

## FORMAT FOR PARTICIPATING IN THE PUBLIC CONSULTATION

### Instructions for completion and participation:

- I. Opinions, comments and proposals should be sent to the following e-mail address: [planeacion.espectro@ift.org.mx](mailto:planeacion.espectro@ift.org.mx), where it should be noted that the capacity limit for the reception of files is 25 MB.
- II. Please provide your full name (name and surname), company name or corporate name, or the full name (name and surname) of the person acting as your legal representative. In the latter case, you must choose from the options the type of document with which you accredit such representation, as well as attach -to the same e-mail address- a legible electronic copy of the same.
- III. Please read carefully the **PRIVACY NOTICE** regarding the care and safeguarding of your personal data, as well as the publicity that will be given to the comments, opinions and contributions submitted by you in this consultation process.
- IV. Please provide your comments according to the structure of Section II of this format.
- V. If you have any general comments or additional inputs, please provide them in section III of this form (last box).
- VI. If you are interested, you may attach to your e-mail any documentation you deem appropriate.
- VII. The Public Consultation period will run from 17 October to 13 November 2024 (i.e. 20 working days). After this period, comments and attachments can continue to be viewed at the following e-mail address: <http://www.ift.org.mx/industria/consultas-publicas>
- VIII. For any questions, comments or concerns regarding this consultative process, the Institute makes available the following points of contact: María Fernanda Sánchez Zavala, Director of Spectrum Allocations, email: [fernanda.sanchez@ift.org.mx](mailto:fernanda.sanchez@ift.org.mx), telephone number 55 5015 4215; Deivit Andrés Andrade Hernández, Subdirector of Spectrum Use Determination, email: [deivit.andrade@ift.org.mx](mailto:deivit.andrade@ift.org.mx), telephone number 55 5015 4836; and Esthephanie Marisela Alvarez Martínez, Jefa de Departamento de Análisis y Seguimiento a las Solicitudes de Opinión de Espectro, e-mail: [esthephanie.alvarez@ift.org.mx](mailto:esthephanie.alvarez@ift.org.mx), telephone number 55 5015 4000, extension 2185.

<b>I. Details of the participant</b>	
Name, company name or corporate name:	450 MHz Alliance
Where applicable, name of the person acting as legal representative:	I. Virker, Managing Director
Document for the accreditation of representation: <small>In case of having a person acting as a legal representative, please attach a digitalised copy of the document proving such representation, via e-mail.</small>	Choose an item.
<b>COMPREHENSIVE PRIVACY NOTICE OF PERSONAL DATA THAT THE FEDERAL TELECOMMUNICATIONS INSTITUTE COLLECTS THROUGH THE RADIO SPECTRUM UNIT</b>	
<p>In compliance with the provisions of articles 3, section II, 16, 17, 18, 21, 25, 26, 27 and 28 of the General Law for the Protection of Personal Data in Possession of Obligated Subjects (hereinafter, the "LGPDPPSO"); 9, section II, 15 and 26 to 45 of the General Guidelines for the Protection of Personal Data for the Public Sector (hereinafter, the "General Guidelines"); 11 of the Guidelines that establish the parameters, modalities and procedures for the portability of personal data (hereinafter the "Portability Guidelines"), numeral XIV, point 7, of the Internal Policy for the Management and Processing of Personal Data of the Federal Telecommunications Institute, the following Comprehensive Privacy Notice is made available to the holders of personal data:</p> <p><b>I. Name of person responsible</b> Federal Telecommunications Institute (hereinafter referred to as the "IFT").</p> <p><b>II. Address of the person responsible</b> Avenida Insurgentes Sur #1143, Colonia Nochebuena, Demarcación Territorial Benito Juárez, Postal Code 03720, Mexico City.</p> <p><b>III. Personal data that will be processed, identifying those that are sensitive.</b> The personal data collected by the IFT, through the Radio Spectrum Unit, are the following:</p> <ul style="list-style-type: none"> <li>• <i>Identification data: Full name of natural persons, if applicable, full name of legal representative.</i></li> <li>• <i>Contact details: E-mail address.</i></li> <li>• <i>Employment data: Documents accrediting the personality of the legal representative of natural and legal persons.</i></li> </ul> <p>It should be noted that in terms of Article 3, section X of the LGPDPPSO, none of the above corresponds to sensitive personal data.</p>	

#### IV. Legal basis entitling the controller to carry out the processing operation

The IFT, through the Radio Spectrum Unit, carries out the processing of the personal data mentioned in the previous section, in accordance with articles 15, sections XL and XLI, 51 of the Federal Telecommunications and Broadcasting Law, last amendment published in the Official Gazette of the Federation on 1 April 2024, 12, section XXII, second and third paragraphs and 138 of the Federal Economic Competition Law, last amendment published in the Official Gazette of the Federation on 20 May 2021, as well as the Eighth Guideline of the Guidelines for Public Consultation and Regulatory Impact Analysis of the Federal Telecommunications Institute, published in the Official Gazette of the Federation on 8 November 2017, articles 19, 20 section XXII and 75 of the Organic Statute of the Federal Telecommunications Institute, last amendment published in the Official Gazette of the Federation on 18 March 2022; collected in the exercise of its functions.

#### V. Purposes of processing

Personal data collected by the IFT shall be specifically protected, incorporated and safeguarded in the files of the Radio Spectrum Unit, and shall be processed in accordance with the following specific, lawful, explicit and legitimate purposes:

Personal data	Purpose of processing
A. Identification data n ( full name of natural persons, if applicable, full name of legal representative )	Fully disclose the documentation referring to the comments, opinions and/or contributions derived from the participation of individuals in the Public Consultation processes in charge of the IFT.
B. Contact details (e-mail address)	Fully disclose the documentation referring to the comments, opinions and/or contributions derived from the participation of individuals in the Public Consultation processes in charge of the IFT. Send the IFT, via the e-mail address provided for this purpose, their participation in the Public Consultation processes.
C. Datos laborales ( documents proving the personality of the legal representative of natural and legal persons )	Provide proof of identity in case comments, opinions and/or contributions, or other elements of the consultative processes are submitted by stakeholders through a legal representative.

#### VI. Information regarding transfers of personal data requiring consent

The Radio Spectrum Unit shall not process personal data for purposes other than those expressly stated in this privacy notice, nor shall it transfer personal data to other public or private data controllers, except for those that are strictly necessary to meet the information requirements of a competent authority, which are duly founded and motivated, or when any of the circumstances set forth in articles 22 and 70 of the LGPDPSO are met. Such transfers shall not require the consent of the data subject in order to be carried out.

#### VII. Mechanisms and means available to the data subject, where appropriate, to express his/her refusal to the processing of his/her personal data for purposes and transfers of personal data that require the consent of the data subject.

In accordance with what is stated in section VI of this privacy notice, it is hereby informed that the personal data collected will not be subject to transfers that require the consent of the owner. However, in the event that the holder has any questions regarding the processing of their personal data, as well as the mechanisms to exercise their rights, they can go to the Transparency Unit of the IFT, located at Avenida Insurgentes Sur #1143 (Edificio Sede), Ground Floor, Colonia Nochebuena, Demarcación Territorial Benito Juárez, Postal Code 03720, Mexico City, or send an email to the following address [unidad.transparencia@ift.org.mx](mailto:unidad.transparencia@ift.org.mx), or call 55 5015 4000, extensions 4688, 2321 and 2205.

#### VIII. The mechanisms, means and procedures available to exercise the ARCO rights (rights of access, rectification, cancellation and opposition to the processing of personal data).

Requests for the exercise of ARCO rights must be submitted to the Transparency Unit of the IFT, by means of free writing, forms, electronic media or any other means established by the National Institute for Transparency, Access to Information and Protection of Personal Data (hereinafter the "INAI").

The procedure shall be governed by the provisions of Articles 48 to 56 of the LGPDPSO, as well as by paragraphs 73 to 107 of the General Guidelines, as well as by the Internal Procedure to guarantee the exercise of the Rights of Access, Rectification, Cancellation, Opposition and Portability of Personal Data exercised before the Federal Telecommunications Institute<sup>1</sup>, in accordance with the following:

- a) The requirements that the request for the exercise of ARCO rights must contain.
- Name of the holder and his address or any other means of receiving notifications;
  - Documents accrediting the identity of the holder and, where applicable, the personality and identity of his representative;
  - If possible, the area responsible for processing the personal data and to which the request is submitted;
  - A clear and precise description of the personal data in respect of which the exercise of any of the ARCO rights is sought;
  - The description of the ARCO right to be exercised, or what is being requested by the holder, and
  - Any other element or document that facilitates the location of the personal data, if applicable.

<sup>1</sup> Available for consultation at: [https://www.ift.org.mx/sites/default/files/OPNT/LGPDPSO/3\\_M\\_ARCO/Criterio\\_3\\_1\\_1.zip](https://www.ift.org.mx/sites/default/files/OPNT/LGPDPSO/3_M_ARCO/Criterio_3_1_1.zip)

- b)** The means by which the holder may submit requests for the exercise of ARCO rights.

The means are established in the eighth paragraph of Article 52 of the LGPDPPSO, which states the following: Requests for the exercise of ARCO rights must be submitted to the Transparency Unit of the responsible party, which the holder considers competent, through free writing, formats, electronic media or any other means established by INAI for this purpose.

- c)** The forms, systems and other simplified means that, where appropriate, NACI may have established to facilitate the holder's exercise of their ARCO rights.

The forms that INAI has developed for the exercise of ARCO rights are available on its website <https://home.inai.org.mx/>, in the section "Protection of Personal Data" / "Enter your request or complaint" / "Forms" / "In the public sector" / "[ARCO Rights Request Form for the Public Sector](#)".

- d)** The means of responding to requests for the exercise of ARCO rights.

In accordance with the provisions of Article 90 of the General Guidelines, the response adopted by the responsible party may be notified to the holder in its Transparency Unit or in the offices it has set up for this purpose, upon accreditation of its identity and, where appropriate, of the identity and personality of its representative in person, or by the National Transparency Platform or certified mail, in which case the notification through a representative shall not be applicable for the latter two means.

- e)** The mode or means of reproduction of the personal data.

Pursuant to the provisions of Article 92 of the General Guidelines, the modality or means of reproduction of personal data shall be through direct consultation, at the place where they are located, or through the issuance of simple copies, certified copies, magnetic, optical, sound, visual or holographic means, or any other technology determined by the data subject.

- f)** The deadlines established within the procedure - which shall not contravene the provisions of Articles 51, 52, 53 and 54 of the LGPDPPSO - are as follows:

The data controller shall establish simple procedures to enable the exercise of ARCO rights, the response period for which shall not exceed twenty days from the day following receipt of the request.

The time limit referred to in the previous paragraph may be extended once for up to ten days when justified by the circumstances, provided that the holder is notified within the response period.

In the event that the exercise of the ARCO rights is admissible, the data controller shall make it effective within a period that may not exceed fifteen days from the day following notification of the response to the data subject.

In the event that the request for data protection does not meet any of the requirements referred to in the fourth paragraph of Article 52 of the LGPDPPSO, and the data controller does not have the elements to remedy it, the data owner shall be notified within five days following the submission of the request to exercise the ARCO rights, on a single occasion, to remedy the omissions within a period of ten days from the day following the day of notification. Once this period has elapsed without the prevention having been dealt with, the request to exercise the ARCO rights shall be deemed not to have been submitted.

The prevention will have the effect of interrupting NACI's deadline for resolving the request to exercise the ARCO rights.

When the data controller is not competent to deal with the request for the exercise of the ARCO rights, it shall inform the data subject of this situation within three days following the submission of the request, and if it is able to determine this, it shall guide the data subject towards the competent data controller.

When the provisions applicable to certain processing of personal data establish a specific process or procedure for requesting the exercise of ARCO rights, the data controller shall inform the data owner of the existence thereof, within a period not exceeding five days following the submission of the request for the exercise of ARCO rights, in order for the latter to decide whether to exercise his/her rights through the specific procedure, or by means of the procedure that the data controller has institutionalised for the handling of requests for the exercise of ARCO rights in accordance with the provisions set forth in Articles 48 to 56 of the LGPDPPSO.

In this specific case, we inform you that there is no specific procedure to request the exercise of the ARCO rights in relation to the personal data that are collected in compliance with the purposes informed in this privacy notice.

- g)** The right of the holder to file an appeal for review before the INAI in case of being dissatisfied with the response.

The aforementioned right is established in Articles 103 to 116 of the LGPDPPSO, which provide that the holder, by himself or through his representative, may file an appeal for review before the INAI or the Transparency Unit of the responsible party that has heard the request for the exercise of ARCO rights, within a period that may not exceed fifteen days from the date following the date of notification of the response.

In case the holder has any doubts regarding the procedure for the exercise of ARCO rights, he/she can go to the Transparency Unit of the IFT, located at Avenida Insurgentes Sur #1143 (Edificio Sede), Ground Floor, Colonia Nochebuena, Demarcación Territorial Benito Juárez, Postal Code 03720, Mexico City, send an e-mail to the following address [unidad.transparencia@ift.org.mx](mailto:unidad.transparencia@ift.org.mx) or call 55 5015 4000, extensions 4688, 2321 and 2205.

**IX. Mechanisms, means and procedures to exercise the right of personal data portability before the IFT.**

The data subject, or his or her legal representative, may exercise the right to portability of personal data held by IFT. In this regard, it is reported that the right to portability of personal data is a prerogative that allows the holder to obtain a copy of the personal data provided directly to the IFT, in a structured and commonly used format, to reuse them for their own purposes and in different services.

This right also implies that personal data may be transmitted to other public bodies, agencies or entities (data controllers), without the need to be given to the data subject.

The formats available to the IFT to guarantee the exercise of the right to personal data portability are as follows:

- a) Excel (\*.xlsx)
- b) Text (\*.txt)
- c) Text file (\*.csv), and
- d) Hypertext Markup Language (\*.html)

In this regard, the types or categories of personal data collected and reported in this privacy notice, which are technically portable in the aforementioned formats, are the following:

- *Identification data: Full name of natural persons, if applicable, full name of legal representative.*
- *Contact details: E-mail address.*

The right to the portability of personal data may be exercised before the IFT, by means of a free writing, or by means of the form designed for this purpose, which is available at the following electronic link:

[https://www.ift.org.mx/sites/default/files/OPNT/LGPDPPSO/4\\_Portabilidad/Criterio\\_4\\_1\\_2.zip](https://www.ift.org.mx/sites/default/files/OPNT/LGPDPPSO/4_Portabilidad/Criterio_4_1_2.zip).

The request for portability of personal data may be addressed to the Transparency Unit, by e-mail to [unidad.transparencia@ift.org.mx](mailto:unidad.transparencia@ift.org.mx), or delivered in person at the Transparency Unit module, located on the Ground Floor of the Headquarters Building, located at Avenida Insurgentes Sur #1143, Colonia Nochebuena, Demarcación territorial Benito Juárez, Postal Code 03720, in Mexico City.

For more information on how to exercise the right to portability of personal data, the IFT makes available to the public the "Guide to exercise the right to portability of personal data held by the Federal Telecommunications Institute", which is available at the following link: [https://www.ift.org.mx/sites/default/files/OPNT/LGPDPPSO/4\\_Portabilidad/Criterio\\_4\\_1\\_2.zip](https://www.ift.org.mx/sites/default/files/OPNT/LGPDPPSO/4_Portabilidad/Criterio_4_1_2.zip).

**X. The address of the Transparency Unit of the IFT.**

The Transparency Unit of the IFT is located at Avenida Insurgentes Sur #1143 (Edificio Sede), Colonia Nochebuena, Demarcación Territorial Benito Juárez, Postal Code 03720, Mexico City, and has a public attention module on the ground floor of the building, with working hours from 9:00 to 18:30 hours, Monday to Thursday, and Friday from 9:00 to 15:00 hours, telephone number 55 5015 4000, extensions 4688, 2321 and 2205.

**XI. The means by which the data controller will communicate changes to the privacy notice to the data subjects.**

All changes to the Privacy Notice will be communicated to the holders of personal data in the "Privacy Notices of the Federal Telecommunications Institute" section of the Virtual Section on Personal Data Protection of the IFT, available at: [https://www.ift.org.mx/proteccion\\_de\\_datos\\_personales/avisos\\_de\\_privacidad](https://www.ift.org.mx/proteccion_de_datos_personales/avisos_de_privacidad).

*Last updated: (30/06/2023)*

**II. Integration Public Consultation Questionnaire**

**Note:** It is recommended that you answer all the questions contained in the following table, accompanied by the arguments, approaches, justifications and elements of analysis that you consider necessary to support your opinion, including any supporting documents that you wish to attach.

Question number	Question	Comments, opinions or contributions
1.	In which frequency bands do you think private networks could be implemented in our country? And for which use cases?	The 450 MHz Alliance is an industry association that represents the interests of stakeholders in 3GPP compliant technologies in the frequency range of 380 – 470 MHz which address use cases critical to society. Our members include wireless industry companies such as spectrum license holders, carriers and leading equipment manufacturers, as well as companies representing various vertical

		<p>markets for business and mission critical communications.</p> <p>From this perspective, the Alliance would recommend any of the following bands:</p> <ul style="list-style-type: none"> <li>• 450 - 470 MHz: Band n31 or Band n72</li> <li>• 410 - 430 MHz: Band 87 or Band 88 (as of 3GPP Release 19 also n87 and n88 will be defined)</li> <li>• 380 - 400 MHz: no 3GPP band yet defined; the 450 MHz Alliance however is willing to support the standardisation process when potential users show up.</li> </ul>
2.	Of the bands considered in the answer above, are there technical considerations related to sharing radio spectrum with existing radio services?	In band spectrum sharing is not recommended. Given the stringent spectrum masks and filtering techniques defined for the bands mentioned above, the usage of adjacent bands is in general possible without additional measures.
3.	Do you consider the use of high frequency bands, commonly known as "millimetre bands", to be necessary? If so, which frequency bands? And for which use cases?	This depends primarily on the use cases for which the Private Networks are built. Normally, the lower frequency bands (like the 380 - 400 MHz, 410 - 430 MHz or the 450 - 470 MHz) are required to obtain good coverage with a moderate number of radio sites. However, such Networks are capacity limited and do not support demands for large data volumes. If these are demanded, additional sites operating on higher frequencies, would provide a good solution.
4.	What is the minimum bandwidth per channel that you consider necessary for private network applications?	This also depends on the use cases, but in general 2x5 MHz would fit for most purposes.
5.	Do you consider the distribution of potential geographic areas for the development of private networks for commercial use to be appropriate, please justify your answer	N.a.
6.	Do you consider the size of the proposed zones to be adequate, please justify your answer.	N.a.
7.	Do you consider it necessary to include additional geographical areas to those identified in the reference document? If yes, please provide the polygons of interest in a .shp format.	N.a.
8.	Which mechanism(s) do you consider appropriate for the efficient allocation of spectrum for private networks, which complies with the current regulatory framework? For example, first-price	N.a.

	envelope, simultaneous upstream auction or clock auction, among others.	
9.	What incentives for participation and/or innovation could be considered for the bidding of spectrum for private networks?	Compared to public commercial networks, Private Networks have lower economies of scale to support the business case. To compensate for that, the license fee should be moderate and the license duration should be long enough to compensate for the high investments (typically 25 years).
10.	Do you consider it necessary to set limits on participation in spectrum allocation for private networks? If so, what limits do you suggest? For example, limits on spectrum accumulation.	From our international experience, we don't see a need for such limitations.
11.	Can you provide international experience with regard to the allocation and economic valuation of spectrum for private networks?	Yes, we have many members who build or operate a private Wireless network. The 450 MHz Alliance could organize meetings with some of these members to exchange their knowledge on these topics.
12.	Do you have proposals for specific provisions or conditions to be considered in tenders for the proper and efficient allocation of spectrum for private networks?	Examples for such provisions or conditions could be: <ul style="list-style-type: none"> <li>- Rollout obligations;</li> <li>- Obligation for the license holder to offer services to specific other users;</li> <li>- In case the assignment procedure is based on a beauty contest, the bid should contain a detailed frequency usage plan and a detailed business plan including prices and volumes, to assure there is a healthy ambition for the spectrum.</li> </ul>
13.	What do you consider to be a more attractive scheme for the industry in our country, a spectrum auction for commercial use for private networks or for private use for private communication purposes? Justify your answer and provide the elements you consider necessary.	There is a third way, where the spectrum is used for PAMR (Public Access Mobile Radio) with several users / customers, but where usage is restricted to certain sectors or use cases (such as Utilities, or Critical Infrastructures, etcetera). Which of the three options would fit best to the Mexican national situation, cannot be assessed by the 450 MHz Alliance.
14.	Are there any other use cases for private networks that are of interest to you?	The 450 MHz Alliance is neutral where it comes to the use cases, be it public safety, critical infrastructure, industry or others.
<b>Note:</b> add as many rows as necessary.		

<b>III. Comments, opinions and general input from the participant on the issue in Public Consultation on Integration</b>

The 450 MHz Alliance is at your disposal should you require further explanation regarding any of the points raised through this response. This could be in the form of written text, phone calls or even a workshop with some of our members. Please let us know if you wish to engage in any form of further information exchange.

Enclosed the public versions of our annual Global update report and annual Equipment report.

On behalf of the 450 MHz Alliance, we wish to express our appreciation for this opportunity to share our insights.

**Note:** add as many rows as necessary.