

# FEDERAL TELECOMMUNICATIONS INSTITUTE

## Press Release

Number 05/2013

Mexico City, November 6<sup>th</sup>, 2013

### **THE FEDERAL TELECOMMUNICATIONS INSTITUTE PLENARY APPROVES MODIFICATIONS TO CONCESSION TITLES FOR CAPACITY SUPPLY SERVICES FOR THE ESTABLISHMENT OF MICROWAVE LINKS, REGARDING THE POSSIBILITY OF EXTENDING THEIR VALIDITY**

- **Agrees to appoint Commissioner Adriana Labardini Inzunza as a member of the Transparency Council of the Institute**

In order to harmonize the concession titles of operators that use the spectrum for capacity supply services for the establishment of microwave links point-to-point and point-to-multipoint; in the provisions contained in the current Federal Telecommunications Law and similar provisions contained the concessions granted previously, the Federal Telecommunications Institute (*Instituto Federal de Telecomunicaciones*, IFT) Plenary, decided to authorize the changes requested by eleven companies to the eighth condition of their respective concessions.

The modification consists in these concessions to have the possibility of being subject of analysis for the granting of the extension of their respective terms, and regulatory body having the absolute power to determine granting or not.

The present eighth condition of concession titles concerned establishes that assigned frequencies will be auctioned again at least three years before the

end of the term of the concessions, which contravenes the provisions of article 19 of the law, which provides for the course of granting of extensions of concessions terms under the conditions laid down in this article.

Given this situation, the Plenary discussed requests by these concessionaires and determined in the session held today, that the changes that are coming for referred concession titles establish that the concession may be extended fully or partially in the opinion of the Federal Telecommunications Institute, under the terms of the Law and other regulations and administrative applicable legal provisions for which in its case, will require the payment of a provision, the amount of which shall be fixed taking into account, among other criteria, the bandwidth of the frequency concession, the geographical coverage of the concession and the services that could be provided by such bands previously.

It also clarifies that where the concessionaire does not accept the new conditions that the IFT sets to grant the extension of the term of the concession or resolve to deny it, this autonomous body, exercising the governance of the State, in the matter and ensuring the efficient use of radio spectrum, will tender such frequency bands unless otherwise specified in the applicable regulations.

The Plenary Session resolutions reviewed the applications submitted by the following companies: Total Play Telecomunicaciones, S.A. de C.V. through agreement P/IFT/061113/2; Operbes, S.A. de C.V. through agreement P/IFT/061113/3; XC Networks, S.A. de C.V. with agreement number P/IFT/061113/4; Marcatel Com, S.A. de C.V. with agreement P/IFT/061113/5; Axtel S.A.B. de C.V., with agreement P/IFT/061113/6; G Tel communication, S.A.P.I. de C.V. with agreement P/IFT/061113/7; Alestra, S. de R.L. de C.V. under agreement P/IFT/061113/8; Avantel, S.A. de C.V. with agreement P/IFT/061113/9; Telecomunicaciones Mexicanas, S.A. de C.V. by agreement P/IFT/061113/10; Maxcom Telecomunicaciones, S.A.B. de C.V. with agreement P/IFT/061113/11 and Telcel Pap, S.A. de C.V. under agreement P/IFT/061113/12.

With this modification to the titles of merit award, IFT provides legal certainty to the concessionaires, allowing them to plan their investments and a more efficient development of the networks and services they provide.

Also, on the session held on this date, the IFT Plenary resolved through agreement P/IFT/061113/15 to designate Commissioner Adriana Labardini Inzunza as a member of the Transparency Council of the Institute, in charge of with resolving the review appeals against the resolutions issued by the Information Committee, is properly integrated with the Technical Secretary of the Plenary Session, the holder of the Legal Affairs Unit and the holder of the Internal Audit Office, as established by article 35 of the Organic Statute of this regulatory body.

The Plenary of the IFT also ruled, under agreement P/IFT/061113/14, the Annual Ordinary Sessions Calendar of the Plenary and the Public Holiday Calendar of the Federal Telecommunications Institute for 2013, which will be published in the next few days in the Federal Official Gazette.