TELECOMMUNICATIONS REGULATORY COMMISSION
RADIO FREQUENCY AUTHORISATION

Authorisation Number: VRGM/001/2022

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The Telecommunications Regulatory Commission (the ***Commission***) **HEREBY ISSUES** this Frequency Authorisation to **DIGICEL (BVI) LIMITED** (the ***Authorisation Holder***) for the use of the spectrum contained in the assigned frequency band in the Virgin Islands in accordance with the Telecommunications Act, 2006 (the ***Act***) and subject to the terms and conditions herein.

1. Terms and Conditions

1.1. Interpretation

1.1.1 In this Frequency Authorisation, unless indicated otherwise, the following words shall have the following meanings:

1.1.1.1. "assigned frequency band" means the frequencies authorised by the Commission for use by the Authorisation Holder under this Frequency Authorisation as identified in Schedule A hereto.

1.1.1.2. "Commission" means the Virgin Islands Telecommunications Regulatory Commission establish under section 5 of the Telecommunications Act 2006

1.1.1.3. "Date of Issue" means the date of issue hereinabove written.

1.1.1.4. "Date of Expiration" means the date of expiration hereinabove written.

1.1.1.5. "facilities" means particular poles, masts, towers, roof-tops and other similar apparatus, power supply and back-up power supply, inclusive of buildings, which are used to host the equipment used by the Authorisation Holder to facilitate operations on the assigned frequency band.

1.1.1.6. 'force majeure' has the meaning set out in the Telecommunications Act, 2006.

1.1.1.7. "licence" means a licence granted under the Act;

1.1.1.8. "licensee" means a person to whom a licence has been granted;

1.1.1.9. "International Mobile Telecommunications" or "IMT" is the generic term used by the International Telecommunications Union (ITU) community to designate broadband mobile systems. It encompasses IMT-2000, IMT-Advanced and IMT-2020 collectively. The definition of this term is subject to such definition that may be published from time to time by the ITU.

1.1.1.10. "IMT services" are telecommunication services provided by means of IMT systems.

1.1.1.11. "significant interest" has the meaning set out in the Telecommunications Act, 2006.

1.1.1.12. "Unitary Licence" means a licence which allows a licensee to provide, deploy and operate multiple telecommunication services (i.e. fixed line, mobile, broadband and broadcast cable television services) under a single authorisation.

1.2. Except as specified in 1.1.1 above, the words and expressions used herein shall have the meanings given in the Act.

1.3. In this Frequency Authorisation, unless the context otherwise requires, any reference:

1.3.1 to the singular includes the plural and vice versa

1.3.2 to any statute or statutory provision shall be construed as a reference to that statute or statutory provision as from time to time amended, consolidated, modified, extended, re-enacted or replaced.

2. General Conditions

2.1. Regulatory Framework

2.1.1 The Authorisation Holder shall comply with the provisions of the Act in the operation or use of the assigned frequency band. The terms and conditions of this Frequency Authorisation shall be subject to the provisions of the Act.

2.1.2 The Authorisation Holder shall comply with all Regulations, with the Telecommunications Code, the terms and conditions of its licence, any lawful instructions from the Commission and all other instruments made under the Act and all relevant laws in force from time to time in the Virgin Islands.

2.1.3 The Authorisation Holder shall comply with any lawful directive issued by the Commission or any other person so duly authorised under the Act.

2.2. Term

2.2.1 This Frequency Authorisation shall take effect from the Date of Issue and shall expire on the Date of Expiration (the ***Term***).

2.2.2 An Authorisation Holder seeking to renew its Frequency Authorisation shall submit its duly completed renewal application to the Commission no later than six (6) months prior to the expiration of the Term.

2.2.3 The Commission alone shall determine whether, upon expiration of the Term, this Frequency Authorisation shall be renewed. In deciding whether to renew this Frequency Authorisation, the Commission shall take into account:

2.2.3.1. the conduct of the Authorisation Holder during the Term or during the term of any licence granted by the Commission to the Authorisation Holder; and

2.2.3.2. whether the Authorisation Holder failed to comply materially with the Act, the Telecommunications Code, the terms of this Frequency Authorisation, its licence, any instructions from the Commission and any lawful directive of the Commission.

2.2.3.3. the spectrum policy in the Virgin Islands, the Spectrum Management Framework (SMF), the National Frequency Allocation Table (NFAT), and the Act, the Telecommunications Code, all other instruments made under the Act, and all relevant laws in force from time to time in the Virgin Islands.

2.2.4 Where the Commission renews this Frequency Authorisation, it reserves the right to change the Terms and Conditions thereof. In doing so, it will follow the provisions and process stipulated under section 23 of the Act.

2.2.5 This Frequency Authorisation shall terminate in the event the Authorisation Holder ceases to hold, for whatever reason, a licence for the operation of a telecommunications network providing telecommunications services in the Virgin Islands.

2.2.6 This Frequency Authorisation shall terminate in the event another IMT spectrum Authorisation Holder has gained a significant interest or decision-making power in the Authorisation Holder or Affiliate of the Authorisation Holder, in contravention of section 20 of the Act.

2.2.7 The Commission may, In the event of the Authorisation Holder not utilizing any spectrum covered by this Frequency Authorisation in line with the terms of this Frequency Authorisation, revoke the Authorisation Holder's right to use that spectrum. Where the Commission proposes to revoke this Frequency Authorisation in accordance with this clause, the process outlined in section 76(5) of the Act will be adhere to.

2.3. Payment of Fees

2.3.1 The Authorisation Holder shall pay to the Commission annual fees of US$ 1,400 per MHz of the total frequency spectrum assigned as defined in Schedule A. Annual fees will be payable on the anniversary of the Date of Issue and the first payment of such fees shall be due upon grant of this Frequency Authorisation.

2.3.2 Notwithstanding 2.3.1. above, the Authorisation Holder shall pay to the Commission such fees applicable to the use of the assigned frequency band as the Commission may determine from time to time in accordance with the Act, Regulations, Telecommunications Code and the Authorisation Holder's Unitary Licence inclusive of application fees.

2.3.3 Subject to Regulations, fees payable by the Authorisation Holder under Article 2.3.1 above shall be payable from the Date of Issue.

2.4. Requirement to Furnish Information to the Commission

2.4.1 The Authorisation Holder shall provide the Commission with usage, performance, actual quality of service and other relevant information on the IMT services provided to its IMT service customers in such manner and at such times as the Commission may request.

2.4.2 Without prejudice to the obligation of the Authorisation Holder to provide specific information to the Commission under the terms of this Frequency Authorisation, the Authorisation Holder shall provide the Commission with such information in such manner and at such times as the Commission may request in accordance with the Act.

2.5. Remedies for Non-Compliance

2.5.1 Without prejudice to any other right of action available to the Commission under the terms of this Frequency Authorisation or under any other law or regulation, the Commission may take such action as it considers appropriate under the Act for a breach of any condition of this Frequency Authorisation.

2.5.2 If in the opinion of the Commission, the Authorisation Holder has engaged in any conduct identified in section 75(1) of the Act, the Commission may exercise such enforcement powers against the Authorisation Holder under section 75(2) of the Act.

2.6. Force Majeure

2.6.1 The Authorisation Holder shall not be held liable for failure to comply with its obligations under this Frequency Authorisation to the extent, and only for so long as, such failure was directly attributed to an act of force majeure. The Authorisation Holder shall use all reasonable endeavours to resume performance of its obligations as soon as practicable after its performance ceases to be hindered or prevented by the event of force majeure. For the avoidance of doubt, there are no circumstances in which failure to pay fees due hereunder will be attributed to an act of force majeure.

2.6.2 The Authorisation Holder shall notify the Commission as soon as practicable, and in any event within forty-eight (48) hours, or such longer period of time as may be agreed with the Commission, of the event which hinders or prevents the Authorisation Holder's performance of its obligations, of the obligations which it is hindered or prevented from performing, the reasons why, and the period of time during which the Licensee expects its performance to be so hindered or prevented. The Authorisation Holder shall notify the Commission immediately after its performance ceases to be hindered or prevented by an act of force majeure.

2.6.3 Neither the Commission nor the Authorisation Holder shall, by reason of the force majeure events noted above, be entitled to terminate the Frequency Authorisation, nor shall either Party has any claims for damages against the other, in respect of non-performance or delay in performance that is a result of the force majeure events. For the avoidance of doubt, there are no circumstances in which force majeure events will not cause extension in the period of the Frequency Authorisation.

2.6.4 As stipulated in section 89 of the Act, the Authorisation Holder may during a period of emergency in which public services are disrupted due to an act of force majeure,

2.6.4.1. use the assigned frequency band for emergency communications and in a manner other than as specified in this Frequency Authorisation; and

2.6.4.2. at request of the government make available its facilities and/or telecommunications equipment and/or spectrum

provided that such use is notified to the Commission, only persists during the declared period of emergency and is discontinued when it is possible to resume normal telecommunications services or until such special use of the assigned frequency bands is terminated by the Governor. The Authorisation Holder shall keep the Commission informed throughout the period of use and notify the Commission when such use is discontinued.

2.6.5 The Authorisation Holder shall comply with all relevant laws and regulations that may come into effect in the Virgin Islands in relation to disaster management or otherwise

2.7. National Security

2.7.1 The Authorisation Holder shall, upon request by the Governor or otherwise in accordance with any relevant law, co-operate with the Governor or other official agency duly authorised by the Governor to the extent required in matters of law enforcement, public emergency or national security.

2.7.2 The Authorisation Holder shall make available to the Government, as authorised by the Governor, its facilities and or telecommunications equipment and/or spectrum for such purposes as may be required under section 89 of the Act when a period of public emergency, as referred to in section 89 of the Act, has been declared.

2.8. Amendment

2.8.1 This Frequency Authorisation may be amended by the Commission and otherwise in accordance with section 23 of the Act:

2.8.1.1. due to the effect of an act of force majeure, national security considerations, changes in national legislation or, subject to section 86 of the Act, the need to implement international obligations; or

2.8.1.2. if the Commission, taking into account the public interest, otherwise deems it necessary to achieve the purposes of the Act.

2.9. Assignment or Transfer

2.9.1 The Authorisation Holder shall not, without the prior written approval of the Commission, such approval not to be unreasonably withheld transfer, assign or otherwise part with this Frequency Authorisation or any permission, right, obligation or benefit granted under this Frequency Authorisation.

2.9.2 Subject to section 20 of the Act, the Authorisation Holder shall not, without the prior written approval of the Commission, such approval not to be unreasonably withheld, enter into any agreement or other arrangement the effect or the purported effect of which would be to permit a person to acquire a significant interest in the Authorisation Holder, unless expressly provided for in any amendments or additions to the Act or any Code or Regulations.

2.10. International Obligations

2.10.1 The Authorisation Holder shall comply with such Regulations of the ITU as the Commission may adopt from time to time and shall observe such international obligations that may be applicable to the Virgin Islands.

2.11. Termination and Suspension

2.11.1 This Frequency Authorisation may be terminated or suspended in accordance with the terms of this Frequency Authorisation or the Act.

2.12. Service of Notices

2.12.1 Any notice required to be given by the Commission to the Authorisation Holder under this Frequency Authorisation shall be in writing and shall be deemed to have been given if sent by post or hand delivered to the Authorisation Holder's address in the Territory, as indicated in the Authorisation Holder's application for a frequency authorisation or any other address of which the Authorisation Holder might have provided notice to the Commission from time to time.

2.12.2 Any notice required to be given by the Authorisation Holder to the Commission under this Frequency Authorisation shall be in writing and shall be deemed to have been given if sent by post or hand delivered to the Commission's principal place of business in the Territory.

2.13. Applicable Law and Severance

2.13.1 This Frequency Authorisation shall in all respects be governed by, construed, and take effect in accordance with the Laws of the Virgin Islands.

2.13.2 The terms of this Frequency Authorisation are severable and if any term or identifiable part thereof is held to be invalid or unenforceable by any court of competent jurisdiction then such invalidity or unenforceability shall not affect the validity or enforceability of the remaining provisions or sub-provisions or identifiable parts thereof.

3. Conditions Specific to the Use of the Assigned Frequency Bands

3.1. Use of Spectrum

3.1.1 The Authorisation Holder shall use the assigned frequency band for the delivery of IMT services within the Territory of the Virgin Islands to the extent as may be technically possible without causing harmful interference to the telecommunications network of another operator. The Authorisation Holder shall not use the assigned frequency band for any other purpose without the prior written approval of the Commission and in any event shall not use the assigned frequency band for any purpose other than to operate a telecommunications network and or to provide a IMT service in the Territory of the Virgin Islands.

3.1.2 The Authorisation Holder shall comply with the terms and conditions of this Frequency Authorisation and the Schedules hereto which include Minimum Service Requirements, and a Cell Site Information Plan.

3.1.3 The Authorisation Holder shall ensure that IMT services are provided within the Territory of the Virgin Islands to at least the Minimum Service Requirements defined in Schedule B, using the cell sites and their technical characteristics defined in the

Cell Site Information Plan in Schedule C, and the Business Continuity Plan defined in Schedule E.

3.1.4 The Authorisation Holder shall ensure that its use of the assigned frequency band does not cause harmful interference to any other authorised user of the spectrum unless and to the extent provided for under the Act, in accordance with Regulations or with the Telecommunications Code and or in accordance with international recommendations and standards recognised by the ITU.

3.1.5 The Authorisation Holder shall ensure that its use of the assigned frequency band does not cause danger to the public.

3.1.6 The Authorisation Holder shall, when using the assigned frequency band, take proper and adequate measures to safeguard life, property and the environment, including safeguarding against exposure to any electrical or radiation hazard emanating from any equipment used by the Authorisation Holder.

3.1.7 The Authorisation Holder shall ensure that any radio communications service or radio transmitting equipment operated on the assigned frequency band or otherwise with the use of the spectrum is in compliance with such emission standards and technical specifications that may be published by the Commission from time to time.

3.1.8 The Authorisation Holder shall, in accordance with instructions issued by the Commission from time to time, co-operate with the Commission in its co-ordination and management of the efficient use of the spectrum as a public resource and shall provide any assistance reasonably requested by the Commission for this purpose. Such assistance shall include realignment of authorised spectrum within a frequency band for the purpose of ensuring contiguous spectrum for all Authorisation Holders using that frequency band.

3.1.9 Subject to Article 3.2 below, the Authorisation Holder shall, in accordance with the Act and with any other applicable law, obtain all required approvals and rights of access for access to lands and or for the construction or erection of the facilities or of any equipment or other installation in relation to the use of the assigned frequency band.

3.1.10 The Authorisation Holder shall retain accurate and up-to-date detailed records of the operation of a telecommunications network or the provision of a telecommunications service on the assigned frequency band and shall make such information available to the Commission promptly upon request and without charge to the Commission in accordance with the Act.

3.1.11 Without prejudice to the provisions of the Act, the Authorisation Holder shall allow the Commission upon receiving reasonable prior notice to inspect the facilities, inclusive of the Authorisation Holder's equipment and shall provide any related assistance to satisfy the Commission that the Authorisation Holder is in compliance with the terms and conditions of this Frequency Authorisation.

3.1.12 The Authorisation Holder shall not significantly change the location or any technical parameter of any transmitter used on the assigned frequency band without the prior approval of the Commission.

3.2. Construction of Sites

3.2.1 The Authorisation Holder shall ensure that the facilities:

3.2.1.1. are used, to the maximum possible extent, on a shared basis with other users of the spectrum, licensees and public utilities. To the extent that it is not considered feasible to use the existing facilities and utility installations, the Authorisation Holder shall submit such proof to the Commission as the Commission considers appropriate;

3.2.1.2. are designed and constructed in such a way that they blend in with the surrounding physical environment to the maximum possible extent and to the satisfaction of the Commission.

3.2.1.3. are designed, constructed and maintained in such a way that they either can withstand a hurricane of Category 5, as defined by the Saffir–Simpson hurricane wind scale (SSHWS) or be restored as expeditiously as possible, after any hurricane has passed the Territory.

3.2.2 Except where the Commission exempts a specific type of facility from the requirements of Article 3.2.1 above, the Authorisation Holder, shall satisfy the Commission that the facilities, inclusive of the equipment hosted therein will comply with such requirements.

3.2.3 The Commission may recommend changes to the design, structure or any other aspect of the facilities to ensure that the Authorisation Holder complies with the requirements of Article 3.2.1.1, 3.2.1.2 and 3.2.1.3.

3.3. Maintenance of Technical Records

3.3.1 The Authorisation Holder shall maintain accurate, up to date and detailed technical data in relation to the use of the assigned frequency band authorised by this Frequency Authorisation as per the Cell Site Information Plan of Schedule C. This needs to be consistent with, amongst others, the following:

3.3.1.1. The exclusion zone around the site, calculated by the Authorisation Holder using recognized international standards such as IEC 62232, IEC 62669 and IEC 62311 or equivalent ITU standards and the ICNIRP (2020) guidelines, the protective measures taken to ensure that members of the general public cannot enter the exclusion zone as well as the underlying assumptions and calculations

3.3.1.2. The ITU emission designation.

3.3.2 The Authorisation Holder shall, subject to section 70 of the Act, provide the Commission with the records referred to in 3.3.1 within six (6) months of the Date of Issue and thereafter

on the anniversary of the Date of Issue and/or upon request by the Commission, in such form as might be specified by the Commission from time to time.

3.3.3 The Authorisation Holder shall notify the Commission of any proposed material changes to its radio communication service, radio transmitting equipment and facilities, and shall provide the Commission with such information as the Commission shall reasonably require for the purpose of assessing the effect of such changes.

3.4. Enforcement

3.4.1 The Commission may take such enforcement action against the Authorisation Holder as it considers appropriate and or suspend or terminate this Frequency Authorisation in accordance with the Act.

By:
GUY LESTER MALONE
Chief Executive Officer
For and on behalf of:
THE TELECOMMUNICATIONS REGULATORY COMMISSION

Signed by:
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By:
MARA SAMANIEGO
Chief Executive Officer
For and on behalf of:
DIGICEL (BVI) LIMITED

Signed by:
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TELECOMMUNICATIONS REGULATORY COMMISSION
MAR 20 2022
BRITISH VIRGIN ISLANDS

SCHEDULE A

The Assigned Frequency Bands

The Commission hereby assigns to the Authorisation Holder the following frequency bands for the operation of a telecommunications network and the provision of telecommunications services subject to the terms and conditions of this Frequency Authorisation:

Band	Uplink frequency range		Downlink frequency range	
	Lower bound	Upper bound	Lower bound	Upper bound
1900 MHz	1880 MHz	1895 MHz	1960 MHz	1975 MHz

The total frequency spectrum assigned under this authorisation is 30 MHz [Breakdown =>1900 MHz Band = 30 MHz].

SCHEDULE B

Minimum Service Requirements

The Authorisation Holder shall provide services in the Virgin Islands using frequencies within the frequency range defined in Schedule A and shall ensure that the following minimum service requirements are attained:

1. The minimum service requirements defined in this Schedule shall be met using the frequency bands specified in Schedule A.

2. The Authorisation Holder shall provide, and thereafter maintain, a telecommunications network that is capable of providing at 95% of locations within any area of 100m by 100m a IMT service to users, when that network is lightly loaded, with the service requirements according to the following time schedule:

a) Within 12 months of the Date of Issue:

i. A minimum downlink speed of not less than 30 Megabits per second and a minimum uplink speed of 8 Megabits per second:

ii. To at least 98% of the population of each of the islands of Tortola, Anegada, Jost Van Dyke and Virgin Gorda

iii. A round-trip latency of 30 milliseconds

iv. A maximum package loss of 1%.

v. A Fault Recovery Rate, as defined in the unitary licence of 90% within 24 hours and of 95% within 72 hours for every day of the year during the term of the Frequency Authorisation.

b) Every subsequent 12 month period:

i. A minimum downlink speed, uplink speed and round-trip latency of not less than the mean global downlink speed, uplink speed, and round-trip latency as published by the Commission at the start of the period, taking into account internationally recognized enterprises/organizations such as Ookla, Open Signal and/or the International Telecommunications Union (ITU).

ii. To at least 98% of the population of each of the islands of Tortola, Anegada, Jost Van Dyke and Virgin Gorda

iii. A maximum package loss of 1%.

iv. A Fault Recovery Rate, as defined in the unitary licence of 90% within 24 hours and of 95% within 72 hours for every day of the year during the term of the Frequency Authorisation.

c) The Commission may determine new minimum service level targets as considered appropriate and publish these on its website within 30 calendar days of the anniversary date of the Date of Issue, taking into account internationally recognized

enterprises/organizations such as Ookla, Open Signal and/or the International Telecommunications Union (ITU).

3. For the purpose of the Minimum Service Requirements, a network is considered 'lightly loaded' if it has a single user demanding service within the serving cell, and the surrounding cells of the network are loaded to a light level (by which is meant the common channels only are transmitting at 22% of the maximum cell power).

4. The Commission may assess the Authorisation Holder's compliance with this Schedule by assessing the Cell Site Information Plan, the data on the quality of services collected by the Authorisation Holder as mentioned in section 2.4.2 above and by regular quality of service and/or network audits which will be based on best international practices regarding such audits.

5. The Authorisation Holder shall deploy, and thereafter, maintain its network, incorporating at a minimum, the cell sites with the configuration defined in the Cell Site Information Plan of Schedule C.

6. In this Schedule:
   a) "population" means persons resident in the Virgin Islands, including its territorial waters, who have access to a mobile telecommunications network.
   b) "Cell Site Information Plan" means the document defined in Schedule C.

SCHEDULE C

Cell Site Information Plan

The Authorisation Holder shall deploy, and thereafter maintain, its network incorporating as a minimum the cell sites with the configuration defined in this Schedule.

The Authorisation Holder shall maintain accurate, up to date and detailed technical data in relation to the use of the assigned frequency band authorised by this Frequency Authorisation using the cell sites and their technical characteristics set out in Table C.1 and Table C.2 below.

The Authorisation Holder shall provide the Commission with the records referred to in this Schedule within six (6) months of the Date of Issue and on the anniversary of the Date of Issue thereafter and/or upon request by the Commission, in such form as might be specified by the Commission from time to time.

Any variations to the Cell Site Information Plan by the Authorisation Holder will need to be submitted in writing to the Commission within one (1) month of implementing the changes.

Table C.1: General information per cell site

#	Column Name(Field)	Description
1	Frequency Authorisation ID	ID for Authorisation Holder responsible for the site.
2	Name and contact details of the Site Compliance Manager	Name of the site compliance manager
3	MNO Site ID	Site code from the Authorisation Holder
4	Site Sharing	Whether this site infrastructure is shared or could be shared with other Authorisation Holders
5	Site Name	Site name
6	Site Address	Street address of the site
7	General Location	General Location where the site is located
8	Island	Name of the Island of the site
9	North Site Coordinate	North coordinate of the site, based on WGS84 and given in degrees with decimals (e. g. 18.436539)
10	East Site Coordinate	East coordinate of the site, based on WGS84 and given in degrees with decimals (e. g. -64.618103)

11	Installation Support Structure	This field contains either ***tower***, ***rooftop***, and others depending on the installation

Table C.2 Detailed information per cell site

#	Column Name (Field)	Description
1	Sector IDs	ID for Sectors
2	IMT Generation	IMT technology according to its generation: ***2G***, ***3G***, ***4G*** or ***5G***
3	Spectrum Usage Techniques	Spectrum Usage Duplex Techniques (FDD or TDD)
4	Frequency [MHz]	The lowest frequency of the IMT (downlink) band used, in MHz (e.g. 925)
5	Antenna Type	Antenna type;
6	Antenna Make	Antenna make;
7	Antenna Model	Ideally, specify the exact model of the antenna. At minimum state directional or omnidirectional. Also Massive MIMO or beamforming etc…
8	Main Beam Direction [°]	Azimuth direction (main beam with respect to true north); In case a directional antenna is used, state the physical direction versus North of the sector antenna.
9	Electrical Down Tilt Range [°]	Electrical (degrees); In case of passive antenna, state physical down tilt, in case of active antenna array, state maximum down tilt of traffic beam
10	Mechanical Down Tilt Range [°]	Mechanical tilt (degrees); In case of passive antenna, state physical down tilt, in case of active antenna array, state maximum down tilt of traffic beam
11	Antenna Gain [dBi]	In case of passive antenna, state nominal gain in horizontal direction, in case of the active antenna array state maximum horizontal gain
12	Side lobe attenuation [dB]	Gain reduction of the antenna 90° from the main lobe in vertical direction, in dB (e.g. 15)
13	Total transmitter power [W]	Total transmitter RF power per antenna port or in case of a single transmitting system consisting of a combination of

		multiple integrated transmitters the total RF power of all these transmitters;
14	Max. E.I.R.P. [W]	Maximum equivalent radiated power in the main direction of the antenna over the whole signal bandwidth (not per subcarrier), relative to an isotropic antenna, in dBi
15	Antenna Height	Height of the antenna of this IMT system on a mast above ground level, in m

SCHEDULE D

Penalties

After the initial 12 months of the Date of Issue until the Expiry Date of the Frequency Authorisation, the Commission will conduct quarterly quality of service measurements, in line with the quality of service measurements and targets set out in Schedule B.

The penalties in case of non-compliance with the quality of service requirements as stated in Schedule B are as set out in the below table. Note that the maximum non-compliance penalty for any quality of service parameter, in any given period, is US$ 25,000.

Quality of service parameter	Result	Penalty	Remarks
DL/UL in Mbps	> 95% of measurements	$4,000	For each 1 percent points below target
Latency in msec	> 95% of measurements	$1,000	For each 1 percent points below target
Packet loss	> 95% of measurements	$1,000	For each 1 percent points below target
Fault recovery rate 24 hours	> 90% of failures	$1,000	For each 1 percent points below target
Fault recovery rate 72 hours	> 95% of failures	$1,000	For each 1 percent points below target