[RO] Government Decision with regard to the License Fees for the Digital TV Multiplexes

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On 12 February 2014 the Romanian Government adopted Decision no. 86/2014 regarding the granting of licenses to use radio frequencies in the terrestrial digital TV system. The Decision was published in the Official Journal of Romania no. 133/24.02.2014, Part I (see IRIS 2009-9/26, IRIS 2010-3/34, IRIS 2010-7/32, IRIS 2010-9/35, IRIS 2011-4/33, IRIS 2013-6/30).

The Decision contains provisions for the conduct of the selection procedure and the conditions for granting licenses for the use of radio frequencies in the digital terrestrial system, as well as for determining the amount of the license fees for different types of multiplexes.

All five national multiplexes allocated to Romania will be granted through simultaneous competitive selection by the *Autoritatea Naţională pentru Administrare şi Reglementare în Comunicaţii* (the National Regulatory Authority for Communications - ANCOM), the telecom watchdog. The license fee for each multiplex will be EUR 300,000. One multiplex, in the UHF band (174-216 MHz), is intended to cover 90% of the population and 80% of the territory until 31 December 2016, and will carry, free to air, in transparent, non-discriminatory and competitive conditions, after 17 June 2015 (the deadline for the digital switchover in Romania) the public television's channels as well as commercial analogue terrestrial TV channels, according to the Audiovisual Law no. 504/2002, with further modifications and completions. The other four multiplexes, three in the UHF band and one in the VHF band (470-790 MHz) are meant to be granted to commercial TV services broadcasters.

The regional multiplexes will be also granted by the ANCOM through a competitive selection procedure. The license fees depend on the regions covered. The license fee for the regional multiplex for the capital city Bucharest region will be EUR 12,000; for big Romanian zones, such as Constanţa, Craiova, Ploieşti, Galaţi, Braşov, Timişoara, Arad, Oradea, Cluj-Napoca and Iaşi it will be EUR 10,000. The license fee will be EUR 8,000 for smaller zones than those mentioned above, such as Calafat, Reşiţa, Drobeta-Turnu Severin, Petroşani, Râmnicu Vâlcea, Buzău, Sibiu, Deva, Târgu Mureş, Gheorgheni, Piatra-Neamţ, Bacău, Suceava, Bistriţa, Sighet, Satu Mare and Focşani. The regional multiplex license fee will be of EUR 4,200 for even smaller zones.

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The license fee for the granting of a multiplex for county seat towns goes from EUR 8,000 for the big cities to EUR 6,000 for smaller cities.

The participation in the selection procedure is subject to the fulfilment of qualifying criteria and to the submission of a bank guarantee in accordance with the specification. The winners of the rights to use radio frequencies have to send to ANCOM, within 90 calendar days after the announcement of the winners of the competitive selection procedure, a copy of the payment of the license fee due. Failure to observe the period for payment specified above, entails the forfeiture of rights acquired in the selection procedure and the execution of the letter of guarantee.

Hotărârea nr. 86/2014 privind acordarea licenţelor de utilizare a frecvenţelor radio în sistem digital terestru de televiziune (Government Decision no. 86/2014 with regard to the granting of licenses to use radio frequencies in terrestrial digital TV system)

http://lege5.ro/Gratuit/gm4tcmbtgu/hotararea-nr-86-2014-privind-acordarea-licentelor-de-utilizare-a-frecventelor-radio-in-sistem-digital-terestru-de-televiziune

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