

Spectrum Licence Application

Licence applications can be submitted to any Industry Canada spectrum management office. The Department also encourages applicants to consult with the local spectrum management office prior to the submission of an application to ensure that the frequency range being requested within the band 3650-3700 MHz is appropriate to meet their needs.

Applications should include the following:

- A covering letter with the Tier 4 service area within which the system will be established, describing the nature of the business concerned. A separate application is required if applying for more than one Tier 4 service area.
- Supporting documents indicating compliance with the Canadian ownership and control requirements as outlined in section 10 of the *Radiocommunication Regulations*. The Department may require applicants to disclose any foreign ownership or documents that involve “control in fact” by non Canadians.
- Technical information, including the type of equipment, in order to determine the 25 MHz sub-band or full 50 MHz allocation based on the contention-based protocol requirements.
- A statement accepting the conditions of licence described below

Conditions of Licence

The following conditions of licence apply to spectrum licences for Wireless Broadband Services (WBS) operating in the Frequency Band 3650-3700 MHz.

1. Licence Term

The term of this licence will expire as indicated above. A licensee may renew its licence for another annual term upon payment of the applicable annual licence fee by March 31.

2. Eligibility

A licensee operating as a radiocommunication carrier must comply on an ongoing basis with the eligibility criteria in section 10(2) of the *Radiocommunication Regulations*. The licensee must notify the Minister of Industry of any change that would have a material effect on its eligibility. Such notification must be made in advance for any proposed transactions within its knowledge.

A licensee operating as a radiocommunication service provider or radiocommunication user must comply on an ongoing basis with the eligibility criteria in section 9(1) of the *Radiocommunication Regulations*. For more information, refer to Client Procedures Circular CPC-2-0-15, *Canadian Ownership and Control*, as amended from time to time.

3. Radio Station Installations

The licensee must comply with Client Procedures Circular CPC-2-0-03, *Radiocommunication and Broadcasting Antenna Systems*, as amended from time to time.

4. Provision of Technical Information

Prior to the installation or modification of a radio station, the licensee is required to register its site-specific data with Industry Canada as outlined in CPC-2-1-23, *Licensing Procedure for Spectrum Licences for Terrestrial Services*, as amended from time to time. Licensees are required to keep the information up to date in Industry Canada's publicly accessible database.

5. Compliance with Legislation, Regulations and other Obligations

The licensee is subject to, and must comply with, the *Radiocommunication Act*, the *Radiocommunication Regulations* and the International Telecommunication Union's *Radio Regulations* pertaining to its licensed radio frequency bands. This licence is issued on condition that the certifications made in relation to the licence are all true and complete in every respect. The licensee must use the assigned spectrum in accordance with the *Canadian Table of Frequency Allocations* and the spectrum policy applicable to this band.

6. Technical Considerations

The licensee must comply on an ongoing basis with all relevant Radio Standards Specifications and Standard Radio System Plans, as amended from time to time.

7. International and Domestic Coordination

The licensee must comply with the current and future agreements established with other countries. While frequency assignments are not subject to site licensing, the licensee may be required to furnish all necessary technical data for each relevant site.

The licensee will use its best efforts to enter into mutually acceptable sharing agreements with other parties, which will facilitate the reasonable and timely development of their respective systems, where applicable, and to coordinate with other licensed users in Canada and internationally where applicable.

8. Lawful Interception

Licensees operating as radiocommunication carriers and using this spectrum for circuit-switched voice telephony systems must, from the inception of service, provide for and maintain lawful interception capabilities as authorized by law. The requirements for lawful interception capabilities are provided in the *Solicitor General's Enforcement Standards for Lawful Interception of Telecommunications* (Rev. Nov. 95). These standards may be amended from time to time.

The licensee may request the Minister of Industry to forbear from enforcing certain assistance capability requirements for a limited period. The Minister, following consultation with Public Safety Canada, may exercise the power to forbear from enforcing a requirement or requirements where, in the opinion of the Minister, the requirement is not reasonably achievable. Requests for forbearance must include specific details and dates indicating when compliance to the requirement can be expected.

9. Mandatory Antenna Tower and Site Sharing

A licensee operating as a radiocommunication carrier must comply with the mandatory antenna tower and site sharing requirements set out in Client Procedures Circular CPC-2-0-17, *Conditions of Licence for Mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements*, as amended from time to time. To facilitate compliance with this condition of licence, the licensee should consult the Department's Guidelines for Compliance with the Conditions of Licence Relating to Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements (GL-06).

10. Contention-based Protocols

With the issuance of non-exclusive licences, it will be necessary to employ mitigating measures to reduce interference between radiocommunication systems. The Department requires the use of contention-based protocols for equipment licensed in the band 3650-3700 MHz.

I accept the licence conditions as listed above in items 1 through 10.

Print Name

Signature