

20/06/2016

## Decision on extending the deadline

**Re:** Programme licences for television broadcasting in digital terrestrial mass communications networks

**Applicants:** AETN UK  
Brilliance Communications Oy  
Discovery Corporate Services Limited  
Discovery Networks Finland Oy  
Etelä-Pohjanmaan Viestintä Oy  
Eurosport SAS  
Fox Networks Group Oy  
MTV Sisällöt Oy  
NGC Europe Limited  
Nickelodeon International Ltd  
Oy Viasat Finland Ab  
Sanoma Media Oyj  
The Walt Disney Company Ltd  
Turner Broadcasting System Europe Limited

**Grounds:** The Finnish Communications Regulatory Authority (FICORA) issued a call for applications for programme licences for television broadcasting subject to a licence for the licence period 10 January 2017 – 10 January 2027. The application period ended on 18 April 2016. The call for applications included digital television and radio broadcasting in the UHF and VHF spectrum bands as specified in section 23 of the Information Society Code as well as the public service television broadcasting in the UHF spectrum band. The call for applications included multiplexes A, B, C, D, E and F in the UHF network and multiplexes VHF A, VHF B and VHF C in the VHF network. In addition, the call for applications included the regional licence for the multiplex in the Ostrobothnia region. The operators could apply for licences for the whole transmission capacity that is available to the multiplexes in the UHF and VHF spectrum bands, excluding the capacity reserved for the use of the Finnish Broadcasting Company's public service television broadcasting.

According to section 25 of the Information Society Code, FICORA can issue programme licences in such situations where all applicants can be appointed with enough transmission capacity and issuing the licence is not projected to have a significant effect on the general development of the communications market. According to sections 25 and 26 of the Information Society Code, the Government makes the decision on the programme licences if there is not enough transmission capacity for all applicants or the licence decision will

Id Versionumero

Ministry of Transport and  
Communications

Visiting address

Eteläesplanadi 16 (registry)  
Helsinki

Postal address

P.O. Box 31  
00023 Valtioneuvosto

Tel:

+358 29516001

www.lvm.fi

firstname.lastname@lvm.fi  
kirjaamo@lvm.fi

have a significant effect on the general development of the communications market.

Based on the programme licence applications that FICORA received by 18 April 2016, the number of primary programme licence applications for multiplexes A, E and F exceeds their transmission capacity. In addition, multiplexes B and D did not receive any primary applications. Since it is appropriate to assess the multiplexes in the UHF band as a whole, and since there are more applicants for the multiplexes in question than there is free capacity, the Government will issue the licences. Therefore, on the basis of section 25 of the Information Society Code, FICORA has transferred the applications for multiplexes A, B, C, D, E and F in the UHF band to the Government. The applicants have been notified of the transfer and the information on the transfer has been published on 18 May 2016. After the transfer, the licence applicants had the opportunity to submit an augmented application that contained their planned programme content to the Government within two weeks, in accordance with section 25 of the Information Society Code.

According to section 25(4) of the Information Society Code, the Government must make a decision on the licences within two months of the matter being transferred to the Government. In special cases, the Government may extend the deadline by eight months at most if this is necessary to ensure that the application process is fair, clear and open, to supplement the information in the applications, or for other special reasons. Any extension to the application deadline must be announced publicly.

The two-month deadline would have ended on 18 July 2016. During the process, Norkring AB announced that it will give up the network licences that have been issued to it. Due to this fundamental change in network licences, it is essential that the deadline for processing the programming licences is extended.

Decision:

On the basis of section 25(4) of the Information Society Code, the Government will extend the deadline for making the license decisions until 31 January 2017.

In Helsinki on 20 June 2016

Anne Berner  
Minister of Transport and Communications

Mirka Meres-Wuori

Id Versionumero

Ministry of Transport and  
Communications

Visiting address

Postal address

Tel:

[www.lvm.fi](http://www.lvm.fi)

Yliopistonkatu 5 (registry)

P.O. Box 31

+358 9 09 160  
02

[firstname.lastname@lvm.fi](mailto:firstname.lastname@lvm.fi)

Helsinki

00023 Valtioneuvosto

[kirjaamo@lvm.fi](mailto:kirjaamo@lvm.fi)

Ministerial Adviser

Appendices

Appeal instructions

**Distribution**

AETN UK  
 Brilliance Communications Oy  
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CC

Finnish Communications Regulatory Authority

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Visiting address

Postal address

Tel:

[www.lvm.fi](http://www.lvm.fi)

Yliopistonkatu 5 (registry)

P.O. Box 31

+358 9 09 160  
 02

[firstname.lastname@lvm.fi](mailto:firstname.lastname@lvm.fi)

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[firstname.lastname@lvm.fi](mailto:firstname.lastname@lvm.fi)

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[kirjaamo@lvm.fi](mailto:kirjaamo@lvm.fi)