

LEGAL ALERT

INCREASE IN FEES DUE FOR THE USE OF RADIO SPECTRUM FREQUENCIES

ADMINISTRATIVE RULE NO. 157/2017, OF 10 MAY

Administrative Rule No. 157/2017, entering into force today, has amended for the sixth time Administrative Rule No. 1473-B/2008, which regulates the fees due to ANACOM in the context of the activity of provider of electronic communications networks and services. The amendment to Annex IV of this Administrative Rule, which defines the amount and calculation method for the fees due for the use of radio spectrum frequencies, refers to the reference value for the fee per megahertz applied to terrestrial electronic communications services and mobile services.

This amendment is part of the periodic revision of the fees due for the use of frequencies, which has resulted in successive increases to the amounts that operators must pay. The latest revision of the fees for the use of frequencies occurred in October and December 2013, with an increase in the reference fee per megahertz from 60,000 €/MHz to 82,000 €/MHz.

With this amendment introduced by Administrative Rule No. 157/2017, the reference fee per megahertz has been increased to 90,800 €/MHz. Accordingly, items 1.1, 1.2.1, 1.2.2 and 1.2.3 of Annex IV, relating, respectively, to the use of frequencies assigned to terrestrial electronic communications services, mobile services with shared resources, land mobile services and land mobile services – railway communications system (GSM-R), have been revised.

In what concerns the use of frequencies for fixed service (items 1.4.1 and 1.4.2. of Annex IV of the Administrative Rule), the fee amounts applicable per bidirectional connection and per assigned channel has also been increased, as shown in the following tables:

- a) **Fixed service – point-to-point and point-to-multipoint fixed links operating in frequency bands equal to or greater than 1 GHz (except FWA)**

Fee per megahertz (euros)								
Frequency band	1 - 3	4 - 11	12 - 15	18 - 24	25 - 38	47 - 59	61 - 71	> 71
Previous	44 * √L	52 * √L	27,5 * √L	14 * √L	11,5 * √L	8,0 * √L	4,0 * √L	0,75 * √L
May 2017	48,5 * √L	57,5 * √L	30,5 * √L	15,5 * √L	12,7 * √L	8,8 * √L	4,5 * √L	0,85 * √L

- b) **Fixed service – point-to-point and point-to-multipoint fixed links intended for occasional use operating in frequency bands equal to or greater than 1 GHz**

Fee per megahertz (euros)							
Frequency band	1 - 3	4 - 11	12 - 15	18 - 24	25 - 38	47 - 59	> 59
Previous	3615	5055	1438	364	248	120	60
May 2017	3829	5590	1595	403	274	132	68