**DECISION OF THE MINISTER OF COMMUNICATION AND INFORMATION TECHNOLOGY OF THE REPUBLIC OF INDONESIA**

**NUMBER : 03/KEP/M.KOMINFO/01/2006**

**ON**

**BUSINESS OPPORTUNITY FOR THE PROVISION OF THIRD GENERAL OF CELLULAR MOBILE NETWORK WITH NATIONAL SCOPE**

**BY THE GRACE OF GOD THE ALMIGHTY**

**MINISTER OF COMMUNICATION AND INFORMATIKON TECHNOLOGY ,**

Considering: a. that the growth of telecommunication industry in Indonesia particularly

 as regards the provision of cellular mobile network, has still a very big and

 wide market potential;

b. that based on consideration referred to in point a, it is considered necessary to open business opportunity to business companies with certain requirements to provide third generation of cellular mobile network with national scope

Bearing in mind: 1. Law of the Republic of Indonesia Number 36 Year 1999 on

 Telecommunication (State Gazette of the Republic of Indonesia Number

 154 Year 1999, Additional State Gazette of the Republic of Indonesia

 Number 3881);

2. Government Regulation of the Republic of Indonesia Number 52 Year 2000 on Provision of Telecommunication (State Gazette of the Republic of Indonesia Number 107 Year 2000, Additional State Gazette of the Republic of Indonesia Number 3980);

1. Government Regulation of the Republic of Indonesia Number 53 Year 2000 on Use of Radio Frequency Spectrum and Satellite Orbit (State Gazette of the Republic of Indonesia Number 108 Year 2000, Additional State Gazette of the Republic of Indonesia Number 3981);
2. Decree of the President of the Republic of Indonesia Number 9 Year 2005 on Positions, Duties, Functions, Organizational Structure and Work Method of State Ministries of the Republic of Indonesia;
3. Decree of the President of the Republic of Indonesia Number 10 Year 2005 on Organizational Units and Duties of Echelon I of State Ministries of the Republic of Indonesia as amended by the Decree of the President of the Republic of Indonesia Number 15 Year 2005;
4. Decision of the Minister of Communication Number: KM. 20 Year 2001 as amended by the Decision of the Minister of Communication Number: 29 Year 2004 on Provision of Telecommunication Network;
5. Decision of the Minister of Communication Number: KM. 21 Year 2001 as amended by the Decision of the Minister of Communication Number 30 Year 2004 on Provision of Telecommunication Service;
6. Decree of the Minister of Communication and Information Technology Number 01/P/M.Kominfo/4/2005 on Organization and Work Method of the Department of Communication and Information Technology;

1. Decree of the Minister of Communication and Information Technology Number 03/P/M.Kominfo/5/2005 on Adjustment of Nomenclatures of a Number of Decisions/Decrees of the Minister of Communication which regulate Special Material Contents in the Field of Post and Telecommunication.

**DECIDES**

**To issue : DECISION OF THE MINISTER OF COMMUNICATION AND INFORMATION**

 **TECHNOLOGY ON BUSINESS OPPORTUNITY FOR THE PROVISION OF**

 **THIRD GENERATIN OF CELLULAR MOBILE NETWORK WITH NATIONAL**

 **SCOPE**

FIRST **:** To open the business opportunity for the provision of third generation of cellular

 mobile network with national scope at frequency band of 1940-1955 MHz and

 2130-2145 MHz;

SECOND : The business opportunity referred to in the FIRST Dictum is provided to

 any business entity in the form of legal body established for that purpose

 based on prevailing legal regulations and has already owned :

a. License for the provision of cellular mobile network that has not owned allocation of IMT-2000 radio frequency band at radio frequency band of 2.1 GHz; or

b. License for the provision of wireless local fixed network with limited mobility; or

c. License for the provision of other network that has owned license for radio frequency band usage of 1.9 GHz. :

THIRD : The selection of providers to be designated to provide business opportunity

 referred to in the SECOND Dictum is implemented through the selection

 process and auction of frequency band of 2.1 GHz regulated in a separate

 Ministerial Decree;

FOURTH : The selection process referred to in the THIRD Dictum is implemented by Director General of Post and Telecommunication based on the prevailing legal

 regulations;

FIFTH : Evaluation of the selection process to determine candidate provider of third

 generation of cellular mobile network with national scope is defined by

 considering the offer of License Fee (BHP) for Radio Frequency with the

 highest level of offer;

SIXTH : The selection referred to in the FOURTH Dictum is implemented at the latest two (2) months since the coming into force of this Ministerial Decision;

SEVENTH : This Ministerial Decision shall come into force since the date of its issuance.

 Done at: JAKARTA

 On : January 9, 2006

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**MINISTER OF COMMUNICATION AND INFORMATION TECHNOLOGY,**

**SOFYAN DJALIL**

**COPIES** of this Decision are sent to:

1. Coordinating Minister of Economic Affairs;

2. Secretary General, Inspector General, Directors General and Heads of Bodies within the Department of Communication and Information Technology.