

APPLICATION FOR UNIFIED CARRIER LICENCE
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NOTES

The applicant should read the “*Guidelines for the Submission of Proposals Applying for Unified Carrier Licence*” (the Guidelines) before completing this form, in particular paragraphs 7.1 – 7.5 of the Guidelines in respect of the application procedures under different scenarios.

1. This application form **MUST** be completed in all parts, except for the scenario described in paragraph 2. Incomplete application form may cause delay in processing.
2. If an application is for conversion of an existing carrier licence (before expiry) to a unified carrier licence (“UCL”) without change in scope of service, the applicant will only need to submit updated information for the relevant parts of this application form.
3. The completed form, together with the required supporting documents should be submitted to:

Office of the Communications Authority
29/F, Wu Chung House
213 Queen's Road East
Wanchai
Hong Kong
(Attn: Head, Regulatory 3)

4. The applicant may attach additional sheets of paper if the space provided in the application form is not enough. All documents submitted to the Office of the Communications Authority (“OFCA”) will not be returned.
5. Enquiries concerning the application may be made to Regulatory Affairs Manager, R32:

Tel: (852) 2961 6604/2961 6393
Fax: (852) 2591 0316

SUPPLEMENTARY NOTES ON THE PROVISION OF PERSONAL DATA:

1. The provision of personal data by means of this application form is voluntary. If the applicant does not provide sufficient information, OFCA may not be able to process the application.
2. The personal data provided by the applicant will be used by OFCA for processing the application.
3. The personal data provided by the applicant in this form may be disclosed to other government departments/agencies in connection with the assessment of the application.
4. The applicant has a right of request for access and correction with respect to her/his personal data. The right of access includes the right to obtain a copy of the personal data provided by the applicant, though a charge may be levied on obtaining such information.
5. Enquiries concerning the personal data collected by means of this form, including the making of request for access and correction, should be submitted in writing to the Personal Data Officer, Office of the Communications Authority, 29/F, Wu Chung House, 213 Queen's Road East, Wan Chai, Hong Kong; or sent by fax to 2591 0316.

PART A	APPLICANT'S DETAILS
	1. Company Name : (English): (Chinese):
	2. Registered Office Address:
	3. Correspondence Address: (English): (Chinese):
	4. Company Website:
	5. Telephone No. (General):
	6. Fax No. (General):
	7. Contact Person:
	8. Position of Contact Person in the Company:
	9. Telephone No. of the Contact Person:
	10. Fax No. of the Contact Person:
	11. E-mail Address of the Contact Person:

PART B**EXECUTIVE SUMMARY**

1. Please provide a brief and concise Executive Summary summarising the significant and salient points of the proposal.

PART C**SCOPE OF PROPOSED SERVICE**

1. Please specify clearly the scope of service proposed to be operated under the UCL. If the application is for conversion of existing carrier licence (before expiry) to UCL or for a new UCL in view of the expiry of an existing one, please state clearly the scenario of application and any change of scope of service from the original carrier licence. For those applicants who intend to provide external fixed service only, they need to specify if the backhaul will be self-provided or leased from other licensees.

(Note: Successful applicants should be committed to the provision of the proposed service in Hong Kong as detailed in their proposals, submissions and representations.)

PART D**COMPANY STRUCTURE**

1. If the applicant is a company incorporated in Hong Kong, it is required to submit a copy of its Certificate of Incorporation and Business Registration Certificate. If the applicant is a company incorporated outside Hong Kong, the Communications Authority (“CA”) may also consider its application provided that it has registered under the Companies Ordinance (Cap. 622) as a non-Hong Kong company. In this connection, the applicant is required to submit a copy of its Certificate of Registration of Non-Hong Kong Company and Business Registration Certificate to the CA for examination.

2. Details of corporate and shareholding structure including relationships with holding or related companies. The applicant is required to provide documents showing the authorized, issued and paid-up share capital and the current shareholding structure of the company e.g. “Form NAR1 – Annual Return” or Articles of Association of the company together with the “Form NSC1 – Return of Allotment”, if applicable.

3. The applicant is required to submit a copy of the documents that it filed to the Companies Registry, i.e. “Form NNC1 – Incorporation Form (Company Limited by Shares)” or “Form NNC1G – Incorporation Form (Company not Limited by Shares)” and “Form ND2A – Notice of Change of Company Secretary and Director (Appointment/Cessation)” where applicable, to the CA for examination.

4. Details on the composition of the company Board of Directors and key officers.

5. The organisational/management structure and staffing levels of the company and any principal contractors to be employed in constructing and maintaining the network.

6. If the applicant (or its associated companies) currently holds any licences issued under the Telecommunications Ordinance (Cap. 106), please provide a list of such licences and licence numbers. If not applicable, please state “NIL”.

PART E	FINANCIAL INFORMATION
<ol style="list-style-type: none"> 1. The applicant must have sufficient financial capability and willingness to invest sufficient capital to provide a satisfactory service as proposed. The following information should be provided: <ol style="list-style-type: none"> (a) (i) If the applicant is an established company, the proposal should include copies of audited financial statements, including the auditor reports for the last three full years, together with the most recent interim results (if applicable). 	

- (ii) If the applicant is a newly-formed company, the proposal should include:
 - the directors' certificate of the amount of issued and paid-up share capital;
 - bankers' confirmation of the amount of its deposits and/or available credit facilities; and
 - copies of audited financial statements, including the auditor reports for the last three full years, together with the most recent interim results, of the company's shareholding companies (if applicable).

- (iii) If the applicant is being financed by its holding company, a supporting letter from its holding company together with documentary evidence to demonstrate the financial capacity of its holding company is required.

- (b) A detailed financial plan (with inflation assumptions) for the proposed services and network for the first ten years of operation including:

- (i) A breakdown of the planned capital expenditure ("CAPEX") and of working capital requirements for the first ten years of operation;

- (ii) Projected profit and loss account including details of revenue, fixed and variable costs, balance sheet and budgeted cash flow statements, showing the amount of capital to be invested on an annual basis for ten years;

PART F	ECONOMIC AND MARKET STUDY
<p>1. The applicant should include any economic and market study conducted on the potential demand for the forms of service being proposed to operate, and the projected market share that the applicant will be able to acquire in the next ten years with as much information as possible.</p>	

PART G	TECHNICAL DETAILS OF THE FACILITIES
<p>1. The applicant should provide a detailed description of the proposed facilities and should illustrate how the proposed facilities are designed and implemented to ensure delivery of good, efficient and continuous services. The description should cover:</p> <p>(a) Technical configuration including network infrastructure and components, the technology to be employed, the likely choice of equipment, system design, capacity, how the network and its ancillary equipment and facilities are planned to meet the proposed capacity, connectivity to destinations outside Hong Kong, if applicable, and other technological characteristics;</p> <p>(b) The facilities upon launch of service and the facility expansion plan for the first ten years of operation;</p>	

- (c) The planned location(s) of equipment to be installed;

 - (d) The planned facilities and traffic management, signalling, metering and billing arrangements (where applicable) to be adopted; and

 - (e) Proposed interface for interconnection with other networks. The applicant is required to submit a detailed system configuration or network diagram to illustrate the proposed interconnection arrangement, including the parties to be interconnected with (e.g. the UCLs, fixed telecommunications network services/fixed carrier licensees, SBO licensees, etc.), the means for interconnection (e.g. by switched circuits, by local/international private leased circuits etc.), transmission protocol/signalling and the capacity of each type of circuits.
2. For the provision of external fixed services, the applicant is required to provide the locations of cable stations, earth stations and external gateways or the point of presences (“PoPs”) and general information on the configuration of the proposed self-provided backhaul.

 3. For the provision of fixed services for the distribution and/or transmission of television and associated sound and data signals, the applicant should provide the description of

- (a) Technical details of the use of microwave programme links and operation of outside broadcast or electronic news gathering, if required;

 - (b) Technical transmission parameters including frequencies, frequency offset, power level, signal formats, precise location of the transmission sites and the technology to be employed; and

 - (c) The ranges of frequencies required in any In-building Coaxial Cable Distribution System (IBCCDS), the number of channels required, with justifications and calculation given.
4. For the provision of mobile services other than land mobile services, such as maritime/aeronautical mobile services, the applicant is required to provide the detailed description on:
- (a) The immediate and projected number of channels required, including a five-year forecast of usage. The applicant should provide sufficient reasons to satisfy the Communications Authority that the number of channels requested are justified;

 - (b) Channel capacity calculations, including, if applicable, the estimated allocation of air-time for the various components of the service;

- (c) Specifications of the radio transmitting/receiving equipment:
- (i) Functional specifications
 - (ii) Coding format
 - (iii) Others (e.g. Modulation and emission type, Occupied bandwidth, Operating band, Transmitter power, Harmonics and spurious output level and Antenna characteristics)
5. The applicant should indicate in its proposal whether any radio spectrum is required for provision of the proposed service, and the preferred frequency bands and the associated radiation and immunity characteristics of the frequency spectrum, if any, that will be used for the provision of service. For the avoidance of doubt, the applicant shall note that the granting of a licence does not mean the granting of right to use spectrum which shall be acquired separately. In exercising the statutory powers under the Telecommunications Ordinance (Cap 106) for the management of radio spectrum including the granting of right to use spectrum, the CA shall take into account all relevant considerations as required by law and give due regard to the Spectrum Policy Framework as promulgated by Hong Kong Government in April 2007 (<http://www.cedb.gov.hk/ctb/eng/legco/pdf/spectrum.pdf>).
6. The applicant should provide the contingency plan for its proposed services in response to major breakdown or network/service outage in order to ensure sustainability of service delivery. It should include:
- (a) A brief description of the contingency plan and arrangement;

- (b) The designed level of resilience in terms of percentage of affected services recovered and the time within which the recovery will be completed;

- (c) The amount of backup capacity (relative to the capacity level required for normal operation) and the spare resources such as backhaul equipment for contingency connection;

- (d) Prior and post arrangements for re-allocating resources, re-routing the affected traffic and acquisition of additional bandwidth to recover the affected services;

- (e) Internal procedures for monitoring and reporting critical network outage, composition of the team responsible for handling the major incidents and the responsibility of the respective major team members; and

- (f) Brief description of the action and procedures to (i) assess the impact of major incident; and (ii) disseminate the information to the management, OFCA and the customers.

PART H**DETAILS OF THE PROPOSED SERVICE**

1. The applicant should provide a detailed description of the proposed services. The description should cover:

- (a) Description of all services to be provided including the target customers, their intended coverage areas upon the commissioning of the facilities, the expected service launch date, the implementation schedule if the proposed services are proposed to be introduced in phases and plans for introduction of new services in the future.

- (b) Description of the arrangements for the provision of service to the public, including wholesale and/or retail services. The applicant should demonstrate that the roll out of its network or provision of its services is not primarily relying on the interconnection and wholesale services of other operators' infrastructure or facilities.

- (c) Description of the operation of the service. The applicant is required to provide details of how the service will be operated (e.g. any special operational features available). If the provision of proposed service covers the establishment and operation of a transmission network and ancillary telecommunications facilities for the distribution and/or transmission of television and associated sound and data signals, the applicant should also provide details of the television programme channels intended to be carried.

PART I	DETAILS OF THE TECHNICAL SUPPORT
	<p>1. The applicant should provide a detailed description of the technical support. The description should cover:</p> <p>(a) Description of the technical support facilities and maintenance centres which the applicant has or intends to set up in Hong Kong.</p> <p>(b) Description of the technical personnel responsible for the design, construction, day-to-day operation and maintenance of the support facilities.</p> <p>(c) Description of the system routine maintenance schedule/procedure with details.</p>

PART J	RELEVANT EXPERIENCE IN TELECOMMUNICATIONS
	<p>1. The applicant must have the capability of running the proposed services to the satisfaction of the CA, including the expertise required for the operation of the proposed services. Details on the previous experience of the applicant, its shareholders and key personnel in establishing and running the proposed services, as well as information on the current status of these networks and services, should be given. Information should also be provided on the applicant and its shareholders' experience in running other relevant businesses in Hong Kong or overseas.</p>

PART K	IMPLEMENTATION PLAN
<p>1. The applicant should provide an implementation plan, giving the key milestones of the implementation for the first three years starting from the date of grant of the licence, including where applicable (a) network planning, (b) placing of order for equipment, (c) delivery of equipment, (d) acquisition of sites, (e) securing access to buildings, (f) construction of equipment buildings/rooms, earth stations or cable landing stations, (g) conclusion of cable construction and maintenance of agreements, (h) laying of cables, (i) negotiations on interconnection arrangements, (j) installation of equipment and (k) testing. The applicant will be required to adhere to its plan if a licence is subsequently granted.)</p>	

PART L	BENEFITS TO THE LOCAL TELECOMMUNICATIONS INDUSTRY AND ECONOMY
<p>1. The applicant may specify any significant benefits to the local telecommunications industry and economy in their proposals. Proposals which can demonstrate that their implementation will offer significant benefits to Hong Kong, for example, employment, manufacturing and wider trading opportunities, introduction of innovation and improvements to the local telecommunications industry and promotion of Hong Kong as an international telecommunications centre will be given special consideration.</p>	

PART M	OTHER INFORMATION
<p>1. The applicant may submit any other information not specified above if it considers helpful to its application.</p>	

PART N	DECLARATION OF APPLICANT
<p>To: The Communications Authority,</p> <p>I/We hereby declare that the information and particulars given by me/us in this form and in the documents submitted are to the best of my/our knowledge true, correct and complete. I/We understand that any untrue, incorrect and incomplete information in this form and the documents submitted may lead to rejection of the application.</p> <p>Signature with company chop: (for and on behalf of the applicant) _____</p> <p>Signatory's full name in block letters: _____</p> <p>Position held: _____</p> <p>Date: _____</p>	