

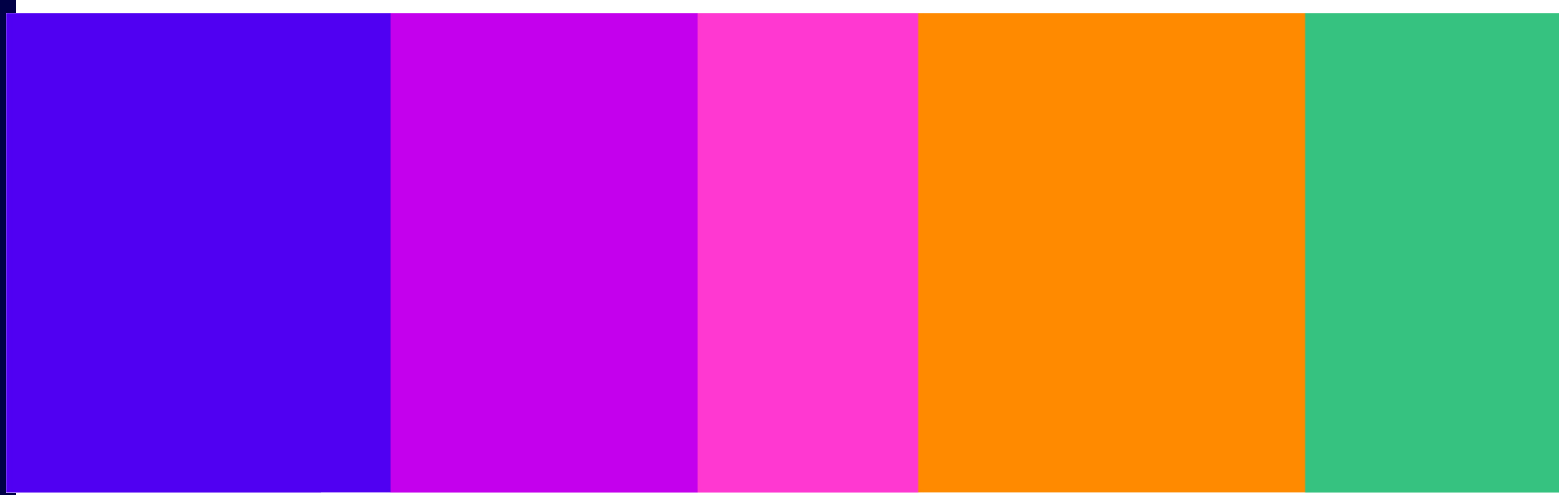
# Award of the 26 GHz and 40 GHz (mmWave) spectrum bands

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Process guidance for potential applicants and bidders in the auction

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# 1. Introduction

- 1.1 This document is designed to provide process guidance to potential applicants and bidders in the 26 GHz and 40 GHz (mmWave) auction ('the auction').
- 1.2 The rules of the auction will be set out in the Wireless Telegraphy (Licence Award) Regulations 2025 ('the Regulations'). We published the draft final Regulations on the 11 November 2024, with the Regulations due to be made in June 2025.<sup>1</sup>
- 1.3 The purpose of this document is to provide additional information about practical aspects of the auction that may not be covered by the Regulations. To the extent that there is any contradiction between this document and the Regulations, the Regulations will prevail. Unless otherwise stated, terminology relating to the auction carries the same meaning in this document as in the Regulations.
- 1.4 We are not attempting, in this guidance, to cover all possible events that could occur during the auction. We also cannot predict how facts and events will develop and change during the award process. Accordingly, you should note that we may depart from the guidance given in this document, if necessary. The document is intended only to set out our current intentions and expectations.
- 1.5 The document sets out indicative timings for each stage of the award process. However, all timescales included in the document are for guidance purposes only and are subject to change.
- 1.6 We welcome early comments from parties considering participating in the auction if any aspects of the material published in this guidance document are unclear - or on particular issues in relation to which further guidance would be helpful. If necessary, we may publish amendments or updates to this guidance at a later date. Any such amendments or updates will be published on our [website](#).
- 1.7 The website also includes a 'Q and A' which will be reviewed and updated as necessary as we proceed towards the auction.
- 1.8 The subjects covered in this document are as follows:
  - **Section 2** explains how applicants will be required to submit their application to participate in the auction.
  - **Section 3** provides information on bidder groups and on how we will carry out the qualification process.
  - **Section 4** explains how bidders will access the electronic auction system and use that system to bid in the auction.
  - **Section 5** explains the deposit requirements after qualification.
  - **Section 6** is concerned with the principal stage of the auction.
  - **Section 7** sets out details of the assignment stage of the auction.
  - **Section 8** provides an overview of the final stages of the auction.
  - **Annex 1** sets out our requirements for payments to Ofcom's bank.

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<sup>1</sup> The Regulations will appear on [legislation.gov.uk](https://legislation.gov.uk). A direct link to the document will be placed on the [Ofcom auction webpage](#).

## Process guidance for potential applicants and bidders in the auction

- **Annex 2** summarises how we envisage bidders/applicants and Ofcom will communicate before, during and after the auction.
- **Annex 3** provides illustrative templates for a principal stage and assignment stage form in the event that Ofcom authorises a bidder to submit bids by an alternative method.
- **Annex 4** summarises our business continuity plans.
- **Annex 5** provides an example of the auction data for the principal stage.

## 2. Application

- 2.1 Ofcom will inform potential applicants of the application window (i.e. the days on which potential applicants will be able to submit applications to Ofcom to participate in the auction) once the Auction Regulations come into force. Details will be published on our [website](#).
- 2.2 We intend to require applicants to submit application forms to Ofcom by email, following the procedure set out in the rest of this section.

### Delivering an application

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- 2.3 To apply to participate in the auction, a body corporate must deliver certain items specified in the Regulations, using the delivery method specified by Ofcom. These will include an application form containing:
- the application information required by Schedule 2 of the Regulations;
  - the information about non-associates required by Regulation 4(3)(a)ii (see below for the concept of associates); and
  - a warranty signed by two authorised persons.
- 2.4 The application form (including the warranty) and the document setting out which information is required by Schedule 2 of the Regulations will be available for download from [Ofcom's website](#).
- 2.5 Ofcom will inform potential applicants of the timings of the application window and the method of delivery by publishing a Notice on our website. As set out above, our intention is to only accept applications delivered via email, and to receive applications over a period of two days.
- 2.6 In order to deliver an application to Ofcom, applicants should therefore email [radiospectrum.award@ofcom.org.uk](mailto:radiospectrum.award@ofcom.org.uk), with the information set out in paragraph 2.3 as email attachments, within the specified timings. Applicants should send this email from their corporate email address.
- 2.7 These documents must be scanned pdf copies of the originally signed documents. Applicants should therefore secure original signatures on the documents set out in paragraph 2.3, and then provide Ofcom with scanned copies of these documents containing the original signatures.
- 2.8 We encourage applicants to safeguard the confidentiality of their application by password protecting the pdf attachments to their emails and by phrasing the body of the email generically. Where an applicant has password protected its pdf attachments for its application, it should text the decryption password and the name of the applicant to a phone number that Ofcom will make available for the application days. Ofcom will publish this number on the website, two weeks before the application window opens.
- 2.9 Ofcom will aim to confirm receipt of the email and associated attachments to applicants within one hour of receiving the email and any relevant passwords. If we receive an application after 16:00 on day 1 of receiving applications, Ofcom will seek to confirm receipt of that email at the first opportunity on day 2. Ofcom will confirm receipt by responding to the email address from which the application was sent. If an applicant has not received

## Process guidance for potential applicants and bidders in the auction

confirmation within one hour of sending its email to [radiospectrum.award@ofcom.org.uk](mailto:radiospectrum.award@ofcom.org.uk), please call the phone number that Ofcom will make available as set out in paragraph 2.8.

- 2.10 We will consider an application to be delivered if we have received an email with the documents set out in paragraph 2.3 attached, and any password required to unencrypt a password protected attachment, after the start and before the end of the specified period for receiving applications.
- 2.11 We therefore strongly encourage applicants to email their application form as early as possible within the period specified for receiving applications, ideally on the first day. This will help to ensure sufficient time for Ofcom and applicants to investigate any technical issues that might be affecting the sending or receiving of the email.
- 2.12 Ofcom will check that passwords provided by the applicant do open the relevant attachments at the point that we receive an application email during the application window. However, applicants should note that it is each applicant's responsibility to ensure that their application email contains all of the documents and information required by the Regulations. Our checks of the contents and validity of applications will occur after the end of the application window.

## Initial Deposit

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- 2.13 The Regulations require applicants to pay an initial deposit of £1,000,000 into Ofcom's auction bank account before a specified deadline.<sup>2</sup> The deadline will be the end of the day on the last day on which applications are due to be delivered (i.e. 23:59 on day two of the application window). We will confirm the deadline on our website after the Regulations come into force alongside our notification of the date(s) and times for submitting applications. It is the responsibility of the applicant to ensure the cleared funds are with our bank in good time, and we therefore encourage early payment. We will send an acknowledgment email to confirm receipt of payment once it has reached the Ofcom bank account. This will also be sent to the email address from which the application was sent.
- 2.14 These deposits will be refunded to the bank account from which the payment is made if an application is withdrawn before the deadline for withdrawals, or if it is determined that the applicant is not qualified to bid. Refunds will be made at the earliest opportunity following the publication of the names of the bidders.
- 2.15 Bank details and other relevant information in relation to payment of the initial deposit are set out in annex 1 to this document.

## The concept of 'associates'

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- 2.16 The Regulations require each applicant to provide information about each of its associates and details of the material interest that each associate holds in the applicant.
- 2.17 The Regulations define an associate as a person who has a 'material interest' in the applicant or bidder. 'Material interest' means, whether held directly or indirectly:

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<sup>2</sup> Regulation 4(3)(b)

## Process guidance for potential applicants and bidders in the auction

- any interest (construed in accordance with sections 820 to 825 of the Companies Act 2006) in:
  - any share which carries, or any shares which together carry, more than 25% of the votes entitled to be cast at a general meeting of the applicant or bidder (referred to below as the '25% rule'); or
  - any share or shares in the case of which the consent of the holder of that share or those shares is required for the conduct of any business of the applicant or bidder; or
- the right to appoint or remove a majority of the applicant's or bidder's board of directors.

2.18 We have set out in Figure 1 below an illustration of how the 25% rule applies, with Figure 2 providing an example of the breakdown of each associate's material interest in the applicant company. Please be aware that persons that are not associates under the 25% rule may still be associates if they satisfy the other limbs of the material interest test.

**Figure 1: Illustration of the concept of material interest under the '25% rule'**

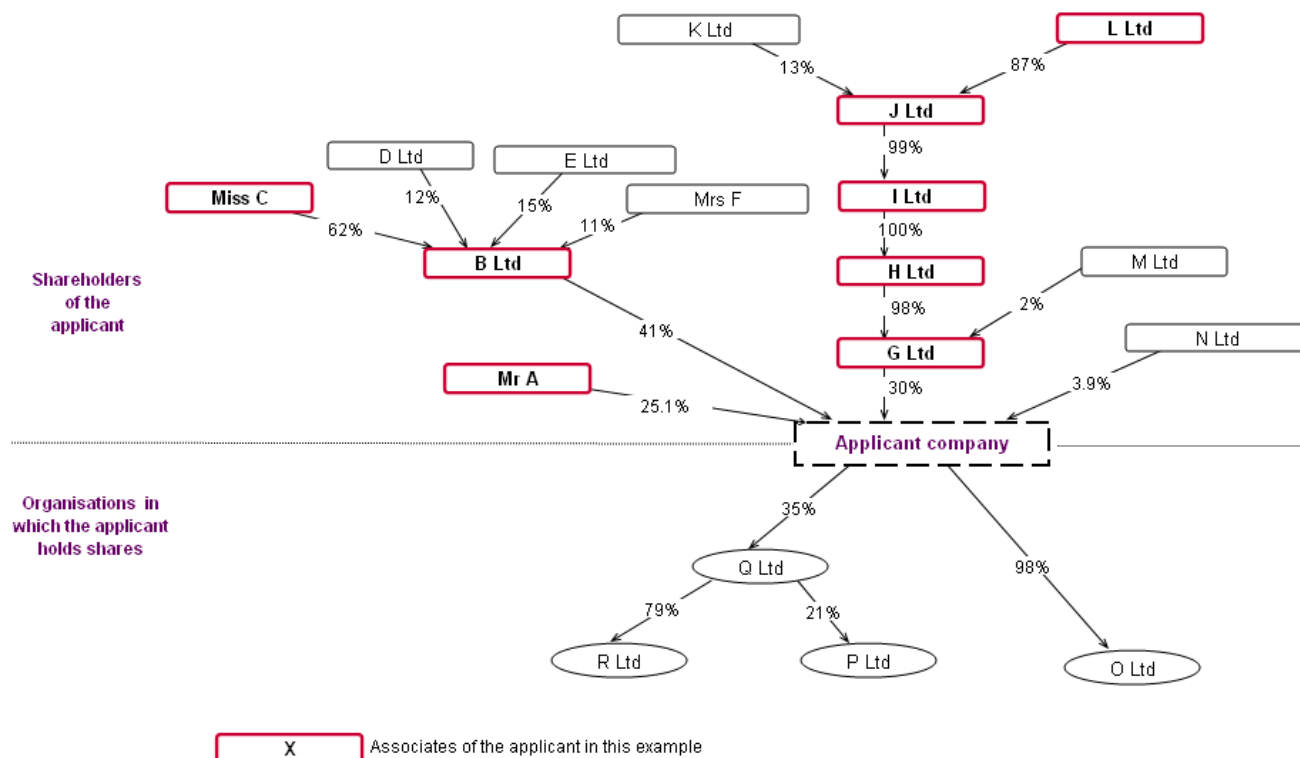


Figure 2: Table of example material interest under the '25% rule'

Associate	Material interest in Applicant company
<b>Mr A</b>	Directly holds 25.1%
<b>B Ltd</b>	Directly holds 41%
<b>Miss C</b>	Indirectly holds 25.4% (62% x 41%)
<b>G Ltd</b>	Directly holds 30%
<b>H Ltd</b>	Indirectly holds 29.4% (98% x 30%)
<b>I Ltd</b>	Indirectly holds 29.4 % (100% x 98% x 30%)
<b>J Ltd</b>	Indirectly holds 29.106% (99% x 100% x 98% x 30%)
<b>L Ltd</b>	Indirectly holds 25.32222% (87% x 99% x 100% x 98% x 30%)

## Members of an applicant or bidder group who are not associates

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- 2.19 Disclosure of confidential information of relevance to the auction to anyone who is not a member of the applicant or bidder group may mean that the applicant does not qualify to take part in the award or - if already qualified - may lose its deposit and may be excluded from the award. There are certain limited exceptions, such as disclosure to providers of finance for the purpose of raising funds for a bid.
- 2.20 Applicants should therefore consider including in their applicant or bidder group (in addition to associates) all organisations with whom they may have had or have discussions that may involve the disclosure of confidential information, including for example organisations providing advice to them in connection with the award (e.g. lawyers, auction experts, etc.).
- 2.21 In relation to each such person that an applicant wishes to join in its applicant group, an applicant must provide to Ofcom a document in the form set out in Schedule 3 to the Regulations. This document must be completed by the applicant and signed by two authorised persons on behalf of the applicant. It must also be completed by, and signed by or on behalf of, the person in respect of whom the document is completed.



## 3. Qualification

- 3.1 We set out below in Figure 3 an illustration of the timings we envisage for the qualification stage of the auction. Business days<sup>3</sup> are numbered in the timeline, with Day 1 being the last day on which we plan to receive applications. Figure 3 (shown further down in this section) illustrates the likely timescale for the first part of the qualification stage between the last application day and the deadline for resolving any bidder overlaps (see 3.5 for identifying bidder group overlaps).
- 3.2 After the deadline for resolving bidder overlaps has passed, Ofcom will make a final determination of whether or not applicants are qualified to bid, including confirmation that applicants are fit and proper bodies to hold licences. Figure 4 at the end of this section sets out the likely timescales between notification to bidders of our determination and publication on Ofcom’s website.
- 3.3 All schedules are subject to change depending on particular circumstances at the time, e.g. if clarification of information supplied is needed. The illustrations are designed to give applicants a general idea of possible timelines.
- 3.4 Timings for other aspects of the pre-auction period are set out in other sections of this document. We note that some elements of the process occur simultaneously. For example, the pre-bidding applicant training (see section 4) coincides with the qualification phase set out in Figures 3 and 4.

### Identifying bidder group overlaps

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- 3.5 We will send applicants a notice setting out the names of the other applicants and their associates. We expect to be able to send the notice on the business day after the last day that we receive applications.
- 3.6 Applicants will need to review the notice carefully to identify any member of their applicant group that is also a member of another applicant group and notify us of any overlaps between its own and other applicant groups by the deadline. They will also need to notify the other applicant(s) with whom any overlap exists.
- 3.7 In parallel, we will consider whether it appears to us that there is any overlap in membership between applicant groups.
- 3.8 The notice will specify a deadline for applicants to respond to Ofcom. We would encourage responding as early as possible.

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<sup>3</sup> Business Days – Monday to Friday, 09:00 – 17:00 (Excluding Bank Holidays)

## Process guidance for potential applicants and bidders in the auction

**Figure 3: Illustrative timings for Qualification Stage from application day to deadline for resolving bidder overlaps. N.B. Timelines are subject to change**

Business days	Day 1	Day 2	Day 3	Day 4	Day 5	Day 6	Day 7	Day 8	Day 9	Day 10	Day 11	Day 12
Applications submitted (based on final day for submission)	X											
Deadline for submitting application deposits	X											
Ofcom notifies each applicant of other applicants and their associates		X										
Final date for applicants to notify Ofcom of any bidder group overlaps						X						
Ofcom informs applicants of deadline to resolve bidder overlaps							X					
Deadline for bidder overlaps to be resolved												X

## Resolution of applicant group overlaps

- 3.9 Where it appears to us that a member of one applicant group is also a member of another applicant group, we will notify each applicant concerned and specify a deadline for notifying us of any change in circumstance such that overlaps are resolved (and for providing revised documents).
- 3.10 We expect that the deadline will be around four or five business days after we notify the applicants of the overlaps - although this will depend on the particular circumstances and will be subject to Ofcom's discretion.
- 3.11 In a situation where applicant groups have common members, it is the responsibility of the applicants concerned to resolve the situation by the deadline that we set and to notify us of changes. If they do not, neither applicant will be qualified to bid.
- 3.12 Resolution may involve the common associate disposing of or reducing appropriately its material interest in one or both of the applicants concerned, or withdrawal by one or more of the applicants involved in an overlap.

## Qualification and last day for withdrawal

- 3.13 In parallel with the above, we will consider whether each applicant is fit to hold a licence in accordance with Regulation 8. As part of this process, we may ask applicants to provide us with additional information or documentation. We may need to set a short deadline for the provision of such information or documentation. This will vary depending on the nature of the information or documentation requested and may be as little as one business day.

## Process guidance for potential applicants and bidders in the auction

- 3.14 Following completion of this assessment and the deadline for resolution of any bidder overlaps, we will notify each applicant of our determination regarding qualification and of the last day for withdrawal. The withdrawal deadline will be the following business day after the sending of the notification, at 23:59.
- 3.15 We will also publish, on our website, the identity of the qualified applicants and the deadline for withdrawal.
- 3.16 We do not anticipate giving the notification of qualification before the second business day after the deadline for applicants to notify us of any overlaps in bidder groups. If any overlaps are notified, the notification of qualification will be later.
- 3.17 Applicants may withdraw from the award process on or before the last day for withdrawal (without losing their deposit for that reason) by sending us a notice to that effect signed by two authorised persons. We will notify withdrawals to all other applicants.
- 3.18 Where an applicant withdraws from the auction on or before the last day for withdrawal, or does not qualify to participate in the auction, Ofcom will refund, to that applicant, its initial deposit (but not any interest that has accrued on that deposit). We expect to make any such refunds at the earliest opportunity following the publication of the names of bidders. We anticipate that we will publish a final list of bidders on the business day following the last day for withdrawal.
- 3.19 An applicant may not withdraw from the award process after the withdrawal deadline has passed. In order to receive a refund of any sums paid as a deposit following the withdrawal deadline, an applicant must participate in the auction as a bidder, specifying a valid bid in the first principal stage round (see Regulations 11 and 21).

## Subsequent changes to bidder groups and existing spectrum holdings

- 3.20 Any subsequent changes to bidder groups after the initial application must be notified to Ofcom in writing. We will determine what impact, if any, the changes have on the bidder's qualification to participate in the auction.

**Figure 4: Illustrative timings for second part of the Qualification Stage from notification to applicants of Ofcom determination to publication of the list of qualified applicants (business days)**

Business days	Day 1	Day 2	Day 3
Ofcom notifies each applicant of qualification determination	X		
Publication on Ofcom's website of names of qualified applicants	X		
Ofcom notifies each applicant of the last day for withdrawal	X		
Last day for withdrawal (by 23:59)		X	
Publication on Ofcom's website of names of bidders			X

## Communication between Ofcom and applicants

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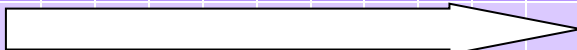
- 3.21 Communication by Ofcom to applicants during the qualification stage will normally be by email, using contact details supplied by the bidder in their applications. We ask that applicants always acknowledge receipt of any communications sent to them by Ofcom. Similarly, we undertake to acknowledge any communications received from applicants.

## 4. Pre-bidding

### Overview of timings for the pre-bidding phase

4.1 We set out below in Figure 5 an illustration of the timing we envisage for the pre-bidding phase of the auction, during which applicants/bidders will be able to familiarise themselves with our electronic auction system ('EAS'). As above, all timings are subject to change and final timings will depend on the particular circumstances at the time.

**Figure 5: Illustrative timings for pre-bidding phase (business days)**

Business days	Day 1	Day 2	Day 3	Day 4	Day 5	Day 6	Day 7	Day 8	Day 9	Day 10	Day 11	Day 12 etc.	As determined	+ one day
Applications submitted	X													
Deadline for submitting application deposits	X													
Applicants issued with EAS Playground web links and user guide for self-training		X												
Applicant self-training														
Last day for withdrawal													X	
Publication on Ofcom's website of names of bidders														X
Ofcom provides each bidder with authentication information for use of EAS plus manuals, passwords etc.														X
EAS available for bidders to log in														X

### Electronic Auction System

4.2 Bidding in the auction will be conducted using an EAS hosted by Innovative Auctions GmbH, unless in exceptional circumstances Ofcom implements an alternative method of bidding. This section briefly explains:

- What training will be offered to bidders before the start of the auction;
- System requirements for the EAS; and
- What authentication information is required to use the EAS.

4.3 As explained in subsequent sections of this guidance, our intention is that rounds will take place between 10:00 and 16:45 on business days.

## Training for applicants (using a training version of the EAS)

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- 4.4 Following submission of applications and payment of initial deposits, Ofcom will provide details of how applicants may access a training version of the EAS (“EAS Playground”) that we will be using in the auction, and user guides setting out instructions for the use of the system. This will enable applicants to familiarise themselves with the bidding process and to conduct internal mock auctions and training with full autonomy (that is, without Ofcom’s involvement).
- 4.5 Based on current indicative timelines, we will make the EAS Playground for training available the day after the deadline for submitting application deposits, together with passwords for use of the system, as indicated in Figure 5 above. We will contact applicants using the contact details listed on their application forms with information on how to access the training system. Applicants will then be able to access the EAS Playground using the authentication information and user guides.
- 4.6 In addition to this self-training for applicants, there will be a later opportunity for qualified applicants to engage with some individual training prior to the start of the principal stage of the auction process.
- 4.7 This further training could include mock auctions conducted remotely using the EAS or include running specific parts of the auction and/or a rehearsal of processes, such as bidding by alternative means<sup>4</sup> or the procedure for deposits.
- 4.8 Full information will be provided to qualified applicants later in the process, including details of how to access the ‘live’ version of the EAS system to be used in the actual auction, and specific instructions regarding the distribution and/or collection of the authentication information for use of the EAS. These further details will only be provided to qualified applicants and so will not be made available until after the final date for withdrawal of applications.
- 4.9 We anticipate that users will be able to continue using the training version of the system for familiarisation purposes up until the start of the auction.

## System requirements

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- 4.10 To use the EAS and participate in the auction you will need a standard PC connected to the Internet and an Internet browser with a minimum of TLS 1.2 security. The supported configurations are as follows:
- MacOS 10.13, Windows 10, or more recent operating systems;
  - A recent version of Google Chrome or Microsoft Edge;<sup>5</sup> and
  - 1440 x 900 screen resolution or higher.
- 4.11 A reliable broadband internet connection is required. Data traffic between computers and the EAS could be subject to congestion or internet service outages. It is therefore recommended that bidding decisions are submitted well within the deadlines.

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<sup>4</sup> Using the alternative bid submission forms, explained in Annex 3

<sup>5</sup> Internet Explorer is not a supported configuration.

## Process guidance for potential applicants and bidders in the auction

- 4.12 We also strongly recommend that bidders have a back-up internet connection available in case of connectivity issues.
- 4.13 Bidders will be able to download bid history files from the EAS in .csv format throughout bidding stages of the auction. An example of the principal stage bid data csv file is available on the [Ofcom website](#). The data in this file does not contain any real bids or strategic suggestions on how to bid. This is provided solely to show how bid data is presented.

## Authentication information required to use the 'live' EAS

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- 4.14 There are pieces of security information that bidders require to access the 'live' EAS to be used in the auction. Each bidder will be provided:
- An invitation to register for the auction portal using Two-Factor Authentication (Microsoft/Google Authenticator).
  - Bidder-specific login details and password for the EAS.
- 4.15 We will provide these pieces of information to bidders after the qualification period (we currently expect this to be the day after the final date for withdrawal of applications). We expect to distribute these authentication details electronically, using Ofcom's Managed File Transfer ('MFT') system. We will provide each bidder with instructions on how to access MFT following the publication of the names of bidders.
- 4.16 It is each bidder's responsibility to ensure that this information is kept safe and secure so that no third party can try to impersonate them in the auction.

## Other Passwords

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- 4.17 Ofcom will also provide bidders with a list of one-time passwords. These will not be used to access the EAS but for other purposes, e.g. the submission of a bid by alternative method and proof of identification during a telephone conversation or email. These one-time passwords will be provided at the same time, and in the same manner, as the security information.

## 5. Before the principal stage

### Additional Deposit

- 5.1 The Regulations provide details for the payment of an additional deposit before the start of the principal stage. This deposit will be taken into account for the purpose of calculating each bidder’s eligibility limit for the first round of the principal stage. The calculation of the eligibility limit is set out in Regulation 14.
- 5.2 The day on which we provide each bidder with authentication information for use of the EAS, as well as an indicative start date for the principal stage, we anticipate giving notice inviting an additional deposit. We expect that payment would be due by the end of the third business day thereafter (Day 4 in Figure 6 below).
- 5.3 For example, if notice is given on a Monday, payment will need to be received in Ofcom’s auction bank account by 23:59 on the Thursday that same week. It is the responsibility of the bidder to ensure that the funds are in place in our bank account in good time, and we therefore encourage early payment.
- 5.4 Bank details and other relevant information in relation to payment of deposits are set out in annex 1 to this document.
- 5.5 Once the additional deposit is received, we will inform bidders through the EAS of the eligibility points each bidder has acquired, before notifying the date for the start of the principal stage. We will give a minimum of two days’ notice between notification and the beginning of the first round of the principal stage.
- 5.6 If a bidder’s additional deposit is not received by Ofcom by the deadline specified, that bidder will be assigned a single eligibility point based on their initial £1,000,000 deposit during the application stage.
- 5.7 We set out below an illustration of the timing we envisage for this phase of the auction. Please note the exact timing will depend on the particular circumstances at the time.

**Figure 6: Illustrative timings before the start of the auction (business days)**

Business days	Day 1	Day 2	Day 3	Day 4	Day 5
Ofcom provides each bidder with authentication information for use of EAS plus manuals, passwords etc.	X				
EAS available for bidders to log in	X				
Ofcom notifies each bidder regarding additional deposits	X				
<b>Ofcom informs bidders of indicative start date of principal stage</b>	X				
Additional deposit due				X	
Notification of eligibility limit					X
Notification of principal stage start date					X



## 6. Principal stage rounds

- 6.1 The auction will be conducted by Ofcom in a secure location. We expect to schedule principal stage rounds in accordance with the following principles and, if appropriate, follow the indicative schedules provided in the tables below.
- a) We expect bidding will normally run on business days only, from no earlier than 10:00 to no later than 16:45.
  - b) We will give notice prior to the start of each round by an announcement through the EAS. We expect the notice period to be around 20 minutes.
  - c) The clock within the EAS will be the definitive time reference point.
  - d) The number of rounds that take place on any one business day may vary. We expect to schedule five rounds lasting 45 minutes each on the first bidding day, as detailed in Figure 7. For the second and subsequent bidding days we expect to schedule six 30-minute rounds (6 x 30 minutes), as detailed in Figure 8.
  - e) Although we expect that each principal stage round will normally last 30 or 45 minutes, we may run rounds with different durations, if circumstances are such that a change would help to progress the auction. For example, we may run shorter rounds if it would benefit the auction to include more rounds in a day, scheduling eight 15-minute rounds (8 x 15 minutes) as detailed in Figure 9.
  - f) If we are inclined to vary the number or length of rounds from one day to the next, we will endeavour to give bidders a day's notice (and not less than half a day's notice) ahead of changing the day's bidding schedule, and provide an opportunity for bidders to make representations on the proposed revised schedule.
  - g) We will try to ensure there is a lunch break of approximately an hour on each bidding day (and no less than 45 minutes) which will usually fall between 12:00 and 14:00.
  - h) The price increments we will use between rounds will be subject to our discretion. However, our expectation is to use increments of 5%, with prices rounded up to the nearest £1,000. We also intend to limit the absolute price increase in each round in any lot category. We expect to limit the absolute price increase to £2 million for each 26 GHz lower lot and 26 GHz upper lot; and £1 million for each 40 GHz lot.
  - i) We expect to schedule the first round of each day of principal stage bidding at the end of the previous business day.

**Figure 7: Illustrative scheduling for the first principal stage bidding day, based on a schedule of 5 x 45 minute rounds**

Round	Activity	Time
1	Notify round prices and schedule principal stage round 1	Previous Business Day
	Start of principal stage round 1 (45 mins duration)	10:00
	End of principal stage round 1	10:45
2	Notify round prices and announce principal stage round 2 (25 mins notice)	10:50
	Start of principal stage round 2 (45 mins duration)	11:15
	End of principal stage round 2	12:00
	Release round 2 results	12:05
3	Notify round prices and announce principal stage round 3 (65 mins notice)	12:10
	Break for Lunch (65 mins)	12:10
	Start of principal stage round 3 (45 mins duration)	13:15

## Process guidance for potential applicants and bidders in the auction

	End of principal stage round 3	14:00
	Release round 3 results	14:05
4	Notify round prices and announce principal stage round 4 (20 mins notice)	14:10
	Start of principal stage round 4 (45 mins duration)	14:30
	End of principal stage round 4	15:15
	Release round 4 results	15:20
5	Notify round prices and announce principal stage round 5 (20 mins notice)	15:25
	Start of principal stage round 5 (45 mins duration)	15:45
	End of principal stage round 5	16:30
	Release round 5 results	16:35
	Message to bidders giving guidance of planned schedule for next day	16:45

**Figure 8: Illustrative scheduling for the second and subsequent principal stage bidding days, based on a schedule of 6 x 30 minute rounds**

Round	Activity	Time
1	Notify round prices and schedule principal stage round 1	Previous Business Day
	Start of principal stage round 1 (30 mins duration)	10:00
	End of principal stage round 1	10:30
	Release round 1 results	10:35
2	Notify round prices and announce principal stage round 2 (20 mins notice)	10:40
	Start of principal stage round 2 (30 mins duration)	11:00
	End of principal stage round 2	11:30
	Release round 2 results	11:35
3	Notify round prices and announce principal stage round 3 (20 mins notice)	11:40
	Start of principal stage round 3 (30 mins duration)	12:00
	End of principal stage round 3	12:30
	Release round 3 results	12:35
4	Notify round prices and announce principal stage round 4 (65 mins notice)	12:40
	Break for Lunch (65 mins)	12:40
	Start of principal stage round 4 (30 mins duration)	13:45
	End of principal stage round 4	14:15
	Release round 4 results	14:20
5	Notify round prices and announce principal stage round 5 (20 mins notice)	14:25
	Start of principal stage round 5 (30 mins duration)	14:45
	End of principal stage round 5	15:15
	Release round 5 results	15:20
6	Notify round prices and announce principal stage round 6 (20 mins notice)	15:25
	Start of principal stage round 6 (30 mins duration)	15:45
	End of principal stage round 6	16:15
	Release round 6 results	16:20
	Message to bidders giving guidance of planned schedule for next day	16:30

**Figure 9: Illustrative scheduling for principal stage bidding days, based on 8 x 15 minute rounds**

Round	Activity	Time
1	Notify round prices and schedule principal stage round 1	Previous Business Day
	Start of principal stage round 1 (15 mins duration)	10:00
	End of principal stage round 1	10:15
	Release round 1 results	10:20
2	Notify round prices and announce principal stage round 2 (20 mins notice)	10:25

## Process guidance for potential applicants and bidders in the auction

	Start of principal stage round 2 (15 mins duration)	10:45
	End of principal stage round 2	11:00
	Release round 2 results	11:05
<b>3</b>	Notify round prices and announce principal stage round 3 (20 mins notice)	11:10
	Start of principal stage round 3 (15 mins duration)	11:30
	End of principal stage round 3	11:45
	Release round 3 results	11:50
<b>4</b>	Notify round prices and announce principal stage round 4 (20 mins notice)	11:55
	Start of principal stage round 4 (15 mins duration)	12:15
	End of principal stage round 4	12:30
	Release round 4 results	12:35
<b>5</b>	Notify round prices and announce principal stage round 5 (65 mins notice)	12:40
	Break for Lunch (65 mins)	12:40
	Start of principal stage round 5 (15 mins duration)	13:45
	End of principal stage round	14:00
	Release round 5 results	14:05
<b>6</b>	Notify round prices and announce principal stage round 6 (20 mins notice)	14:10
	Start of principal stage round 6 (15 mins duration)	14:30
	End of principal stage round 6	14:45
	Release round 6 results	14:50
<b>7</b>	Notify round prices and announce principal stage round 7 (20 mins notice)	14:55
	Start of principal stage round 7 (15 mins duration)	15:15
	End of principal stage round 7	15:30
	Release round 7 results	15:35
<b>8</b>	Notify round prices and announce principal stage round 8 (20 mins notice)	15:40
	Start of principal stage round 8 (15 mins duration)	16:00
	End of principal stage round 8	16:15
	Release round 8 results	16:20
	Message to bidders giving guidance of planned schedule for next day	16:30

## Submitting a principal stage form by alternative method

- 6.2 We recognise that in highly exceptional circumstances, a bidder may be unable to access the EAS for one or more rounds due to technical failure or an unexpected event or circumstance with similar effect to technical failure. In those circumstances, if on the evidence provided by bidders, Ofcom is satisfied that the bidder is for such reasons unable to submit a principal stage form through the EAS, Ofcom will inform that bidder that it may submit the form by an alternative method, as set out in Regulation 124. Ofcom may then input the form into the EAS on the bidder's behalf.
- 6.3 Where bidders find that they are unable to use the EAS to submit a principal stage form, they should contact us immediately by phone to explain why. They should confirm the reasons by email including a password protected attachment, providing evidence that is as clear and compelling as can reasonably be expected at the time.
- 6.4 Examples of such evidence include (but are not limited to) time-stamped screenshots, correspondence with in-house ICT departments, evidence from Internet Service Providers, or server logs establishing that the bidder is experiencing a technical failure that is preventing it from using the EAS.

## Process guidance for potential applicants and bidders in the auction

- 6.5 We will ask bidders to submit evidence urgently, particularly if the issue arises close to or after the start of a round. However, we acknowledge it may not be possible to submit all of the above examples immediately. We will be sympathetic to genuine emergencies.
- 6.6 We note that, for security reasons, bidders should not communicate information in the body of an email or phone message that could give an indication of potential bid decisions or any bid information they had access to as part of the bidding process.
- 6.7 After Ofcom has received evidence, we will take a decision as to whether the bidder may use the alternative method and will inform the bidder by phone or email of this decision. Alternatively, we also have the option of extending a round or pausing the auction and re-running a round.
- 6.8 Our approval of an alternative method of submission depends on whether or not the condition in Regulation 124 is met; that is, whether Ofcom is satisfied that the bidder was unable to submit its principal stage form using the EAS because of technical failure or event or circumstance having similar effect.
- 6.9 A full, detailed account of the circumstances which led to a bidder being unable to use the EAS – signed by two authorised persons – must be submitted by email by a specified deadline. We expect this deadline will be within 24 hours of the event. This should include, in a single document, the evidence of technical failure previously submitted and put in the relevant context, together with (to the extent this was not already clearly covered) an account of steps taken prior to the technical failure to minimise the possibility of the bidder having to resort to alternative bid submission (such as through provision of back-up internet access); any of the pieces of evidence set out in paragraph 6.4 above that could not be supplied immediately, with an explanation of why immediate submission was not possible; and a clear identification of the events outside the bidder’s control that led to the failure.
- 6.10 In addition, and in principle, the later in the round that the bidder calls us, the greater the risk that we will not have enough time to authorise the use of the alternative method before the end of the round. Therefore, we encourage bidders to submit their principal stage forms using the EAS as soon as possible in the round, so that, if the need arises, there is enough time for the bidder to communicate a technical problem to Ofcom, and for us to authorise the use of the alternative method.
- 6.11 Should we authorise the use of the alternative method, we will send the following information by email:
- Notification of method to use to submit bids;
  - A principal stage form, containing information relevant to the bidder, as a password protected email attachment. This form must be returned to Ofcom as a password protected email attachment. An illustrative template of this is included in annex 3;
  - The reference number of the one-time password for the bidder to authenticate the principal stage form;
  - A deadline for submission of the principal stage form.
- 6.12 Our preferred method of communication in these circumstances will be by email. Bidders should be aware that if we authorise the submission of a principal stage form by an alternative method, then that is the only method in which the bidder will be allowed to submit in that round. For the avoidance of doubt, a principal stage form may not be submitted using the EAS in those circumstances, even if that becomes possible after the alternative submission is authorised.

## Process guidance for potential applicants and bidders in the auction

- 6.13 If the principal stage form is incomplete or defective due to the manner of completion, Regulation 124(3) will apply. It is the responsibility of the bidder alone to ensure the principal stage form is submitted correctly.

## Deposit payments during the principal stage

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- 6.14 Bidders may opt to transfer additional funds in excess of the minimum required amount into Ofcom's auction account to cover any anticipated future requirements.
- 6.15 Should bidders decide not to transfer funds to cover anticipated future requirements, Ofcom may require a bidder to top up the deposit amount it has paid to cover all, or part, of their financial exposure arising from the auction as it unfolds. A bidder's financial exposure is the posted demand of the bidder at the end of the round multiplied by the posted price in accordance with Regulation 55.
- 6.16 Where the amount a bidder has on deposit is less than the bidder's financial exposure after the end of any principal stage round, Ofcom may notify the bidder that it is required to pay a further sum in pounds as a deposit.
- 6.17 The precise level of the further sum will be determined by Ofcom but shall be no more than the difference between the amount the bidder already has on deposit and the bidder's highest financial exposure at the end of any previous principal stage round. We will notify bidders individually through the EAS when they need to 'top up' their level of deposit and inform them of the minimum further sum required. This is detailed in Regulation 55.
- 6.18 While Ofcom may notify bidders to 'top up' at any time, our intention is to issue 'top up' deposit notices at the start of principal stage bidding days, before rounds begin. We will also notify bidders individually of the deadline for the receipt of the required 'top up' deposit. The deadline to 'top-up' will usually be by 11:59am of the working day after the notification.
- 6.19 Funds to cover the required deposit must be received into Ofcom's auction account by that deadline, with a specific payment reference to identify the bidder. However, we expect bidders to have deposited money into Ofcom's auction account by 16:00 on the day the notification is sent, ensuring there is time for Ofcom to contact the bidder before the deposit deadline in case of any issues.
- 6.20 If a bidder fails to ensure sufficient funds are deposited on time it will be excluded from further active participation in the principal stage, that is, it will not be able to submit any further principal stage bids, with the EAS automatically submitting a reduction in all categories at the start of the next round (which will be accepted if excess demand allows), in accordance with Regulation 56.
- 6.21 It is the responsibility of the bidder to ensure that funds are in place in our bank account in good time. We ask that bidders inform us when a deposit has been made and provide us with details of their payments. We strongly encourage bidders to make all payments as early as possible after notification to ensure sufficient funds are in place well in advance of the deadline, and expect deposits to be in Ofcom's auction account by 16:00, as detailed above.
- 6.22 Ofcom will endeavour to confirm receipt of payment to bidders shortly after the funds have arrived in our account during normal working hours, before the expiry of the deadline. If a bidder has not received confirmation that we have received their payment, the bidder should contact us at 16:00 on the day the notification was sent.

## Process guidance for potential applicants and bidders in the auction

- 6.23 Bank details and other relevant information in relation to payment of deposits are set out in annex 1 to this document.

## End of the Principal stage and results

- 6.24 The principal stage of the auction will conclude when there is no ‘excess demand’, in accordance with Regulation 58. At that point, bidding will cease for the day, and bidders will be informed that there will be no further rounds. Figure 11 illustrates the timeline following the conclusion of the final round of the principal stage.

**Figure 11: Illustrative timeline for end of principal stage and start of assignment stage**

Business days	PS ends	Day 2	Day 3	Day 4	Day 5
Ofcom notifies bidders that the principal stage has ended	X				
Bidders notified of individual results	X				
Bidders notified of full results of the principal stage		X			
Bidders notified of deadline for payment of required final principal stage deposit		X			
Ofcom publishes results on its website		X			
Notification of start of assignment stage and options for individual bidders		X			
Required final principal stage deposit due (by 23:59)			X		
Assignment stage bidding (First Round)					X

- 6.25 We will post individual results to each bidder shortly after the end of the final round in the principal stage. We anticipate that we will notify bidders of the full principal stage results shortly before we publish them on our website. In accordance with Ofcom’s normal approach for market sensitive information, publication will take place at 07:00 on the day following the conclusion of the principal stage.
- 6.26 Where a bidder is unsuccessful in the principal stage but has put funds on deposit with Ofcom (including, for example, the initial deposit, additional deposit and any further sums required during the principal stage) it shall be entitled to a refund of those sums. Refunds will be made under Regulation 118 and will therefore be made after the grant stage has been completed.

## Required final principal stage deposits

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- 6.27 As set out in the Regulations, winning bidders will be required to pay a final principal stage deposit, such that the amount that the bidder has on deposit is not less than the amount of the round price of that bidder's winning principal stage bids (Regulation 64).
- 6.28 We anticipate that the deadline for the payment of the required final principal stage deposit will be 23:59 on the day following publication of the results of the principal stage.

## 7. Assignment stage

- 7.1 We plan to give bidders notice of the date(s) and schedule for the assignment stage of the auction shortly after we publish the results of the principal stage. This will be done through the EAS. We will also notify each individual bidder of their assignment stage options through the EAS.
- 7.2 We anticipate there will be three business days between the end of the principal stage (i.e. after we have published the principal stage results on the website) and the start of the first assignment stage round.
- 7.3 The assignment stage will run up to three rounds and will be scheduled at 10:00 on the day(s) of bidding, with each round lasting 1 hour in duration.
- 7.4 Only bidders who have provided Ofcom with the required final principal stage deposit will be allowed to participate in the assignment stage and submit bids. If a bidder has not provided Ofcom with the relevant deposit, the bidder will be deemed to have submitted a bid of zero pounds for each of its assignment stage options in all assignment stage rounds.

### Required assignment stage deposits

- 7.5 There could be up to three assignment stage deposits, one for each assignment stage round. We will notify bidders of the deadline for paying a further deposit in respect of each assignment stage as specified in Regulations 98, 99 and 100. We expect to notify bidders of each deposit deadline on the morning of each assignment stage round. The deadline for deposits to reach Ofcom’s account will be 11:59am the following working day, with the relevant assignment stage round results being released shortly after the deposit deadline.

**Figure 12: Illustrative timeline for Assignment stage (N.B. Round times may be subject to change)**

Business days	Day 1	Day 2	Day 3	Day 4	Day 5	Day 6
Ofcom notifies bidders at 09:00 of required deposits for Round 1	X					
Round 1 commences at 10:00	X					
Deposits Received (by 11:59am)		X				
Results of round sent to bidders		X				
Ofcom notifies bidders at 09:00 of required deposits for Round 2			X			
Round 2 commences at 10:00			X			
Deposits Received (by 11:59am)				X		
Results of round sent to bidders				X		



## Process guidance for potential applicants and bidders in the auction

Ofcom notifies bidders at 09:00 of required deposits for Round 3 (should there be need for a third round)					X	
Round 3 commences at 10:00					X	
Deposits Received (by 11:59am)						X
Results of round sent to bidders						X

7.6 **For round 1** the required assignment stage deposit shall be an amount such that the total amount that the bidder has on deposit is not less than the amount which is the sum of:

- the amount which is the bidder's total base price for its winning principal stage bids
- the amount which is the bidder's highest 26 GHz lower lot assignment stage bid for a 26 GHz lower assignment stage option; and
- the amount which is the bidder's highest 40 GHz lot assignment stage bid for a 40 GHz assignment stage option.

7.7 **For round 2** the required assignment stage deposit shall be an amount such that the total amount that the bidder has on deposit is not less than the amount which is the sum of:

- the amount which is the bidder's total base price for its winning principal stage bids;
- the amount which is the bidder's additional price for its winning assignment stage bid for 26 GHz lower lots (if any);
- the amount which is the bidder's additional price for its winning assignment stage bid for 40 GHz lots (if any); and
- the amount which is the bidder's highest 26 GHz upper lot assignment stage bid for a 26 GHz upper assignment stage option.

7.8 **For round 3** the required assignment stage deposit shall be an amount such that the total amount that the bidder has on deposit is not less than the amount which is the sum of:

- the amount which is the bidder's total base price for its winning principal stage bids;
- the amount which is the bidder's additional price for its winning assignment stage bid for 26 GHz lower lots (if any);
- the amount which is the bidder's additional price for its winning assignment stage bid for 40 GHz lots (if any);
- the amount which the bidder's additional price for its winning assignment stage bid for 26 GHz upper lots (if any); and
- the amount which is the bidder's highest 26 GHz lot second period assignment stage bid for a 26 GHz assignment stage option.

7.9 Bidders must ensure that they pay the required sum by the deadline, otherwise, in accordance with the Regulations, all of their submitted assignment stage bids in that round will be invalid and the bidder will consequently be deemed to have submitted a bid of zero pounds for each of the assignment stage options available to it.

## Submitting an assignment stage form by alternative method

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- 7.10 We recognise that in highly exceptional circumstances, a bidder may be unable to use the EAS to submit their assignment stage form due to technical failure, or an event or circumstance with similar effect to technical failure. In those circumstances, as set out in Regulation 96, if on the evidence provided by bidders, Ofcom is satisfied that the bidder is for such reasons unable to submit an assignment stage form, Ofcom will inform bidders that they may submit the form by an alternative method. Ofcom may then input the form into the EAS on the bidder's behalf.
- 7.11 As is the case during the principal stage, where bidders find that they are unable to use EAS to submit an assignment stage form, they should contact us immediately by phone to explain why. They should confirm the reasons by email, providing evidence that is as clear and compelling as can reasonably be expected at the time. Examples of such evidence include (but are not limited to) time-stamped screenshots, correspondence with in-house ICT departments, evidence from Internet Service Providers, or server logs establishing that the bidder is experiencing a technical failure that is preventing it from using EAS. We will ask bidders to submit evidence urgently, particularly if the issue arises close to or after the start of the round. We currently consider it unlikely that we will authorise the use of alternate means without such evidence.
- 7.12 We note that, for security reasons, bidders should not communicate information in the body of an email or by phone that could give an indication of potential bid decisions.
- 7.13 After Ofcom has received evidence, we will take a decision as to whether the bidder may use the alternative method and will inform the bidder by phone or email of this decision. In extreme circumstances, we also have the option of extending the assignment stage round or pausing the auction and re-running the round.
- 7.14 Our approval of an alternative method of submission depends on whether or not the condition in Regulation 96 is met; that is, whether Ofcom is satisfied that the bidder was unable to submit its assignment stage form using the EAS because of technical failure or event or circumstance having similar effect.
- 7.15 A full, detailed account of the circumstances which led to a bidder being unable to use the EAS (signed by two authorised persons) must be submitted to Ofcom within 24 hours of the event. This should include, in a single document, the evidence of technical failure previously submitted and put in the relevant context, together with (to the extent this was not already and clearly covered) an account of steps taken prior to the technical failure to minimise the possibility of the bidder having to resort to alternative bid submission (such as through provision of back-up internet access); any of the pieces of evidence set out in paragraph 7.11 above that could not be supplied immediately, with an explanation of why immediate submission was not possible, and a clear identification of the events outside the bidder's control that led to the failure.
- 7.16 In addition, and in principle, the later in the round that the bidder calls us, the greater the risk that we will not have enough time to authorise the use of the alternative method before the end of the round. Therefore, we encourage bidders to submit their assignment stage forms using the EAS as soon as possible in the round, so that, if the need arises, there is

## Process guidance for potential applicants and bidders in the auction

enough time for the bidder to communicate a technical problem to Ofcom, and for us to authorise the use of the alternative method.

- 7.17 Should we authorise the use of the alternative method, we will send the following information by email:
- Notification of method to use to submit bids;
  - An assignment stage form, containing information relevant to the bidder, as a password protected email attachment. This completed form must be returned to Ofcom as a password protected email attachment. An illustrative template of this is included in annex 3;
  - The reference number of the one-time password for the bidder to authenticate the assignment stage form;
  - A deadline for submission of the assignment stage form.
- 7.18 Our preferred method of communication in these circumstances will be email.
- 7.19 Bidders should be aware that if we authorise the submission of an assignment stage bid by an alternative method, then that is the only form in which the bidder will be allowed to submit a bid in the assignment stage. For the avoidance of doubt, a bid may not be submitted using the EAS in those circumstances even if that becomes possible after the alternative submission is authorised.
- 7.20 We note that if the assignment stage form is incomplete or defective due to the manner of completion, Regulation 97 will apply.

## 8. Final auction results and grant of licences

- 8.1 Once the assignment stage rounds are completed, we will determine the outcome of the assignment stage and notify bidders of the results and proceed to the grant stage of the auction in which licences authorising use of spectrum in the 26 GHz and 40 GHz bands are actually awarded. Examples of these licences can be found in the annexes of the Information Memorandum, which can also be found on the [Ofcom website](#).
- 8.2 Following the notification of the results of the last assignment stage round, in accordance with Regulation 121(2), bidders may contact each other, for example to initiate any negotiations to trade spectrum.

### Procedure where a bidder's deposit is less than its total auction sum

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- 8.3 A bidder's total auction sum will be calculated in accordance with Regulation 113 and then notified to the relevant bidder.
- 8.4 Where the amount that a bidder has on deposit with Ofcom is less than its total auction sum, Ofcom will provide that bidder with a notification which requires it to pay the additional amount by a specified deadline.
- 8.5 If the bidder pays the additional amount by the deadline specified by Ofcom, Ofcom will proceed to grant to that bidder all of the licences that it has won under the award process. We will publish the verified results on Ofcom's website following the grant of all the licences.
- 8.6 If the bidder still does not have the total auction sum on deposit after the deadline specified by Ofcom, it will not be entitled to the grant of any licences under the award process and will also not receive a refund of any sum which it has paid as a deposit. That bidder will also remain liable to pay the amount which is the difference between its total auction sum and the amount it has on deposit.

### Procedure where a bidder's deposit is equal to or exceeds its total auction sum

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- 8.7 If the total deposit held by us is equal to or greater than the winning bidder's total auction sum, we will grant licences to that bidder.
- 8.8 For any bidder which has deposited more than its total auction sum with Ofcom, we will also refund the difference calculated in accordance with Regulation 118 following the grant of licences.
- 8.9 We will refund any monies owed to bidders i.e. deposits placed by unsuccessful bidders, and sums placed on deposit by successful bidders in excess of the total auction sum payable for the licence(s). No interest will be paid to bidders with respect to sums deposited. Refunds

## Process guidance for potential applicants and bidders in the auction

will be made at the earliest opportunity. The auction results will not be published until all refunds have been paid.

## Completion of the award process

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- 8.10 After granting the licences, Ofcom will publish the results of the auction on its website, together with details of the bid decisions made by all the bidders during the auction.

## A1 Payment of deposits and other sums

- A1.1 Any payments required to be made to Ofcom by way of deposit or otherwise should be made by electronic bank transfer ensuring the payment meets the deadline. This annex provides details of the bank account and other relevant information regarding such payments.
- A1.2 If these details change at any time, amended details will be published on Ofcom's website and, where possible, notified to applicants and/or bidders.
- A1.3 Funds must be deposited into Ofcom's auction account by the end of the day specified in notices. In practical terms, this means the funds need to be in place before midnight.
- A1.4 After the auction has concluded, any excess funds placed on deposit in Ofcom's auction account – i.e. funds not subsequently required for payment in connection with the auction - will be returned to bidders. Any interest earned on deposits will be paid to HM Treasury.

### Bank Account Details

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- A1.5 The bank account details for payment of deposits are as follows:
- **Bank:** Lloyds Bank
  - **Account name:** Office of Communications
  - **Account number:** 00741379
  - **Sort code:** 309790
  - **BIC number:** LOYDGB21351
  - **IBAN number:** GB 43 LOYD 3097 9000 7413 79
  - **Swift address:** LOYDGB2L
- A1.6 Payment details must include information which identifies the applicant or bidder. This is a requirement of the Regulations. Ofcom's preference is for all payments to Ofcom to be made in GBP from one bank account, but this does not necessarily have to be in the name of the applicant or bidder. The details of this bank account should be provided on the application form.
- A1.7 It is the applicant or bidder's responsibility to ensure that the bank they choose to use sends the money by electronic transfer to the correct account as set out above, and that it is received by Ofcom's bank by the deadline specified by Ofcom. Applicants and bidders are strongly advised to check with their own banks to ascertain when the transfer of money into the CHAPS system must be made to ensure it is received by Ofcom by the deadline specified by Ofcom (i.e. before 23:59, UK time).
- A1.8 Applicants or bidders using non-UK banks should take their own advice as to the steps they will need to take to make payments by the relevant deadlines. They may wish to consider transferring an appropriate sum to a UK bank in advance and then arrange the transfer into Ofcom's bank account with that UK bank.
- A1.9 Where Ofcom refunds an applicant or bidder in accordance with the Regulations, Ofcom will pay such refunds to the bank account from which the original payment came.

## Information identifying the applicant or bidder

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- A1.10 It is a requirement of the Regulations that the electronic transfer contains information which identifies the applicant or bidder. Accordingly, applicants and bidders must ensure that their banks include information to accompany the electronic transfer which clearly identifies that the payment has been made on behalf of the bidder.
- A1.11 After an applicant or bidder has instructed their bank to make the payment, they should send as a password protected email attachment to Ofcom using the email provided to qualified applicants regarding the payment:
- Remitting bank account name
  - Remitting bank account number
  - Remitting bank sort code
  - Remitting International Bank Account Number (IBAN) – where appropriate
  - Date of payment instruction
  - Time of payment instruction
  - Beneficiary account number (Ofcom's auction account number)
  - Beneficiary sort code (Ofcom's bank's sort code)
  - Amount
  - Unique payment number, or an equivalent unique payment reference number
  - Payment reference (should be used to identify the bidder)
- A1.12 A suggested form is set out at the end of this chapter. It is Ofcom's understanding that an applicant or bidder can request its bank to provide it with a form or receipt containing this information when it instructs the bank to make the payment.

## Charges for Transfers

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- A1.13 It is the applicant or bidder's responsibility to meet any charges associated with the transfer of the funds such that the correct sum is received in Ofcom's bank account. This will include checking not only for any charges levied by the applicant or bidder's own bank, or any other corresponding bank involved in the transfer, but also any charges levied by Ofcom's receiving bank (Lloyds) – see further paragraphs below.

### Transfer from a UK bank

- A1.14 In the case of payments made from UK banks, Ofcom can confirm that its bank (Lloyds Bank) will not charge a fee for receiving electronic payments using the CHAPS system unless the issuer specifically requires that charges associated to the transaction are covered by the receiving bank, i.e. Ofcom's bank (Lloyds Bank). It is the applicant or bidder's responsibility – not Ofcom's – to ascertain what fees may be required. Where the issuer requires that charges are paid by Ofcom's bank, applicants or bidders must ensure that they adjust the amount transferred accordingly.
- A1.15 Separately, applicant's or bidders' banks (the remitting banks) are likely to charge for the transfer and it is the applicant or bidder's responsibility to meet those charges in such a way that the correct sum is transferred to Ofcom's bank account.

## Transfer from a non-UK bank

- A1.16 In the case of payments from non-UK banks, Ofcom’s bank (Lloyds Bank) will levy a small charge for receiving such payments unless the remitting bank undertakes to pay all charges for the transaction. It is the applicant or bidder’s responsibility – not Ofcom’s – to ascertain what fees may be required at the time of transaction. Accordingly, any applicant or bidder who chooses to use a non-UK bank to pay a deposit must take this position into account when paying the deposit and ensure that the correct sum is transferred to Ofcom’s bank account.
- A1.17 Separately, applicant’s or bidder’s banks (the remitting banks) are likely to charge for the transfer and it is the applicant’s or bidder’s responsibility to meet those charges in such a way that the correct sum is transferred to Ofcom’s bank account.

## Deposit payment form

<b>To:</b>	
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Remitting Account Details	
<b>Account Name:</b>	
<b>Account Number:</b>	
<b>Sort Code:</b>	
<b>IBAN Number:</b>	

Payment Details				
Date		Amount	Unique Payment	Payment Ref
Instructed	Time Sent	(GBP)	Number (UPN)	(bidder name)

<b>Contact Name</b>	
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# A2 Communications between Ofcom and applicants/bidders

## General information for applicants and bidders

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A2.1 Information will be placed on the auction page of [Ofcom's website](#)

## Communications

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A2.2 Where no confidential information is involved while the auction is in progress, our preferred method of communication outside of the EAS is via email. However, any urgent communication may be by phone.

## Contacting Ofcom

A2.3 Unless otherwise stated, our preferred mode of communication will be by email, though bidders will also be able to contact us by phone.

A2.4 Unless otherwise stated, the following contact details should be used by bidders to contact Ofcom during the Auction.

## Phone

A2.5 Bidders will be notified of a phone number to contact the Auction Team during the bidding stages. We will not be monitoring voicemail messages, and therefore advise email as the alternative method to contact us. However, we will seek to answer the phone promptly during business hours and to prioritise availability of suitable Ofcom colleagues to address bidders' queries or concerns (including any decisions as needed).

A2.6 When taking/making phone calls, we will ask for a specific one-time password from the issued list of passwords to ensure that we are speaking to a representative of the relevant bidder.

## Email

A2.7 All emails sent by applicants should be addressed to '[RadioSpectrum.Award@ofcom.org.uk](mailto:RadioSpectrum.Award@ofcom.org.uk)', unless informed otherwise.

A2.8 Bidders will receive instructions for email communication in their bidder packs, sent after qualification.

A2.9 Please make sure that the subject given identifies the email as relating to the 26 GHz and 40 GHz Award.

## Address

A2.10 Specific details in relation to the delivery of documents to apply for a licence are set out in section 2 of this guidance document. For other instances, we expect to communicate with bidders over email.

A2.11 We do not expect to receive physical delivery of documents from applicants or bidders during the auction. However, if you wish to deliver something physically to us during the

## Process guidance for potential applicants and bidders in the auction

auction, please contact the Auction Team via email first so that appropriate arrangements can be made. Any physical documents should be marked for the attention of the Ofcom Auction Team unless specified otherwise, and hand delivered to Ofcom's offices at Riverside House, 2a Southwark Bridge Road, London SE1 9HA. The person making the delivery should come to the main reception and ask for the Ofcom Auction Team and should personally give the delivery to a representative of the Auction Team. If you choose to use a courier to make any deliveries, you should ensure that the courier is aware of these particular requirements.

## Contacting applicants/bidders


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- A2.12 If we need to contact an applicant, we will use the contact details provided in that applicant's application form. This will also apply to bidders during the auction process, if communication is required outside of the EAS.
- A2.13 If you wish to change any of these contact details, or include additional contact details, you should notify the amended or additional contact details to us in writing, signed by two authorised persons.
- A2.14 If you provide the names of more than one authorised contact, we may use any one of those contacts at any given time. Where the contact is by email, we will endeavour to copy the email to the other authorised individuals.

## A3 Forms for alternative means of submitting bid decisions

- A3.1 Below we provide an illustration of the form we will use to allow the submission of bid decisions by alternative means in the principal stage of the auction. We expect to email this form to bidders as a password protected attachment.
- A3.2 For clarification, the following corresponds to the information notified to bidders before each principal stage round:
- Date of round, scheduled start of round and scheduled end of round: Regulation 19(b) and 25(f);
  - Eligibility limit in current round: Regulation 25(a);
  - Price range in current round: Regulation 25(b);
- A3.3 The following corresponds to information notified to bidders after the end of each principal stage round:
- Excess demand in most recent round (lots): Regulation 40.
- A3.4 Note that while all the information which is listed under Regulation 19 and 25 (notice to be given to bidders before each principal stage round) is included in the principal stage form, not all the information to bidders after the end of each principal stage round is included. For instance, the bidder's financial exposure after the end of the most recent round is not included. For that reason, we strongly recommend that bidders download the principal stage round Bid Data file from the EAS as soon as the round results are processed. If they are unable to do so, bidders should inform Ofcom when they request the use of the alternative means.

## Principal Stage form

<b>26 GHz and 40 GHz Award</b>		 making communications work for everyone
<b>Principal stage form for alternative method of submission</b>		
<b>Important - please note</b>		
This is a notification from Ofcom pursuant to Regulation 127. It is being made on the basis that Ofcom is satisfied that you are unable to submit a principal stage form by using the electronic auction system (EAS) because of technical failure (or an event or circumstances with similar effect on your ability to use the EAS).		
This notification contains:		
(i) details of the alternative method of submission (and requirements relating to the authentication of communications made by means of that alternative method) with which you must comply in order to submit a principal stage form in this principal stage round;		
(ii) a principal stage form for this round; and		
(iii) the information that Ofcom was required to notify to you before the start of this round, pursuant to Regulation 25. You may have already received this information via the EAS, but it has been included in this notification for completeness.		
<b>You must submit the completed form to Ofcom by email to the email address stated below</b>		
<b>You must include on the form all EIGHT characters of the one-time password identified below.</b>		
Please note that under the Regulations, having been provided with this notification, you <b>MUST</b> submit your principal stage form by means of this alternative method and <b>NOT</b> by means of the EAS. Any principal stage form submitted by you by using the EAS in this principal stage round will not be valid.		
<b>Information provided by Ofcom</b>		
Bidder name	Red Tel	
Bidder's contact person	Contact Red Tel	
Form to be returned to:	xxxx@ofcom.org.uk	
Principal Stage Round number	5	
Date of round	09/09/2024	
Scheduled start of round	XX:XX	
Scheduled end of round	XX:XX	
Eligibility limit in round	27	
Password number to use	X	

Process guidance for potential applicants and bidders in the auction

Information to be completed by					Red Tel						
Please refer to <b>annex 3</b> of the bidder guidance for instructions on how to fill in the form											
Lot Type	Lot size (MHz)	Eligibility points per lot	Lots available	Red Tel posted demand	Posted price	Excess demand in most recent round (lots)	Opening Price current round	Clock Price in current round	Request change in demand*	Nominated price	AON (Y/N)
26 GHz Lower	200MHz	2	7	6	£ 2,316,000	6	£ 2,316,000	£ 2,432,000	- 2 to 4	2,400,000	N
26 GHz Upper	200MHz	2	5	1	£ 2,172,000	4	£ 2,172,000	£ 2,281,000	+ 2 to 3	N/A	N
40 GHz	200MHz	1	15	13	£ 1,159,000	11	£ 1,159,000	£ 1,217,000	Maintain	N/A	N
<b>Please specify, in words, your bid decisions for this round:</b> Decrease demand for 26 GHz lower frequency lots by 2 at a nominated price of £2,400,000 and increase demand for 26 GHz Upper frequency lots by 2. Maintain demand in 40 GHz frequency lots											
Enter all EIGHT characters of password here ->					<input type="text"/>						
Please return this form by email to Ofcom at					<a href="mailto:xxxx@ofcom.org.uk">xxxx@ofcom.org.uk</a>						


A3.5 To fill in the principal stage form with their bid decisions in the round, bidders should follow the guidance below:

- If they wish to submit new bids, they should specify the change in demand of principal stage bids for 26 GHz Lower frequency lots, 26 GHz Upper frequency lots, and/or for 40 GHz lots it wishes to make in that round (as shown in red in the above image). If they do not wish to submit a change in demand in one or more lot types, they should write “Maintain” in the relevant field.
- They should also specify, in words, their bid decisions for the round under “Please specify, in words, your bid decisions for this round”. (For example, **decrease demand for 26 GHz lower frequency lots by 2 at a nominated price of £2,400,000 and increase demand for 26 GHz Upper frequency lots by 2. Maintain demand in 40 GHz frequency lots**).
- Finally, they should indicate the eight-character password in the cells next to “Enter all EIGHT characters of password here”.

A3.6 The form must be emailed back to Ofcom with password protection.

A3.7 An illustration of the form we will use for submission of bids by alternative means in the assignment stage is set out below.

## Assignment Stage form

<b>26 GHz and 40 GHz Award</b>		
<b>Assignment stage form for alternative method of submission</b>		
<b>Important - please note</b>		
<p>This is a notification from Ofcom pursuant to Regulation 99. It is being made on the basis that Ofcom is satisfied that you are unable to submit a Assignment stage form by using the electronic auction system (EAS) because of technical failure (or an event or circumstances with similar effect on your ability to use the EAS).</p> <p>This notification contains:</p> <p>(i) details of the alternative method of submission (and requirements relating to the authentication of communications made by means of that alternative method) with which you must comply in order to submit a Assignment stage form in this Assignment stage round;</p> <p>(ii) an Assignment stage form for this round; and</p> <p>(iii) the information that Ofcom was required to notify to you before the start of this round, pursuant to Regulation 99. You may have already received this information via the EAS, but it has been included in this notification for completeness.</p> <p><b>You must submit the completed form to Ofcom by email to the email address stated below</b></p> <p><b>You must include on the form all EIGHT characters of the one-time password identified below.</b></p> <p>Please note that under the Regulations, having been provided with this notification, you <b>MUST</b> submit your principal stage form by means of this alternative method and <b>NOT</b> by means of the EAS. Any Assignment stage form submitted by you by using the EAS in this Assignment stage round will not be valid.</p>		
<b>Information provided by Ofcom</b>		
Bidder name	<input type="text" value="Red Tel"/>	
Bidder's contact person	<input type="text" value="Contact Red Tel"/>	
Form to be returned to:	<input type="text" value="xxxx@ofcom.org.uk"/>	
Assignment Stage Round number	<input type="text" value="X"/>	
Date of round	<input type="text" value="09/09/2024"/>	
Scheduled start of round	<input type="text" value="XX:XX"/>	
Scheduled end of round	<input type="text" value="XX:XX"/>	
Password number to use	<input type="text" value="X"/>	

<b>Information to be completed by</b>		<b>Red Tel</b>
Specify your bid amounts for the assignment stage options below in whole thousands of pounds		
<b>Assignment Stage options for 26 GHz lower frequencies</b>		
	<b>Assignment Stage Option</b>	<b>Bid amount</b>
<b>Assignment Stage options for 26 GHz upper frequencies</b>		
	<b>Assignment Stage Option</b>	<b>Bid amount</b>
<b>Assignment Stage options for 40 GHz frequencies</b>		
	<b>Assignment Stage Option</b>	<b>Bid amount</b>
<b>Assignment Stage options for 26 GHz frequencies final</b>		
	<b>Assignment Stage Option</b>	<b>Bid amount</b>
Enter all EIGHT characters of password here -> <input style="width: 150px;" type="text"/>		
Please return this form by email to Ofcom at <a href="mailto:xxxx@ofcom.org.uk">xxxx@ofcom.org.uk</a>		

## A4 Business continuity

- A4.1 We have drawn up a business continuity plan for circumstances in which it is not possible for Ofcom to conduct (or continue) the auction from the primary auction location. This annex sets out how the business continuity plan will affect bidders.

### During the auction

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- A4.2 In the event that Ofcom's ability to conduct the auction becomes compromised for any reason, we can pause the auction until it can be resumed in due course. If an auction round is underway, we will allow the round to end, if possible, before pausing. We will then make a decision on whether we need to re-run the round which may depend on, for instance, whether all bidders were able to submit their bid decisions via EAS.
- A4.3 Once the auction operation is re-established, we expect that there would be no noticeable differences for bidders.

### Communications

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- A4.4 Where no confidential information is involved while the auction is in progress, our preferred method of communication outside of the EAS is via email. However, any urgent communication may be by phone.

## **A5 Principal stage auction data example**

A5.1 [An example of the principal stage auction data](#) is available on the Ofcom website.