cleared.

5.5 HARMFUL INTERFERENCE

Pursuant to Section 63A(1) of the Telecommunications Act, the Licensee will comply with any request or directive issued by the Minister or the Authority to ensure that the activities of the Licensee do not cause harmful interference to the lawful operation of any other licensed or authorised spectrum user.

5.6 LICENCE DURATION

The duration of the Spectrum Licence shall be fifteen (15) years and is renewable subject to the Spectrum Licensee's compliance with the terms and conditions of the Spectrum Licence and in accordance with the provisions of the Telecommunications Act. The Spectrum Licensee will be expected to use the spectrum in an efficient manner. The Spectrum Licence is neither assignable nor transferrable in whole or in part.

At the end of the initial term (15 years), the Minister, in consultation with the Authority, shall determine the parameters for renewal and determine the applicable fees to be paid by the Licensee to facilitate the renewal of the Spectrum Licence for another period.

5.7 FEES PAYABLE

The Spectrum Licensee, which is to be determined through this public call for application, is required to pay Spectrum Licence Fees for utilizing the assigned spectrum, as defined in section 6.3 Application Data Sheet for the initial term of fifteen (15) years. The payment schedule for these Spectrum Licence Fees comprises the Deposit and the remaining portion to be paid in accordance with the schedule as set in this Information Memorandum.

The (Spectrum) Licensee shall each pay annual Spectrum Regulatory Fees as invoiced, to cover the reasonable operating costs of the Authority. The amount of the Spectrum Regulatory Fee shall be calculated based on The Telecommunications (Spectrum Regulatory Fees) (Amendment) Regulations, 2017.

At the end of the Initial Term (15 years), the Minister, in consultation with the SMA, shall determine the parameters for renewal and determine the applicable fees to be paid by the Licensee to facilitate the renewal of the Spectrum Licence for such period or periods as may be determined.

5.8 TERM, REVOCATION AND SUSPENSION

The duration of the Spectrum Licence shall be fifteen (15) years and is renewable subject to the Licensee's compliance with the terms and conditions of the Spectrum Licence and accordance with the provisions of

the Telecommunications Act, 2000 as amended. The Licensee will be expected to use the spectrum in an efficient manner. The Spectrum Licence is not saleable or divisible in whole or in part.

The Spectrum Licence may be suspended or revoked in accordance with section 23A of the Telecommunications Act.

5.9 RADIO EQUIPMENT TECHNICAL CONDITIONS

The Spectrum Licence will contain the minimum necessary restrictions on the permitted use of the spectrum to manage the risk of harmful interference and to ensure compliance with the Authority's duties as the manager of the spectrum. Licensees will be required to submit technical details for proposed radio communication equipment to the Authority for review and approval, including type approval certification. A schedule of technical information will be prepared and appended to the Spectrum Licence awarded.

5.10 ACCESS AND INSPECTION

The Spectrum Licensee will be required to permit persons authorized by the Authority, that is, staff or authorized agents, to have access to and to examine and test the radio equipment specified in the Spectrum Licence at all reasonable times. The purpose would be to ensure that the radio equipment is being used in accordance with the conditions of the Spectrum Licence.

5.11 MODIFICATION, RESTRICTION AND CLOSEDOWN

The Authority shall require the radio equipment in use or any part of it to be modified, restricted, or temporarily or permanently closed down if:

1. The Spectrum Licensee has breached the terms of its licence, and/or;
2. The use of the radio equipment is or may be causing or contributing to interference with the operation of other licensed or authorized spectrum users.

6 CALL FOR APPLICATION GUIDELINES & REQUIREMENTS

This section includes application guidelines and the applicant requirements.

6.1 CALL FOR APPLICATION GUIDELINES & REQUIREMENTS

The application procedure comprises four consecutive stages:

1. Application Invitation Stage;
2. Application Pre-qualification Stage;
3. Application Evaluation Stage; and
4. Licence Assignment Stage.

6.1.1 Application Invitation Stage

The Application Invitation Stage commences on the date that the Authority makes this Information Memorandum available for potential Applicants, and ends at the date and time specified in section 6.3 Application Data Sheet when Applicants are required to have submitted their Application to the Authority.

The Application constitutes all the documentation that the Applicant has submitted to the Authority in response to this Information Memorandum on or before the deadline specified for application submission in section 6.3 Application Data Sheet. Table 5 lists all the documents that the Applicant must submit to the Authority by the said deadline.

Respondents to this Information Memorandum will be deemed to have consented to the disclosure of confidential information to all persons legitimately engaged in the processing and evaluation of the public application and the spectrum licensing process.

No	Documents and declarations	Reference
<i>Pre-qualification documentation</i>		
1	Completed Company information requirements.	See Form 1: Company Information Requirements
2	Copy of Domestic Mobile Service Provider licence and Domestic Mobile Carrier licence.	
3	Completed Applicant compliance certificate.	See Appendix A: Applicant Compliance Certificate
4	Valid Tax Compliance Letter (TCL).	
5	Completed qualification information.	See Form 2: Qualification Information
6	Completed declaration that Applicant is not affiliated with another Applicant or existing licensed mobile network operator.	See Form 3: Legal Information
7	Completed litigation history.	See Form 3: Legal Information
8	Completed letter of authorization.	See Form 3: Legal Information
9	Completed application securing declaration.	See Form 4: Application Securing Declaration
10	Application submission form.	See Form 5: Application Submission Form

11	Deposit by irrevocable letter of undertaking and/or cash payment in nominated bank account.	See Appendix B: Irrevocable Letter of Undertaking See Appendix F: Nominated Bank Account – Wire Instructions
12	Power of attorney.	See Appendix E: Power of Attorney
<i>Application evaluation documentation</i>		
13	Business Plan.	See section 6.1.3.2
14	Audited financial statements of the Applicant for the three most recent financial years.	See section 6.1.3.3

Table 5: Application documents that the Applicant must submit to the Authority.

6.1.2 Application Pre-qualification Stage

The Application Pre-qualification Stage is the stage of the public call for applications procedure in which the Authority will assess if the submitted Applications meet the Application Pre-qualification Criteria. The Application Pre-qualification Stage commences and terminates on the dates as indicated in section 6.3 Application Data Sheet.

6.1.2.1 Application pre-qualification documents and criteria

In the Application Pre-qualification Stage, the application pre-qualification documents, as listed in Table 5, will be used by the Authority to assess whether the Applicant has met the Application Pre-qualification Criteria, outlined in Table 6 below.

Only the Applications that satisfy the Application Pre-qualification Criteria will proceed to the Application Evaluation Stage. The Applications that do not satisfy the Application Pre-qualification Criteria will be deemed as ineligible and therefore will be disqualified.

No	Application Pre-qualification Criteria	Met criterion?	
		Yes	No
1	The Applicant is the holder of two valid telecommunication licences, issued by the responsible Minister, which permits the Applicant to (a) offer mobile services to the public (as per a Domestic Mobile Service Provider Licence) and (b) to own or operate a mobile network (as per a Domestic Mobile Carrier Licence).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2	The Applicant has provided the Deposit as per instructions as set out in section 6.3 Application Data Sheet and up to and including the amount as specified in section 6.3 Application Data Sheet. The Deposit can be provided by irrevocable letter of undertaking and/or cash payment in nominated bank account (see respectively Appendix B: Irrevocable Letter of Undertaking and Appendix F: Nominated Bank Account – Wire Instructions).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3	The Applicant has submitted a Business Plan which is structured as set out in section 6.1.3.2.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4	The Applicant has submitted audited annual reports for the three most recent financial years as set out in section 6.1.3.3, in which the auditor has not expressed a going concern qualification referring to an opinion of substantial doubt as to a company's ability to continue operations in the foreseeable future.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
5	Completed company information requirements. (see Form 1: Company Information	Yes	No

No	Application Pre-qualification Criteria	Met criterion?	
		Yes	No
	Requirements).	<input type="checkbox"/>	<input type="checkbox"/>
6	Completed applicant compliance certificate (See Appendix A: Applicant Compliance Certificate).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
7	Valid Tax Compliance Letter (TCL).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8	Completed qualification information (See Form 2: Qualification Information).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
9	Completed declaration that Applicant is not affiliated with another Applicant or existing licenced mobile network operator (See Form 3: Legal Information).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
10	Completed litigation history (See Form 3: Legal Information).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
11	Completed letter of authorization (See Form 3: Legal Information).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
12	Completed application securing declaration (See Form 4: Application Securing Declaration).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
13	Application submission form (see Form 5: Application Submission Form).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
14	Power of Attorney (See Appendix E: Power of Attorney).	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Table 6: Application Pre-qualification Criteria.

6.1.3 Application Evaluation Stage

The Application Evaluation Stage is the stage of the public call for applications procedure in which the Evaluation Committee will evaluate each of the Applications of the Qualified Applicants and allocate scores in accordance with the Application Evaluation Criteria outlined in Table 8 below. The Application Evaluation Stage commences and terminates on the dates as indicated in section 6.3 Application Data Sheet.

6.1.3.1 Application evaluation documents and criteria

In the Application Evaluation Stage, the application documents, as listed in Table 7 below, and as included in the Application of the Qualified Applicants, will be evaluated by the Evaluation Committee.

No	Document	Reference
1	Business Plan.	See section 6.1.3.2.
2	Audited annual reports of the Applicant for the three most recent financial years.	See section 6.1.3.3

Table 7: Application evaluation documents.

The Evaluation Committee will be staffed by representatives of the Authority with competencies to include, *inter alia*, legal, technical and financial competencies.

The Evaluation Committee will analyse the application documents set out in Table 7 above and determine for each Application the score based on the Application Evaluation Criteria as included in Table 8 below.

An Application shall be rejected at the Application Evaluation Stage if it does not respond to the Application Evaluation Criteria or if it fails to achieve the minimal score as indicated in section 6.3 Application Data Sheet.

The accepted Applications will be ranked by the Evaluation Committee from the highest to the lowest score.

Prior to confirming the Awardee(s), the Authority will determine whether the Applicant’s total spectrum holdings, including the spectrum holding in the 614-698 MHz band on offer in this public call for applications, are not above 33% of the available spectrum for MNOs, as totalled in the last columns of Table 3 and Table 4. If applicable, in checking the Applicant’s total spectrum holdings, the Authority will consider the amount of spectrum (in MHz) the Applicant has offered to relinquish. It should be noted that consideration for the relinquishing of spectrum will only be given to low-band spectrum (i.e. 700, 850 and 900 MHz). If applicable, the Applicant has to specify the low-band spectrum that will be relinquished in Form 5: Application Submission Form, detailing the frequencies and bandwidth (in MHz) that will be relinquished for each spectrum licence the Applicant holds. Any low-band spectrum to be relinquished which are not clearly defined in Form 5: Application Submission Form, cannot be considered for the relinquishing of spectrum.

In the event that the Applicant’s total spectrum holdings are above 33% of the available spectrum for MNOs, the Applicant cannot be confirmed as an Awardee and the Application will be rejected. If the Application is rejected the Authority will proceed to and do a similar assessment of the spectrum holdings of the next highest Application to ascertain whether that Applicant can be confirmed as an Awardee.

No	Application Evaluation Criteria	Maximum Score	Score
1	Quality of the submitted Business Plan demonstrating a realistic, coherent and financially viable Business Plan:	40	
	i. The Business Plan is overall coherent, presents its competitive advantages and is supported with convincing evidence.	5	
	ii. Adequacy and quality of the network deployment and maintenance plan, including the description of the network deployment and maintenance activities and allocation of resources.	5	
	iii. Adequacy and quality of the sales and marketing plan, including the description of the deployment and planning of the commercial services.	5	
	iv. Adequacy and quality of the organisation and staffing plan,	5	

No	Application Evaluation Criteria	Maximum Score	Score
	including the description of the organisational structure and staffing.		
	v. Financial viability and credibility of the business case as included in the financial projections.	20	
2	Financial ability of the Applicant to deploy and maintain the network and deliver the mobile broadband services as included in the Business Plan, based on the three latest audited annual reports of the Applicant.	40	
3	Adequacy and timeliness of the proposed network roll-out in meeting the minimum service level requirements for network coverage and data traffic speed as set out in this IM in section 5.3, based on the submitted Business Plan:	20	
	12 months after the granting of the Spectrum Licence, the proposed network roll-out plan satisfies the following:		
	1. 50% population coverage of the entire country at a minimum download data rate of 5 Mbps under peak traffic conditions.	3	
	2. 50% population coverage in communities classified as unserved or underserved at a minimum download data rate of 5 Mbps under peak traffic conditions.	7	
	24 months after the granting of the Spectrum Licence, the proposed network roll-out plan satisfies the following:		
	1. 95% population coverage of the entire country at a minimum download data rate of 5 Mbps under peak traffic conditions.	3	

No	Application Evaluation Criteria	Maximum Score	Score
	2. 95% population coverage in communities classified as unserved or underserved at a minimum download data rate of 5 Mbps under peak traffic conditions.	7	

Table 8: Application Evaluation Criteria.

6.1.3.2 Business Plan structure

The Applicant must submit a Business Plan that is drafted for the purposes of deploying and maintaining the requested mobile broadband services over the stipulated licence period of 15 years. This Business Plan must be structured as indicated in Table 9 below.

No	Chapter	Content	Supporting evidence to be included
1	Executive summary	Description of the proposed mobile services, key milestones and competitive advantages.	<ul style="list-style-type: none"> Adequate allocation of resources to deliver the proposed network and service deployment. Feasibility of the projected key milestones concerning the network and service deployment. Competitive advantages of the Applicant and its proposed network and service deployment.
2	Network deployment and maintenance plan	Description of the network deployment and maintenance activities and allocation of resources.	<ul style="list-style-type: none"> Deployment of an adequate network topology, architecture, as well as compatible end-user equipment. Having adequate resources and project management capacity to deploy the network and services. Having a feasible milestone planning which includes contingency mitigation measures. Network maintenance and update plan. Network and service delivery monitoring and reporting.
3	Sales and marketing plan	Description of the planning and deployment of the commercial services.	<ul style="list-style-type: none"> Competitive service pricing and packaging plans. Competitive retail plan, marketing activities, client support structure and logistics. Future service expansion and innovation. Customer rights and data protection measures.
4	Organisation and staffing plan	Description of the organizational structure and	<ul style="list-style-type: none"> Sufficient and qualified staffing for the network and service deployment (project management resources).

No	Chapter	Content	Supporting evidence to be included
		staffing.	<ul style="list-style-type: none"> • Sufficient and qualified staffing for the running business, which may be based on an existing business operation.
5	Financial projections	Profit and Loss Statement. Cash Flow Statement. NPV calculation and sensitivity analysis.	<ul style="list-style-type: none"> • Projected revenues are realistic, supported with evidence and do consider competition. • Presented cost structure supports the projected revenues, cost structure is realistic, supported with evidence and are split in CAPEX and OPEX. • The Cash Flow Statement should include the Spectrum Licence Fees and Spectrum Regulatory Fees. • The Cash Flow Statement should include cash flows from operating, investment and financing activities, as well as tax payments.

Table 9: Business Plan structure.

6.1.3.3 Most recent duly audited financial statements

The Applicant must submit its audited financial statements for the three most recent financial years. This audited annual report should comply with the Generally Accepted Accounting Principles (GAAP), as applied in the Jamaican jurisdiction, and should include an audit report and opinion.

6.1.4 Licence Assignment Stage

The Licence Assignment Stage is the stage of the public application procedure in which the Minister grants the Spectrum Licence, upon the recommendation of the Authority. The confirmed Awardee(s) will enter the Licence Assignment Stage in order of the highest to the lowest score on the Application Evaluation Criteria².

For a confirmed Awardee that has entered the Licence Assignment Stage and provided a Deposit by way of an Irrevocable letter of Undertaking, the Deposit will be immediately demanded in accordance with the procedure included in section 6.3 Application Data Sheet.

Before the Authority makes a recommendation to the Minister regarding who should be the Awardee(s) to be granted a Spectrum Licence, the following conditions shall be met:

1. A confirmed Awardee will be required to undertake in writing to the Authority that the confirmed Awardee accepts that the submitted Business Plan will be attached as an annex to the Spectrum Licence and that this Business Plan will form an integral part of the Spectrum Licence terms and

² In the event of two (or more) confirmed Awardees having an equal score on the Application Evaluation Criteria, the confirmed Awardee with the lowest amount of current spectrum holdings (in MHz) in the sub 1 GHz band, will enter the Licence Assignment Stage first.

- conditions, particularly sections relating to the projections made on the network deployment, its maintenance, the offered service levels, the customer care, protection and commercial offerings;
2. A confirmed Awardee must commit, by an irrevocable letter of undertaking, to pay the outstanding balance for the Spectrum Licence Fee in ten (10) equal instalments over the first ten (10) years of their licence. This payment will commence one year after the start date of the validity of the Licence as stated in the Spectrum Licence. A confirmed Awardee will be informed of the payment dates by the Authority;
 3. The Authority will revoke the amount of spectrum a confirmed Awardee has offered to relinquish and adjust the spectrum licences, considering a timeline to be agreed for terminating the use of the spectrum to be relinquished.

In the event that the above listed conditions are:

1. Met, the Authority will recommend the Minister to grant a Spectrum Licence for the spectrum lot that was indicated in the Application of a confirmed Awardee, as long as enough spectrum is available in band plan 71/71N. In case not enough spectrum is available in band plan 71/71N to grant the spectrum lot that was indicated in the Application of a confirmed Awardee, the Authority will offer a confirmed Awardee the remaining spectrum in band plan 71/71N, being 2x15 MHz, for their acceptance. If the remaining spectrum is accepted by a confirmed Awardee, the Authority will recommend the Minister to grant a Spectrum Licence for the remaining spectrum in band plan 71/71N;
2. Not met, a confirmed Awardee cannot be recommended to the Minister to be granted a Spectrum Licence and the Application will be rejected.

After a confirmed Awardee is either recommended or not recommended to the Minister to be granted a Spectrum Licence, the next highest confirmed Awardee will enter the Licence Assignment Stage.

By public notice the Authority will announce the confirmed Awardee(s) that are recommended to the Minister to be granted a Spectrum Licence(s) and will inform all Applicants in writing of the outcome of the public application.

In accordance with the procedure included in section 6.3 Application Data Sheet, the Deposit will be released as follows:

1. For any Applicant, not recommended to the Minister for licensing, the full amount of the Deposit will be released;
2. For an Applicant, recommended to the Minister for licensing but for a smaller amount of spectrum that was indicated in their Application, i.e. the remaining spectrum in band plan 71/71N, an amount will be released as indicated in section 6.3 Application Data Sheet.

6.2 INSTRUCTIONS TO THE APPLICANTS

The Applicant is required to submit all documents as defined in Table 5 in section 6.1.1.

The stated documents should be contained in one correctly labelled sealed envelope and be deposited within a designated application box located at the Authority's office.

6.2.1 Preparation of Applications

Applicants are expected to carefully examine all instructions, forms, terms, and specifications in the Information Memorandum. Failure to furnish all mandatory information or documentation required by the Information Memorandum shall result in the rejection of the Application.

6.2.2 Cost of preparation of Applications

Applicants shall bear all costs associated with the preparation and submission of its Application, and the Authority shall not be responsible or liable for those costs.

The Authority shall incur no liability by virtue of it exercising its right to cancel the application procedure prior to the licensing of the Awardee or where an Applicant is otherwise disqualified.

6.2.3 Language

Applications, as well as all correspondence and documents relating to the Application exchanged by the Applicant and the Authority, shall be written in the English language.

6.2.4 Only one Application

The Applicant shall submit only one Application and such Application shall be from a limited liability company. If any Applicant submits or participates in more than one Application, all such Applications shall be disqualified and rejected.

6.2.5 Application validity

Applications shall remain valid for the period specified in section 6.3 Application Data Sheet after the Application submission deadline prescribed by the Authority. An Application that is valid for a shorter period shall be rejected by the Authority as non-responsive. During this Application validity period, an Applicants shall maintain its original Application without any change.

6.2.6 Extension of validity period

The Authority will make its best effort to complete the application procedure within the Application's validity period. However, should the need arise, the Authority may request, in writing, all Applicants who submitted Applications prior to the submission deadline to extend the Application validity.

If an Applicant agrees to extend the validity of its Application, it shall be done without any change in the original Application.

An Applicant has the right to refuse to extend the validity of its Application in which case such Application will not be further evaluated and rejected.

6.2.7 Submission, sealing, and marking of Applications

Applicants shall submit their Applications in hard copies to the Authority's office located at the address specified in section 6.3 Application Data Sheet . A total of six (6) sets of documents must be submitted, one (1) original document, clearly marked "ORIGINAL" and five (5) copies, each clearly marked "COPY". It is the Applicants' responsibility to ensure that all sets of documents are identical. In the event of any

variation, the content of the “ORIGINAL” document will be regarded as that Applicant’s official submission.

Applications shall be typed or written in permanent ink and shall be signed by a person duly authorized to sign on behalf of the Applicant, verified with a company stamp in the presence of a named witness. All pages must also be initialled by the authorized person. This authorization shall consist of a power of attorney as set out in Appendix E: Power of Attorney and shall be attached to the Application.

Any interlineations, erasures, or overwriting shall be valid only if they are signed or initialled by the person signing the Application.

Applications shall be submitted in hard copy as specified in section 6.3 Application Data Sheet. The hard copies shall be accompanied by a soft copy in “pdf format” on a USB pen drive. In case of any discrepancies between the hard and soft copy, the hard copy will prevail.

Applicants submitting Applications shall follow the procedures as described in section 6.3 Application Data Sheet.

6.2.8 The close of Application submission

The deadline for Application submission is indicated in section 6.3 Application Data Sheet.

6.2.9 Confidentiality

Information relating to the examination, evaluation, comparison, and pre-qualification of Applications, and recommendation of the award, shall not be disclosed to Applicants or any other person(s) not officially concerned with such process until publication of the licence assignment.

Any effort by an Applicant or any person to influence the Authority or members of its evaluation committee in the examination, evaluation, comparison, and pre-qualification of the Applications or spectrum award decisions, shall result in the rejection of its Application.

6.2.10 Late Applications

The Authority shall not consider any Application that arrives after the deadline for Application submission. The Application submission must be placed into the application box on or before the closing time indicated in section 6.3 Application Data Sheet. At the time for the close of Applications the application box will be closed.

Late submissions will be automatically rejected by an officer appointed by the Authority. Applicants are therefore urged to submit their proposals in hard copies at least two (2) hours prior to the close of submission time.

6.2.11 Clarification

Persons requiring clarification are required to submit their queries within the designated timeline via the email address specified in section 6.3 Application Data Sheet.

The Authority will not be held liable for Applications that are not submitted on time.

6.2.12 Taxes

The Awardee is responsible for meeting all tax liabilities arising out of the award of spectrum unless stated otherwise in section 6.3 Application Data Sheet.

The Deposit shall exclude taxes and duties in Jamaica in accordance with the instructions in section 6.3 Application Data Sheet.

6.2.13 Currency of Application and payment

The currency of the Deposit and the outstanding balance for the Spectrum Licence Fee shall be United States Dollars.

6.2.14 Corrections of errors

No corrections by the Applicant of the submitted Application shall be permitted. In the event of a conflict between words and figures, the words shall prevail. However, the Authority may request clarifications, only concerning the submitted Pre-qualification documentation during the Pre-qualification Stage.

6.2.15 Collusion and anti-competitive behaviour

The Active Period begins on the day of the publication of this Information Memorandum and terminates on the day the Spectrum Licence is assigned and the Authority announces the holder(s) of the Spectrum Licence(s) by public notice.

6.2.16 Deposit

The required Deposit can be paid in cash into the nominated bank account set out in Appendix F: Nominated Bank Account – Wire Instructions, and/or by way of an irrevocable letter of undertaking issued by a financial institution licensed pursuant to the Banking Services Act, 2014 as set out in Appendix B: Irrevocable Letter of Undertaking.

The amount of the required Deposit is set out in section 6.3 Application Data Sheet.

6.3 APPLICATION DATA SHEET

This section includes the Application Data Sheet as shown in Table 10 below.

Data sheet reference number	Description
1. General	
ADS 1.1	The issuing entity is the Spectrum Management Authority.
ADS 1.2	The identification number of the call for applications is: SMA-IM-600-2024-08-26.
ADS 1.3	Two lots are on offer in this public call for applications and are defined as follows:

Data sheet reference number	Description									
	<ol style="list-style-type: none"> 1. Contiguous 2x20 MHz in the band 617-652 MHz (downlink) and 663-698 MHz (uplink); 2. Contiguous 2x15 MHz in the band 617-652 MHz (downlink) and 663-698 MHz (uplink). 									
ADS 1.4	<p>The Spectrum Licence Fee to be paid is as follows:</p> <ol style="list-style-type: none"> 1. USD 24,000,000.00 for contiguous 2x20 MHz in the band 617-652 MHz (downlink) and 663-698 MHz (uplink); 2. USD 18,000,000.00 for contiguous 2x15 MHz in the band 617-652 MHz (downlink) and 663-698 MHz (uplink). 									
ADS 1.5	Pre-qualification of Applicants will be undertaken.									
ADS 1.6	The project is to deploy a mobile communication network with the aim to provide to the public mobile broadband services over a period of 15 years.									
ADS 1.7	Potential Applicants requiring clarification are required to submit their queries by email to the Authority at spectrum600mhz@sma.gov.jm by, 20 th of September 2024 by 1.00 pm.									
2. Instructions to Applicants										
ADS 2.1	As is in the terms set out in section 6.									
3. Preparation of Applications										
ADS 3.1	<p>The language of all documents in the Application shall be English.</p> <p>Any documentation received in other languages shall be accompanied by an accurate English translation. For purposes of interpretation of the Application and its supporting documentation, the English translation shall govern.</p>									
ADS 3.2	<p>The Applicant shall submit the following documents in its Application:</p> <table border="1" data-bbox="617 1579 1399 1801"> <thead> <tr> <th data-bbox="617 1579 682 1617">No</th> <th data-bbox="682 1579 1133 1617">Document</th> <th data-bbox="1133 1579 1399 1617">Reference</th> </tr> </thead> <tbody> <tr> <td colspan="3" data-bbox="617 1617 1399 1659" style="text-align: center;"><i>Pre-qualification documentation</i></td> </tr> <tr> <td data-bbox="617 1659 682 1801" style="text-align: center;">1</td> <td data-bbox="682 1659 1133 1801">Completed Company information requirements.</td> <td data-bbox="1133 1659 1399 1801">See Form 1: Company Information Requirements</td> </tr> </tbody> </table>	No	Document	Reference	<i>Pre-qualification documentation</i>			1	Completed Company information requirements.	See Form 1: Company Information Requirements
No	Document	Reference								
<i>Pre-qualification documentation</i>										
1	Completed Company information requirements.	See Form 1: Company Information Requirements								

Data sheet reference number	Description	
	2	Copy of Domestic Mobile Service Provider Licence and Domestic Mobile Carrier Licence.
	3	Completed Applicant compliance certificate. See Appendix A: Applicant Compliance Certificate
	4	Valid Tax Compliance Certificate (TCC).
	5	Completed qualification information. See Form 2: Qualification Information
	6	Completed declaration that Applicant is not affiliated with another Applicant or existing licensed mobile network operator. See Form 3: Legal Information
	7	Completed litigation history. See Form 3: Legal Information
	8	Completed letter of authorization. See Form 3: Legal Information
	9	Completed Application securing declaration. See Form 4: Application Securing Declaration
	10	Application submission form. See Form 5: Application Submission Form
	11	Proof of Deposit by irrevocable letter of undertaking and/or cash payment in nominated bank account. See Appendix B: Irrevocable Letter of Undertaking See Appendix F: Nominated Bank Account – Wire Instructions
	12	Power of Attorney, if the authorized signatory to sign and initial all aspects of the Application and engagement relative to the public call for applications is not the Chief Executive Officer or Chairman. See Appendix E: Power of Attorney
	<i>Application evaluation documentation</i>	
	13	Business Plan. See section 6.1.3.2
	14	Audited annual reports of the Applicant for the three most recent financial years. See section 6.1.3.3

Data sheet reference number	Description
ADS 3.3	Alternative Applications shall not be considered.
ADS 3.4	<p>The Application shall consist of one envelope clearly labelled:</p> <p style="text-align: center;">“Submission to the Call for Applications SMA-IM-600-2024-08-26”.</p> <p>A total of six (6) sets of documents must be included, one (1) original document, clearly marked “ORIGINAL” and five (5) copies, each clearly marked “COPY”. Applications must be duly signed by an authorized officer of the company with the appropriate company seal/stamp affixed.</p> <p>The hard copies shall be accompanied by a soft copy in “pdf format” on a USB pen drive. In case of any discrepancies between the hard and soft copy, the hard copy will prevail. The envelope shall bear the name and address of the Applicant. The envelope shall be clearly marked with the words as follows:</p> <p style="text-align: center;">“Submission to the Call for Applications SMA-IM-600-2024-08-26” Spectrum Management Authority 13 – 19 Harbour Street Kingston, Jamaica.</p>
ADS 3.5	The Application validity period shall be One Hundred and Eighty (180) days from the deadline for submitting Applications which is the 1 st of October 2024.
ADS 3.6	Applications shall be submitted in the call for applications box provided by the Authority at 13 – 19 Harbour Street, Kingston.
ADS 3.7	The currency of the Deposit and the outstanding balance for the Spectrum Licence Fee shall be United States Dollars.
ADS 3.8	The Awardee is responsible for meeting all tax liabilities arising out of the award.
ADS 3.9	<p>The required Deposit (excluding taxes and duties), of the Spectrum Licence Fee, is as follows:</p> <ol style="list-style-type: none"> 1. USD 8,000,000.00 for contiguous 2x20 MHz in the band 617-652 MHz (downlink) and 663-698 MHz (uplink); 2. USD 6,000,000.00 for contiguous 2x15 MHz in the band 617-652 MHz (downlink) and 663-698 MHz (uplink).

Data sheet reference number	Description
	<p>The required Deposit can be made by:</p> <ol style="list-style-type: none"> 1. Cash payment into the nominated bank account set out in Appendix F: Nominated Bank Account – Wire Instructions, and/or; 2. An irrevocable letter of undertaking from a financial institution licensed pursuant to the Banking Services Act in the form as set out in Appendix B: Irrevocable Letter of Undertaking. <p>Failure to make the Deposit on or before the Application submission deadline specified at ADS 4.2 of this Application Data Sheet will result in the rejection of the Application.</p>
ADS 3.10	<p>The Awardee must commit, by an irrevocable letter of undertaking, to pay the outstanding balance, of the Spectrum Licence Fee, in ten (10) equal annual instalments, as included in the Spectrum Licence terms and conditions. The outstanding balance is as follows:</p> <ol style="list-style-type: none"> 1. USD 16,000,000.00 for contiguous 2x20 MHz in the band 617-652 MHz (downlink) and 663-698 MHz (uplink); 2. USD 12,000,000.00 for contiguous 2x15 MHz in the band 617-652 MHz (downlink) and 663-698 MHz (uplink).
4. Submission and Opening of Applications	
ADS 4.1	
ADS 4.2	<p>For application submission purposes, the issuing entity’s address is:</p> <p style="text-align: center;">Spectrum Management Authority 13 – 19 Harbour Street Kingston, Jamaica.</p> <p>The deadline for the submission of Applications is:</p> <p>Date: 1st of October 2024.</p> <p>Time: 1:00 p.m., Jamaica Time (UTC-5).</p> <p>Applications should be placed in the call for application box on or before the closing time of 1:00 p.m. Please note that all late Applications will be rejected. ALL APPLICATIONS MUST HAVE THE REQUIRED SIGNATURES AND SUPPORTING DOCUMENTATION.</p>

Data sheet reference number	Description
5. Application Pre-qualification Stage	
ADS 5.1	The Application Pre-qualification Stage commences on 2 nd of October 2024 and terminates on the 4 th of October 2024.
ADS 5.2	Only the Applications that satisfy the Application Pre-qualification Criteria will proceed to the Application Evaluation Stage. The Applications that do not satisfy the Application Pre-qualification Criteria will be deemed as ineligible and will be disqualified. The Application Pre-qualification Criteria are included in Table 6.
6. Application Evaluation Stage	
ADS 6.1	The Application Evaluation Stage commences on 7 th of October 2024 and terminates on the 11 th of October 2024.
ADS 6.2	<p>The Evaluation Committee will analyse the application documents and determine for each Application the total score based on the Application Evaluation Criteria as included in Table 8.</p> <p>An Application shall be rejected at the Application Evaluation Stage if it does not respond to the Application Evaluation Criteria or if it fails to achieve the minimal score of 70 points.</p> <p>The accepted Applications will be ranked by the Evaluation Committee from the highest to the lowest score.</p> <p>Prior to confirming the Awardee(s), the Authority will determine whether the Applicant’s total spectrum holdings, including the spectrum holding in the 614-698 MHz band on offer in this public call for applications, are not above 33% of the available spectrum for MNOs, as totalled in the last columns of Table 3 and Table 4. If applicable, in checking the Applicant’s total spectrum holdings, the Authority will consider the amount of spectrum (in MHz) the Applicant has offered to relinquish. It should be noted that consideration for the relinquishing of spectrum will only be given to low-band spectrum (i.e. 700, 850 and 900 MHz). If applicable, the Applicant has to specify the low-band spectrum that will be relinquished in Form 5: Application Submission Form, detailing the frequencies and bandwidth (in MHz) that will be relinquished for each spectrum licence the Applicant holds. Any low-band spectrum to be relinquished which are not clearly defined in Form 5: Application Submission Form, cannot be considered for the relinquishing of spectrum.</p> <p>In the event that the Applicant’s total spectrum holdings are above 33% of the available spectrum for MNOs, the Applicant cannot be</p>

Data sheet reference number	Description
	confirmed as an Awardee and the Application will be rejected. If the Application is rejected the Authority will proceed to and do a similar assessment of the spectrum holdings of the next highest Application to ascertain whether that Applicant can be confirmed as an Awardee.
7. Licence Assignment Stage	
ADS 7.1	The Licence Assignment Stage commences on the 14 th of October 2024 and terminates at the date the Authority announces the holder(s) of the Spectrum Licence(s) by public notice.
ADS 7.2	<p>The confirmed Awardee(s) will enter the Licence Assignment Stage in order of the highest to the lowest score on the Application Evaluation Criteria.</p> <p>A confirmed Awardee that has entered the Licence Assignment Stage and provided a Deposit by way of an Irrevocable letter of Undertaking, the Deposit will be immediately demanded.</p> <p>Before the Authority makes a recommendation to the Minister regarding who should be an Awardee(s) to be granted the Spectrum Licence, the following conditions shall be met:</p> <ol style="list-style-type: none"> 1. A confirmed Awardee will be required to undertake in writing to the Authority that the confirmed Awardee accepts that the submitted Business Plan will be attached as an annex to the Spectrum Licence and that this Business Plan will form an integral part of the Spectrum Licence terms and conditions, particularly sections relating to the projections made on the network deployment, its maintenance, the offered service levels, the customer care, protection and commercial offerings; 2. A confirmed Awardee must commit, by an irrevocable letter of undertaking, to pay the outstanding balance for the Spectrum Licence Fee in ten (10) equal instalments over the first ten (10) years of their licence. This payment will commence one year after the start date of the validity of the Licence as stated in the Spectrum Licence. A confirmed Awardee will be informed of the payment dates by the Authority; 3. The Authority will revoke the amount of spectrum a confirmed Awardee has offered to relinquish and adjust the spectrum licences, considering a timeline to be agreed

Data sheet reference number	Description
	for terminating the use of the spectrum to be relinquished.
ADS 7.3	<p>The Deposit will be released as follows:</p> <ol style="list-style-type: none"> 1. For any Applicant, not recommended to the Minister for licensing, the full amount of the Deposit will be released. 2. For an Applicant, recommended to the Minister for licensing but for a smaller amount of spectrum that was indicated in their Application, i.e. the remaining spectrum in band plan 71/71N, an amount will be released of USD 2,000,000.00, being difference of the required Deposit for 2x20 MHz and 2x15 MHz. <p>For a Deposit made by:</p> <ol style="list-style-type: none"> 1. An irrevocable letter of undertaking: The Deposit of the Applicant will be demanded as per procedure as included in the irrevocable letter of undertaking, see Appendix B: Irrevocable Letter of Undertaking. The Deposit of any other Applicant will be immediately released. 2. Cash payment in the nominated bank account see Appendix F: Nominated Bank Account – Wire Instructions: The Deposit of the Applicant will not be returned and will be immediately cashed. The Deposit of any other Applicant will be returned without interest within thirty (30) days.

Table 10: Application Data Sheet.

FORM 1: COMPANY INFORMATION REQUIREMENTS

The Authority will examine the submissions and verify that the required mandatory pieces of information regarding the company's status have been submitted by an Applicant. The documentation must include:

1. Certified copies of relevant documents of incorporation for Jamaican companies which took effect prior to February 2004:
 - a) Certificate of incorporation;
 - b) Memorandum of association;
 - c) Articles of association;

OR

1. Certified Copies of relevant documents of incorporation for Jamaican companies which took effect after February 2004:
 - a) Certification of incorporation;
 - b) Articles of incorporation;

AND

2. Other particulars of Applicant, including:
 - a) Address of company's registered office;
 - b) Name of Applicant's authorised signatory (must be a director of the company) and contact details including telephone and fax numbers as well as e-mail address(es);
 - c) Name of company's technical officer and contact details including telephone and fax numbers as well as e-mail address(es);
3. A detailed list of the shareholders inclusive of the absolute and percentage value of shareholdings and organisational chart showing the relationship between the shareholders and any connected person;
4. A detailed list of all current and former directors of the company, including dates and positions;
5. Certificate of Good Standing from the Companies Office of Jamaica;
6. Completed Applicant compliance certificate – (See Appendix A: Applicant Compliance Certificate).

FORM 2: QUALIFICATION INFORMATION

APPLICANT'S IDENTITY

- Name: _____
- Address: _____
- Tel/Fax: _____
- E-mail: _____
- Contact Person: _____
- Authorized signatory:

Name: _____ Signature _____

Item	Mandatory Requirements	Response	
1	The Applicant, its officers and principals of the Applicant or any of them have been convicted of an offence in Jamaica or elsewhere involving dishonesty, within the five years immediately preceding the commencement of this public call for applications or have been charged with, any offence under the Telecommunications Act?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2	The Applicant, its officers and principals of the Applicant or any of them is an undischarged bankrupt?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3	The Applicant, its officers and principals of the Applicant or any of them is not solvent or the subject of winding up proceedings?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4	The Applicant's affairs are being managed or administered by a Court?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

FORM 3: LEGAL INFORMATION

CONNECTED PARTIES

Item		Response	
1.	Are you connected to any other Applicant?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2.	Are you connected to any existing licensed mobile network operator(s)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

LITIGATION HISTORY

The Applicant shall state whether there is any, and provide accurate information concerning, litigation or arbitration resulting from contracts completed or under execution by it over the last five (5) years. A consistent history of awards against the Applicant may result in failure of application.

The following questions pertain to both the Applicant and to individuals in its organisation while they were directors, officers, employees or otherwise associated with the organisation. If the answer to any question is yes, please explain the circumstances and the final outcome. Additional explanations and documents may be attached on a separate sheet.

1. Has the organisation/individual ever been named as a target in a criminal investigation conducted by law enforcement of any country?
2. Has the organisation/individual ever been indicted for application rigging, collusion, bribery or any anti-competitive conduct?
3. Has the organisation/individual ever been a party to criminal litigation regarding breach of the Telecommunications Act or any other associated policy?
4. Has the organisation/individual ever been found liable in any civil proceeding under a jurisdiction's anti-trust legislation?
5. Has the organisation/individual ever been a party to criminal litigation involving an alleged violation of business enterprise laws or regulations?
6. Has the organisation/individual ever been suspended or debarred, either permanently or temporarily, from applying or contracting for any government Telecommunications projects?
7. Are there any suspension or debarment proceedings presently pending against the organisation/individual?
8. Has any civil action been instituted against a performance or payment bond written by a surety on which the organisation (or any of its officers) were named as a principal?
9. Has any jurisdiction ever terminated or suspended a contract or licence granted to the organisation by reason of default?
10. Has any public body ever declined to award the organisation an application based on a finding that the organisation was not a responsive Applicant? If yes, provide details on a separate sheet.

LETTER OF AUTHORIZATION

The Applicant shall provide a letter of authorization containing the following statement:

The Authority, its directors and authorized representatives are hereby authorized to conduct any enquiries or investigations to verify the statements, documents and information submitted in connection

with this application and to seek clarification from our bankers, affiliates, associates and clients regarding any financial and technical aspects. This letter of authorization will also serve as authorization to any individual or authorized representative of any institution referred to in the supporting information, to provide such information deemed necessary and requested by you to verify statements and information provided in this application or with regard to the resources, experience and competence of [\[Name of Company\]](#).

FORM 4: APPLICATION SECURING DECLARATION

<INSERT COMPANY LETTER HEAD>

[The Applicant shall fill in this Form in accordance with the instructions indicated.]

Date: [Date]

Ref No: SMA-IM-600-2024-08-26

To: Managing Director
Spectrum Management Authority
13-19 Harbour Street
Kingston, Jamaica W.I.

We, the undersigned, declare that:

We understand that, according to your conditions, Applications must be supported by an Application Securing Declaration.

We accept that we will automatically be suspended from being eligible for Applying in procurement or Request for Proposal with the issuing entity for the period of time of *Three Years (3)* starting on *the date of expiration of our Application validity period of one hundred and eighty (180) days as set out in the Information Memorandum*, if we are in breach of our obligation(s) under the Application conditions, because we have materially modified or withdrawn our Application during the period of Application validity specified in the Information Memorandum.

We understand this Application securing declaration shall expire if we are not the successful Applicant, upon the earlier of (i) our receipt of your notification to us advising of the name of the Awardee as defined in the Information Memorandum; or (ii) twenty-eight days (28) after the expiration of our Application.

Name:

In the capacity of:

Signature:

Duly authorized to sign the
Application Submission
Documents for and on behalf of:

Date:

Corporate Seal (where appropriate)

FORM 5: APPLICATION SUBMISSION FORM

[Company Location, Date]

To: The Managing Director
Spectrum Management Authority
13-19 Harbour Street
Kingston, Jamaica W.I.

Dear Sirs:

We, the undersigned, offer to utilise the 614-698 MHz band as detailed in the Information Memorandum of the public call for applications for the purposes of the delivery of the mobile broadband network and services SMA-IM-600-2024-08-26 and as described in our Application.

We are hereby submitting our Application [for a spectrum lot of 2x20 MHz OR for a spectrum lot of 2x15 MHz], which includes the documents as requested in your Information Memorandum, sealed in an envelope. We hereby declare that:

1. All the information and statements made in our Application are true and we accept that any misinterpretation on our part or misrepresentation contained in this Application may lead to our disqualification by the Authority;
2. Our Application shall be valid and remain binding upon us for the Application validity period as specified in your Application Data Sheet;
3. We meet the eligibility requirements as stated in Pre-qualification Criteria, and we confirm our understanding of our obligation to abide by the Government's policy in regard to prohibited practices as per Applicant Compliance Certificate;
4. Our Application is binding upon us;
5. We hereby agree that in competing for and, if the award is made to us, in executing and maintaining the rollout plan, we undertake to observe the laws against fraud and corruption, including bribery, in force in Jamaica. We hereby agree that in competing for and, if the award is made to us, in executing the project, we undertake to observe the laws against fraud and corruption, including bribery, in force in Jamaica;
6. [If applicable] We hereby agree to relinquish the following frequencies as included in the table below [insert table].

We undertake, if our Application is accepted and the license awarded, to initiate the project related to the assignment of spectrum no later than the timelines set out in the Application Data Sheet and the conditions of the licence and shall provide bi-monthly reports on the progress of the deployment of the network and services until the network and services are fully deployed up to the minimum service levels as included in Application Data Sheet. Such reports are to be submitted to the Managing Director of the Authority.

We understand that the Authority is not bound to accept any Application that the Authority receives. We understand that the Authority may cancel the public call for applications at any time prior to the acceptance of the successful Application. Or after the successful Application is accepted, if the Applicant presenting the successful Application is excluded on the grounds of corruption, unfair competition and a conflict of interest.

Authorized Signature [In full and initials]:

Name and Title of Signatory:

Name of Applicant (company's name):

Contact information (phone and e-mail):

Date:

APPENDIX A: APPLICANT COMPLIANCE CERTIFICATE

The Applicant certifies and undertakes that:

1. The authorized officers of the Applicant have read and understood the relevant legislation and the information published in this Information Memorandum;
2. The Applicant is legally capable of applying and has in place all necessary consents, permissions and board approval for this purpose, save those which, by virtue of legal or regulatory process, are not obtainable until after the results of the public call for applications are known and the Applicant further understands that it will bear the risk of failure to obtain such consents, permissions and approvals that are not obtainable until after the results of the public call for applications are known;
3. The Applicant understands and will be legally capable of satisfying its obligations under the terms and conditions of the Spectrum Licence granted pursuant to the public call for applications;
4. The Applicant is not the subject, and none of its Directors, officers or representatives are the subject, of a criminal investigation or proceedings in Jamaica or other in jurisdictions which might reasonably be expected to affect adversely their business or materially affect the Applicant's ability to apply or to satisfy the terms of the Spectrum Licence awarded pursuant to the public call for applications, and that there is no reason to believe that such investigations or proceedings might occur during this public call for applications;
5. The Applicant has not entered and will not enter into any agreements or arrangements of any kind with any competitor regarding the Application or any Application strategies;
6. The Applicant is not connected, as defined in the Telecommunications Act, to any other participant in the public call for applications;
7. The following officer(s) representing the Applicant in the public call for applications have been duly and properly authorised by the Applicant to act and they have the authority and power to bind the Applicant in the transaction.

Authorized Signature (In full and initials):

Name:

Name of Applicant (company's name):

Contact information (phone and e-mail):

Date:

APPENDIX B: IRREVOCABLE LETTER OF UNDERTAKING

The letter of undertaking must conform to the template below for the Applicant to be considered in the public call for applications.

IRREVOCABLE LETTER OF UNDERTAKING

The Applicant

[Name]
[Address]
[Post code]
[Country]

At the request of

Beneficiary

Spectrum Management Authority (SMA)
13-19 Harbour Street
Kingston
Jamaica

We, the undersigned

Bank

[Name]
[Address]
[Post code]
[Identification/registration number]
[Country]

UNDERTAKE, in favour of the Applicant's obligations to hold the required Deposit **up to and including an amount of** [Eight Million United States Dollars, USD 8,000,000.00 for a lot size of 2x20 MHz OR Six Million United States Dollars, USD 6,000,000.00 of a lot size of 2x15 MHz].

On Demand Undertaking

The Bank shall irrevocably and on demand from the SMA pay to the SMA the requested sum up to and including the above amount. The demand shall be made in writing. The written demand shall be signed by the Managing Director of the SMA. The Bank shall not be entitled to any other examination or documentation of the claim. The undertaking of the Bank is independent and unconditional in relation to the SMA.

Payment and interest

The Bank shall effect payment of the amount required within five (5) days of receipt of a demand. After this time, if the required sum has not been paid, the Bank shall pay default interest of 6% per annum until payment is effected.

Law and jurisdiction

This Undertaking shall be subject to the laws of Jamaica.

The agreed venue for any litigation with respect to this Undertaking shall be courts of Jamaica.

Validity

This Undertaking shall remain valid for Two Hundred and Ten (210) days from [Date], that is, [Date].

Enforcement clause

The Bank agrees that a judicial decision made by a Jamaican court shall be directly enforceable in relation to the Bank.

Date: _____

Bank: _____

Signature of person(s) entitled to sign for the bank:

Full name(s) and title(s):

Telephone number(s): _____

APPENDIX C: SPECIMEN LICENCE



**GOVERNMENT OF JAMAICA
SPECTRUM MANAGEMENT AUTHORITY**

Lic# SL-

The Telecommunications Act
Spectrum (Successful Applicant) Licence, 2024

Whereas (Successful Applicant) is eligible for the grant of a Spectrum Licence under the Telecommunications Act.

Whereas pursuant to section 23 (4) of the Telecommunications Act the Minister may grant a Spectrum Licence to the holder of a Domestic Mobile Carrier or a Domestic Mobile Service Provider Licence; and pursuant to section 23 (1) of the Act, on the recommendation of the Authority, grant a licence authorizing the use of such portion of the spectrum as may be specified therein.

NOW THEREFORE in accordance with the Telecommunications Act, the Minister with principal responsibility for telecommunications **HEREBY GRANTS** the following Spectrum Licence.

Licence term:	From	[Date]	To	[Date]	15 Years
Period of Validity:	From	[Date]	To	[Date]	

The Licensee is hereby licensed to use portions of the electromagnetic spectrum as set forth in the following schedule for the term of this Licence and subject to the provisions of the Telecommunications Act and the terms and conditions attached hereto.

Issued [Date]

Hon, Daryl Vaz, M.P.

Minister of Science, Energy, Telecommunications and Transport.

SCHEDULE

Mobile Station Transmit Frequency Range (MHz)	Base Station Transmit Frequency Range (MHz)

Short Title

1. This Licence may be cited as **“Spectrum (Successful Applicant) Licence, 2024”**

Interpretation

2. In this Licence, unless the context otherwise requires:

“Authority” means the Spectrum Management Authority.

“Convention” means the International Telecommunication Convention of Nairobi, 1982 and the General and Administrative Regulations thereof and includes any Convention and any Regulations which may from time to time be in force in substitution thereof or amendment thereto and to which the Government of Jamaica is a party.

“International Radio Regulations” means the Radio Regulations annexed to the Convention and includes any Regulation made in the amendment, in addition to or substitution for the said Radio Regulations.

“Licence” means the **Spectrum (Successful Applicant) Licence 2024**.

“Licensed Spectrum” means the spectrum set forth in the Schedule.

“Licensee” means **Successful Applicant and any successors or assigns of that Company**.

“Minister” means the Minister who, for the time being, has principal responsibility for the regulation of telecommunications and includes any person or body to whom the Minister has delegated his or her powers in relation to Spectrum Management.

“Telecommunications Act” means the Telecommunications Act of 2000, as may be amended from time to time, and a reference to the

Telecommunications Act includes each Regulation, Rule or other Instrument made pursuant to that Act.

Except where specifically provided for in this Licence, expressions in this Licence have the same meanings as under the Telecommunications Act.

Grant of Licence

3.1 Subject to the Terms and Conditions set out herein, the Licensee is hereby licensed to use those portions of the electromagnetic spectrum as set forth in the Schedule in the most efficient manner that is technically and economically feasible for the term of this Licence and subject to the provisions of the Telecommunications Act and this Licence.

3.2 The Licensee is to utilise the assigned spectrum for the deployment of commercial voice and mobile broadband services as follows:

- At least 50% population coverage in the entire country within 12 months from the start date of the validity of the Licence.
- At least 95% population coverage in the entire country within 24 months from the start date of the validity of the Licence.

3.3 In addition, the Licensee is to utilise the assigned spectrum for the deployment of commercial voice and mobile broadband services within the areas specified herein at Appendix A titled Unserved and Underserved Communities (“Supplied List”). Coverage to these areas must be rolled out at the same rate as coverage for the general population, namely:

- At least 50% of the population in the Communities on the Supplied List within 12 months from the start of the validity of the Licence.

- At least 95% of the population in the Communities on the Supplied List within 24 months from the start of the validity of the Licence.

3.4 For the purposes of clause 3.2 and 3.3, the served population should receive the mobile services from the Licensee at a signal strength of - 105 dBm or higher.

Data Rate

4. The Licensee is to provide a minimum download data rate of five (5) Mbps under peak traffic conditions in any of the coverage areas as specified above in clause 3.2 and 3.3.

Non-Observance

5. If the Licensee fails to fulfil the deployment conditions specified in clause 3.2 and 3.3, the Authority shall:

- Impose liquidated damages of J\$2,000,000.00 when it confirms that the conditions have not been met.
- Impose a further sum of J\$3,000,000.00 every subsequent month where the conditions are not met.
- If the deployment conditions still have not been met six (6) months after the first charge, the Licence may be suspended or revoked in accordance with Section 23A of the Telecommunications Act.

Duration and Renewal of Licence

6.1 This Licence shall be renewable subject to the Licensee's record of compliance with the terms and conditions of the spectrum licence, and the provisions of the Act or any regulations made thereto.

6.2 This Licence has a term of fifteen (15) years, subject to compliance with the terms and conditions contained herein.

Scope of Rights in Spectrum

7. This Licence does not grant to the Licensee any property right in the electro-magnetic spectrum or right to use the spectrum except in accordance with the terms of this Licence.

Harmful Interference

8. Pursuant to Section 63A(1) of the Telecommunications Act, the Licensee shall take such steps as the Minister may, by notice in writing to the Licensee, reasonably require to ensure that, in the exercise of any rights in relation to the Licensed Spectrum, the activities of the Licensee do not cause harmful interference to the lawful operation, in relation to the spectrum, of any other authorised user of the spectrum.

Frequencies

9.1 Authorisation of the use of any frequency by the Licensee may be withdrawn by the Minister after reasonable notice to the Licensee if such frequency remains unused by the Licensee for twelve (12) consecutive months. However, upon the written request of the Licensee, the Minister may, in consultation with the Authority, grant an extension of six (6) months or such longer period as the Minister may deem necessary to ensure efficient utilisation of the spectrum.

9.2 Changes in location of licensed facilities, emission, power or use of aerial systems relating to the use of the Licensed Spectrum shall only be made by the Licensee in accordance with the approval of the Minister except that:

i) Changes that do not increase the likelihood of harmful interference are permitted; and

ii) A suitable alternative frequency may be assigned at any time by the Minister

for transmission at any point to replace and release any frequency set forth in the attached schedule hereto, in order to ensure a more efficient use of the frequency spectrum. Notwithstanding the foregoing, the Minister will endeavour to provide reasonable notice and shall consult with the Licensee where changes to the assignment are to be undertaken.

Call Signs

10. Whenever rendered necessary in order to secure compliance with the International Radio Regulations, or identify the source of harmful interference with any other facility lawfully operated, the Minister may:
- i) By notice in writing to the Licensee, assign call signs to all of the stations operated by the Licensee; and
 - ii) In the same or another notice as foresaid, direct that the call signs so assigned shall be announced in such manner as may be authorised in such notice.

Fees

- 11.1 The Licensee shall be required to pay Spectrum Licence Fees in relation to all allocations of Spectrum, and Spectrum Regulatory Fees pursuant to Section 26 of the Telecommunications Act to cover the reasonable operating costs of the Authority.
- 11.2 The Licensee shall be required to pay Spectrum Licence Fees as follows: (a) an upfront payment that shall be payable prior to the issuance of the Licence and (b) further equal payments each due and payable in 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033 and 2034.
- 11.3 The Licensee shall be required to pay annual Spectrum Regulatory Fees, as invoiced, from the start of the validity of the Licence.

- 11.4 The Minister may review the fees pursuant to Section 23(7) of the Telecommunications Act.

Modification of Licence

12. This Licence may be modified, in writing, at any time upon mutual agreement between the Minister and the Licensee after consultation with the Authority.

Reporting requirements

13. The Licensee shall provide bi-monthly reports on the progress of the deployment of the network and services until the network and services are fully deployed as indicated in clause 3.2 and 3.3.

Revocation or Suspension of Licence

14. The Licence may be revoked or suspended:
- i) In accordance with Section 23A of the Telecommunications Act;
 - ii) If the Licensee fails to use the spectrum efficiently;
 - iii) If the Licensee fails to achieve the roll-out requirements as included in clause 3.2 and 3.3, within six (6) months after the prescribed timeline; or
 - iv) If the Licensee's Domestic Mobile Carrier and/or Domestic Mobile Service Provider Licence is suspended or revoked pursuant to the Telecommunications Act.

In the event this Licence is revoked pursuant to Section 23A(6)(h) of the Telecommunications Act, the Licensee shall be entitled to receive a pro-rata refund of the Spectrum Licence Fees. Such payment will not be subject to inflationary or exchange rate adjustments.

Assignment or Transfer of Licence

15. This Licence, or any rights thereunder, shall not be assigned or transferred, nor

shall there be a transfer of control of the Licensee's operations (whether directly or indirectly) without the prior written approval of the Minister.

General

16. The Licensee shall ensure at all times that:

- i) The Licensee complies with all obligations under the Telecommunications Act and all other laws of Jamaica;
- ii) No legal impediment exists which would disqualify the Licensee from continuing to hold the Licence and that the Licensee satisfies all other legal requirements to hold the Licence;
- iii) The Licensee has the technical qualifications to fully perform the obligations attaching to the Licence; and the Licensee satisfies any and all financial requirements, as imposed pursuant to the Act;
- iv) The Licensee adheres to all the directions of the Authority; and
- v) The Licensee is not directly or indirectly connected to or in any way affiliated with another holder of a Spectrum Licence without the prior approval of the Minister.

17. The Licensee will be required to permit persons authorized by the Authority, that is, staff or authorized agents, to have access to and to examine and test the radio equipment specified in the Spectrum Licence at all reasonable times. The purpose would be to ensure that the radio equipment is being used in accordance with the conditions of the Spectrum Licence.

18. The Authority shall require the radio equipment in use or any part of it to be modified, restricted, or

temporarily or permanently closed down if the Licensee has breached the terms of its Licence, and/or, the use of the radio equipment is or may be causing or contributing to harmful interference to the operation of other licensed or authorized spectrum users.

19. Any notice or other document required or authorised to be served upon the Licensee under the Telecommunications Act or this Licence, may be served by registered post to the Licensee's registered office or by dispatching it to the Licensee's registered office by courier.

20. This Licence and the terms and conditions hereof, shall constitute the entire grant of the Licence and supersede any prior Licences, permits or undertakings in relation to the Licenced Spectrum.

21. If a provision of or part to this Licence is deemed unlawful or unconstitutional, the remainder of this Licence shall remain valid and enforceable.

22. To the extent that this Licence refers to specific parts or sections of the Telecommunications Act, such parts or sections shall be deemed renumbered in this Licence according to any such renumbering of those parts or sections in the Telecommunications Act, as a result of the amendment of that Act.

APPENDIX D: LIST OF UNSERVED
AND UNDERSERVED
COMMUNITIES

Name	Parish	Population
Mount James	St. Andrew	3593
St. Peter's	St. Andrew	1249
Mavis Bank	St. Andrew	5792
Irish Town	St. Andrew	2080
Content Gap	St. Andrew	1249
Bloxborough	St. Andrew	799
Cane River	St. Andrew	213
Bito	St. Andrew	375
Woodford	St. Andrew	3878
Town Head	Westmoreland	573
Bath Mountain	Westmoreland	874
Delveland	Westmoreland	2464
Strawberry	Westmoreland	1829
Mount Stewart	Westmoreland	988
Roaring River	Westmoreland	584
Paul Island	Westmoreland	770
Amity	Westmoreland	1225
Struie	Westmoreland	280
St. Leonards	Westmoreland	702
Belvedere	Westmoreland	1196
Seaford Town	Westmoreland	893
Ashton	Westmoreland	951
Beaufort	Westmoreland	113
Cairn Curran	Westmoreland	406
Dundee	Westmoreland	456
Ferris	Westmoreland	778
Enfield	Westmoreland	534
Berkshire	Westmoreland	870
Leamington	Westmoreland	381
Cave	Westmoreland	716
Kentucky	Westmoreland	522
Mearnsville	Westmoreland	1347
Content	Westmoreland	1256
New Works	Westmoreland	1198
Beeston Spring	Westmoreland	1173
Bog	Westmoreland	647
Morgans Forest	Clarendon	1617
Colonels Ridge	Clarendon	1168
Pennants	Clarendon	1825
Cumberland	Clarendon	2555
Thompson Town	Clarendon	5863
Beckford Kraal	Clarendon	3354

Name	Parish	Population
Part of Banana Ground	Clarendon	574
Rock River	Clarendon	4049
Part of Banana Ground	Clarendon	574
Turners	Clarendon	1919
Moores	Clarendon	1047
Richmond Park	Clarendon	1571
Sedge Pond	Clarendon	656
Race Course	Clarendon	4055
Banks	Clarendon	1541
Longwood	Clarendon	1089
Alley	Clarendon	1050
Rocky Point	Clarendon	5148
Portland Cottage	Clarendon	2665
Richmond Park	Clarendon	1571
Dawkins	Clarendon	785
Mount Airy	Clarendon	405
Haddington	Hanover	2096
Cascade	Hanover	1207
Askenish	Hanover	1830
Chambers Pen	Hanover	806
Pondside	Hanover	445
Dias	Hanover	2260
Copse	Hanover	733
Maryland	Hanover	783
Pell River	Hanover	254
Cash Hill	Hanover	713
Kendal	Hanover	1489
Good Intent	Manchester	2217
Hibernia	Manchester	1555
Harry Watch	Manchester	1555
Bethany	Manchester	1013
Evergreen	Manchester	529
Mile Gully	Manchester	2412
Litchfield	Manchester	1205
Maidstone	Manchester	1667
Part of Banana Ground	Manchester	502
Mike Town	Manchester	2908
Ellen Street	Manchester	653
Lancaster	Manchester	1492
Plowden	Manchester	2401
Marlie Hill	Manchester	1761
Black Hill	Portland	1919
Balcarres	Portland	819
Tranquility	Portland	623
Fairfield	Manchester	477
Fruitfulvale	Portland	2366

Name	Parish	Population
Bangor Ridge	Portland	1359
Durham	Portland	573
Fellowship	Portland	1891
Spring Hill	Portland	1216
Windsor Forest	Portland	3079
Windsor	Portland	1924
Moore Town	Portland	1317
Comfort Castle	Portland	2259
Manchioneal	Portland	2168
Skibo	Portland	1073
Swift River	Portland	1440
Claverty Cottage	Portland	388
Beecher Town	St. Ann	906
York Castle	St. Ann	622
Inverness	St. Ann	1424
Discovery Bay	St. Ann	6708
Chester	St. Ann	528
Mount Zion	St. Ann	1727
Gibraltar	St. Ann	2265
Epworth	St. Ann	898
Lime Tree Gardens	St. Ann	1270
St. D'Acre	St. Ann	3069
Alva	St. Ann	2165
Madras	St. Ann	1488
Watt Town	St. Ann	1649
Alderton	St. Ann	742
Blackstonedged	St. Ann	3187
Calderwood	St. Ann	4587
River Head	St. Ann	970
Aboukir	St. Ann	1610
Bensonton	St. Ann	2655
Macknie	St. Ann	3501
Pear Tree Grove	St. Catherine	879
Redwood	St. Catherine	3606
Troja	St. Catherine	1750
Riversdale	St. Catherine	4475
Lluidas Vale	St. Catherine	5689
Harewood	St. Catherine	1900
Point Hill	St. Catherine	5807
Ginger Ridge	St. Catherine	1856
Browns Hall	St. Catherine	6241
Watermount	St. Catherine	1655
Bellas Gate	St. Catherine	658
Barton	St. Catherine	2676
Elderslie	St. Elizabeth	1620
Quick Step	St. Elizabeth	294
Merrywood	St. Elizabeth	134

Name	Parish	Population
Mulgrave	St. Elizabeth	547
Thornton	St. Elizabeth	4035
Ginger Hill	St. Elizabeth	2610
Retirement	St. Elizabeth	479
Pisgah	St. Elizabeth	2093
Springfield	St. Elizabeth	1086
Brighton	St. Elizabeth	2294
Carisbrook	St. Elizabeth	1475
Middle Quarters	St. Elizabeth	2965
Newton	St. Elizabeth	725
Burnt Savannah	St. Elizabeth	3243
Fullerswood	St. Elizabeth	1470
Myersville	St. Elizabeth	21
Pondside	St. Elizabeth	506
Barbary Hall	St. Elizabeth	866
Watchwell	St. Elizabeth	2184
Red Bank	St. Elizabeth	1541
Newell	St. Elizabeth	814
Treasure Beach	St. Elizabeth	3435
Aberdeen	St. Elizabeth	988
Orange	St. James	2774
Friendship	St. James	465
Unity Hall	St. James	1102
Tower Hill/Moy Hall	St. James	1584
Summer Hill	St. James	1315
Flagstaff	St. James	1071
Mount Horeb	St. James	1717
Maroon Town	St. James	479
Seven Rivers	St. James	1895
Vaughnsfield	St. James	1216
Cambridge	St. James	4595
Flamstead	St. James	1510
Catadupa	St. James	2493
Mocho	St. James	547
Garlands	St. James	534
Retrieve	St. James	515
Niagara	St. James	710
Stonehenge	St. James	1457
Arcadia	St. James	370
Maldon	St. James	1626
Mason Hall	St. Mary	866
Mango Valley	St. Mary	762
Bonnygate	St. Mary	2632
Lucky Hill	St. Mary	1210
Woodpark	St. Mary	1857
Guys Hill	St. Mary	884
Epsom	St. Mary	962

Name	Parish	Population
Annotto Bay	St. Mary	5669
Woodside	St. Mary	960
Broadgate	St. Mary	1210
Flint River	St. Mary	1010
Enfield	St. Mary	2665
Baxter Mountain	St. Mary	466
Friendship Gap	St. Mary	328
Brainerd	St. Mary	1570
Hagley Gap	St. Thomas	1666
Cedar Valley	St. Thomas	522
Johnson Mountain	St. Thomas	349
Rowlandsfield	St. Thomas	911
Mount Lebanon	St. Thomas	1430
Ramble	St. Thomas	781
Jones Pen	St. Thomas	1649
Spring Bank	St. Thomas	307
Wheelerfield	St. Thomas	974
Sunning Hill	St. Thomas	539
Llandewey	St. Thomas	513
Font Hill	St. Thomas	954
Pamphret	St. Thomas	526
Rio Bueno	Trelawny	1600
Samuels Prospect	Trelawny	901
Brampton	Trelawny	411
Stewart Town	Trelawny	993
Alps	Trelawny	478
Ulster Spring	Trelawny	1803
Wilson's Run	Trelawny	859
Joe Hut	Trelawny	532

APPENDIX E: POWER OF ATTORNEY

EXPRESS AUTHORIZATION

As Chief Executive Officer/Chairman of [Name of company], I hereby affirm express authorization and grant this Power of Attorney to [Name of representative] to represent [Name of company], with offices located at [Address of company], to sign and initial all aspects of the Application and engagement relative to the public call for applications, SMA-IM-600-2024-08-26 of the Spectrum Management Authority (SMA) located at 13- 19 Harbour Street, Kingston, Jamaica West Indies, to enter into negotiations, sign contract and obligate the company, as may be appropriate.

Name and Title of Authorized Representative:

Date:

APPENDIX F: NOMINATED BANK ACCOUNT – WIRE INSTRUCTIONS

United States Dollar	
Wire Instructions:	
Intermediary or Correspondent Bank	Citibank N.A. 111 Wall Street, New York, NY 10043 Swift: CITIUS33 ABA# <u>021000089</u>
Beneficiary Bank	First Global Bank Limited BIC: FILBJMKN 28-48 Barbados Avenue, Kingston 5, Jamaica W.I.
Beneficiary Name	Spectrum Management Authority
Beneficiary Account	990753100799
NB: A bank charge of US\$21.00 will be deducted by the beneficiary bank for each incoming wire.	
Please therefore add US\$21.00 to the amount being sent for each wire transfer transaction.	
To ensure that intermediary bank charges are not deducted from the funds being sent, all clients are advised to instruct their remitting bank as follows: "<u>Remitter to cover all fees.</u>"	

Optional

NB: FGB's Account with Citibank N.A. is 36206959

WIRE INSTRUCTIONS

When sending international wires to an FGB account instructions should include the beneficiary's name, address, branch and account number. FGB account numbers should be formatted as branch code + account number e.g. 990751234567

FGB's Branch Codes are as follows: 99075 – New Kingston: 99080 – Montego Bay: 99082 – Manor Park: 99084 – Mandeville: 99085 – Liguanea

For Payments in Jamaican Dollar Only:

Jamaican Dollar	
Wire Instructions: via RTGS	
Beneficiary Bank	First Global Bank Limited New Kingston Branch BIC: FILBJMKN 28-48 Barbados Avenue, Kingston 5, Jamaica W.I.
Beneficiary Name	Spectrum Management Authority
Beneficiary Account	990751400175

FGB's Branch Codes are as follows: 99075 – New Kingston: 99080 – Montego Bay: 99082 – Manor Park: 99084 – Mandeville: 99085 – Liguanea