

Telecommunications Regulatory Authority

VSAT Licensing

Invitation to Pre-qualification

14 October 2009

Note: The deadline for submission of the Pre-qualification Form (Annex 1) to ictQATAR is 15:00 (local time in Qatar) on 12 November 2009

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Definitions

The following terms used in this document shall have the meanings set forth below.

Applicant: an interested party who participates in the Pre-qualification phase of the VSAT licensing process by submitting the Pre-qualification Form to ictQATAR and paying the Registration Fee.

Closed User Group: means legal persons or entities with common economic and non-economic links, that can be identified as being part of a corporate group that exists on the basis of an ongoing professional and business relationship between members of the group, or with another entity of the group, and whose internal communication needs result from the common interest underlying the relationship. Closed User Groups shall not include natural persons or private individuals.

Eligible Applicant: an Applicant who qualifies in the Pre-qualification phase and becomes eligible to participate in the second phase of the VSAT licensing process (i.e., the applications phase).

ictQATAR: the Supreme Council of Information and Communication Technology.

Individual License: a license granted to a particular person in accordance with the provisions of Chapter Three of the Telecommunications Law.

Pre-qualification Form: is the application form in Annex I of this document that all interested parties must complete and submit to ictQATAR in order to participate in the Pre-qualification phase of the VSAT licensing process.

Registration Fee: is the fee that must be paid by the interested parties who wish to participate in the Pre-qualification phase of the VSAT licensing process.

Telecommunications Law: is the Qatari Telecommunications Law of 2006.

VSAT License: an Individual License granted by ictQATAR for the provision of VSAT networks and services in the State of Qatar.

VSAT Licensee: the holder of a VSAT License.

VSAT: Very Small Aperture Terminal.

I Background

- I.1 Pursuant to Article (2) of Decree Law No. (34) of 2006 on the promulgation of the Telecommunications Law (“Telecommunications Law”), the Supreme Council of Information and Communication Technology (“ictQATAR”) has as its objectives the responsibility for regulating the telecommunications sector and to achieve, among others: (a) the promotion of the telecommunications sector in order to consolidate national, social and economic development; (b) the enhancement of the telecommunications sector’s performance in the State of Qatar through encouraging competition and fostering use of telecommunications services; and (c) encouraging sustainable investment in the telecommunications sector and increasing customers’ benefits as well as safeguarding their interests.
- I.2 ictQATAR is empowered by the Telecommunications Law (Chapter Two, Article 2) to establish a fair and transparent licensing regime to enable its fulfilment of the objectives, including for meeting the requirements for a competitive sector.
- I.3 Telecommunications plays a critical role in Qatar’s economy, in supporting many of the state’s development plans and providing services for many industries. ictQATAR is committed to opening up the telecommunications market, enabling opportunities, encouraging investment and liberalizing telecommunications network and service provision choice for consumers - choice that efficiently and effectively supports their business performance requirements and budgets.
- I.4 Following the enactment of the Telecommunications Law at the end of 2006, ictQATAR has undertaken a number of licensing initiatives including:
 - a. The issuance of a license for the provision of Public Fixed Telecommunications Networks and Services to Qatar Telecom QSC (Qtel) in 2007;
 - b. The issuance of a license for the provision of Public Mobile Telecommunications Networks and Services to Qatar Telecom QSC (Qtel) in 2007;
 - c. The issuance of a second license for the provision of Public Mobile Telecommunications Networks and Services to Vodafone Qatar QSC in 2008; and

- d. The selection of the winner (Vodafone/Qatar Foundation Consortium) of a second license for the provision of Public Fixed Telecommunications Networks and Services in 2008.
- 1.5 Presently, long-term VSAT provision has not been explicitly licensed in Qatar, but it is implicitly licensed in the existing License for the Provision of Public Fixed Telecommunications Networks and Services held by Qtel. This will also be the case in the second public fixed license.
- 1.6 On 8 February 2009, ictQATAR published a consultation document “VSAT Licensing Framework” which included proposals to grant licenses specifically for the provision of VSAT networks and services for Closed User Groups. The main terms and conditions of the VSAT License were also included in the consultation document. Interested parties were invited to submit comments and to express their interest in obtaining a VSAT License. The invitation was on a non-committal basis at that stage. The consultation document, the comments received and the response of ictQATAR can all be found on ictQATAR’s webpage: <http://www.ictqatar.qa/output/page794.asp>

2 VSAT Opportunity

- 2.1 ictQATAR analysis finds that there is a high demand for VSAT services in Qatar due to capacity constraints. ictQATAR intends to implement a constructive approach in addressing the gap between supply and demand.
- 2.2 At this point, it is believed that moving to a fully liberalized market-based structure on general authorizations and unlimited access could be highly disruptive and counter-productive for consumers, as well as the wider, national economy in the short-term. Therefore, ictQATAR believes that a transitional approach is required and as a result a limited number of VSAT Licenses will be offered. Future market reviews will help assess the pace and direction for advancing liberalization practices. The approach is reflected in the initial licensing approach taken for the recent licensing of the new providers of Public Fixed and Mobile Telecommunications Networks and Services.
- 2.3 ictQATAR intends to award three (3) Individual Licenses for the Provision of VSAT Networks and Services (“VSAT License”) through a competitive process to attract experienced VSAT service providers to enter and serve the Qatari market. The aim of this licensing process is to immediately address demand, while endeavouring to

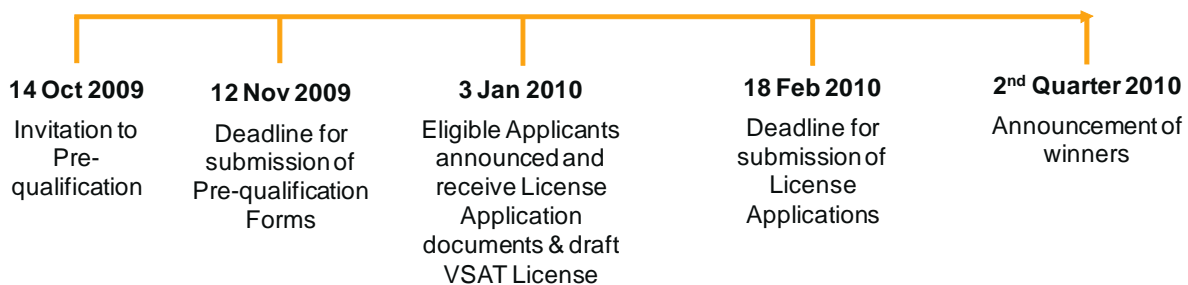
manage the risk of unduly disruptive elements during the development stage of this important market.

- 2.4 The VSAT Licensees will be permitted to provide Closed User Group telecommunications service provision on a commercial basis including international connections within the same Closed User Group. At this point, the provision of public telecommunications services to businesses and consumers will not be permitted.
- 2.5 VSAT Licensees will be required to self-provide their own networks and shall not utilize the networks of any other licensee in the State of Qatar.
- 2.6 For the avoidance of doubt, this document deals solely with the VSAT licensing process for granting Individual VSAT Licenses for the provision of VSAT Networks and Services in Qatar. Due to their specific nature, the SNG (Satellite News Gathering) licenses are out of scope of this process.

3 VSAT Licensing Process and Indicative Timeline

The following graph provides an overview of the VSAT licensing process and an indicative timeline.

Graph 1: VSAT Licensing Process and Indicative Timeline



4 Pre-qualification Requirements

- 4.1 To participate in the Pre-qualification phase of the VSAT licensing process, interested parties are required to complete the “Pre-qualification Form” in Annex I of this document.

- 4.2 Interested parties are encouraged to consider carefully the instructions, criteria and requested information, as well as undertake their own research and due diligence about the market and applicable laws and regulations.
- 4.3 Submission of the Pre-qualification Form and payment of the Registration Fee do not automatically enable or guarantee participation in the second phase of the licensing process (i.e., the applications phase). They also do not impose any obligations on the Applicants at this stage in the process beyond those set out within this document.

5 Qualification Criteria

To qualify as Eligible Applicant for participating in the second phase of the VSAT licensing process, the Applicant submitting the Pre-qualification Form must be able to demonstrate the following:

- a) Established experience in deploying and operating VSAT networks and providing commercial VSAT services to large Closed User Groups including institutions, corporations and industrial sectors;
- b) Evidence of VSAT service provision to third parties (i.e., non-affiliates of the Applicant);
- c) Solvency of current business and evidence of no previous bankruptcy, including on the part of major shareholders (i.e., over 10% ownership); and
- d) Independence from the existing licensed providers of Public Telecommunications Networks and Services in the State of Qatar (i.e., Qtel and Vodafone), including in terms of their affiliates having an officer, director or employee who is also an officer, director or employee of existing providers, including their affiliates or holding companies.

6 Instructions

- 6.1 Parties interested in applying to be eligible for participating in the second phase of the VSAT licensing process are first required to complete the Pre-qualification Form in full and supply the information requested in the form.
- 6.2 The Pre-qualification Forms and all requested information must be prepared and submitted to ictQATAR in the English language.

- 6.3 A non-refundable Registration Fee of QR 20,000 (Twenty Thousand Qatari Riyals) must be paid through a wire transfer to:
- Beneficiary: Supreme Council of Information & Communication Technology (ictQATAR)
Bank Name: Qatar National Bank – Alislami
Account No: 0786 – 099993 – 060
Swift Code: QNBAQAQA
ABA Code (Routing Code): 021000021
- 6.4 The Pre-qualification Form and copy of the proof of wire transfer can be sent by email (preferred option) to vsat@ict.gov.qa or by courier to:
- Mr. Ahmad Sultan
Licensing Section Manager
Regulatory Authority
The Supreme Council of Information & Communication Technology (ictQATAR)
19th floor, Al-Nasr Tower (opposite Post Office)
Corniche Road
P.O.Box 23264
Doha - Qatar
- 6.5 The deadline for receiving the Pre-qualification Forms (and the proof of wire transfer) is 15:00 (local time in the State of Qatar) on 12 November 2009. Pre-qualification Forms received after this deadline will not be accepted.
- 6.6 ictQATAR shall reject any Pre-qualification Form that is incomplete or that has been altered in form or substance in any way. In the instance of a Pre-qualification Form being rejected, the Applicant shall immediately be disqualified.
- 6.7 In the event it is discovered after a successful qualification that the Applicant incorrectly answered any of the questions in the Pre-qualification Form, the Applicant shall immediately be disqualified and shall not be eligible for the reimbursement from ictQATAR of any costs, deposits, bonds or other financial commitments.
- 6.8 The submitted Pre-qualification Forms and information within shall remain confidential with ictQATAR. However, ictQATAR may, at its discretion, announce by any means the names of all Applicants.

7 Evaluation and Decision

- 7.1 ictQATAR will review and evaluate the Pre-qualification Forms to assess if the Applicants meet the minimum criteria set out above in Section 5. Applicants who satisfy ictQATAR in the evaluation will be considered to qualify and become Eligible Applicants.
- 7.2 Applicants who can demonstrate that, in addition to the above criteria, they have experience in serving more than one industry and have international presence may benefit from a higher rating.
- 7.3 ictQATAR may seek to verify any information contained in the Pre-qualification Forms. By submitting their Pre-qualification Forms to ictQATAR, the Applicants consent to verification of all information and shall cooperate in any such process.
- 7.4 The decision of ictQATAR as to whether any Applicant should be qualified as Eligible Applicant shall be final.

ANNEX I – Pre-qualification Form

VSAT Licensing

Pre-qualification Form

Parties interested in qualifying to be Eligible Applicants to participate in the second phase of the VSAT licensing process are required to complete the following three tables in full and submit the completed form to ictQATAR by 15:00 (local time in the State of Qatar) on 12 November 2009.

Part I: Applicant Information	
Registered Company Name: ¹	
Trading or Brand Name <i>(if different from Registered Company Name)</i>	
Registered Business Activity/ies:	
Registered Address	
Postal Address:	
Telephone Number:	
Fax Number:	
Email address:	
Website Address:	
Country of Head Office Location:	
Gulf region Office Location <i>(if available)</i> :	
Number of Full Time Employees (total):	
Annual Turnover <i>(total in Qatari Riyals)</i> :	

¹ Note: It is not required to be registered in the State of Qatar at this time. The winners of the VSAT Licenses must be registered before the award of the VSAT License.

Part 2: VSAT Experience by Country

List the countries in which your company currently provides VSAT services, the sectors/industries served and the main customers in each country. (Add rows as needed)

Country	Year of First Service Provision	Sectors/Industries Served	Main Customers

Part 3: Questions

Mark the appropriate answers and provide the requested information in the right-side column.

1. Does your company have any direct or indirect affiliation with Qtel or Vodafone?	<ul style="list-style-type: none"> - No - Yes (specify):
2. Does your company have VSAT provisioning experience in connecting off-shore sites (e.g., oil rigs, ships, etc.)?	<ul style="list-style-type: none"> - No - Yes (specify which ones):
3. Should you pre-qualify, would you plan to bid alone or as part of a consortium? ²	<ul style="list-style-type: none"> - Alone - Part of a consortium. In this case, who would

² Note: There is no restriction on nationality and no requirement to enter into a partnership or consortium. Any such decision to do so remains at the full discretion of the Applicants.

	be the other consortium members?
4. Has your company or any of its shareholders owning 10% or more of the company or its parent company been declared bankrupt?	<ul style="list-style-type: none"> - Yes - No
5. How would you describe your company's main business concerning VSAT?	<p><i>(mark only one)</i></p> <ul style="list-style-type: none"> - Operator - Distributor / Reseller - Vendor - Other (specify):
6. How would you describe your typical customer base?	<p><i>(mark only one)</i></p> <ul style="list-style-type: none"> - Multinational - Large company - SME
7. What sectors / industries does your company currently support with VSAT provisioning?	<p><i>(mark all applicable industries)</i></p> <ul style="list-style-type: none"> - Oil & Gas - Financial - Media - Government - Education - Health - Other (specify):
8. Which other business activities does your company undertake?	
9. Does your company directly operate, manage and provide VSAT for private purposes (i.e., as a private network for own use) or commercial purposes (i.e., to 3 rd parties at a fee)?	<p><i>(mark only one)</i></p> <ul style="list-style-type: none"> - VSAT provision for own use (including affiliates) - VSAT provision on a commercial basis

- End of Pre-qualification Form -