

ANNOUNCEMENT

By Decision No. 238 of 20 March 2009 the Communications Regulation Commission (CRC) has announced its intention to conduct a contest for granting a right of use for individually assigned scarce resource – radio frequency spectrum for carrying out electronic communications through two electronic communications networks for terrestrial digital broadcasting with national coverage, according to the First phase of the Plan for introduction of terrestrial digital television broadcasting (DVB-T) in the Republic of Bulgaria (The Plan), approved by the Council of Ministers, making use of the following individually assigned scarce resource – radio frequency spectrum:

Radio frequency resource for <i>two networks with national coverage</i> for terrestrial digital television broadcasting of programs of commercial television operators		
Zone of service	Channel	Frequency band /MHz/
Blagoevgrad	25	502-510
Blagoevgrad	29	534-542
Burgas	42	638-646
Burgas	49	694-702
Varna	22	478-486
Varna	29	534-542
Vidin	32	558-566
Vidin	49	694-702
Kardjali	26	510-518
Kardjali	42	638-646
Pleven	41	630-638
Pleven	51	710-718
Plovdiv	25	502-510
Plovdiv	35	582-590
Ruse	26	510-518
Ruse	49	694-702
Smolian	34	574-582
Smolian	49	694-702
Sofia	23	486-494
Sofia	40	622-630
Stara Zagora	22	478-486
Stara Zagora	37	598-606
Shumen	28	526-534
Shumen	40	622-630

The right of use will be granted for the territory of the Republic of Bulgaria for a term of 15 years.

According to Art. 89 of the Law on Electronic Communications (LEC) (promulgated in State Gazette No. 41 of 2007, amended - SG No. 17 of 2009), the Commission may announce on its own initiative an intention to conduct a contest (or an auction) should it be necessary to restrict the number of rights of use, granted for a particular available scarce resource.

The Plan states that for the First phase of the transition, scarce resource – radio frequency spectrum for three networks with national coverage, is envisaged. According to the provisions in Art. 48a of LEC, CRC has to grant a right of use of individually assigned scarce resource – radio frequency spectrum for carrying out electronic communications through electronic communications networks for terrestrial digital broadcasting, designated for distribution of the public television programs, prepared by Bulgarian National Television (BNT) and Bulgarian National Radio (BNR), while § 5d of the Transitional and Final Provisions of the Law on Electronic Communications states that the necessary individually assigned scarce resource for distribution of these programs shall be provided under an order stipulated in a special law. For the remaining two networks indicated in the First phase of the transition scarce resource is envisaged – radio frequency spectrum, for which a contest procedure shall be conducted. According to the provision of § 5a, paragraph 1 of the Transitional and Final Provisions of the Law on Electronic Communications, CRC determines within the framework of a single contest procedure one undertaking, to which a right of use shall be granted for the individually assigned scarce resource – radio frequency spectrum, for carrying out electronic communications through electronic communications networks for terrestrial digital broadcasting with national coverage, in accordance with the provisions for the First phase of the Plan.

The conditions which CRC shall impose regarding the right of use of the radio frequency spectrum are as follows:

- By December 2009 the undertaking obtaining the right of use shall start broadcasting on an „island” principle in the cities of Burgas, Varna, Vidin, Plovdiv, Ruse, Sofia and Stara Zagora;
- By June 2010 the undertaking shall start broadcasting on an „island” principle in the cities of Blagoevgrad, Kardjali, Pleven, Smolian and Shumen;
- By June 2011 the undertaking should ensure population coverage of at least 75% for the zones of service Burgas, Varna, Vidin, Plovdiv, Ruse, Sofia and Stara Zagora;
- By December 2011 the undertaking shall ensure population coverage of at least 75% for the zones of service Blagoevgrad, Kardjali, Pleven, Smolian and Shumen;
- By December 2012 the undertaking shall ensure population coverage of at least 95% for each zone of service.

The persons wishing to obtain rights of use of individually assigned scarce resource – radio frequency spectrum for carrying out electronic communications through electronic communications networks for terrestrial digital broadcasting can submit their intentions within a period of 14 days as from the date of publication of the present announcement in a national daily paper and on the Internet site of CRC.