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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA****NOTICE 535 OF 2020**

**PURSUANT TO SECTION 31(3) OF THE ELECTRONIC COMMUNICATIONS ACT 2005, (ACT NO. 36 OF 2005) READ WITH REGULATIONS 6 AND 7 OF THE RADIO FREQUENCY SPECTRUM REGULATIONS, 2015 (AS AMENDED)**

**THE AUTHORITY HEREBY ISSUES AN INVITATION TO APPLY NOTICE ON THE LICENSING PROCESS FOR INTERNATIONAL MOBILE TELECOMMUNICATIONS IN RESPECT OF THE PROVISION OF MOBILE BROADBAND WIRELESS ACCESS SERVICES FOR URBAN AND RURAL AREAS USING THE COMPLIMENTARY BANDS, IMT700, IMT800, IMT2600 AND IMT3500.**

1. The Independent Communications Authority of South Africa ("the Authority") hereby issues an Invitation to Apply (ITA) notice to invite applications for the radio frequency spectrum licences for International Mobile Telecommunication (IMT) Spectrum bands in the ranges of 703 – 790 MHz ("IMT700"), 790 – 862 MHz ("IMT800"), 2500 – 2690MHz ("IMT2600"), and 3400 – 3600 MHz ("IMT3500") for the purposes of providing national broadband wireless access services in terms of with regulations 6 and 7 of the Radio Frequency Spectrum Regulations 2015, as amended read with section 31(3) of the Electronic Communications Act, 2005 (Act No. 36 of 2005) ("the Act").
2. All applications will be assessed based on criteria set out in this ITA, in compliance with the Act and the relevant regulations.
3. Interested persons are hereby invited to submit applications, including an electronic version of the application in Microsoft Word and signed PDF versions, by no later than 16h00 on Monday, 28 December 2020. Further details are provided within this ITA. No late applications will be considered.
4. Applications or enquiries may be directed to:  
Block C  
The Independent Communications Authority of South Africa (the Authority)  
350 Witch-Hazel Avenue,  
Eco Point Office Park,  
Eco Park, Centurion, Gauteng.  
  
Attention:  
  
Mr. Davis Kgosimolao Moshweunyane  
  
E-mail: [imtlicensing@icasa.org.za](mailto:imtlicensing@icasa.org.za)
5. All applications submitted to the Authority pursuant to this notice shall be made available for inspection by interested persons from 16h00 on Monday, 15

January 2021 at the ICASA Library or website ([www.icasa.org.za](http://www.icasa.org.za)) and copies of such application and documents will be obtainable on payment of a fee.

6. Where persons making applications require that their application, or part thereof, be treated confidentially, then an application in terms of section 4D of the ICASA Act, 2000 (Act No. 13 of 2000) must be lodged with the Authority. Such an application must be submitted simultaneously with the application in response to the ITA. Respondents are requested to separate any confidential material into a clearly marked confidential annexure. If, however, the request for confidentiality is refused, the person making the request will be allowed to withdraw the application or document in question.
7. The guidelines for requesting confidentiality are contained in Government Gazette Number 41839 (Notice 849 of 2018).



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**DR. KEABETSWE MODIMOENG**

**CHAIRPERSON**

**ICASA**

**Abbreviations and acronyms**

APN – Access Point Node

BBBEE – Broad Based Black Economic Empowerment

BS – Broadcasting Service

BWA – Broadband Wireless Access

CCC – Compliance and Complaints Committee

CRASA – Communications Regulatory Association of Southern Africa

DCF – Discounted Cash Flow

DTT – Digital Terrestrial Television

ECA – The Electronic Communications Act, No 36 of 2005

ECNS – Electronic Communications Network Service

ECS – Electronic Communications Service

FL – Facilities Leasing GSM – Global System for Mobile Communications

HDI – Historically Disadvantaged Individual

ICASA Act – Independent Communications Authority of South Africa Act, No 13 of 2000 (as amended)

ICT – Information and Communication Technology

ITR – International Telecommunication Regulation

I-ECNS – Individual Electronic Communications Network Service

ISP – Internet Service Provider

IMT – International Mobile Telephony

ITA – Invitation To Apply

ITU – International Telecommunications Union

LLU – Local Loop Unbundling

MVNO – Mobile Virtual Network operator

QoE – Quality of Experience

QoS – Quality of Service

RIA – Regulatory Impact Assessment

USA – Universal Service Access

USAASA – Universal Service Access Authority of South Africa

USAO – Universal Service Access Obligations

## Definitions

Applicant	An I-ECNS licensee that has lodged an application in accordance with this ITA
Application	Documentation lodged by an Applicant in accordance with this ITA
Application Date	28 December 2020 - Due date for the receipt of Applications
Activity Points	The number of points associated with each Lot during the auction stage
Activity	The sum of the Activity Points for each Lot on which a Bidder places a Bid in a Round, combined with the Activity Points of Lots on which the Bidder is Standing Highest Bidder, defines the total Activity of the Bidder within the Round.
Auction Fee	The amount due and payable by a winning Bidder, and calculated as the sum of the Standing High Bid on the Lot which the Bidder has won.
Authorised Representative	A representative with Power of Attorney appointed by the Applicant/Bidder
Authority	The Independent Communications Authority of South Africa

Bid	A binding offer by the Applicant to acquire a Lot at a certain price
Bidder	An Applicant who has successfully passed the Qualification Stage
Licence	A radio frequency spectrum licence issued pursuant to this ITA
Lot	A pre-packaged amount of spectrum available for award
Mobile Virtual Network Operators (MVNO)	Is a wireless communications services provider that does not own the wireless network infrastructure over which the MVNO provides services to its customers.
Prohibited Practices	Any practice prohibited in terms of section 4(1)(b) of the Competition Act, 1998 (Act No. 89 of 1998), as amended
Reserve Price	The minimum price for a Lot that must be accepted during the Initial Bid Stage. This is also the starting price of a Lot in the first Round, should the award proceed to the Auction Stage
Round	A period during which each Bidder is invited to submit one Bid Entry Form. Each Round will end after the allotted round time has expired, regardless of whether all Bidders have submitted Bids, following which the Round results will be announced
SMRA	Simultaneous Multi-Round Ascending Auction.
Standing High Bid	The highest bid submitted for a Lot in a round.
Standing High Bidder	The Bidder in a Round with the Standing High Bid

Sub-national Operator	A licensee that controls access to its RAN and is capable of providing IMT services on a wholesale basis to roaming and MVNO customers, where the licensee's RAN is capable of serving less than 50% of the population in South Africa.
Tier-1 operator	A Wholesale National Operator that has a retail market share in excess of 45% in more than 10 municipalities.
Tier-2 operator	A Wholesale National Operator that has a retail market share below 45% in less than 10 municipalities.
Wholesale National Operator	A licensee that controls access to its RAN and is capable of providing IMT services on a wholesale basis to roaming and MVNO customers, where the licensee's RAN is capable of serving more than 50% of the population in South Africa.
National Capacity	Capacity = average data traffic speed (measured in megabits per second (Mbps)) per cell/base station at any given time offered by the WOAN using the high demand spectrum assigned to the WOAN.  National Capacity = Total capacity offered nationally irrespective of technology used.

**Table of Contents**

1	Overview .....	10
2	Introduction.....	12
3	Objectives .....	13
4	Legal framework .....	14
5	Spectrum for the award.....	15
6	Opt-in lots & spectrum floors .....	16
7.	Spectrum caps .....	17
8.	Licence duration .....	17
9.	Technologies .....	17
10.	Annual fees.....	17
11.	Technical conditions .....	18
12.	Obligations .....	18
12.1.	Uplink and throughput obligations .....	18
12.2.	Coverage obligations .....	18
12.3.	Open access obligations .....	20
12.4.	Incentives to the WOAN .....	21
12.5.	Social obligations .....	21
12.6.	Spectrum Sharing .....	21
13.	Karoo Central Astronomy Advantage Areas .....	22
14.	Empowerment provision for the industry .....	23
15.	The award process of the spectrum.....	23
15.1.	Process .....	23
15.2.	Invitation to Apply stage .....	24
15.3.	Qualification stage.....	24
16.	Managing COVID-19 Pandemic Risks to this Licensing Process.....	33
17.	Auction stage .....	34
17.1.	Overview .....	34
17.2.	Opt-in round.....	34
17.3.	Bid Rounds .....	34
17.4.	Bid options .....	36
17.5.	Eligibility and Activity .....	36
17.6.	Waivers .....	38



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17.7.	Withdrawal from the auction.....	38
17.8.	Submission of Bids .....	39
17.9.	Information provided to Bidders.....	40
17.10.	Closure of the auction .....	41
17.11.	Auction location .....	41
17.12.	Bidder representatives .....	42
17.13.	Auction timing .....	42
17.14.	Sustenance.....	43
17.15.	Bid round process.....	44
17.16.	Opening of Bids.....	45
17.17.	Exceptional circumstances.....	46
17.18.	Assignment round and unsold lots round .....	47
17.19.	Independent auditor .....	47
17.20.	Media coverage.....	47
18.	Licensing stage.....	48
18.1.	Payment of the Auction Fee .....	48
18.2.	Issue of Licences.....	49
18.3.	Timeframe for the award process .....	49
19.	General rules .....	50
20.	Consortiums / groups.....	51
21.	Sanctions .....	51
22.	Appendix A: Process to licence the IMT spectrum.....	52
23.	Appendix B: Application form .....	52
24.	Appendix C - Specimen Template for Bank Guarantees.....	61
25.	Appendix D - Applicant Declaration Form .....	63
26.	Appendix E - Bid Entry Form .....	64
27.	Appendix F - The Classification of the Batches.....	66

## 1 Overview

- 1.1 On 28 May 2010, the Authority initiated the process of developing the High Demand Radio Frequency Spectrum Licensing Framework Regulations by promulgating General Notice R. 469, Government Gazette 33248 of 28 May 2010, as amended, for the 2.6 and 3.5 GHz spectrum bands.
- 1.2 On 31 March 2011, the Authority published the Radio Frequency Spectrum Regulations, 2011 in General Notice No. 184, Government Gazette 34172 of 31 March 2011, which, amongst others, repealed the High Demand Radio Frequency Spectrum Licensing Framework Regulations, 2010.
- 1.3 On 15 December 2011, the Authority published a draft Spectrum Assignment Plan for the radio frequency range 790 – 862 MHz (800 MHz) and 2500 – 2690 MHz (2.6 GHz) in General Notice No. 911, Government Gazette 34872 of 15 December 2011.
- 1.4 Further, the Authority published the Draft Invitation To Apply to solicit public comments on the award / granting of Radio Frequency Spectrum Licence to provide mobile broadband wireless access service for urban and rural areas using the complimentary bands, 800 MHz and 2.6 GHz in General Notice 912, Government Gazette No. 34872 of 15 December 2011. The Draft Invitation to Apply was subsequently withdrawn.
- 1.5 On 06 December 2013, the Minister of Communications published South Africa Connect: Creating Opportunities, Ensuring Inclusion - South Africa's Broadband Policy ("SA Connect") in General Notice 953, Government Gazette No. 37119 of 6 December 2013. SA Connect gives expression to the vision set out in the National Development Plan 2030 ("NDP") of a "seamless information infrastructure by 2030 that will underpin a dynamic and connected vibrant information society and a knowledge economy that is more inclusive, equitable and prosperous".
- 1.6 SA Connect was followed by the Integrated ICT White Paper Policy, 2016 and subsequently by the Policy on High Demand spectrum and Policy Direction of the Licensing of Wireless Open Access Network published in terms of Government Gazette No. 42597 of 26 July 2019.
- 1.7 The focus of the aforementioned policies remains universal provision of broadband services including in particular ensuring connectivity for public

services i.e. education, health and government services. The policies further seek to operationalise the New Growth Path and the Strategic Integrated Project (SIP) 15, which deals with expanding access to communications technology by ensuring universal service and access to affordable and secure broadband services by all South Africans, prioritising rural and under-served areas in order to stimulate economic growth.

- 1.8 SA Connect acknowledges that the slow deployment of fixed broadband services and its relatively high cost, has meant that over the years mobile broadband rapidly became the primary form of broadband access rather than providing a complementary service to fixed broadband services as it has done in more developed economies.
- 1.9 On 30 March 2015, the Authority published the Radio Frequency Spectrum Regulations, 2015 in General Notice No. 279, Government Gazette No. 38641 of 30 March 2015 ("Radio Frequency Spectrum Regulations, 2015"). The Radio Frequency Spectrum Regulations, 2015 repealed the Radio Frequency Spectrum Regulations, 2011 and the Spectrum Reallocation for Radio Frequency Identification (RFID) Systems.
- 1.10 On 11 September 2015, the Authority published the Information Memorandum for Radio Frequency Spectrum Prospective Licence in General Notice No. 914, Government Gazette No.39203, with the purpose of providing information to prospective applicants intending to apply for the radio frequency spectrum licenses within the designated range, 2500 – 2690MHz ("the 2.6 GHz band") and 790 – 862 MHz ("the 800 MHz band") and 703 – 790 MHz ("the 700MHz band") for the purposes of providing national broadband wireless access services.
- 1.11 On 15 July 2016, the Authority published an ITA for a Radio Frequency Spectrum Licence to provide mobile broadband wireless access services for urban and rural areas using the complimentary bands: 700MHz, 800MHz and 2.6 GHz in General Notice No. 438, published in Government Gazette No. 40145 of 15 July 2016.
- 1.12 On 08 October 2018, the Authority withdrew the ITA that was published on 15 July 2016 in terms of General Notice No. 624, Government Gazette No. 41965 of 08 October 2018.

- 1.13 On 26 July 2019, the Minister of Communications and Digital Technologies (formerly Minister of Communications) published the Policy on High Demand spectrum and Policy Direction of the Licensing of Wireless Open Access Network. The Authority has a legal duty to consider the Policy on High Demand spectrum and Policy Direction of the Licensing of Wireless Open Access Network in exercising its powers and performing its duties under the Electronic Communications Act, 2005 (Act No. 36 of 2005) ("ECA").
- 1.14 The Authority has initiated the licensing process through the publication of the Information Memorandum on 01 November 2019 for the radio frequency spectrum in the bands: IMT700, IMT800, IMT2300, IMT2600 and IMT3500 for the purposes of providing national broadband wireless open access services.
- 1.15 In order to realise Government's rollout targets for broadband services and to achieve articulated public objectives (in line with *inter alia* SA Connect, NDP, the Policy on High Demand spectrum and Policy Direction of the Licensing of Wireless Open Access Network and Government Priority Outcomes: 4, 6, 12, and 14), the Authority is commencing with the licensing process for IMT spectrum bands (i.e. IMT700, IMT800, IMT2600 and IMT3500).
- 1.16 The Authority is of the view that mobile telecommunication technologies are a critical component for achieving the goal of 'broadband for all citizens' in South Africa. Finally, it is also important to note that government has identified the release of spectrum as one of the seven key areas of focus to stimulate investments and revive the economy in the short to medium term.

## 2 Introduction

- 2.1. South Africa experiences continued growth in demand for more spectrum as a result of significant growth in traffic. The deficiency of assigned Spectrum for IMT brings constraints and challenges in the provision of broadband services. To address South Africa's bandwidth deficiency, the currently assigned bandwidth of 609 MHz high-demand spectrum will be increased to 1015 MHz through the current assignment processes.
- 2.2. It is the Authority's position that the licensing of IMT700, IMT800, IMT2600 and IMT3500 will contribute a significant bandwidth towards achieving the SA Connect targets.

- 2.3. The IMT700, IMT800, IMT2600 and IMT3500 bands have been identified worldwide for IMT services. These bands complement each other in the sense that they fulfil the requirements for capacity and coverage which make them suitable for rural and urban areas and for bridging the digital divide.
- 2.4. It is for these reasons that the Authority has decided on the simultaneous licensing of the IMT700, IMT800, IMT2600 and IMT3500 bands, in order to enhance competition and to increase broadband coverage, and in so doing bridge the digital divide and the disparities between urban and rural access to broadband networks
- 2.5. The Authority has considered the Policy on High Demand spectrum and Policy Direction of the Licensing of Wireless Open Access Network in accordance with section 3 (4) of the ECA and intends to embark on the licensing process as outlined in Appendix A. The aforementioned bands have been specifically identified for prioritization by the Authority for purposes of assignment in accordance with Policy on High Demand spectrum and Policy Direction of the Licensing of Wireless Open Access Network and the Authority's Strategic Plan 2020 - 2024.
- 2.6. It is important to adopt global harmonisation channel arrangements and alignment with other regional agreements on the appropriate channel plans for the IMT700, IMT800, IMT2600 and IMT3500 frequency bands for the International Telecommunications Union (ITU) Region 1 in order to achieve economies of scale, enable global roaming and benefit from the maturity of the ecosystem.
- 2.7. The Southern African Development Community ("SADC") Frequency Allocation Plan ("FAP") of 2016 creates a framework for harmonisation across SADC on the use of the radio frequency spectrum. The 2016 SADC FAP was developed considering international best practice in the development of Frequency Band Plans and considering the needs of the SADC Members.

### 3 Objectives

- 3.1. This licensing process intends to fulfil some of the objectives in section 2 of the ECA, which are as follows:

- 3.1.1. Promote broad-based black economic empowerment, with particular attention to the needs of women, opportunities for youth and challenges for persons with disabilities;
- 3.1.2. Promote the universal provision of electronic communications networks and electronic communications services and connectivity for all;
- 3.1.3. Promote the interests of consumers with regard to the price, quality and the variety of electronic communications services;
- 3.1.4. Develop and promote SMMEs and cooperatives;
- 3.1.5. Encourage investment and innovation in the communications sector
- 3.1.6. Promote an environment of open, fair and non-discriminatory access to broadcasting services, electronic communication networks and to electronic communications services;
- 3.1.7. Promote competition within the ICT sector;
- 3.1.8. Promote and facilitate the development of interoperable and interconnected electronic networks, the provision of the services contemplated in the Act and to create a technologically neutral licencing framework; and
- 3.1.9. Ensure efficient use of the radio frequency spectrum.

#### **4 Legal framework**

4.1. This publication of the ITA is guided by the Constitution of the Republic of South Africa, 1996 (the "Constitution"), the ICASA Act, the ECA, the National Radio Frequency Plan 2018 ("NRFP"), the radio Frequency Spectrum Regulations, 2015 (As amended) and Radio Frequency Spectrum Assignment Plans for IMT, 2013 (As amended), as well as the broader policy objectives of South Africa as set out in:

- 4.1.1. The National Integrated ICT White Paper, 2016 ("White Paper");
- 4.1.2. The National Development Plan;

- 4.1.3. South Africa Connect: Creating Opportunities, Ensuring Inclusion South Africa's Broadband Policy (SA Connect);
- 4.1.4. Broadcasting Digital Migration Policy 2008 (as amended);
- 4.1.5. Radio Frequency Spectrum Policy 2010; and
- 4.1.6. The Policy on High Demand Spectrum and Policy Direction on the Licensing of a Wireless Open Access Network dated 26 July 2019.

## 5 Spectrum for the award

5.1. The Authority has, following consideration of the Policy on High Demand spectrum and Policy Direction of the Licensing of Wireless Open Access Network determined that the spectrum available for assignment in this process will be as follows:

- 5.1.1. 2 x 20MHz in the 700MHz band (713 – 733MHz // 768 – 788MHz)
- 5.1.2. 2 x 30MHz in the 800MHz band (791 – 821MHz // 831 – 862MHz)
- 5.1.3. 1 x 140MHz in the 2600MHz band ((2530 – 2575MHz) and 2595 – 2690MHz)
- 5.1.4. 1 x 86MHz in the 3500MHz band (3458 – 3544MHz)

5.2. The spectrum will be awarded on a national basis covering the entire territory of the Republic of South Africa.

5.3. Applicants are eligible to bid for any of the Lots.

5.4. The reserve price for each Lot is different. The reserve prices and spectrum available for award is packaged as follows:

Lot number(s)	Lot category	Lot size	Number of lots available	Reserve price per lot
1-4	700 MHz	2 x 5 MHz	4	R526 615 392.49
5-8	800 MHz	2 x 5 MHz	4	R752 307 703.55
9	800 MHz	2 x 10 MHz	1	R1 155 174 976.66
10-24	2600 MHz	1 x 10 MHz	14	R97 843 320.52
25	3500 MHz	1 x 2 MHz	1	R9 818 987.30
26-33	3500 MHz	1 x 10 MHz	8	R75 606 202.22
34	3500 MHz	1 x 4 MHz	1	R19 637 974.60

## 6 Opt-in lots & spectrum floors

6.1. The Authority had decided on the following attractive portfolios for the third and fourth national wholesale (Tier-2) operators to meet one of the minimum spectrum portfolios (MSPs) following the auction. Note that opt-in bidders need not have any spectrum holdings currently and bidding for the opt-in lots is open to any bidders other than Tier-1 operators. There may be more than one bidder for each opt-in lot.

	<b>Sub-1GHz (minimum, including existing assignments)</b>	<b>1800MHz / 2100MHz and/or 2600 MHz (minimum, including existing assignments)</b>
Portfolio 1	2 x 10 MHz	60 MHz
Portfolio 2	2 x 15 MHz	40 MHz

6.2. Portfolio 1 and portfolio 2 are spectrum floors designed to ensure that South Africa is left with at least five (5) credible wholesale national operators after the spectrum assignment process (including the WOAN). This is to ensure that the third and fourth national wholesale operators have enough spectrum to be credible competitors. These portfolios do not preclude any licensee from bidding for spectrum on any other Lots made available by the Authority for auction.

6.3. Those eligible to bid for spectrum reserved through the floors (including new non-national wholesale operator entrants) will be offered the opportunity to Opt-in during the course of an Opt-in Round (described in section 17.2.1).



## **7. Spectrum caps**

- 7.1. A spectrum cap is a limit placed on the amount of spectrum a Bidder can bid for in an auction. An Applicant will be allowed to bid up to the following spectrum caps:
  - 7.1.1. Sub-1GHz safeguard cap of 2x21 MHz (including existing sub 1-GHz spectrum holdings); and
  - 7.1.2. An overall spectrum cap of 184MHz (including existing assigned spectrum holdings).
- 7.2. The sub-1GHz cap will allow all current holders of 2x11MHz of spectrum in the 900MHz band to acquire at most 2x10MHz of spectrum, and the cap will also allow licensees that have no sub-1GHz spectrum to acquire up to 2x20MHz.
- 7.3. The overall spectrum cap of 184 MHz is to ensure that any individual licensee must not acquire more than approximately 18% of the 1,015 MHz of High demand spectrum that will be assigned at the auction stage.

## **8. Licence duration**

- 8.1. A Licence is valid for twenty (20) years from the date of issue taking into consideration the residual analogue and digital television broadcasting service migration below 694 MHz band timescales in South Africa.

## **9. Technologies**

- 9.1. All Licences will be issued on a technology-neutral basis in accordance with section 2 (b) of ECA read with the regulation 3.7 of Radio Frequency Assignment Plans, 2015, as amended.

## **10. Annual fees**

- 10.1. A Licence is renewable upon payment of the prescribed licence fee in accordance with regulation 10 (2) of the Radio Frequency Spectrum Regulations, 2015, as amended.

10.2. Annual licence fees are payable by all Licensees in accordance with the "Spectrum Fees Regulations" published by the Authority.

## **11. Technical conditions**

11.1. The conditions of use of the IMT Spectrum must be in accordance with the rules for services as stipulated in the Radio Frequency Spectrum Assignment Plans, 2015 for all the applicable bands (as amended).

## **12. Obligations**

The following obligations will form part of the license conditions of the Radio Frequency Spectrum License to be issued:

### **12.1. Uplink and throughput obligations**

12.1.1. A minimum downlink single user throughput of 5Mbps at the edge of the cell (particularly in Batch 3 classified municipalities) for all national wholesalers who are awarded radio frequency spectrum licenses on spectrum band(s) IMT700 and/or IMT800 within five (5) years of licence issue. This obligation must be achieved with other bands (i.e. IMT2600, and IMT3500) assigned through this licensing process.

### **12.2. Coverage obligations**

12.2.1. The definition of what constitutes an Underserved Area is contained in the Under-served Area Definitions Regulations published on 10 September 2012 in the Government Gazette No. 35675 (Notice No. 9825 of 2012). The underserved areas contained in Annexure A of the Under-served Area Definitions Regulations are classified into three Batches (Batch 1: Good; Batch 2: Fair; and Batch 3: Poor) for better implementation of coverage obligations stated in this ITA, based on best effort. The Classification of the batches is contained in Appendix F of this ITA.

12.2.2. In respect of 700MHz or 800MHz licenses:

12.2.2.1. One 2x10MHz (on IMT800) Coverage Lot carries a coverage obligation of up to 99.8% of the population within 5 years of issue of radio frequency spectrum licence; and at least to 95% across totality of ALL Batch 2 and Batch 3 underserved areas/municipalities in South Africa. The winner of this coverage lot would comply by an outside in approach to achieve 95% of all Batch 2 and Batch 3 underserved areas first of all 234 local and metropolitan municipalities in South Africa within 5 years of issuance of the licence;

12.2.2.2. Any other tier-1 player who wins ANY further sub-1GHz spectrum would be obliged to expand coverage to at least 97% of the population. Also, the outside in approach applies, to achieve 92% across all Batch 2 and Batch 3 underserved areas first for the 2x10MHz Coverage Lot across all 234 local and metropolitan municipalities in South Africa within 5 years of issuance of the licence; and

12.2.2.3. Outside-In: First build broadband coverage in the first batch of least covered of "underserved areas" and/or municipalities (Batch 2 and 3 Municipalities), before proceeding to roll out finally to major cities and towns of South Africa (Batch 1).

12.2.3. In respect of 700MHz or 800MHz licenses awarded to applicants categorised as Tier-2: applicants that cover less than 80% of the population with IMT services must expand such coverage to at least 80% of the population in general across South Africa, including Batch 1 and Batch 2 areas (of their commercial choice) for Tier-2 national wholesalers other than applicants categorised as Tier - 1. This obligation does not apply to sub-national wholesalers who do not opt-in for reserved spectrum described in section 6.1. The outside-in obligation would not apply to these Tier-2 national

wholesalers, that are those that do not already cover 95% or more of the population with IMT services in January 2020.

### 12.3. Open access obligations

12.3.1. Prospective applicants that have categorised as Tier-1 must:

12.3.1.1. Produce a reference offer for site access to be offered to any licensee requesting site access and guidelines, including pricing, timeframes and policies for reserving space on masts.

12.3.1.2. The reference offer set out by the applicant in terms of paragraph 12.3.1.1 shall become licence conditions for licences to two tier-1 operators issued in this auction process.

12.3.2. A Licensee assigned spectrum through this process is required to provide open access to MVNOs which must have 51% ownership held by persons from Historically Disadvantaged Groups. This provision shall become licence conditions for licences issued in this auction process. The Licensee assigned spectrum through this process shall be required to submit to the Authority within a period of between 3 – 6 months the business plans to ensure that the MVNOs are sustainable for the period of 3 years.

12.3.3. These interventions balance the objectives in the ECA to promote competition within the ICT sector (section 2(f) of the ECA) while at the same time meeting the objects to refrain from undue interference in the commercial activities of licensees while taking into account the electronic communication needs of the public (section 2(y) of the ECA) and promote stability in the ICT sector (section 2(z) of the ECA). These interventions balance these objectives in a proportionate manner because:

12.3.3.1. These are the minimum interventions necessary, together with the spectrum caps and floors provided for in this document, to resolve the competition concerns.

12.3.3.2. The licensees are able to propose how the interventions can be achieved in the least intrusive manner with the least possible interference in their commercial activities.

#### 12.4. Incentives to the WOAN

- 12.4.1. The applicants that are to be assigned the radio frequency spectrum through this process shall procure a minimum of 30% national capacity from the WOAN collectively as soon as the WOAN is operational for a period of five years.
- 12.4.2. The 30% national capacity to be procured from the WOAN will be shared proportionally to the amount of the spectrum acquired from the Auction amongst the successful licensees.
- 12.4.3. The 30% national capacity uptake in the WOAN will be imposed on all successful applicants as licence terms and conditions in accordance with regulation 7(e) of the Radio Frequency Spectrum Regulations, 2015 as amended.

#### 12.5. Social obligations

- 12.5.1. A Licensee assigned spectrum through this process shall zero-rate all the Mobile Content provided by Public Benefit Organisations including .gov.za websites.

#### 12.6. Spectrum Sharing

- 12.6.1. The spectrum on this licensing process is to be assigned on national basis exclusive to the Licensees.
- 12.6.2. In cases that the spectrum is not fully utilised by the licensee within 5 years of issuance of the Radio Frequency Spectrum Licences, the Authority will initiate the process for the Licensee:

- 12.6.2.1. to share unused spectrum in all areas with ECNS licensees who may, inter alia, combine licensed spectrum in any innovative combinations in order to address local and rural connectivity in some municipalities including by entrepreneurial SMMEs;
- 12.6.2.2. to surrender the radio frequency spectrum licence or portion of the unused assigned spectrum in accordance with Radio Frequency Spectrum Regulations, 2015; and
- 12.6.2.3. the Authority has the power to cancel the issued radio frequency spectrum licence in accordance with the Radio Frequency Spectrum Regulations, 2015.

### **13. Karoo Central Astronomy Advantage Areas**

- 13.1. The Astronomy Geographic Advantage Act, 2007 (Act No. 21 of 2007) (AGAA) provides for the Minister responsible for Science and Technology to declare any area or part of an area in the Province of the Northern Cape (except Sol Plaatje Municipal area) as an astronomy advantage area (AAA). The AAA's must be protected, amongst others, from harmful radio frequency interference, which may be caused by radio communication services.
- 13.2. The SKA has been built in the Northern Cape Province. The SKA location, frequencies bands to be protected, protection levels, coordination procedures, and other parameters are prescribed through the Astronomy Geographic Advantage Act (21/2007) (AGA Act): Notice of the radio frequency spectrum exempted for use within the Karoo Central Astronomy Advantage Areas published in Government Gazette Number 42531 (Notice 926 of 2019). The band 100 MHz to 25.5 GHz are earmarked for the SKA.
- 13.3. Radiocommunications with transmitters located within the AAA's, which operate within the radio frequency range/s identified for radio astronomy purposes are to be subjected to the provisions of the AGAA. All transmitters located, or to be located, within the AAA's will be subject to authorisation according to the prescribed processes by the AGA Act: Notice of the radio frequency spectrum exempted for use within the Karoo Central Astronomy Advantage Areas published in Government Gazette Number

42531 (Notice 926 of 2019). Where authorisation has been granted in accordance with the prescribed procedures, a prospective licensee is still required to submit a spectrum application form for consideration by the Authority.

- 13.4. A prospective licensee, upon receipt of their radio frequency spectrum licence and when deploying the network, is required to safeguard the above-mentioned provisions to ensure that no radio frequency interference is caused to the Karoo Central Astronomy Advantage Areas.

#### **14. Empowerment provision for the industry**

- 14.1. The obligations herein are intended to promote broad-based black empowerment, in addition to what is already prescribed in terms of Regulation 7 of the Radio Frequency Spectrum Regulations, 2015.
- 14.2. A licensee must, within 12 months of being issued with a radio frequency spectrum licence, reach a Level 1 contributor (BBBEE status) in terms of the Codes of Good Practice, applicable to the ICT Sector, published in terms of Section 9 (1) of the BBBEE Act and maintain such status for the period of the licence.
- 14.3. This empowerment provision is imposed over and above the prescribed prequalification criteria as outlined in regulation 7 (3)(d) of the Radio Frequency Spectrum Regulations, 2015 as amended.

#### **15. The award process of the spectrum**

##### **15.1. Process**

- 15.1.1. The award process will consist of four stages, which includes the publication of this invitation to apply, qualification, auction and licensing stages.

## 15.2. Invitation to Apply stage

- 15.2.1. The first stage commences with the publication of this Invitation to Apply (ITA), containing inter alia the details about all subsequent stages of the auction. It includes application forms, date and format of submission of applications, pre-qualification criteria, the detailed rules of the auction, the details of the “products” being auctions (e.g. lots, reserve prices per lot, etc.), constraints about the products (e.g. availability of digital switchover spectrum) and more. This stage also “markets” the auction both nationally and internationally to potential bidders.

## 15.3. Qualification stage

- 15.3.1. Entities that are eligible to submit an application

15.3.1.1. In the Qualification Stage, interested persons are invited to submit Applications in response to this ITA, in which they must state on which Lots they wish to place Bids during the award process.

15.3.1.2. The Applications will then be assessed by the Authority, and Applicants who meet the requirements as specified in this ITA will be qualified.

- 15.3.2. Submission of Applications

15.3.2.1. The Application must be written in English. An Applicant must answer all the questions set out in the forms fully. If any question is considered not applicable, mark it as “N/A” and provide further explanation as to why it is not applicable.

15.3.2.2. An applicant must submit one original hardcopy application – clearly marked as such, together with five (5) hard copies and three (3) electronic versions of the application in Microsoft Word and signed PDF versions of the application, all received by the closing date. The hardcopies must be permanently bound (using heat or spiral binding).



- 15.3.2.3. Applications should be addressed for the attention of the Project Manager: Licensing of the IMT Spectrum Council Committee and must be deposited into the box designated for that purpose at Independent Communications Authority of South Africa, Block C, 350 Witch-Hazel Ave, Eco-Park Estate, Centurion by 16:00, 28 December 2020.
- 15.3.2.4. The application must have a cover page indicating the title of the ITA, name of the Applicant and date of the application.
- 15.3.2.5. The page(s) immediately following the cover page must be the contents page (s), which shall detail each section of the application and corresponding pages.
- 15.3.2.6. An application including appendices and schedules, must be sequentially numbered starting with the page immediately following the contents page (s) as page 1 and ending with the very last page of the application.
- 15.3.2.7. In the event that the Applicant has to submit its application in more than one part or volume, each part or volume must have a cover page bearing all the details set out above, with the cover page indicating part or volume number.
- 15.3.2.8. An Applicant that submits an application during the specified time window will receive an acknowledgment of submission of the application. Applications received after the specified times or delivered to the wrong address or block will not be accepted.
- 15.3.2.9. An applicant is only permitted to submit one Application.
- 15.3.2.10. All applications will be assessed based on criteria set out in this ITA, in compliance with the Act and the relevant regulations.
- 15.3.2.11. Where persons making applications require that their application, or part thereof, be treated confidentially, then an application in terms of section 4D of the ICASA Act, 2000 must be lodged with the Authority. Such an application must be submitted simultaneously with the application in response to the ITA. Respondents are requested to separate

any confidential material into a clearly marked confidential annexure. If, however, the request for confidentiality is refused, the person making the request will be allowed to withdraw the application or document in question.

- 15.3.2.12. The guidelines for requesting confidentiality are contained in Government Gazette Number 41839 (Notice 849 of 2018).

### 15.3.3. Application fee

- 15.3.3.1. Each Applicant must pay a non-refundable application fee of Three Million Rands (ZAR 3 000 000.00). The payment must be in the form of an electronic transfer or via a direct deposit into the following ICASA bank account:

ICASA Banking Details

BANK : Nedbank

BRANCH : Nedbank Corporate Investment Banking

BRANCH CODE: 198765

ACCOUNT NO : 1462002927 Swift Code : NEDSZAJJ

REFERENCE: Applicant Name

### 15.3.4. Application content

- 15.3.4.1. The application must consist of the following documents:

- 15.3.4.1.1. A completed and signed Application Form.
- 15.3.4.1.2. A certified copy of the applicant's registration certificate.
- 15.3.4.1.3. A certified copy of the applicant's Individual ECNS licence.
- 15.3.4.1.4. A detailed, clear and exhaustive description of the ownership structure of the Applicant.
- 15.3.4.1.5. A brief profile of the applicant.

- 15.3.4.1.6. The reference offers described in section 12.3 if applicable.
- 15.3.4.1.7. Power of Attorney that empowers the three Authorised Representatives to sign for the Applicant or who are otherwise authorised to bind the Applicant in any respect regarding the Application and the auction.
- 15.3.4.1.8. A bank guarantee for an amount equal to ZAR10 000 000.00 (Ten Million Rands), which will act as a guarantee during the Qualification Stage.
- 15.3.4.1.9. A copy of an Applicant Declaration signed by one of the Applicant's Authorised Representatives. A copy of this provided in Appendix D.
- 15.3.4.1.10. Proof of payment of the Application Fee.

#### 15.3.5. Application form

- 15.3.5.1. The applicant must complete the Application Form as set out in Appendix B.
- 15.3.5.2. The applicant's name and an address in South Africa, telephone number and e-mail address where the Applicant may be contacted on weekdays between 09.00 and 17.00 hours (Central African Time). This will serve as the applicant's official address for this procedure and intended for the delivery of documents, communications and notifications.
- 15.3.5.3. An exhaustive list of the names, positions, and addresses of the Applicant's members of the board of management and board of directors or, in the absence of such, similar bodies.
- 15.3.5.4. Details of the names, positions and signatures of the three (3) Authorised Representatives who are empowered to sign for the applicant or who are otherwise authorised to bind the applicant in any respect regarding the application and the auction.
- 15.3.5.5. Details of the names, positions and signatures of up to five (5) Auction Representatives that may be present at the auction

location during the Auction Stage. Note that these are in addition to the Authorised Representatives, who will also be permitted entry to the auction location during the Auction Stage.

15.3.6. Opening and initial review of Applications

15.3.6.1. After expiry of the deadline of receiving applications, the Authority will proceed to open all the applications received.

15.3.6.2. The Authority will also undertake an initial review of the applications in order to determine whether the applications are submitted in accordance with the specified rules and contain the correct information and documentation.

15.3.6.3. The applications will be disqualified with the criteria as set out on the table below:

<b>An applicant shall be disqualified from the application process where such applicant:</b>
(a) has submitted an application and is an affiliate of another applicant, or has an ownership or financial interest in another applicant within the same application process;
(b) has been granted a radio frequency spectrum licence by the Authority within the designated range unless the licensee has less than the maximum bandwidth made available in line with these regulations in which case they will only be allowed to apply for additional spectrum which results in total assignment not exceeding the maximum bandwidth made available;
(c) has submitted more than 1 (one) application to the Authority for the grant of a radio spectrum licence within the designated range;
(d) has less than 30% (thirty percent) equity ownership by Historically-Disadvantaged Persons (HDP) or is below a level 4 <sup>1</sup> contributor (BBBEE status) in terms of the Codes of Good Practice published in terms of section 9(1) of the BBBEE Act;
(e) has submitted an application which contains false or misleading information;
(f) is colluding or has attempted to collude with another applicant with the intention to distort or manipulate information;
(g) has obtained or acquired confidential information relating to another applicant;
(h) has failed to notify the Authority of the changes referred to in the application forms;
(i) has failed to comply with the terms and conditions of the application as set out in the ITA; or
(j) has failed to comply with a request in terms of Radio Frequency Spectrum Regulations.
(k) has failed to comply with a request in terms of Radio Frequency Spectrum Regulations.
(l) Has failed to pay non-refundable application fee and attach the proof of payment
(m) not possession of a valid Individual Electronic Communications Network Services Licence issued by the Authority in terms of the ECA.

### 15.3.7. Publication of list of applicants

<sup>1</sup> Below level 4 means applicant BBBEE status is from level 5 to 8 as per Amended Broad-Based Black Economic Empowerment (B-BBEE) ICT Sector Code - 7 November 2016, Government Gazette No. 40407

15.3.7.1. Following the initial review of the applications, the Authority will notify all applicants of the identity of all other applicants whose applications have not been rejected and their ownership structure.

15.3.7.2. The identity of the applicants and their ownership structure will also be published on the Authority's website.

15.3.7.3. Other than the identity of applicants, their ownership structure and their requested Lot, no further information from Applications will be published.

15.3.7.4. Applicants may amend their applications in accordance with regulation 8 of the Radio Frequency Spectrum Regulations, 2015.

15.3.7.5. Applicants may withdraw their applications within three (3) days after the closing date of receipt of the applications, however the application fee will be forfeited.

#### 15.3.8. Assessment of the applications

15.3.8.1. Following the submission of the application, the Authority will conduct an assessment of the Application to determine:

15.3.8.1.1. Whether the Bidder has qualified to participate in the Auction Stage as per the criteria set out in the table below:

<b>Critical Efficiency Factors (a score of 80/100 is required to meet this requirement):</b>			
	<b>Number of Points</b>	<b>Description</b>	<b>Reference</b>
<b>a. Technical (spectral efficiency) - defined in terms of maximum volume of traffic (voice/ data) within a given spectrum resource (erlangs/MHz/km<sup>2</sup> or Mbits/MHz/km<sup>2</sup>) for voice and data respectively. Technical efficiency indicators include the following:</b>	<b>40</b>		
(i) <b>Bandwidth efficiency (expressed in bits/ Hz)</b> defined as the amount of information contained in a finite spectrum. Spectral efficiency varies across the country depending on the demand distribution. This also varies with time.	30		
(ii) <b>Re-use which dictates to what extent the spectrum can be simultaneously used at multiple locations</b> (re-use factor of 1 is the highest): For 3G and LTE technologies re-used factor is 1 (by default).	5		
(iii) <b>Time</b> - since applications do not typically use information on a continuous basis and can share resources by time multiplexing. This is an intrinsic feature of current mobile technologies.	5		
<b>c. Functional efficiency defined in terms of the extent to which the use of spectrum meets the user's needs. Meeting the coverage and speed obligations.</b>	<b>30</b>	Having demonstrated how the coverage and speed obligations are to be met	
<b>d. Economic efficiency defines the monetary gain in terms of revenue, profit and value which the licensee derives from that portion of spectrum.</b>	<b>30</b>	Measured with positive Net Present Value	

15.3.8.2. As part of this process, the Authority may ask for clarifications on any aspect of the applications.

15.3.8.3. Applicants must respond to the clarification request within seven (7) days from receipt thereof.

15.3.9. Announcement of applicants qualified as Bidders

15.3.9.1. Following the assessment of all applications, the Authority will publish a list of all applicants qualified as Bidders on its website.

15.3.10. Bank guarantee

15.3.10.1. Each applicant must submit a bank guarantee as part of its application (see template in Appendix C). The amount

guaranteed by the bank should be equal to ZAR10 000 000.00 (Ten Million Rands). It should be valid for 90 days after the application Date.

- 15.3.10.2. The Authority may require payment against the guarantee in order to cover penalties for any breach of the auction/licensing rules or compensation that accrue during the Auction Stage.
- 15.3.10.3. The Authority may require increases in the bank guarantee during the Auction Stage. The amount and the deadline for submission of the additional guarantees will be communicated to each Bidder. The bidding process will then be suspended until the deadline.
- 15.3.10.4. Applicants that cannot provide the required bank guarantee will be disqualified from the Auction Process.
- 15.3.10.5. The bank guarantee must not accrue interest.
- 15.3.10.6. The guarantee shall be released by the Authority in the following cases:
  - 15.3.10.6.1. At the end of the Auction Stage, if a Bidder is unsuccessful in winning a Licence
  - 15.3.10.6.2. Once a winning Bidder has fulfilled the payment terms.



## **16. Managing COVID-19 Pandemic Risks to this Licensing Process**

- 16.1. Acknowledging the COVID-19 pandemic related risks, to this licensing process, the Authority will make available the IMT spectrum in an interim basis, before the commencement of the Auction stage of this licensing process, subject to the spectrum floors, and spectrum caps as described in this ITA.
- 16.2. The Authority may, inter alia, utilise the pre-qualification process to extend and/or assign temporary assigned spectrum to the applicants in accordance with the terms and conditions as determined by the Authority in terms of the ICT COVID-19 National State Disaster Regulations.
- 16.3. The Authority does not guarantee the qualified bidders the spectrum issued on the interim basis since the guarantee of the assignment can only be solidified after the conclusion of the Auction Stage and Licensing Stage.
- 16.4. The interim spectrum issuance is to ensure that the spectrum is used in an efficient and effective manner. Furthermore, the interim issuance of the spectrum holds fair, transparent and administrative principles. The issuance of the interim spectrum will incorporate the competition assessment conducted by the Authority whilst taking a safe regard to the COVID-19 pandemic.
- 16.5. The Auction Stage shall proceed after consultation with qualified bidders, at the conclusion of the qualification stage irrespective of the COVID-19 pandemic.

## **17. Auction stage**

### **17.1. Overview**

- 17.1.1. The format selected for the Auction Stage is a Simultaneous Multiple Round Ascending (SMRA) auction.
- 17.1.2. The auction may consist of one or more Rounds, including Opt-in rounds discussed in section 17.2. It will continue until there is a Round in which no new Bids are placed, and no Waivers are used.
- 17.1.3. In each Round, Bidders will have the opportunity to place Bids on any of the available Lots, providing those Bids do not break the Activity Rules and Spectrum Caps.

### **17.2. Opt-in round**

- 17.2.1. The Authority will give each eligible Bidder at least fifteen minutes' prior notice before the start of the Opt-in Round, by making an announcement. The duration of the Opt-in Round will be decided by the Authority in its sole discretion although the Authority does not anticipate it will be less than fifteen minutes or longer than sixty minutes in duration.
- 17.2.2. The Authority will only schedule the Opt-in Round to take place between 10am and 5pm on a Business Day. The Authority will give further guidance on the scheduling of the Opt-in Round during the Award Process, probably after the Last Day for Withdrawal.
- 17.2.3. After the Opt-in Round, the Authority may publish on its website the number of Bidders that submitted valid Opt-in Bids.

### **17.3. Bid Rounds**

- 17.3.1. Before each Round begins, the Authority will communicate to all Bidders the Standing High Bid and Standing High Bidders amount on each Lot, as well as the price options available for each Lot that can be Bid on in the current Round.

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- 17.3.2. Each Bidder (other than Bidders which have already withdrawn from the auction) is invited to submit one Bid Entry Form (Appendix E) stating on which Lots it wishes to place a Bid in that round and offering exactly one price for each Lot.
- 17.3.3. If a Bidder wishes to submit a Bid, it is free to choose which Lots to Bid for, subject to Eligibility, the Spectrum Caps, and the Lot Categories on which they have qualified to bid. However, a Bidder is not permitted to bid on Lots on which it is currently the Standing High Bidder.
- 17.3.4. Instead of submitting a Bid, a Bidder may:
- 17.3.4.1. Use a Waiver (see 17.6 for further details)
  - 17.3.4.2. Submit a 'No Bid' Bid (see 17.5.10 for further details), or
  - 17.3.4.3. Actively withdraw from the auction (see 17.7 for further details).
- 17.3.5. Each Round will end after the allotted round time has expired, regardless of whether all Bidders have submitted Bids.
- 17.3.6. Once the Round is finished, the new Standing High Bidders and Standing High Bid amounts will be determined, based on the highest Bid placed on each Lot.
- 17.3.7. If one or more Lots have received Bids from multiple Bidders of value equal to the maximum bid value of the Round, the Standing High Bidder will be selected by means of a tie-break.
- 17.3.8. Each Bidder that placed a Bid equal to the maximum Bid for the Lot will have an equal chance of being selected as the Standing High Bidder.
- 17.3.9. The status of Standing High Bidder on a particular Lot is maintained until another Bidder places a Bid for that Lot in a subsequent Round at a higher price.

#### 17.4. Bid options

- 17.4.1. The Authority reserves the right to specify bid amount options which may be placed on each Lot in the event that the Authority is concerned about anti-competitive conduct such as jump-bidding or collusive signalling through bid pricing. In the event that bid amount options are specified:
- 17.4.1.1. The bid amount options for each Lot will be decided by the Authority.
  - 17.4.1.2. The percentage increments (i.e. the difference between the Standing High Bid amount and the bid amount options) for all Rounds will be communicated to all Bidders at the end of the day.
  - 17.4.1.3. Bid Increments will be in the range of 1%-20% of the Standing High Bid on each Lot. Bid Increments will not necessarily be the same for all Lots (in percentage or absolute terms).
- 17.4.2. Bid amount options will be rounded up to the nearest ZAR100 000 (One Hundred Thousand Rands).

#### 17.5. Eligibility and Activity

- 17.5.1. Eligibility and Activity rules are in place to prevent bidders from withholding demand at early stages of the auction.
- 17.5.2. A Bidder's Eligibility describes the maximum number of Lots on which it may place Bids in the current Round.
- 17.5.3. A Bidder's Activity describes the number of Lots on which it is either Standing High Bidder or places a new Bid on in the current Round.
- 17.5.4. In each Round, a Bidder will receive a certain Eligibility, based on its Initial Bid and Activity in the previous Round.
- 17.5.5. In the first Round, a Bidder's Eligibility is equal to its Activity in its Initial Bid.
- 17.5.6. Each Lot has an associated number of Activity Points, based on the likely ability for bidders to substitute between the lots, as follows:

<b>Lot number(s)</b>	<b>Activity Points</b>
1-4	4
5-8	4
9	4
10-24	1
25	1
26-33	1
34	1

- 17.5.7. A ratio of 4:1 per MHz is used for the eligibility points in respect of sub-1 GHz spectrum relative to spectrum at IMT 2600 MHz / IMT 3500 MHz. These ratios approximately reflect the relative values of the Lots and are comparable to the ratios used in the reserve prices for these Lots. The ratios reflect the degree to which these bands may be substitutes for one another and also accommodates switching for budget reasons.
- 17.5.8. The sum of the Activity Points of each Lot on which a Bidder places a Bid in a Round, combined with the Activity Points of Lots on which the Bidder is Standing High Bidder, defines the total Activity of the Bidder within the Round.
- 17.5.9. Eligibility in the following Round is set equal to the Bidder's Activity in the current Round. Thus, it is not possible for a Bidder's Eligibility to increase.
- 17.5.10. If a Bidder is Standing High Bidder on Lots which have a combined Activity Points level equal to the Bidder's Eligibility for the Round, it must submit a "no Bid" Bid, to identify that it does not wish to use a Waiver.
- 17.5.11. If a Bidder submits a "no Bid" in Round when it is Standing High Bidder on Lots which have a combined Activity Points of less than the Bidder's Eligibility, then its Eligibility will reduce for the next Round (as per the usual Eligibility rule described in paragraph 17.5.9).

### 17.6. **Waivers**

- 17.6.1. The use of a Waiver enables a Bidder to maintain its Eligibility in the next Round, without submitting a new bid in the current Round.
- 17.6.2. Each Bidder is allowed a maximum of six (6) Waivers during the auction.
- 17.6.3. In any Round, a Bidder may choose to submit a Waiver in place of any new Bids on Lots, provided it has at least one Waiver remaining, and has not withdrawn from the auction.
- 17.6.4. If a Bidder is Standing High Bidder on any Lots when it uses a Waiver, it will remain Standing High Bidder unless another Bidder places a Bid of greater value on those Lots.
- 17.6.5. When a Waiver is used, the Bidder retains the same level of Eligibility for the next Round as it had in the current Round.
- 17.6.6. If a Bidder does not submit a valid Bid before the end of the Round, then a Waiver is automatically used for that Round, provided the Bidder has a Waiver remaining.

### 17.7. **Withdrawal from the auction**

- 17.7.1. In any Round, Bidders have the opportunity to withdraw from the auction.
- 17.7.2. If a Bidder chooses to submit a Withdrawal, it will no longer be eligible to submit Bids in the auction. It is not possible for a Bidder to submit Bids and a Withdrawal in the same Round.
- 17.7.3. If a Bidder withdraws whilst it is Standing High Bidder on any Lot, it will remain Standing High Bidder until another Bidder places a higher Bid on that Lot. As a result, it is possible for a Bidder that has withdrawn to win Lots which it had bid on before the Withdrawal, provided no other Bidders place further Bids on those Lots.

- 17.7.4. If a Bidder fails to submit a valid Bid before the end of the Round, and has no remaining Waivers, it will automatically be withdrawn from the auction.
- 17.7.5. It is not possible for a Bidder to withdraw Bids that it has previously placed in the auction. This includes any Standing High Bids the Bidder has at the point of Withdrawal.

## 17.8. **Submission of Bids**

- 17.8.1. For a submitted Bid to be valid, it must satisfy a number of criteria:
- 17.8.1.1. The Activity points associated with the Bid must not exceed the Bidder's current Eligibility.
  - 17.8.1.2. The Bid must not exceed the Spectrum Caps set out in section 7.3.
  - 17.8.1.3. The Bid must have selected at most one (1) price option for each Lot in the event that price options are specified by the Authority.
  - 17.8.1.4. The Bidder must have qualified to Bid in the Qualification Stage on all Lot Categories for which it is submitting a Bid.
  - 17.8.1.5. The Bid must be submitted within the Round time limit.
  - 17.8.1.6. A Bid is considered submitted once it has been placed in the designated Bid Box.
  - 17.8.1.7. The Bid must be the only Bid submitted by the Bidder in the current Round.
  - 17.8.1.8. If a Bidder submits multiple bid forms in a Round, all Bid forms from the Bidder will be deemed invalid.
  - 17.8.1.9. The Bid must be signed by one of the Authorised Representatives of the Bidder.
  - 17.8.1.10. The 'Total Value of New Bids' field must be filled in correctly.
  - 17.8.1.11. This should include the combined value of all new Bids in the Round.

- 17.8.1.12. This should not include Standing High Bid values from the previous Round.
- 17.8.1.13. If the total value does not match the combined value of all new Bids submitted by the Bidder in the Round, the Bid will be deemed invalid.
- 17.8.1.14. If a Bidder is submitting a "No Bid" Bid, it must not also submit Bids for any Lots.
- 17.8.1.15. If the Bidder is submitting a Waiver, it must not also submit Bids for any Lots.
- 17.8.1.16. If the Bidder is submitting a Waiver, it must not also submit a "No Bid" Bid.
- 17.8.1.17. If the Bidder is withdrawing from the auction, it must not also submit Bids for any Lots.
- 17.8.1.18. If the Bidder is withdrawing from the auction, it must not also submit a "No Bid" Bid.
- 17.8.1.19. If the Bidder is withdrawing from the auction, it must not also submit a Waiver.
- 17.8.1.20. If the above criteria are not met, the Bidder will automatically use a Waiver or, if no Waivers remain, be withdrawn from the auction.
- 17.8.1.21. Once a Bid has been submitted, it may not be removed.

#### **17.9. Information provided to Bidders**

- 17.9.1. After the end of each Round, Bidders will be provided with the following information for each Lot:
  - 17.9.1.1. The Bids submitted by each Bidder
  - 17.9.1.2. The Standing High Bid amount
  - 17.9.1.3. The identity of the Standing High Bidder
  - 17.9.1.4. The bid amount options allowed in the following Round.



17.9.2. Bidders will also be provided the following additional information:

17.9.2.1. The identity of any Bidders that used a Waiver or withdrew in the previous Round.

17.9.2.2. The number of Waivers each Bidder has remaining.

17.9.2.3. The Eligibility of each Bidder in the following Round.

17.9.2.4. The start time of the following Round.

17.9.2.5. The duration of the following Round.

#### **17.10. Closure of the auction**

17.10.1. The auction will close once a bid Round has been completed in which no new Bids were placed (excluding "No Bid" Bids) and no Waivers were used.

17.10.2. Once the auction has closed, the Standing High Bidders on each Lot will be designated the winners of those Lots.

17.10.3. Following this, each Bidder's auction fee is calculated as the sum of the Standing High Bids on the Lots which the Bidder has won.

#### **17.11. Auction location**

17.11.1. The auction will take place in Gauteng, with all Bidders co-located in the same building. The exact location of the auction will be communicated nearer to the auction date.

17.11.2. Each Bidder will be provided its own private room in which it may make its bid decisions.

17.11.3. The bid rooms will contain the following equipment:

17.11.3.1. Internet access

17.11.3.2. Telephone line

17.11.4. The Authority takes no responsibility for the operation of the equipment, including the internet connection, so each Bidder may

wish to organise its own ICASA approved back-up systems if required e.g. via wireless connections

- 17.11.5. Bidders are also free to bring additional ICASA approved equipment as required, such as computers, laptops, mobile phones and printers.
- 17.11.6. Bids will be submitted in a public room, by means of placing a completed bid entry form in the designated 'Bid Box'.
- 17.11.7. During the auction, the auction location will be electronically surveyed by means of audio-video equipment.
- 17.11.8. The surveillance will not include the interior of the bid rooms and is limited to the 'Public Areas' (including the access ways to the bid rooms) and to the rooms used by the Authority.
- 17.11.9. The records will be used in view of monitoring the observance of the auction rules and will be archived by the Authority after the procedure is completed.
- 17.11.10. 'Public Areas' will be accessible to The Authority, its Advisors, an independent auditor, and all Bidder Representatives. The general public will not have access to any part of the auction location.

#### **17.12. Bidder representatives**

- 17.12.1. During the auction, at least one Authorised Representative per Bidder must be present at the auction location for the duration of each bidding day.
- 17.12.2. Each Bidder will be allowed up to a maximum of five (5) persons at the auction location each day, including the Authorised Representative(s).

#### **17.13. Auction timing**

- 17.13.1. The Authority has complete discretion over the scheduling of Rounds.

- 17.13.2. There is no minimum or maximum number of Rounds that may be scheduled each day.
- 17.13.3. The minimum duration of each Round is one (1) hour.
- 17.13.4. There is no maximum duration for each Round, although the Authority does not expect any Round to last longer than two (2) hours.
- 17.13.5. To assist Bidders in their planning for the auction, the following parameters provide a guide to the Authority's current intentions regarding the scheduling of Rounds.
- 17.13.6. Rounds will be scheduled between 09.00 and 17.00 (Central African time) on business days only.
- 17.13.7. The last Round of the day will start prior to 17.00 (Central African time) but may end after that time.
- 17.13.8. The Authority anticipates running between 3 and 6 Rounds on each day.
- 17.13.9. There will be a minimum time gap of 20 minutes between Rounds.
- 17.13.10. At the end of each bidding day, The Authority will announce an indicative schedule for the following bidding day's Rounds.
- 17.13.11. The start of any particular Round may be delayed, but no Round will be scheduled earlier than in the previously published schedule.
- 17.13.12. At the end of each bidding day, the Authority will also announce the percentage Bid Increments to be used to calculate the bid amount options for each Lot throughout the following bidding day, if applicable.

#### 17.14. **Sustenance**

- 17.14.1. Bidder representatives will be provided room service refreshments on each bidding day, in their respective bid rooms.
- 17.14.2. Drinking water will be available as required throughout each bidding day.

**17.15. Bid round process**

- 17.15.1. The Authority will issue each Bidder with one (1) bid entry form and an official envelope for the following Round, which Bidders must use to submit their Bid for that Round.
- 17.15.2. A Bid Entry Form may be seen in Appendix E.
- 17.15.3. If a Bidder incorrectly fills in their bid entry form, the Authority will issue a replacement, on the following conditions:
  - 17.15.3.1. There is at least fifteen (15) minutes remaining in the current Round.
  - 17.15.3.2. The Bidder has not submitted the incorrect form.
- 17.15.4. Once the Round commences, Bidders will have the Round duration to make their bid decision and submit their bid forms.
- 17.15.5. If necessary, Bidders may communicate electronically with persons outside of the bid room to assist in the decision making.
- 17.15.6. Once a bid decision has been made, the bid entry form must be completed.
- 17.15.7. The Bidder should place a cross (X) in the box which relates to its selected price for each Lot it wishes to bid on, if applicable, or enter the bid amount, if applicable.
- 17.15.8. The Bidder should take care to ensure that it does not exceed its current eligibility level.
- 17.15.9. The Bidder should then enter the total value of all new Bids it has placed in the Round into the Total Value of New Bids field.
- 17.15.10. This should be equal to the sum of all Bids marked with a cross on the bid entry form.
- 17.15.11. This should not include the value of Bids placed in previous Rounds, even if they are Standing High Bids.
- 17.15.12. If the Bidder wishes to submit a Waiver, place a 'No Bid' Bid (as a result of being Standing High Bidder on all Lots it wishes to purchase), or withdraw from the auction, it should mark the relevant box with a cross (X)

17.15.13. The Bidder should not mark any other boxes on the Bid Form in this case.

17.15.14. The Total Value of New Bids field should also be left blank in this case.

17.15.15. Following this, the bid entry form should be signed by one of the Bidder's Authorised Representatives.

17.15.16. The bid entry form must then be placed into the official envelope and the Authorised Representative must sign across the envelope join. This must be undertaken in the bid room

17.15.17. The bid entry form may then be placed into the Bid Box in the public area.

17.15.18. A Bid is considered as submitted once it has been placed into the Bid Box.

17.15.19. Once a Bid has been submitted it cannot be withdrawn or removed from the Bid Box.

17.15.20. On submission of the Bid, the Bidder will receive a receipt to acknowledge submission of the Bid.

### **17.16. Opening of Bids**

17.16.1. Once the Round has ended, the opening of the Bids will occur in the public area.

17.16.2. Each Bidder's bid entry form will be presented in front of all representatives in the room.

17.16.3. After all Bids have been announced, the Bids will be assessed to determine which Bidder becomes the Standing High Bidder on each Lot, and the associated Standing High Bid.

17.16.4. In case of a tie-break situation, the tie-break will be undertaken in the public area.

17.16.5. If the auction is not complete, the timing of the next Round will then be announced, along with all other information.

**17.17. Exceptional circumstances**

- 17.17.1. In case exceptional circumstances occur during the auction, the Authority may take one of the following decisions:
- 17.17.2. Postpone the end of a Round in progress or the release of results of a Round.
- 17.17.3. Pause the auction.
- 17.17.4. Cancel a Round that is either underway or that has finished but for which Round results have not yet been released and reschedule that Round.
- 17.17.5. Void one or more Rounds (in which case any Bids, Waivers, or Withdrawals from those Rounds are void as well) and resume the auction from an earlier Round.
- 17.17.6. Void all Bids received in the auction, and either suspend the auction or restart the auction.
- 17.17.7. Take any other steps or measures in running the auction that are appropriate and proportionate to the exceptional circumstances that have arisen and that further the objectives of the award process.
- 17.17.8. The occurrence of an exceptional circumstance is to be assessed by the Authority.
- 17.17.9. Such circumstances may include, for example:
- 17.17.10. The occurrence of natural catastrophes, demonstrations, strikes, violent conflicts or incidents of any kind
- 17.17.11. Technical faults or any other exceptional events that may disturb or hinder the activities carried out by the Authority
- 17.17.12. The occurrence of indications or acknowledgements of breaches of the rules regarding the participation in the selection procedure by one or several Bidders.
- 17.17.13. Any other exceptional circumstances that may in any way endanger the carrying out of the auction.

17.17.14. The Bidders are obliged to immediately inform the Authority about the occurrence or imminence of an exceptional situation.

17.17.15. A representative of the Bidder announcing this situation must proceed directly to the room reserved for the Authority.

#### **17.18. Assignment round and unsold lots round**

17.18.1. Any unsold lots will be auctioned during an unsold lots round if necessary.

17.18.2. After the above auction rounds have been completed, the Authority will arrange the channels in the licences so as to ensure that they are contiguous and following a consultation process. The Authority reserves the right to hold an additional auction for specific channels in the event that this becomes necessary.

17.18.3. The rules for the assignment round and the unsold lots round will be the same as for the bid rounds described above in section 17.3-17.17, save for the fact that the eligibility and activity rules (section 17.5) and corresponding waivers (section 17.6) will not apply.

#### **17.19. Independent auditor**

17.19.1. An independent auditor will be appointed by the Authority to oversee the auction process.

17.19.2. The auditor will be permitted access to all public areas, but not to the private bid rooms of each Bidder.

#### **17.20. Media coverage**

17.20.1. At the end of each bidding day, the Authority will publish the current Standing High Bidders and Standing High Bids.

17.20.2. Announcement of award process results: -

- 17.20.3. Upon conclusion of the Auction Stage (or the Qualification Stage if the Auction Stage is not required), the Authority will make a public announcement comprising:
- 17.20.4. The Bidders that participated in the auction;
- 17.20.5. The identity of the winning Bidders;
- 17.20.6. The frequencies assigned to the winning Bidders; and
- 17.20.7. The Auction Fee to be paid by each winning Bidder.

## **18. Licensing stage**

Following the completion of the Auction Stage, payment of the Auction Fee will be requested from the winners of the Lots.

### **18.1. Payment of the Auction Fee**

- 18.1.1. The Auction Fee payable by each winning Bidder will be the Standing High Bids on the Lots which the Bidders has won.
- 18.1.2. Any penalties for any breach of the auction/licensing rules incurred during the award process must be paid in full at the same time as the payment of the Auction Fee.
- 18.1.3. It is the responsibility of the participants to arrange their own finance in order to pay the Auction Fee.
- 18.1.4. The payment of the Auction Fee must be paid into the Authority's bank account within thirty (30) working days after the public announcement of the award process results by the Authority.
- 18.1.5. Instructions for the payment of the Auction Fee will be sent in two days of the announcement to the winning Bidders.
- 18.1.6. Non-payment, late or incomplete payment of the Auction Fee may lead to the non-issuing of the Licence. The Lot may then be auctioned at a later stage or the Authority may determine an alternative licensing process in terms of the Radio Frequency Spectrum Regulations, 2015 (as amended).



## 18.2. Issue of Licences

18.2.1. Once the payment of the Auction Fee has been received by the Authority, the Licences will be issued to the winning Bidders.

## 18.3. Timeframe for the award process

18.3.1. The table below provides an indicative timeframe for the award process. Note that given the nature of the SMRA, it is not possible to pre-determine the timetable for the Auction Stage.

18.3.2. The Authority reserves the right to alter any part of the auction timetable, including the Application Date, at any time. Except in extraordinary circumstances, the Authority will make any changes to the schedule for a specific event at least 24 hours in advance of the previously scheduled time.

Day	Task Name	Start	Finish	Comments
X	Publication in Government Gazette of the Invitation To Apply (ITA) for IMT			
X + 14	Deadline for enquiries regarding ITA by Public			
X + 28	Deadline to respond to enquiries by the public			
X + 56	Application Date			
X + 73	Publication of list of Applicants			
X + 84	Submission of queries / clarifications to the Authority			
X + 98	Announcement of Applicants qualified as Bidders			
X + 112	Bidder seminar and mock auction			
X + 119	Start of auction			

Y	End of auction			Duration has been estimated since the process may be shorter or longer and the Authority reserves the right to adjust as appropriate
Y + 1	Announcement of auction result			
Y + 31	Deadline for payment of auction fee			
Z	Issuing of the Licenses			

## 19. General rules

### 19.1. Prohibited Practice and other disruption to the auction

- 19.1.1. Until the conclusion of the award process (i.e. once Licences have been issued). Applicants must not:
  - 19.1.1.1. Disclose any Confidential Information to other Applicants,
  - 19.1.1.2. Enter into agreements with other Applicants in relation to the award process, or
  - 19.1.1.3. Undertake any action that may adversely affect the award process.
  - 19.1.1.4. Disclosure of information of any nature, which, directly or indirectly, concerns a Bid submitted by an applicant or a Bid that an applicant considers submitting, if such information could affect the price that an applicant would offer. Confidential Information must include any non-published information about an applicant's strategy, including the Bid that an applicant is willing to submit, which may affect the applicant's price or submission of a Bid, and which may influence the applicant's fulfilment of its Bid, as well as information about financing the Bid sum.
  - 19.1.1.5. Any cross-directorships or cross-shareholdings between Applicants is not permitted, and applicants are not permitted to agree on any price or on any allocation of markets or spectrum between each other.

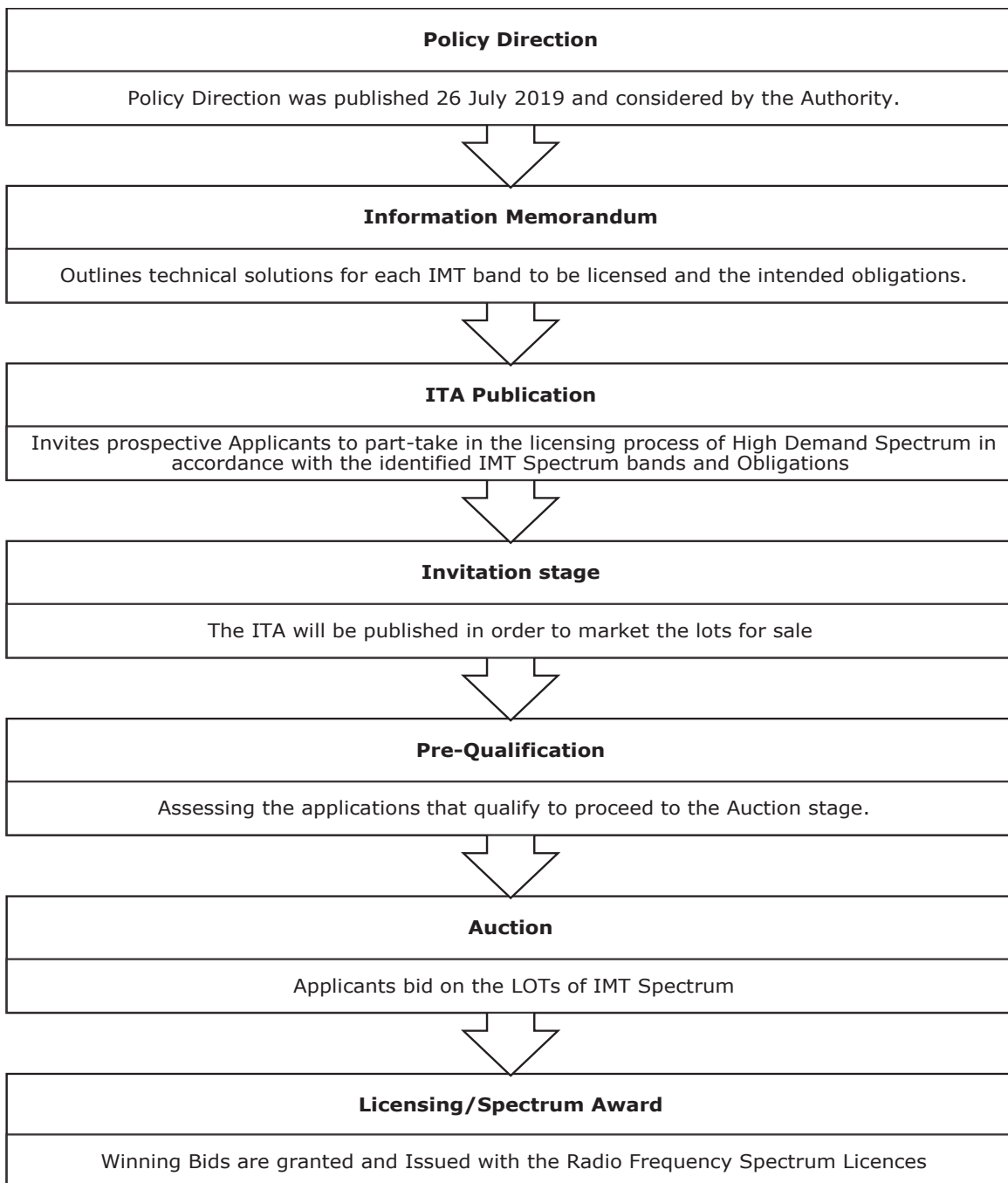
## **20. Consortiums / groups**

- 20.1. Consortiums / groups of companies without an I-ECNS licence will be not permitted to bid in this auction in order to prevent the possibility of collusion.

## **21. Sanctions**

- 21.1. In the event that an Applicant breaches the auction rules, the Applicant can either be fined at the discretion of the Authority but permitted to continue in the award process, or be fined and excluded from the award process, depending on the severity of the breach. If an applicant is excluded from the award process, the Authority reserves the right to annul the entire award process.

## 22. Appendix A: Process to licence the IMT spectrum



## 23. Appendix B: Application form

When filling in the application form, ensure all pages are signed by all Authorised Representatives.

## Extended Application Procedures In terms of Regulation 6(1)

(1) The application form is obtainable at any office and website ([www.icasa.org.za](http://www.icasa.org.za)) of the Authority. The form must be completed in full and submitted at any office of the Authority.

(2) These Extended Application Procedures are applicable to the assignment, ceding, transfer of control and transfer of all licenses, unless otherwise agreed by the Authority.

(3) The Authority shall issue an invoice with a reference number for the prescribed application fee.

(4) The applicant must submit proof of payment to accompany the application.

(5) If the information to be supplied is not applicable, then the term 'not applicable' shall be written with a short explanation.

### APPLICATION FORM FOR 700MHz, 800MHz, 2.6GHz AND 3.5GHz SPECTRUM AWARD PROCESS

#### (I) APPLICANT DETAILS

No.	Information Required
1	<p>Name, address, identification number telephone number and Email address of applicant:</p> <ul style="list-style-type: none"> <li>• If the applicant is a South African citizen a copy of the identity document shall be submitted to the Authority; and</li> <li>• If the applicant is a foreigner a copy of the passport as well as proof of status shall be submitted to the Authority.</li> </ul> <p>In the case of companies:</p> <p>(a) A copy of the Company's registration certificate; and</p>
2	Annual report of the applicant and its main shareholders from the previous three years (where available)
3	Full particulars of the experience and expertise of the applicant, its partners, shareholders, suppliers and contractors in the business
4	<p>Extent of beneficial ownership of the applicant by historically-disadvantaged persons: Extent of beneficial ownership by women;</p> <p>Extent of beneficial ownership by the youth; and Extent of beneficial ownership by the disabled.</p>

#### (II) DESCRIPTION OF SERVICE

No.	Information Required
1	Description of service to be provided.
2	Proposed annual coverage, rollout indicating the exact areas and location covered.

## (III) CONSTRUCTION OF THE NETWORK (RADIO COMPONENT)

No.	Information Required
1	Availability and experience of planning and project management capabilities required for construction of the network.
2	Mechanisms used for the planning of any radio component of the network.
3	Plans to acquire resources such as access to sites, other property, technology, personnel and capital.

## (IV) BUSINESS PLAN

*Should a Radio Frequency Spectrum Licence be issued, the information contained in the business plan may be incorporated as licence conditions.*

No.	Information Required
1	Fundamental assumptions for the business plan with financial forecasts for a minimum period of three years.
2	A market analysis of the services contemplated to be offered through the radio frequency spectrum license applied for, including forecast demand.
3	Description of products and services to be offered through the radio frequency spectrum license applied for.
4	Description of pricing strategy for products and services to be offered through the radio frequency spectrum license applied for.

## (IV) TECHNICAL INFORMATION (RADIO SYSTEM DESIGN)

No.	Information Required
1	Full information of the technology to be implemented. This should be 3GPP technologies including LTE.
2	Approach to network development and expansion. This should be based on capacity demand and coverage requirements.
3	Description of all the relevant or important interfaces in the network. This depends on the technology. The interfaces are based on the 3GPP technology architecture.
4	Requirements for interconnection to other telecommunication networks or services and transmission medium and links required.

5	Upgrade of the network to accommodate new standards and technology developments.	
6	Compliance with recognised international standards and specifications.	
7	Details of radio planning including methods to reserve frequency.	
7.1	Site names	Name of place where equipment is located
7.2	Site code	Code assigned to place
7.3	Site coordinates	Geographic coordinates to locate places on maps in degrees, minutes and seconds (ddmmss)
7.4	Frequency (Hz)	Airwaves through which the radio waves are transmitted
7.5	Bandwidth (MHz)	Amount of frequency occupied by the transmitted signal (RF bandwidth)
7.6	Modulation scheme	Method of transmitting radio signals
7.7	Bit rate (bits/s)	Speed of transmitting radio signals
7.8	Antenna site	Where antenna is situated
7.9	Antenna type	Type of antenna
7.10	Antenna diameter (m)	Diameter of antenna
7.11	Antenna gain (dB)	Gain of antenna in terms of decibels (dB)
7.12	Antenna polarisation (H/V)	Horizontally or vertically polarised
7.13	Transmit power (dbmW/W)	Transmitted power at the output of antenna
7.14	Receiver sensitivity threshold (dBmW)	Lowest value of signal detected by receiver
7.15	Fixed loss (dB): transmit and receive	Percentage of lost power
7.16	Type of service	Data service, voice, paging, telemetry etc.
7.17	Area and direction of operation	Geographical area of service
8	Applicants must provide diagrams or sketches of proposed operations.	
9	Adherence to EMC specifications.	
10	Theoretical traffic volume forecasts and alternative routing and redundancy requirements.	
11	Numbering plan for the service.	
12	Quality systems deployed, and quality targets used.	
13	Details of fixed network planning.	

14	Presentation of network planning data in the form of schedules, diagrams, tables and maps for the initial phase and two subsequent phases.
15	Network management, fault detection, service and maintenance mechanisms.
16	Equipment specifications, type-approval certificates.
17	Regulatory requirements (ITU and Act).
18	Technical expertise.
19	Service-monitoring capabilities.



20	<p>Critical Efficiency Factors (a score of 80/100 is required to meet this requirement):</p> <p>a. Technical (spectral efficiency) - defined in terms of maximum volume of traffic (voice/ data) within a given spectrum resource (erlangs/MHz/km<sup>2</sup> or Mbits/MHz/km<sup>2</sup>) for voice and data respectively. Technical efficiency indicators include the following:</p> <ul style="list-style-type: none"><li>(i) <b>Bandwidth efficiency (expressed in bits/ Hz)</b> defined as the amount of information contained in a finite spectrum. Spectral efficiency varies across the country depending on the demand distribution. This also varies with time. (30 points)</li><li>(ii) <b>Re-use which dictates to what extent the spectrum can be simultaneously used at multiple locations</b> (re-use factor of 1 is the highest): For 3G and LTE technologies re-used factor is 1 (by default). (5 points)</li><li>(iii) <b>Time</b> - since applications do not typically use information on a continuous basis and can share resources by time multiplexing. This is an intrinsic feature of current mobile technologies. (5 points)</li></ul> <p><b>(Total = 40 points).</b></p> <p>b. For broadcast services technical efficiency is defined in terms of ability to address maximum potential audience (coverage) with the minimum amount of spectrum. <b>Not applicable</b></p> <p>c. Functional efficiency defined in terms of the extent to which the use of spectrum meets the user's needs. <b>Meeting the coverage and speed obligations: 30 points.</b></p> <p>d. Economic efficiency defines the monetary gain in terms of revenue, profit and value which the licensee derives from that portion of spectrum. <b>Positive NPV: 30 points.</b></p>
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**If additional space is required, please insert duplicate sheets**

Authorised Representative 1:

Signature: Printed name:

Authorised Representative 2:

Signature: Printed name:

Authorised Representative 3:

Signature: Printed name:

<b>Members of the Applicant's board of management and board of directors</b>		
Name:	Position:	Personal address:

**If additional space is required, please insert duplicate sheets**

Authorised Representative 1:  
Signature:                          Printed name:

Authorised Representative 2:  
Signature:                          Printed name:

Authorised Representative 3:  
Signature:                          Printed name:

<b>Authorised Representatives</b>		
Name:	Position:	Signature:

<b>Auction Representatives</b>		
Name:	Position:	Signature:

Authorised Representative 1:  
 Signature:                      Printed name:

Authorised Representative 2:  
 Signature:                      Printed name:

Authorised Representative 3:  
 Signature:                      Printed name:

<b>Lot Categories Applicant wishes to qualify to bid on in Auction Stage</b>							
1-4	5- 8	9	10-24	25	26 - 33	34	

**Please mark with a cross (X) all lot categories which the Applicant wishes to qualify to bid on in Auction Stage.**

Authorised Representative 1:  
 Signature:                      Printed name:

Authorised Representative 2:

Signature: Printed name:

Authorised Representative 3:

Signature: Printed name:

## 24. Appendix C - Specimen Template for Bank Guarantees

A bank guarantee should be issued by a bank authorised according to **Nedbank Corporate Investment Banking** with a place of business in South Africa in favour of the South African Government represented by the Independent Communications Authority of South Africa, 350 Witch-Hazel Ave, Eco-Park Estate, Centurion, 0144.

### **BANK GUARANTEE FOR 700MHz, 800MHz, 2.6GHz, 3.5GHz SPECTRUM AWARD PROCESS**

..... (company) is a candidate for the award of radio frequency spectrum licenses in the 700MHz, 800MHz, 2.6GHz and 3.5 GHz bands in South Africa by the Independent Communications Authority of South Africa (ICASA).

We, ..... (bank), undertake herewith irrevocably to pay the South African Government represented by ICASA on first demand, irrespective of the validity and legal effects of the above- mentioned award process, and waiving any objections and please, all amounts up to a maximum of:

**ZAR xxx**

upon receipt of ICASA's written request for payment, including a declaration according to which

- a) ..... (company) has been awarded a Licence and on the due date, ICASA has received no payment or incomplete payment for the amount demanded.

OR

- b) ..... (company) has violated in another way the rules of the award process.

All payments made under this guarantee reduce our liability by an equivalent amount.

**Our guarantee is valid until ..... (date) and is automatically cancelled in full, if you do not avail yourselves of it by this date, irrespective of whether or not this is a bank working day.**

**South African Law must apply to this bank guarantee, legal domicile being South Africa.**

**Bank**

(signatures)

## Remarks:

The above bank guarantee is a specimen only. Exactly the same wording does not necessarily have to be used.

However, the following minimum content is mandatory for the bank guarantee which is submitted:

- Denomination and content of an irrevocably guarantee in case of default payment
- Name of the bank issuing the guarantee, which must be a bank authorised according to **Nedbank Corporate Investment Banking** with a place of business in South Africa;
- Name of the Independent Communications Authority of South Africa, 350 Witch-Hazel Ave, Eco-Park Estate, Centurion, 0144 as the beneficiary;
- Name of the company participating in the auction;
- Irrevocable obligation to pay as soon as the beneficiary makes the demand, irrespective of the validity and legal effects of the auction, and waiving any objections and pleas, upon receipt of a written request for payment, including a declaration according to

which:

a) .....(company) has been awarded a License and on the due date, the beneficiary has received no payment for the amount demanded;

**or**

b) .....(company) has violated in another way the rules of the award process;

- Indication of the amount guaranteed, which must comply with the amounts stated.

- Period of validity of the guarantee. For the guarantee for the Application Stage this should be at least 90 days after the Application Date. For the guarantee for the Auction Stage this should be at least one year after the Initial Bid Date;

- South African Law designated as the applicable law;
- Legal domicile in South Africa.

## 25. Appendix D - Applicant Declaration Form

### APPLICANT DECLARATION

I.....(duly authorised person)

Have prepared and/ or compiled, or directly supervised those who have prepared all or parts of this application and/or information constituting this application.

To the best of my knowledge, the application information contained herein, and any attachment thereto, is accurate and not misleading.

I understand that should any information included herein be found to be false or misleading the entire application will be disqualified and the applicant precluded from further consideration within the application process.

I understand that should there be any changes to the information included herein, the Independent Communications Authority of South Africa (ICASA) should be notified immediately.

Name and title of the person authorised to sign this undertaking:

Authorised Signature:

Date: / / 2020

I certify that this declaration was signed and sworn to before me at .....  
on the ..... day of ..... 2020, by the deponent who  
acknowledged that he/she:

knows and understands the contents hereof;

has no objection to taking the prescribed oath or affirmation; and considers  
this oath or affirmation to be truthful and binding on his/her conscience.

\_\_\_\_\_  
COMMISSIONER OF OATHS

Name:

Address:

Capacity:

## 26. Appendix E - Bid Entry Form

The following page provides a draft version of the Bid Entry Form. The Authority reserves the right to modify this form if appropriate.

Bidders should note that the bid prices displayed are purely illustrative - Bidders should not consider these as any indicative of the final Reserve Prices.

### Auction of 700MHz, 800MHz, 2.6GHz and 3.5GHz frequency bands Bid Entry Form

Bidder identity: Bidder 1	Round: 2	Waivers remaining: 6	Current eligibility: 5
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Lot	Activity points	Standing High Bidder	Standing High Bid (ZAR)	Bid amount (ZAR)
1	4			
2	4	Bidder 2	110,000,000	
3	4	Bidder 2	110,000,000	
4	4	Bidder 4	120,000,000	
5	4	Bidder 1	90,000,000	
6	4	Bidder 3	80,000,000	
7	4			
8	4			
9	4			
10	1	Bidder 2	10,000,000	
11	1			
12	1			
13	1	-	-	
14	1	Bidder 4	10,000,000	
15	1	Bidder 1	9,000,000	
16	1	Bidder 3	11,000,000	
17	1	-	-	
18	1	-	-	
19	1	-	-	
20	1	-	-	
21	1	-	-	
22	1	-	-	
23	1	-	-	
24	1	-	-	
25	1	-	-	
26	1	-	-	
27	1	-	-	



Lot	Activity points	Standing High Bidder	Standing High Bid (ZAR)	Bid amount (ZAR)
28	1			
29	1			
30	1			
31	1			
32	1	-	-	
33	1	-	-	
34	1	-	-	

Waiver:	No bid:	Opt-in bid:	Withdraw from auction:	Total value of new bids:
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Authorised signature:

Print name:

**27. Appendix F - The Classification of the Batches**

LOCAL MUNICIPALITY	Internet %	Computer %	Telephone %	Cellphone %	Average of 3 Classification	Batch Classification
EC137: Engcobo Local Municipality	0	0,5	0,7	49,7	Poor	BATCH 3
EC152: Ntabankulu Local Municipality	0	0,7	0,5	50,3	Poor	BATCH 3
KZN211: Vulamehlo Local Municipality	0	1,2	2,8	49,1	Poor	BATCH 3
EC121: Mbhashe Local Municipality	0,4	0,7	1	53,3	Poor	BATCH 3
KZN285: Mthonjaneni Local Municipality	1,3	3,1	2,5	48,9	Poor	BATCH 3
EC126: Ngqushwa Local Municipality	0	1	3,4	51,6	Poor	BATCH 3
KZN293: Ndwedwe Local Municipality	0,8	1,8	5,7	47,9	Poor	BATCH 3
EC154: Port St Johns Local Municipality	0,2	0,6	0,5	55,6	Poor	BATCH 3
EC153: Qaukeni Local Municipality	0,4	0,9	1,4	54,8	Poor	BATCH 3
NW381: Ratlou Local Municipality	0	1,4	0,5	56,2	Poor	BATCH 3
EC441: Matatiele Local Municipality	0,5	1,7	1,9	54,8	Poor	BATCH 3
WCDMA02: Cape VVinelands	5	6,1	11,3	36,7	Poor	BATCH 3
EC156: Mhlontlo Local Municipality	0,3	0,6	0,9	57,4	Poor	BATCH 3
LIM351: Blouberg Local Municipality	0,3	2,5	0,7	55,9	Poor	BATCH 3
! KZN286: Nkandla Local Municipality	0,2	0,7	0,8	58,2	Poor	BATCH 3
NC451: Moshaweng Local Municipality	0	0,3	1,2	58,6	Poor	BATCH 3
1 EC151: Mbizana Local Municipality	0,2	1	0,6	59,5	Poor	BATCH 3
EC141: Elundini Local Municipality	0,4	2,5	2,2	56,6	Poor	BATCH 3
EC135: Intsika Yethu Local Municipality	0,1	0,9	0,9	60,2	Poor	BATCH 3
KZN213: Umzumbe Local Municipality	0,9	1,6	3,4	56,6	Poor	BATCH 3
KZN244: Msinga Local Municipality	0	1,1	1	60,9	Poor	BATCH 3

KZN434: Ubuhlebezwe Local Municipality	2,5	3,6	4,5	52,6	Poor	BATCH 3
EC136: Emalahleni Local Municipality	0,9	1,4	4,4	56,4	Poor	BATCH 3
KZN435: Umzimkhulu Local Municipality	0	1,2	0,8	61,5	Poor	BATCH 3
EC155: Nyandeni Local Municipality	1,1	0,8	0,9	60,9	Poor	BATCH 3
EC127: Nkonkobe Local Municipality	1	1,5	5,8	55,7	Poor	BATCH 3
EC442: Umzimvubu Local Municipality	0,3	2	0,7	62,2	Poor	BATCH 3
KZN214: UMuziwabantu Local Municipality	1,2	2	4,9	57,9	Poor	BATCH 3
KZN274: Hlabisa Local Municipality	0,2	1,1	0,5	64,6	Poor	BATCH 3
EC142: Sem:1u Local Municipality	0,5	3,3	2,4	60,5	Poor	BATCH 3
EC132: Tsolwana Local Municipality	2,2	5,9	9,3	50,1	Poor	BATCH 3
NC084: !Kheis Local Municipality	2,9	7,4	11,4	46,4	Poor	BATCH 3
NCDMA08: Siyanda	2,4	8,2	12,3	45,3	Poor	BATCH 3
KZN261: eDumbe Local Municipality	2	3,8	5,7	57,1	Poor	BATCH 3
EC122: Mnquma Local Municipality	0,6	2	1,5	64,6	Poor	BATCH 3
EC123: Great Kei Local Municipality	4,3	5,4	8,3	51	Poor	BATCH 3
LIM474: Fetakgomo Local Municipality	1,1	4,8	2,2	61	Poor	BATCH 3
LIM473: Makhuduthamaga Local Municipality	0,2	3,4	1,2	65	Poor	BATCH 3
LIM332: Greater Letaba Local Municipality	0,8	4,2	2,3	62,6	Poor	BATCH 3
KZN431: Ingwe Local Municipality	3,4	3,3	3,2	60,2	Poor	BATCH 3
KZN242: Nquthu Local Municipality	1	1	3	65,2	Poor	BATCH 3
KZN265: Nongoma Local Municipality	0,3	0,7	0,8	68,4	Poor	BATCH 3
KZN236: Imbabazane Local Municipality	0	1,9	2	66,4	Poor	BATCH 3
LIM335: Maruleng Local Municipality	2,3	3,7	2	63,1	Poor	BATCH 3
NW404: Maquassi Hills Local Municipality	2,1	5,9	7,4	55,7	Poor	BATCH 3

LIM342: Mutale Local Municipality	0,5	6,4	0,7	63,9	Poor	BATCH 3
EC138: Sakhisizwe Local Municipality	0,2	1,2	5,3	65,5	Poor	BATCH 3
KZN215: Ezingoleni Local Municipality	0,4	1,2	2,2	68,6	Poor	BATCH 3
KZN284: uMlalazi Local Municipality	2,4	6,3	6,5	57,6	Poor	BATCH 3
EC133: Inkwanca Local Municipality	1,4	6,2	15,6	49,6	Poor	BATCH 3
FS183: Tswelopele Local Municipality	0,9	5,4	8,8	57,8	Poor	BATCH 3
KZN294: Maphumulo Local Municipality	0	2	3,8	67,2	Poor	BATCH 3
NW391: Kagisano Local Municipality	0,7	3,4	5,2	63,7	Poor	BATCH 3
NW395: Molopo Local Municipality	3,5	5	5,5	59	Poor	BATCH 3
KZN283: Ntambanana Local Municipality	0	1,7	1	70,4	Poor	BATCH 3
NC075: Renosterberg Local Municipality	3,4	8,1	18,4	43,7	Poor	BATCH 3
NC082: Kai !Garib Local Municipality	3	8,5	14,1	48	Poor	BATCH 3
EC124: Amahlathi Local Municipality	0,9	3	6,7	63,1	Poor	BATCH 3
FS163: Mohokare Local Municipality	1,2	6,8	11,9	54,1	Poor	BATCH 3
FS181: Masilonyana Local Municipality	0,7	4,1	7,5	62,2	Poor	BATCH 3
KZN271: Umhlabuyalingana Local Municipality	0,6	2,1	1,5	70,3	Poor	BATCH 3
FS182: Tokologo Local Municipality	1,9	5,8	12,1	55,1	Poor	BATCH 3
NW394: Greater Taung Local Municipality	0,5	4,1	2,8	67,4	Poor	BATCH 3
LIM355: Lepele-Nkumpi Local Municipality	0,4	3,9	4	66,9	Poor	BATCH 3
KZN233: Indaka Local Municipality	0	1,3	5,6	68,3	Poor	BATCH 3
KZN291: Mandeni Local Municipality	0,6	2,5	6,1	66,2	Poor	BATCH 3
LIM352: Aganang Local Municipality	0,3	3,2	0,8	71,3	Poor	BATCH 3
MP325: Bushbuckridge Local Municipality	0,1	2,9	1,4	71,2	Poor	BATCH 3

KZN226: Mkhambathini Local Municipality	3	5,6	8,2	58,9	Poor	BATCH 3
FS193: Nketoana Local Municipality	3,2	7,3	11	54,6	Poor	BATCH 3
LIM333: Greater Tzaneen Local Municipality	1,5	5,4	2,5	66,8	Poor	BATCH 3
LIM475: Greater Tubatse Local Municipality	0,6	3,8	3	68,9	Poor	BATCH 3
EC103: Ikwezi Local Municipality	3,2	7,6	21,3	44,6	Poor	BATCH 3
FS185: Nala Local Municipality	1,6	5,5	6,2	63,7	Poor	BATCH 3
EC109: Kou-Kamma Local Municipality	3,5	6,1	18,3	49,1	Poor	BATCH 3
NW401: Ventersdorp Local Municipality	2,7	5,6	12,3	56,7	Poor	BATCH 3
NW385! Ramotshere Moiloa Local Municipality	3,2	6,3	7,7	60,4	Poor	BATCH 3
EC106: Sunday's River Valley Local Municipality	4,2	6,9	14,7	51,8	Poor	BATCH 3
EC157: King Sabata Dalindyebo Local Municipality	2,1	4	3,8	68,3	Poor	BATCH 3
EC144: Gariiep Local Municipality	5,1	10	16,1	47,4	Poor	BATCH 3
KZN281: Mbonambi Local Municipality	0,9	3,1	2,9	71,7	Poor	BATCH 3
KZN272: Jozini Local Municipality	0,5	1,3	1,1	75,7	Poor	BATCH 3
KZDMA27: Umkhanyakude	1,2	2,5	2,8	72,6	Poor	BATCH 3
KZN224: Impendle Local Municipality	2,6	3,9	5,8	66,8	Poor	BATCH 3
FS171: Naledi Local Municipality	1,7	7,3	10,3	60	Poor	BATCH 3
NCDMA09: Frances Baard	2,2	5,7	11,9	59,7	Poor	BATCH 3
MP301: Albert Luthuli Local Municipality	1,8	3	3,5	71,6	Poor	BATCH 3
LIM331: Greater Giyani Local Municipality	0,6	6	2,1	71,6	Poor	BATCH 3
NC074: Kareebera Local Municipality	3,9	6,2	23,6	46,8	Poor	BATCH 3
KZN227: Richmond Local Municipality	2,6	5,6	7,3	65,5	Poor	BATCH 3

NW371: Moretele Local Municipality	0,3	6,3	2,1	72,5	Poor	BATCH 3
LIM343: Thulamela Local Municipality	1,2	6,5	3,1	70,8	Poor	BATCH 3
KZN266: Ulundi Local Municipality	1,1	2,2	3,1	75,9	Poor	BATCH 3
NC081: Mier Local Municipality	1,7	7,4	11,5	61,7	Poor	BATCH 3
NC092: Dikgatlong Local Municipality	1,9	7,8	11,7	61,1	Poor	BATCH 3
NIW393: Mamusa Local Municipality	2,3	6,8	6,8	66,7	Poor	BATCH 3
KZN254: Dannhauser Local Municipality	1,5	2,2	2,9	75,9	Poor	BATCH 3
EC134: Lukanji Local Municipality	1,8	4,8	10,9	65,1	Poor	BATCH 3
LIM471: Greater Marble Hall Local Municipality	2,4	6,3	5	69,4	Poor	BATCH 3
NIW375: Moses Kotane Local Municipality	1,5	6,5	4,5	71,5	Poor	BATCH 3
NC077: Siyathemba Local Municipality	4,5	10,1	19,6	50,7	Poor	BATCH 3
KZN273: The Big Five False Bay Local Municipality	3,1	4,5	6,1	71,4	Poor	BATCH 3
LIM353: Molemole Local Municipality	0,7	6	5,1	73,3	Poor	BATCH 3
EC128: Nxuba Local Municipality	4,5	6,8	19,7	55,1	Poor	BATCH 3
NW382: Tswaing Local Municipality	2,5	5,3	7,2	71,4	Poor	BATCH 3
MP316: Dr JS Moroka Local Municipality	0,6	4,9	4	77,1	Poor	BATCH 3
FS194: Maluti a Phofung Local Municipality	1,8	6	7,7	71,1	Poor	BATCH 3
NW396: Lekwa-Teemane Local Municipality	1,8	9,3	12	63,6	Poor	BATCH 3
KZN235: Okhahlamba Local Municipality	2,1	4,9	3,6	76,3	Poor	BATCH 3
KZN245: Umvoti Local Municipality	3,1	7,2	10,4	67,6	Poor	BATCH 3
LIM472: Elias Motsoaledi Local Municipality	1,4	5,5	3,7	77,9	Poor	BATCH 3
NC093: Magareng Local Municipality	3,2	8,6	15,5	61,2	Poor	BATCH 3

FS161: Letsemeng Local Municipality	2,5	8,1	18	60,3	Poor	BATCH 3
EC107: Bavianaans Local Municipality	3,8	8,8	25,7	51,4	Poor	BATCH 3
NC066: Karoo Hoogland Local Municipality	7,2	12,7	32,9	37,1	Poor	BATCH 3
KZN263: Abaqulusi Local Municipality	1,8	5,5	7,1	76,4	Poor	BATCH 3
KZN221: uMshwathi Local Municipality	3	4,3	10,2	73,2	Poor	BATCH 3
EC102: Blue Crane Route Local Municipality	3,1	9,8	22,5	56,9	Poor	BATCH 3
NC064: Kamiesberg Local Municipality	5,4	9,5	30,6	46,8	Poor	BATCH 3
NC067: Khai-Ma Local Municipality	2,6	10,3	26	58,5	Poor	BATCH 3
WCDMA05: Central Karoo	7,2	11,1	19	44,4	Fair	BATCH 2
ECDMA10: Cacadu	6	10,4	16,3	51,7	Fair	BATCH 2
NW384: Ditsobotla Local Municipality	4,5	7,7	7,6	65,2	Fair	BATCH 2
LIM344: Makhado Local Municipality	1,8	6,9	3	73,5	Fair	BATCH 2
GT483: Westonaria Local Municipality	2,8	7,5	7,4	68,6	Fair	BATCH 2
FS173: Mantsopa Local Municipality	4,4	8	11,9	62	Fair	BATCH 2
NCDMA07: Pixley ka Seme	4,3	10,8	16,8	55,9	Fair	BATCH 2
NC071: Ubuntu Local Municipality	7,2	9,8	21,9	49,3	Fair	BATCH 2
LIM341: Musina Local Municipality	2,2	10,4	7	68,7	Fair	BATCH 2
FS162: Kopanong Local Municipality	3,8	11,1	18,5	55,5	Fair	BATCH 2
FS191: Setsoto Local Municipality	3,6	10,1	14,2	61	Fair	BATCH 2
MP324: Nkomazi Local Municipality	2,9	6,4	3,6	76,2	Fair	BATCH 2
FS201: Moqhaka Local Municipality	3,3	8,7	12,4	65,4	Fair	BATCH 2
KZN262: UPhongolo Local Municipality	3,1	4,3	5	77,7	Fair	BATCH 2
LIM367: Mogalakwena Local Municipality	2,6	8,4	7	72,6	Fair	BATCH 2
NW374: Kgetlengrivier Local Municipality	3,5	8,5	12,5	66,5	Fair	BATCH 2
NW383: Mafikeng Local Municipality	2,3	9,1	7,2	72,6	Fair	BATCH 2

FS205: Mafube Local Municipality	3,5	8,9	10,7	68,4	Fair	BATCH 2
MP304: Seme Local Municipality	4,5	8,6	14,5	64	Fair	BATCH 2
EC104: Makana Local Municipality	7	14,1	16,4	54,2	Fair	BATCH 2
MP303: Mkhondo Local Municipality	3	6,9	6,5	76	Fair	BATCH 2
NW405: Merafong City Local Municipality	3,2	9,2	9,9	70,7	Fair	BATCH 2
NW373: Rustenburg Local Municipality	2,3	9,1	6,8	75,3	Fair	BATCH 2
LIM366: Bela-Bela Local Municipality	3,2	11,1	16,8	62,6	Fair	BATCH 2
KZN433: Greater Kokstad Local Municipality	3,7	10,7	12	67,4	Fair	BATCH 2
MP315: Thembisile Local Municipality	0,5	6,2	3,8	83,4	Fair	BATCH 2
KZN241: Endumeni Local Municipality	4,7	8,8	15,3	66	Fair	BATCH 2
NC076: Thembelihle Local Municipality	5,1	11,7	21,6	56,6	Fair	BATCH 2
KZN432: Kwa Sani Local Municipality	4	9,3	8,8	73	Fair	BATCH 2
NC078: Siyancuma Local Municipality	3,5	11,9	18,6	61,1	Fair	BATCH 2
FS184: Matjhabeng Local Municipality	3,9	10,2	12,5	68,9	Fair	BATCH 2
NC094: Pholcwane Local Municipality	4,8	9,4	20,1	62	Fair	BATCH 2
NC072: Umsobomvu Local Municipality	6,3	9,7	22,5	58,1	Fair	BATCH 2
KZN253: Emadlangeni Local Municipality	2,6	8,3	12,3	73,8	Fair	BATCH 2
EC131: Inxuba Yethemba Local Municipality	4,3	11,8	20,3	60,6	Fair	BATCH 2
MP306: Dipaleseng Local Municipality	5,8	9,7	13,9	68	Fair	BATCH 2
EC143: Maletswai Local Municipality	3,5	13,6	13,9	66,6	Fair	BATCH 2
NW372: Local Municipality of Madibeng	3	10,2	7,6	76,9	Fair	BATCH 2
KZN223: Mpofana Local Municipality	7,1	11,4	13	66,3	Fair	BATCH 2
LIM362: Lephalela Local Municipality	4,8	9,7	12,3	71	Fair	BATCH 2



FS195: Phumelela Local Municipality	3,1	7,6	15,6	71,8	Fair	BATCH 2
WC052: Prince Albert Local Municipality	5,2	12,2	29,7	51,1	Fair	BATCH 2
KZN232: Emnambithi-Ladysmith Local Municipality	2,8	7,7	13	75,5	Fair	BATCH 2
WCDMA04: Eden	4,5	15,8	22,6	56,1	Fair	BATCH 2
WCO22: Witzenberg Local Municipality	5,8	11	19,8	62,7	Fair	BATCH 2
WC041: Kannaland Local Municipality	3,8	11,1	26,9	57,9	Fair	BATCH 2
WC051: Laingsburg Local Municipality	7,4	14,4	36,3	41,7	Fair	BATCH 2
NC085: Tsantsabane Local Municipality	4,1	11,7	16	68,6	Fair	BATCH 2
LIM365: Modimolle Local Municipality	4,4	11,1	13,2	72	Fair	BATCH 2
MP321: Thaba Chweu Local Municipality	4	11,4	8,1	77,2	Fair	BATCH 2
FS203: Ngwathe Local Municipality	3,6	7,4	18,7	71,5	Fair	BATCH 2
NC452: Ga-Segonyana Local Municipality	3,3	8,2	13,3	76,4	Fair	BATCH 2
NW392: Naledi Local Municipality	5,4	11,6	17,7	67,1	Fair	BATCH 2
KZN275: Mtubatuba Local Municipality	2,9	9	10,2	80	Fair	BATCH 2
LIM354: Polokwane Local Municipality	3,5	11,7	8,5	78,4	Fair	BATCH 2
NW403: City of Matlosana	4,5	12,6	13,2	72,6	Fair	BATCH 2
EC125: Buffalo City Local Municipality	5,8	12,3	15,5	69,7	Fair	BATCH 2
WCDMA01: West Coast	6,4	13,6	42,5	41	Fair	BATCH 2
NCDMA06: Namakwa	7,2	16,7	47,4	32,6	Fair	BATCH 2
LIM334: Ba-Phalaborwa Local Municipality	4,6	11,1	11,7	76,8	Fair	BATCH 2
WC031: Theewaterskloof Local Municipality	5,6	14,8	22,4	62,6	Fair	BATCH 2
NC065: Fiantam Local Municipality	6,1	17,4	30,3	51,5	Fair	BATCH 2
EC105: Ndlambe Local Municipality	12,8	16,8	22,9	53	Fair	BATCH 2
NC073: Emthanjeni Local Municipality	5,3	15,2	25,4	59,7	Fair	BATCH 2

MP323: Umjindi Local Municipality	4,1	13,2	12,9	75,5	Fair	BATCH 2
KZN252: Newcastle Local Municipality	3,3	11,1	17	74,3	Fair	BATCH 2
F5192: Dihlabeng Local Municipality	5,6	16,1	18,3	66,7	Fair	BATCH 2
G1421: Emfuleni Local Municipality	4,4	14,4	15,2	72,9	Fair	BATCH 2
LIM361: Thabazimbi Local Municipality	4,6	12,5	9,5	80,9	Fair	BATCH 2
EC101: Camdeboo Local Municipality	6,4	12,6	29,2	59,4	Fair	BATCH 2
GTDMA48: West Rand	8,2	13,2	12,4	74,5	Fair	BATCH 2
MP311: Delmas Local Municipality	5,8	13,4	9,8	79,7	Fair	BATCH 2
MP322: Mbombela Local Municipality	5,5	14,3	10,1	79,3	Fair	BATCH 2
KZN292: KwaDukuza Local Municipality	7,8	11,3	20,5	69,6	Fair	BATCH 2
NC062: Nama Khoi Local Municipality	3	12,5	33,3	60,6	Fair	BATCH 2
KZN282: uMhlathuze Local Municipality	8	13,7	14,2	75,6	Fair	BATCH 2
F5172: Mangaung Local Municipality	6	16,7	15,5	73,3	Fair	BATCH 2
NCDMA45: Kgalagadi	5	12,1	17,9	77,5	Fair	BATCH 2
MP314: Emakhaseni Local Municipality	2,3	13,4	14,7	82,8	Fair	BATCH 2
KZN234: Umtshezi Local Municipality	4,4	13,1	21,1	76,5	Fair	BATCH 2
LIM364: Mookgopong Local Municipality	5	14,1	20,4	75,5	Fair	BATCH 2
MP302: Msukaligwa Local Municipality	5,3	14,8	11,6	83,7	Fair	BATCH 2
NC083: //Khara Hais Local Municipality	5,6	17,5	30,5	62,3	Fair	BATCH 2
KZN212: Umdoni Local Municipality	6,3	13,9	28,7	67	Fair	BATCH 2
MP312: Emalaheni Local Municipality	5,2	15	14,6	81,5	Fair	BATCH 2
WCO26: Breede River/VVinelands Local Municipality	10,2	17,7	26,8	62	Fair	BATCH 2
WC047: Bitou Local Municipality	9,2	14,9	19,6	73,6	Fair	BATCH 2
MP305: Lekwa Local Municipality	6,9	13,6	16,1	80,9	Fair	BATCH 2
WC053: Beaufort West Local Municipality	7	12,8	36,3	61,9	Fair	BATCH 2

WC045: Oudtshoorn Local Municipality	7,5	20	30,7	60,4	Fair	BATCH 2
NMA: Nelson Mandela Bay Metropolitan Municipality	7,8	20,3	29,4	64,7	Fair	BATCH 2
WC012: Cederberg Local Municipality	7,4	18,3	34,3	62,4	Fair	BATCH 2
GT482: Randfontein Local Municipality	5,2	16,2	26,7	74,7	Fair	BATCH 2
WC011: Matzikama Local Municipality	8,6	16,5	31,8	67,5	Fair	BATCH 2
WCO25: Breede Valley Local Municipality	6,4	19,3	34,7	64,2	Fair	BATCH 2
KZN216: Hibiscus Coast Local Municipality	10,2	14,2	22,6	77,8	Fair	BATCH 2
KZN225: The Msunduzi Local Municipality	7,5	19,1	28,9	70	Fair	BATCH 2
WC013: Bergrivier Local Municipality	9,7	18	35,1	67,2	Fair	BATCH 2
WC034: Swellendam Local Municipality	7,4	18,7	33,2	71,8	Fair	BATCH 2
MP307: Govan Mbeki Local Municipality	6,5	19,4	15,2	76,7	Good	BATCH 1
GT462: Kungwini Local Municipality	6,9	17,4	14,1	82,2	Good	BATCH 1
FS204: Metsimaholo Local Municipality	9,9	20,2	16,6	74,8	Good	BATCH 1
WCDMA03: Overberg	0	24,6	0	100	Good	BATCH 1
NC086: Kgatelopele Local Municipality	8	21,5	22	74,5	Good	BATCH 1
GT423: Lesedi Local Municipality	11,3	21,1	22,2	71,8	Good	BATCH 1
NC453: Gamagara Local Municipality	7	22,3	19,7	78,2	Good	BATCH 1
MP313: Steve Tshwete Local Municipality	7,8	19,5	19,5	82,1	Good	BATCH 1
GT461: Nokena tsa Taemane Local Municipality	6,3	24,4	16,9	82,2	Good	BATCH 1
EC108: Kouga Local Municipality	12,7	22,1	29	67,1	Good	BATCH 1
GT422: Midvaal Local Municipality	9,5	24,7	22,4	74,4	Good	BATCH 1
NC091: Sol Plaatjie Local Municipality	10,4	21,3	32,5	68,5	Good	BATCH 1
EKU: Ekurhuleni Metropolitan Municipality	10,5	22,2	22	79,5	Good	BATCH 1

G1481: Mogale City Local Municipality	10,4	22,9	25,2	75,8	Good	BATCH 1
NW402: Potchefstroom Local Municipality	10,3	25,3	23,3	78,5	Good	BATCH 1
WC048: Knysna Local Municipality	15,1	23,6	28,3	71,7	Good	BATCH 1
ETH: eThekweni Metropolitan Municipality	9,2	19,4	32,4	77,6	Good	BATCH 1
NC061: Richtersveld Local Municipality	12,5	24,8	29,5	72,7	Good	BATCH 1
WCO23: Drakenstein Local Municipality	9,3	24	36,2	70,9	Good	BATCH 1
WC015: Swartland Local Municipality	11,9	22,2	33,7	72,9	Good	BATCH 1
KZN222: uMngeni Local Municipality	16,9	23,9	30,4	72,3	Good	BATCH 1
WC043: Mossel Bay Local Municipality	15,9	22,6	31,3	76,6	Good	BATCH 1
WC044: George Local Municipality	15,4	27,3	31,9	74,9	Good	BATCH 1
TSH: City of Tshwane Metropolitan Municipality	12,8	28,6	24,8	83,3	Good	BATCH 1
WC042: Hessequa Local Municipality	12,7	24	46,6	66,5	Good	BATCH 1
JHB: City of Johannesburg Metropolitan Municipality	14,2	26,1	28,7	81,6	Good	BATCH 1
WC033: Cape Agulhas Local Municipality	19,3	25,8	44,9	67,3	Good	BATCH 1
WC014: Saldanha Bay Local Municipality	12,4	30,6	37,1	82,3	Good	BATCH 1
WCO24: Stellenbosch Local Municipality	17,3	34,6	31,6	79,6	Good	BATCH 1
CPT: City of Cape Town Metropolitan Municipality	18,9	34,3	47	77,1	Good	BATCH 1
WC032: Overstrand Local Municipality	19,9	31,8	51,5	76,2	Good	BATCH 1
MPDMA32: Ehlanzeni	24,7	53,9	36	93,3	Good	BATCH 1