



PUBLIC NOTICE

Public Notice: PN No.1 Auction of 3 Carriers (3.75 MHz) in the 800 MHz Spectrum Band

Introduction

This Public Notice is issued to inform interested and qualified Nigerian licensed telecommunications companies that the Commission has decided to offer 3-Carriers (3.75 MHz) in the 800MHz spectrum band in 26 States and FCT – Abuja, to one Licensee for commercial operation.

Spectrum on offer/applicable states

The spectrum on offer and the applicable states are specified as follows:

800 MHz Assignments			
Rx MHz	881.31	882.57	883.83
Tx MHz	836.31	837.57	838.83
Applicable States	Ogun, Ondo, Osun, Oyo, Ekiti, Kwara, Edo, Delta, Benue, Kogi, Niger, Nasarawa, Taraba, Plateau, Bauchi, Gombe, Adamawa, Borno, Yobe, Jigawa, Kano, Kaduna, Katsina, Zamfara, Kebbi & Sokoto States and FCT – Abuja		

The spectrum is offered by the Commission on a technology neutral basis. However, the Commission intends to follow the International Telecommunication Union (ITU) recommendations for the provision of telecommunications services in the 800MHz spectrum band.

Pre-Qualification Criteria

The allocation process is open only to companies operating in Nigeria, who shall be required to fulfill a set of pre-qualification criteria as specified in this section. Only parties that meet these criteria will be allowed to participate in the Auction.

Applicants are not required to submit financial or technical plans to pre-qualify for the Auction. However, details must be provided in accordance with the compliance requirements laid out as follows:

- Applicants shall possess a subsisting national network operating licence or Unified Access Service (UAS) Licence
 - For the purpose of this Auction, any Licensee that already has a cumulative spectrum size equal to or more than 5MHz on any or a combination of spectrum band(s), except for point-to-point microwave frequency band, is not eligible to participate in the auction.
- Applicants should have no outstanding obligations due as at the deadline for submission of applications.

These obligations shall include all administration, licence and operating fees due to the Commission, as well as all reconciled interconnect debt.

- A Bidder must not have a relationship with another Bidder. A relationship is defined as where a Bidder owns directly or indirectly an ownership stake of 10% or more in another Bidder.
- Applicants will be required to submit information, using the templates provided in this Information Memorandum (Appendix A).
- Applicants will be required to pay the sum of ₦40 million (Forty Million Naira) as an Intention-to-Bid Deposit. The Intention-to-bid Deposit must be paid into a designated account of the Commission. The IBD must be received as cleared funds no later than 17.00 hours Nigerian Time on the 9th July 2007. A Bank Guarantee, or similar instruments, will not be acceptable.
- Each Application must be accompanied by proof of lodgment of the Intention-to Bid Deposit into the designated account of the Commission.

Reserve Price and Auction Design

The reserve price for the 3 Carriers (**3.75 MHz**) in the 800 MHz spectrum band has been set at **₦400,000,000.00 (Four Hundred Million Naira only)** and the spectrum licence shall be valid for a period of five (5) years in the first instance.

Based on the number of companies that have indicated interest for spectrum in the 800MHz band, the Commission has decided to adopt an Auction process to allocate the available spectrum. This is to promote competition as well as to ensure transparency and fairness.

More information on the pre-qualification criteria and the auction process is set out in the Information Memorandum as published on the Commission's website: www.ncc.gov.ng

Indicative Timetable

The following table gives the indicative timetable for the auction. The timetable is subject to change and interested parties shall be notified of any changes as appropriate.

Auction Milestones	Date
Issuance of the Information Memorandum	18 June 2007
Deadline for the submission of Bid Application & Intention-to-Bid Deposit	09 July 2007
Auction Date	17 July 2007