

**Industry Canada – Notice No. DGRB-010-07 — Consultation on Proposed
Conditions of Licence to Mandate Roaming and Antenna Tower and Site Sharing
and to Prohibit Exclusive Site Arrangements**

Questions and Comments of Jaguar Wireless

Regarding Roaming and Tower sharing

Jaguar Wireless has gone through the **Policy Framework for the Auction for Spectrum Licences for Advanced Wireless Services and other Spectrum in the 2 GHz Range, Publication Date: November 28, 2007** numerous times. It is our opinion that the Department of Industry has done an excellent job addressing the issues of tower sharing and roaming.

Based on what we think the incumbents will do, that is, everything in their power to delay and cause the new companies entering this market to spend more to get established. Here are a few questions that we bring forth to Industry Canada:

1. Provide a definition of “technically feasible.” It is our opinion that the incumbents will use a play on words to distort the meaning of this very important phrase. We would like to request that the commission provide a definitive guideline as to what this references in respect to occupying existing wireless sites. For instance when is a site unable to support additional providers? They need to define the physical separation between the individual companies equipment at a site, like microwave and panel antennae. (If this is done, it will in most cases become much easier to determine if there is space available and will save time and money in the arbitration process.)
2. In light of the amount of work required to establish a network, would the commission entertain the possibility of reducing the time frames referred to in the document by 50% for the first twenty four months? (Need to accelerate the process and make the incumbents react quicker.)
3. Would the new entrants have to nominally compensate the incumbents for the research required to determine if there is space available at the specific locations? (We think this should be put forth because if a nominal fee is paid it takes part of the cost factor out of the incumbent’s arguments because they know if there is space or if there isn’t, but we are sure they will drag their feet where ever or whenever possible).

Like we mentioned previously, the Department of Industry has done an excellent job detailing the changes to the conditions of license. We suspect that the incumbents will argue saying timeframes are too short and the costs to them will be excessive, however, they do it currently with each other and in fact whenever possible, try and slow the competitor by delaying and making excuses. In essence this will benefit them in future requests to share space at the new provider’s sites and towers.

January 22, 2008