[DE] Urgent Application Against Frequency Auction Rejected

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In a decision of 8 April 2010, the Bundesverwaltungsgericht (Federal Administrative Court - BVerwG) rejected an urgent application by a network operator against the auction of 2.6 GHz frequencies.

The applicant (broadband provider Airdata) used some of the frequencies concerned under a fixed-term licence. Since that licence had now expired, it requested an extension, which would block the auction.

The BVerwG rejected the urgent application after weighing up the various interests. As a result of its decision, the auction of frequencies (360 MHz in total) could begin, as planned, on 12 April 2010. Bids of over EUR 2.6 billion had been made by 3 May 2010.

It is likely that the four major mobile phone providers, which are also the only bidders to date, will be awarded the frequencies. The bidders' behaviour will determine the length of the process.

Beschluss des BVerwG vom 8. April 2010 (Az. 6 VR 2.10)

http://www.bverwg.de/pdf/380.pdf

Decision of the BVerwG, 8 April 2010 (case no. 6 VR 2.10)

Auflistung der Gebote

http://www2.bundesnetzagentur.de/frequenzversteigerung2010/ergebnisse.html

List of bids

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