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Contents

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
GENERAL NOTICES • ALGEMENE KENNISGEWINGS			
Independent Communications Authority of South Africa / Onafhanklike Kommunikasie-owerheid van Suid-Afrika			
610	Electronic Communications Act (36/2005): Application for Amendment of Telkom SA SOC Limited Radio Frequency Spectrum Licence in the Bands 2300-2360 MHz ("2300 MHz") and 2307-2387 MHz paired with 2401-2481 MHz ("2400 MHz").....	45333	3

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA**GENERAL NOTICE 610 OF 2021****ELECTRONIC COMMUNICATIONS ACT, 2005 (ACT NO. 36 of 2005)**

APPLICATION FOR AMENDMENT OF TELKOM SA SOC LIMITED RADIO FREQUENCY SPECTRUM LICENCE IN THE BANDS 2300 – 2360 MHz (“2300 MHz”) AND 2307 – 2387 MHz PAIRED WITH 2401 – 2481 MHz (“2400 MHz”)

1. The Independent Communications Authority of South Africa (“the Authority”) hereby gives notice that it has received an application from Telkom SA SOC Limited (“Telkom”) for the amendment of its Radio Frequency Spectrum Licence in the 2300 – 2360 MHz (“2300 MHz”) and 2307 – 2387 MHz bands paired with the 2401 – 2481 MHz (“2400 MHz”) band.
2. The application was submitted to the Authority on 30 July 2021 in line with the provisions of regulation 9 of the Radio Frequency Spectrum Regulations, 2015 published in Government Gazette No. 38641 of 30 March 2021, read with section 31(3)(b) of the Electronic Communications Act, 2005 (Act No. 36 of 2005), as amended (“the ECA”).
3. Telkom seeks to amend its radio frequency spectrum licence No. 00-536-928-2 in which the following spectrum is assigned:

Radio Frequency Spectrum Assignment	2300 MHz Band
Frequencies	2300 -2360 MHz (TDD)

Bandwidth	60 MHz (TDD)
Area of Operation	National
Radio Frequency Spectrum Assignment	2300/2400 MHz
Frequencies	2307-2387//2401-2481 MHz (FDD)
Bandwidth	80 MHz FDD Spectrum
Area of Operation	National

4. In terms of its application, Telkom seeks to:

4.1. Refarm a portion of the 2300 MHz band; and

4.2. Surrender the use of the band 2400 – 2481MHz.

5. Should the application be approved, Telkom's licence No 00-536-928-2 will reflect the following radio frequency spectrum assignment:

Frequency Spectrum Band	2300 MHz
Frequencies	2300 – 2387 MHz (TDD)
Bandwidth	87MHz
Area of operation	National

6. This notice is published in terms of regulation 9(3) of the Radio Frequency Spectrum Regulations, 2015 ("the Regulations") which provides that *"the Authority may engage in a public consultation process whereby an application for an amendment pertains to a radio frequency spectrum licence that was subject to an extended application procedure and/or where a radio frequency spectrum licence was granted in terms of section 31(3)(a) of the Act."*

7. The above-mentioned legislative provisions speak to the assignment of radio frequency spectrum licence through an extended application process or where

there was insufficient radio frequency spectrum to meet demand. Considering that section 5.2 of the radio frequency assignment plan for IMT2300 (Government Gazette No. 38640 of 20 March 2015) states that "*the use of the band is limited to IMT services*", the Authority has decided to undertake a public consultation process.

8. In addition to the above, the Authority believes that the provisions of regulation 9 (3) of the Regulations are applicable because any future assignment that the Authority needs to make with respect to the IMT2300 is subject to the provisions of regulation 6(1) of the Regulations which provides that:

"(1) Extended Application Procedures are applicable to the following:

(a) For services or frequency bands that are not covered under these regulations and for which a radio frequency spectrum licence is required;

or

(b) For frequency bands where an Invitation to Apply (ITA) has been issued."

9. The application, relevant schedule and any representations received pursuant to this notice will be made available at a fee and open for inspection by any interested party in the Authority's library, during the Authority's office hours and on the Authority's website (<https://www.icasa.org.za/pages/spectrum-licensing>).
10. All interested parties are invited to lodge written representations to the applications in signed Microsoft Word or PDF versions within twenty-one (21) working days from the date of publication of this notice in the Government Gazette.
11. Any person who makes written representations must indicate whether they require an opportunity to make oral representations in the event that the Authority decides to hold public hearings.

12. All written representations, responses and other correspondence in terms of this notice must be directed to Mr. Joseph Dikgale, Spectrum Licensing at Block B, 350 Witch – Hazel Avenue, Eco Point Office Park, Eco Park, Centurion **OR** Private Bag X10, Highveld Park, 0169 **OR** by e-mail to jdikgale@icasa.org.za.
13. Any person(s) that lodges representations in terms of this notice, must also furnish proof that a copy of the representation has been delivered by hand to Mr. Johan Smit, Telkom SA SOC Limited, P.O. 61 Oak Avenue, Highveld, Techno Park, Centurion, 0157 **OR** by e-mail to smitjj1@telkom.co.za.
14. Where persons making representations require that their representation, or part thereof, be treated confidentially, an application in terms of section 4D of the ICASA Act must be lodged with the Authority. Such application must be submitted simultaneously with the representation. The confidential information should be clearly marked and submitted in a separate annexure. Where a request for confidentiality is refused, an opportunity to withdraw the representation will be afforded in line with the legislation. The guidelines for confidentiality requests are contained in Government Gazette Number No. 41839 (Notice 849 of 2018).



Dr Keabetswe Modimoeng

Chairperson

13/10/2021

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