AGREEMENT

BETWEEN THE ADMINISTRATIONS OF GERMANY AND POLAND

ON FREQUENCY PLANNING AND FREQUENCY COORDINATION AT BORDER AREAS FOR TERRESTRIAL SYSTEMS CAPABLE OF PROVIDING ELECTRONIC COMMUNICATIONS SERVICES

IN THE FREQUENCY BANDS 880 - 915 MHz PAIRED WITH 925 - 960 MHz AND 1710 - 1785 MHz PAIRED WITH 1805 - 1880 MHz

Warsaw, 25th of April 2013

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1. INTRODUCTION

According to Commission Implementing Decision of 18 April 2011 amending Decision 2009/766/EC on the harmonisation of the 900 MHz and 1800 MHz frequency bands for terrestrial systems capable of providing pan-European electronic communications services in the Community (2011/251/UE) the frequency bands 880-915 MHz, 925-960 MHz, 1710-1785 MHz and 1805-1880 MHz are designated in Germany and Poland for terrestrial systems capable of providing pan-European electronic communication services.

The Administrations of Germany and Poland have agreed on the following coordination procedures.

2. PRINCIPLES OF FREQUENCY PLANNING AND FREQUENCY COORDINATION AT BORDER AREAS

Frequency coordination at border areas is necessary to ensure efficiency spectrum use and equal access to spectrum in the border areas. This agreement is based on the principles of frequency planning and frequency coordination as laid down in ECC recommendation (08)02 revised in 2011.

The following principles apply:

2.1 For GSM systems:

For those spectrum parts where on both sides of the border GSM still are in use the GSM900 and/or GSM1800 Agreements remain in force. Relevant provisions of these Agreements are also applicable for stations using GSM technology in case of GSM system deployed on one side and other system deployed on second side of the borderline.

2.2 For UMTS/LTE/WiMAX (FDD) systems:

- 2.2.1 Stations using UMTS/LTE/WiMAX (FDD) technologies may be used without coordination with a neighbouring country if the mean field strength produced by the base station does not exceed a value of:
 - a. In the frequency band 925-960 MHz: 59 dBμV/m/5MHz at a height of 3m above ground at the border line between two countries and 35 dBμV/m/5MHz at a height of 3 m above ground at a distance of 9 km inside the neighbouring country.
 - b. In the frequency band 1805-1880 MHz: 65 dBμV/m/5MHz at a height of 3m above ground at the border line between two countries and 41 dBμV/m/5MHz at a height of 3 m above ground at a distance of 9 km inside the neighbouring country.
- 2.2.2 In order to ensure the optimum network performance between UMTS systems deployed in the border areas, operators are obliged to use the code groups provided in the relevant annex of ECC/REC/(08)/02.
- 2.2.3 In order to ensure the optimum network performance between LTE systems

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deployed in the border areas, operators are obliged to coordinate the use of PCI code groups and other radio parameters, in accordance with ECC Recommendation (08)02, for LTE signals using the same centre frequency in border areas.

3. OPERATOR ARRANGEMENTS

The establishment of arrangements between operators shall be allowed to the extent possible, according to the provisions laid down in the "Agreement between the administrations of the Czech Republic, Germany, Poland and the Slovak Republic concerning the approval of arrangements between operators of mobile radio communication networks" done at Mainz on 29th May 2002.

4. FIELD STRENGTH PREDICTION

For the field strength calculations the tool of the latest version of the HCM Agreement shall be applied. Time probability in all calculations is 10 %.

5. REVISION OF THE AGREEMENT

With the consent of the other Administrations, this Agreement may be modified at the request of one of the Signatory Administrations where such a modification becomes necessary in the light of administrative, regulatory or technical developments.

The technical characteristics may be reviewed in the light of practical experience of its application and of the operation of terrestrial systems capable of providing electronic communications services in general.

6. WITHDRAWAL FROM THE AGREEMENT

Any Administration may withdraw from this Agreement subject to six months notice.

7. LANGUAGE OF THE AGREEMENT

This Agreement has been concluded in English.

One original version of this Agreement is handed over to each Signatory Administration and a copy is submitted to the Managing Administration of the HCM Agreement.

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8. DATE OF ENTRY INTO FORCE

This Agreement shall enter into force at the date of its signature.

Done at Warsaw on 25th of April 2013

For GERMANY

Heinz Hönnekes

For POLAND

Wiktor Sęga