

**OFFICE OF THE TELECOMMUNICATION REGULATION AUTHORITY
FEDERATED STATES OF MICRONESIA**

MOBILE CELLULAR SPECTRUM LICENSE No. [ADD NUMBNER]

Pursuant to the authority conferred upon the Office of the Telecommunication Regulation Authority (“the Authority”) by Section 332 (1) of Title 21 of the Code of the FSM (“the Act”), and having verified compliance with the eligibility requirements set forth [Add reference to the mobile tender process or licensing rules], the Authority issues this Mobile Cellular Spectrum License (“the License”) to

[Add name of Licensee (“the Licensee”)]

[Company Registration number]

[Address]

to use the radio frequency spectrum authorized by this License (“the Licensed Spectrum) to establish, install and operate a Mobile Cellular Network in accordance with [identify the Individual License] and subject to the specific obligations set out in this License and its Schedules below.

- 1. Date of issue: [Add date]
- 2. Valid Until: [Add date]
- 3. Annual fee payment date [Add date]
- 4. Licensed Spectrum

Band	Uplink Freq (MHz)	Downlink Freq (MHz)	Maximum Tx power	Nature of Service
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Issued by authority of the Chief Executive

[Signature and seal]

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Schedule 1

Specific conditions attached to the Mobile Cellular Spectrum License

This Schedule sets forth the specific conditions applicable to the use of the radio spectrum frequencies assigned under this Mobile Cellular Spectrum License (“the Licensed Spectrum”).

Authority

1. This License is issued in accordance with and subject to the Act and applicable rules and regulations made thereunder, and such amendments and additions thereto as made from time to time.

Term

2. This License shall remain valid for the duration of the License, unless revoked, suspended or surrendered in accordance with section 337 of the Act and applicable rules.

Use of spectrum and network

3. The Licensee shall use Licensed Spectrum and shall establish and operate the stations and apparatus (together “the Radio Equipment”) associated with this License subject to the Act and the conditions of this License.
4. The Licensee shall not permit or cause any other person to use the Licensed Spectrum or to operate the Radio Equipment without prior authorization from the Authority.
5. The Licensee shall use the Licensed Spectrum only with the emissions at the frequency band and ranges and power specified in this License.

Geographic scope

6. The Licensee is authorized to use the Licensed Spectrum and establish and operate Radio Equipment in the entire territory of the Federated States of Micronesia.

Emissions standards and technical specifications

7. The Licensee shall ensure that the Radio Equipment used in the operation of this License complies at all times with all applicable emission standards and technical specifications or requirements specified by the Authority.

Prevention of harmful interference

8. The Radio Equipment installed to use the Licensed Spectrum shall be designed, constructed, maintained or used in such a manner as to ensure that such Radio Equipment, complies with the Act and applicable rules and regulations, as applicable, and does not cause or contribute to harmful interference to the use of any other radiocommunications service operated in accordance with the Act and applicable rules and regulations.

9. The Licensee shall permit an inspector appointed or designated by the Authority to inspect in accordance with Section 377 (1) (b) of the Act any Radio Equipment installed to use the Licensed Spectrum in order to determine whether the undue interference is in fact being caused, or contributed to, by such Radio Equipment and shall implement any remedial actions, including modification and restriction of use of the Licensed Spectrum and Radio Equipment, in the manner and timeframe directed by the Authority.

Recordkeeping

10. During the term that the License remains in force, the Licensee shall maintain up-to-date and accurate records of the Radio Equipment installed including:
 - (a) geographic coordinates;
 - (b) antennae height (above ground level), type and boresight bearing east of true north (if applicable);
 - (c) name of equipment manufacturer, model, serial number and date of purchase of the Radio Equipment,
 - (d) specific equipment and backhaul connectivity installed;
 - (e) frequencies which the Radio Equipment operates and output power.
11. The Licensee shall submit copies of records detailed herein to the Authority, or a person authorized by the Authority, at such times or intervals as the Authority may notify the Licensee.

Inspection

12. The Licensee shall permit or ensure that permission is granted to an inspector appointed or designated by the Authority to enter, inspect, examine or test, in accordance with Section 377 of the Act, at any reasonable time, any place where any radio Equipment has been installed for the use of the Licensed Spectrum.

Fees

13. The Licensee shall pay the annual license fees as established in the Fee Schedule.
14. The annual fee shall be paid in one installment on due on [add fee payment date].
15. If the License is surrendered, revoked or varied, no refund, whether in whole or in part, of any amount which is due under the terms of this License, payable in accordance with the Schedule of Fees, or provided for in any regulations made by the Authority will be made.

Revocation, suspension, and variation

16. The Authority may suspend, revoke, or vary the License in accordance with the Act and applicable rules.

No unlawful use

17. The Licensee shall ensure that the Licensed Spectrum and the Radio Equipment installed to use the Licensed Spectrum are not used for unlawful purposes or misused in anyway.

Transfer

18. This License is not transferable except with the prior written approval of the Authority and in accordance with the Act.

Renewal

19. This license shall be renewed in accordance with the processes and requirements set forth in the Act and applicable rules issued by the Authority.

Directions by the Authority

20. The Licensee shall comply with any direction, determination or order issued in relation to this License by the Authority in accordance with the Act.

Deployment of tower, masts and support structures

21. Any tower, mast or support structure erected for the installation, attachment or deployment of Radio Equipment for the use of the Licensed Spectrum shall comply with all applicable town planning requirements and any rules promulgated or directions issued by the Authority on the matter.

Co-ordination at frequency and geographical boundaries

22. The Licensee shall ensure that the Licensed Spectrum is used in compliance with such coordination procedures as may be notified to the Licensee by the Authority from time to time

International cross-border coordination

23. The Licensee shall ensure that the Licensed Spectrum is used in compliance with such cross-border coordination and sharing procedures as may be notified to the Licensee by the Authority from time to time.

Notices

24. Unless the Authority and the Licensee mutually agree otherwise, notices from the Authority to the Licensee under this License shall be in writing and shall be sent by electronic or registered post to the contact representative designated by the Licensee.

Severability

25. Every term and condition of this License shall be construed as a separate and severable provision so that if any term or condition or part thereof is determined to be invalid or unenforceable, the remainder of this License shall remain in full force and effect.

Interpretation

26. In this License:

- (a) the expression “use the Licensed Spectrum” shall be interpreted as the usage of the radio frequency spectrum bands authorized under this License
 - (i) by establishing, installing and operating Radio Equipment;
 - (ii) for the provision of communications services by means of radio waves or radiocommunications
- (b) “harmful interference” shall have the meaning set forth in section 5(4)(l) of the Spectrum Licensing Rules.
- (c) “interference” shall have the meaning set forth in section 5(4)(m) of the Spectrum Licensing Rules.
- (d) “station” shall have the meaning set forth in section 5(4)(u) of the Spectrum Licensing Rules.

Schedule 2

Coverage obligations attached to the Mobile Cellular Spectrum License

This Schedule sets forth the specific coverage requirements for main roads under this Mobile Cellular Spectrum License.

Mobile network roll-out obligations

NOTE TO TRA: (1) The tables below provide a minimum set of coverage requirements for new entrants. However, in a future tender process to select a new entrant TRA may consider using coverage commitments as one of the scoring criteria. For example, bidders could be required to match or improve upon the minimum requirements below both from a time and geographic scope perspective, with additional points awarded to those offering the most expansive coverage commitments. (2) In the case of FSMTC, the coverage requirement should differ to take into account current coverage footprint and the need to ensure service is not withdrawn.

- The Licensee shall use the Licensed Spectrum, at a minimum, to deploy a Mobile Cellular Network that meets the coverage obligations set forth below:

State	Town	Timeframe
Pohnpei	Palikir	Within 12 months of date of issue
	Kolonia	Within 12 months of date of issue
	Tamworohi	Within 12 months of date of issue
Kosrae	Tafunsak	Within 12 months of date of issue
	Tofol	Within 12 months of date of issue
	Malem	Within 12 months of date of issue
	Utwama	Within 12 months of date of issue
Chuuk	Weno	Within 12 months of date of issue
	Tol	Within 12 months of date of issue
Yap	Colonia	Within 12 months of date of issue
	Ulithi	Within 12 months of date of issue

Coverage of roads

- The Licensee shall cover roads specified below:

State	Roads	Timeframe
Pohnpei	To be included by TRA	Within 12 months of date of issue
	To be included by TRA	Within 12 months of date of issue
	To be included by TRA	Within 12 months of date of issue
Kosrae	To be included by TRA	Within 12 months of date of issue
	To be included by TRA	Within 12 months of date of issue
	To be included by TRA	Within 12 months of date of issue
	To be included by TRA	Within 12 months of date of issue
Chuuk	To be included by TRA	Within 12 months of date of issue
	To be included by TRA	Within 12 months of date of issue

Yap	To be included by TRA	Within 12 months of date of issue
	To be included by TRA	Within 12 months of date of issue

Population coverage

3. Upon conclusion of the first 12-month period of the license term, the Licensee shall provide service using the Licensed Spectrum to at least [Add population of towns being covered] % of the population of the Federated States of Micronesia.

Reporting obligations

4. The Licensee shall provide quarterly progress reports to the Authority detailing compliance of the coverage obligations specified in this Schedule.
5. Quarterly reports shall be filed with the Authority no later than (10) days after the end of each three-month period counted from the date of issuance of the License and shall specify:
 - (a) a list of the Radio Equipment installed, including the geographic coordinates;
 - (b) geographic coverage maps, clearly marking all coverage areas with a receiving signal strength not lower than -110 dBm.

Use of Licensed Spectrum to meet coverage obligations

6. The Licensee may meet coverage obligations established in this Schedule using any of the Licensed Spectrum bands.

Interpretation

7. In this License:
 - (a) “dBm” means the power level in decibels (logarithmic scale) referenced against 1milliwatt (i.e. a value of 0 dBm is 1 milliwatt);