

FORM TO PARTICIPATE IN THE PUBLIC CONSULTATION

How to fill out and participate:

- I. Opinions, comments and proposals shall be submitted to the following electronic mail: consultapublica5G@ift.org.mx. Maximum file size is 25 MB.
- II. Enter your full name (name and last name), company name or the legal representative's full name (name and last name). In this last case, select the type of document to accredit such representation and submit as attachment a legible electronic copy to the same electronic mail address.
- III. Read carefully the **PRIVACY POLICY** to become aware of the care and safeguard of your personal data, as well as of the publicity to be given to the comments, opinions and contributions you submit as part of this consultation process.
- IV. Enter your comments according to the structure indicated in Section II.
- V. In case you have general comments or any additional contribution, fill out the last box.
- VI. In case you are interested, you may attach any documents you deem convenient to your electronic mail message.
- VII. This public consultation will be held from September 9 to October 21, 2019 (30 business days). Upon its conclusion, the submitted comments and attached documents will be available at: <http://www.ift.org.mx/industria/consultas-publicas>
- VIII. The following contact is available to direct any questions, comments or concern about this consultation process to the Institute: Marisol Cuevas Tavera, Assistant Director of Regulatory Projects 2, electronic mail: marisol.cuevas@ift.org.mx phone number (55) 50154000 ext. 4872.

I. Respondent's Information	
Name or company name:	Telesat
Legal representative's name, if applicable:	
Document to accredit representation: In the case of a legal representative, attach a digital copy of the document to accredit such representation to the email message.	
PRIVACY POLICY	
<p>In compliance with articles 3, section II, 16, 17, 18, 21, 25, 26, 27 and 28 of the General Law on the Protection of Personal Data Held by Private Parties (hereinafter, the "LGPDPPSO") and numbers 9, section II, 11, section II, 15 and 26 to 45 of the General Guidelines for the Protection of Personal Data Held by Private Parties (hereinafter, the "Guidelines"), the Integrated Privacy Policy is made available to the users:</p> <ol style="list-style-type: none"> i. Controller's name: Instituto Federal de Telecomunicaciones (Federal Telecommunications Institute, hereinafter, the "IFT"). ii. Controller's address: Av. Insurgentes Sur, No. 1143, Col. Noche Buena, Benito Juárez, zip code 03720, Mexico City, Mexico. iii. Personal data to be handled and its purpose: All comments, opinions and contributions submitted related to this public consultation will be fully disclosed in the electronic portal of the Institute in an associated manner with the data subject and, in this sense, they will be considered invariably public in terms of numeral Eighth of the Public Consultation and Regulatory Impact Analysis Guidelines. This, because the nature of public consultations is to promote social participation and to transparent the new regulation-making process, as well as any other matter that the Governing Board of the IFT may consider, generating a space for the exchange of information, opinions and viewpoints on any matter of interest that this independent constitutional agency submits to public scrutiny. In case that information different from the name and opinion is detected in the documents submitted, and it includes confidential personal data, it will be protected. In relation to the name and opinion of the respondent in this exercise, it is understood that consent is granted to disclose such information in at least the Institute's portal, in terms of articles 20 and 21, second and third paragraphs, of the LGPDPPSO and numbers 12 and 15 of the Guidelines. iv. Information relating personal data transfers requiring consent: Personal data collected for public consultation purposes will not be subject to transfers requiring the data subject's consent. v. Legal basis granting authority to perform the treatment: the IFT, convinced of the usefulness and importance of transparency and civil participation in the new regulation-making process, as well as any other matter of interest, performs public consultations based on articles 15 sections XL and XLI, 51 of the Federal Telecommunications and Broadcasting Law, last amendment published in the Federal Official Gazette on June 15, 2018, 12, section XXII, second and third paragraphs, and 138 of the Federal Economic Competition Law, last amendment published in the Federal Official Gazette on January 27, 2017, as well as Guideline Eighth of the 	

Public Consultation and Regulatory Impact Analysis Guidelines of the Federal Telecommunications Institute, published in the Federal Official Gazette on November 8, 2017.

vi. **Mechanisms and means available to the data subject to manifest his denial to the treatment of his personal data for purposes and transfers requiring the data subject's consent:** In accordance with section IV of this Privacy Policy, personal data collected for public consultation purposes will not be subject to transfers requiring the data subject's consent. However, the following contact is made available: Marisol Cuevas Tavera, Assistant Director of Regulatory Projects 2, electronic mail: marisol.cuevas@ift.org.mx; phone number (55) 50154000 ext. 4872.

vii. **The available mechanisms, means and procedures to exercise access, rectification, cancellation or opposition rights on his personal data treatment (hereinafter, the "ARCO rights"):** Requests to exercise ARCO rights shall be submitted before the Transparency Unit of the IFT, by free form document, formats, electronic means or any other means established by the National Institute of Transparency, Access to Information and Personal Data Protection (hereinafter the "INAI"). The procedure will be governed by articles 48 to 56 of the LGPDPPSO as well as numbers 73 to 107 of the Guidelines, in accordance with:

a) The requisites that shall be included in the request to exercise ARCO rights:

- Data subject's name and address, or any other means for service;
- Documents to accredit the identity of the data subject or, when applicable, the capacity and identity of his representative;
- If possible, the area concerned with personal data treatment and before which the request is submitted;
- A clear and precise description of the personal data on which the exercise of any of the ARCO rights is intended;
- Description of the ARCO right to be exercised or whatever the data subject is requesting, and
- Any other element or document that may be useful to locate the personal data.

b) The means by which the data subject may submit requests to exercise ARCO rights.

Same as established in paragraph eighth of article 52 of the LGPDPPSO, which indicates the following:

Requests to exercise ARCO rights shall be submitted before the Transparency Unit of the controller deemed competent by the data subject, by free form document, formats, electronic means or any other means established by the INAI for such purposes.

c) Forms, systems and other simplified means that the Institute may have established for the data subject to exercise his ARCO rights.

The forms developed by the INAI to exercise ARCO rights are available at its Internet portal (www.inai.org.mx), in the "Protección de Datos Personales"/"¿Cómo ejercer el derecho a la protección de datos personales?"/"Formatos"/"Sector Público" section.

d) The means enabled to respond request to exercise ARCO rights.

In accordance with number 90 of the Guidelines, the response adopted by the controller may be notified to the data subject in its Transparency Unit or in the offices established for that purpose, prior accreditation of his identity and, when applicable, the identity and capacity of his representative, in person or through the National Transparency Platform or registered mail. Notice through a representative will not be valid when using these last means.

e) The mode or means to reproduce personal data.

In accordance with number 92 of the Guidelines, the mode or means of personal data reproduction will be through direct consultation, in his location, or by simple copies, certified copies, magnetic, optical, sound, visual or holographic media, or any other technology determined by the data subject.

f) The terms established in the procedure, which may not contravene articles 51, 52, 53 and 54 of the LGPDPPSO, are:

The controller shall establish simple procedures to allow the exercise of ARCO rights, with response times no exceeding twenty days from the day following reception of the request.

The term referred above may be extended one time only, for up to ten days, under justified circumstances, provided that the data subject is notified within the response term.

In case the exercise of ARCO rights is valid, the controller shall make it effective within a term that may not exceed fifteen days from the day following notice of response to the data subject.

In case the request for data protection does not comply with any of the requisites referred in paragraph fourth of article 52 of the LGPDPPSO, and the controller does not have sufficient elements to correct it, the data subject will be warned within five days following the submission of the request to exercise ARCO rights, for one single time, to correct the omissions within a term of ten days from the day following the notice.

Upon conclusion of said term without any response, the request to exercise ARCO rights will be deemed as not submitted.

The warning will have the effect of interrupting the term for the INAI to respond the request of exercise of ARCO rights.

In case the controller is not competent to process the request for exercise of ARCO rights, it shall notify the data subject on such situation within three days following submission of the request, and in case it may be determined, direct him to the competent controller.

In case provisions applicable to certain personal data treatment establish a specific procedure or process to request the exercise of ARCO rights, the controller shall notify the data subject on its existence within a term of five days following submission of the request to exercise ARCO rights, so that the latter may decide whether to exercise his rights through the specific procedure or by the process that the controller may have instituted to care for requests to exercise ARCO rights in accordance with articles 48 to 56 of the LGPDPPSO.

In the particular case, no specific process exists to request the exercise of ARCO rights relating to personal data collected for the consultation process at hand. (Case description, when applicable).

- g) The data subject's right to submit a writ of review before the INAI in case of disagreement with the response.

Such right is established in articles 103 and 116 of the LGPDPPSO, which indicate that the data subject, in his own behalf or through his representative, may file a writ of review before the INAI or the Transparency Unit of the controller who has heard of the request to exercise ARCO rights within a term of fifteen days from the day following the date of notice of the response.

- viii. **Address of the Transparency Unit of the Federal Telecommunications Institute:** Av. Insurgentes Sur, No. 1143, Col. Noche Buena, Delegación Benito Juárez, zip code 03720, Mexico City, Mexico. Ground Floor, phone 50154000, ext 4267.

- ix. **The means by which the controller will communicate data subjects on changes to the privacy policy are:** All changes to the Privacy Policy will be notified to the data subjects in the public consultation section of the IFT's Website.

II. Public Consultation for Integration Questionnaire

Note 1: The study “*Panorama del Espectro radioeléctrico en México para servicios móviles de quinta generación*” is a reference document to support the understanding of the questions listed below. The study itself is not subject to public consultation.

Note 2: Answering all the questions included in the following table is recommended, along with arguments and elements, as you may deem necessary to support the opinion, including supporting documents that you may want to attach.

Question no.	Question	Comment, opinion or contribution
1	<p>Do you consider that the quantity of radio spectrum to implement fifth generation (5G) mobile systems provided in the reference document is adequate for the demand expected for the next 5, 10 and 20 years in Mexico?</p> <p>Justify your response with technical, economic or strategic reasons.</p>	
2	<p>Regarding the frequency bands identified in the reference document to implement fifth generation (5G) mobile systems in Mexico, what other frequency band(s) do you think should be considered for that purpose?</p> <p>Justify your response with technical (case studies, international experiences, etc.) economic or strategic reasons.</p>	
3	<p>Regarding the frequency bands identified in the reference document to implement fifth generation (5G) mobile systems in Mexico, which frequency band(s) do you consider viable/unfeasible or appropriate/not appropriate, for sharing or coexistence with other radio communication services?</p> <p>Do you consider that any of the identified frequency band(s) or segment(s) should not be used to implement fifth generation (5G) mobile systems in Mexico?</p> <p>For both cases, justify your response with technical (compatibility/coexistence studies, case studies, international experiences, etc.), economic or strategic reasons.</p>	
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Question no.	Question	Comment, opinion or contribution
	<p>Regarding the frequency band(s) that you consider appropriate to implement fifth generation (5G) mobile systems in Mexico, what mechanisms and/or sharing schemes, coexistence of services, isolation, geographical separation, or any other, do you think could be applicable to make efficient use of the radio spectrum?</p>	
5	<p>Regarding the frequency band(s) that you consider appropriate to implement fifth generation (5G) mobile systems in Mexico, which you deem the year or period that the Institute makes available to the market it(s) band(s) or some segment of it(s).</p> <p>Justify your response with technical (practical cases, international experiences, etc.), economic or strategic reasons.</p>	
6	<p>Regarding the frequency band(s) that you consider appropriate to implement fifth generation (5G) mobile systems in Mexico, do you consider appropriate that two or more frequency bands should be made available to the market simultaneously?</p> <p>In case of a positive response, which would be the frequency bands or, if applicable, frequency band segments that should be tendered?</p> <p>Justify your response with technical (case studies, international experiences, etc.), economic or strategic reasons.</p>	
7	<p>Regarding the frequency band(s) that you consider appropriate to implement fifth generation (5G) mobile systems in Mexico, what are the potential uses and benefits in the next 5, 10 and 20 years of that frequency band(s) in Mexico?</p> <p>Justify your response with technical (compatibility/coexistence studies, case studies, international experiences, etc.), economic or strategic reasons.</p>	
8	<p>Regarding the frequency band(s) that you consider appropriate to implement fifth generation (5G) mobile systems in Mexico, how much contiguous radio spectrum do you consider? What segmentation and/or channeling do you consider appropriate for each frequency band(s)?</p>	

Question no.	Question	Comment, opinion or contribution
	<p>Justify your response with technical (case studies, international experiences, etc.), economic or strategic reasons.</p>	
9	<p>Regarding the frequency band(s) that you consider appropriate to implement fifth generation (5G) mobile systems in Mexico:</p> <ul style="list-style-type: none"> - Which of them do you think should be used exclusively for indoor use? - Which of them do you think should be used exclusively for outdoor use? - Which of them do you think could be used either for indoor and outdoor uses? <p>Justify your response with technical (compatibility/coexistence studies, case studies, international experiences, etc.), economic or strategic reasons.</p>	
10	<p>Do you have additional considerations regarding radio spectrum that the IFT should take into account to satisfy the radio spectrum demand for fifth generation (5G) mobile systems in Mexico?</p> <p>Justify your response with technical (compatibility/coexistence studies, case studies, international experiences, etc.), economic or strategic reasons.</p>	
11	<p>Regarding the frequency bands proposed in the reference document, do you identify potential specific services to be implemented on these frequency band(s) (IoT, short-range device applications, backhaul, WiFi evolution, satellite services, or others)?</p> <p>Justify your response and specify the frequency band(s).</p>	<p>In relation to the 27.5-29.5GHz (i.e. 28GHz band), Telesat would like to express its appreciation that this band has not been identified for 5G deployment in Mexico. Telesat also understands that the band is still under study. As such, Telesat is pleased to provide its view, together with some additional information on imminent use of the band by its novel Telesat LEO system (https://www.telesat.com/services/leo/why-leo).</p> <p>Telesat LEO will use the 27.5 – 29.1 GHz and 29.5 – 30.0 GHz bands in the Earth-to-space direction for both user terminals and gateway earth stations, with the Americas being a top priority region for both service provision and gateway deployment. In other words, availability of the</p>

Question no.	Question	Comment, opinion or contribution
		<p>28GHz band is key to the provision of Telesat LEO services in Mexico and other countries in the region. With the LEO constellation, Telesat will enable economical fiber quality broadband anywhere, literally transforming global communications. Amongst other things, Telesat LEO will allow for extremely low latency, high resilience with unmatched security, focused/flexible capacity and high throughput with low cost.</p> <p>Telesat, like many other satellite operators, are strongly opposed to the use of the 28GHz band by terrestrial 5G, as it will disrupt the global harmonised framework for FSS and will be incompatible with RR 5.516B, which identifies the following portions of the 28GHz band for High-Density applications in the Fixed Satellite Service (HDFSS) in Region 2: 28.35-29.1 GHz, 29.25-29.46GHz.</p> <p>The 28GHz band is key for the expansion of the satellite services. The clearest evidence of the value of the 28 GHz band to the satellite community is the very large number of current and future satellite systems designed to operate in the band, including Telesat LEO. Investments of billions of dollars have been committed to new and innovative satellite systems, which are providing and will continue to provide tremendous social and economic value, by connecting the unconnected on land, at sea and in the air, and providing essential connectivity services, such a cellular and 5G backhaul, in an efficient and economic manner.</p> <p>The 27.5-29.5GHz band is also essential for feeder link earth stations for a large number of satellite systems with payloads in Ka and other frequency bands, including Telesat LEO.</p>

