



Information regarding the use of frequencies for broadcasting

As a higher federal authority within the scope of business of the Federal Ministry of Economics and Technology (BMWi) the Bundesnetzagentur performs duties of technical spectrum management, assigns frequencies to transmitter operators and secures the interference-free use of frequencies in line with the provisions of the Telecommunications Act (TKG) of 22 June 2004, last amended by Article 6(3) of the Act of 7 August 2013 (Federal Gazette I p. 1138). One of its responsibilities, set out in section 57(a) sentence 3 TKG, is to meet the coverage requirements notified by the federal states, taking account of broadcasting interests in doing so. The following paragraphs provide a short overview of the ways in which frequencies may be used for broadcasting.

I. The use of frequencies within the jurisdiction of the federal states

Responsibility for broadcasting in Germany is split between the federal government (Bund) and the federal states (Länder). The federal states are responsible for the content transmitted on the frequencies and for supervision of the broadcasters. This work is based on the laws of the particular federal state and on interstate agreements such as the Interstate Agreement on Broadcasting (RStV).

Different telecommunications and broadcasting procedures, as explained briefly in the following, are required to distribute broadcasting programmes. The Interstate Agreement on Broadcasting requires private broadcasters to be licensed under the applicable federal state laws before they can begin broadcasting. The state media authorities are responsible for licensing and monitoring private broadcasting companies.

Anyone wishing to broadcast commercially thus requires the agreement of the media authority of the federal state in which they intend to broadcast or on whose territory the technical facilities (studio or transmitter site) are located. A list of the state media authorities is given in the enclosure. These authorities can give details of the procedures to be followed in their region.

After these procedures have been successfully completed, the state media authority responsible notifies the Bundesnetzagentur of the broadcasting coverage requirements.

If the competent state authority allocates a content provider capacity for the transmission of content on an analogue or digital frequency for broadcasting within the jurisdiction of the federal states for exclusive use, that content provider may sign a contract at their own discretion with a transmitter network operator so long as it is guaranteed to be in accordance with the broadcasting regulations. The Bundesnetzagentur can assign the frequency upon application by the transmitter network operator so long as they fulfil the requirements for assignment.

Frequencies are assigned for a particular purpose in accordance with the Frequency Usage Plan and in a non-discriminatory manner on the basis of transparent and objective procedures (section 55(1) third sentence).

In cases where a content provider does not choose a transmitter network operator in accordance with section 57 TKG, the Bundesnetzagentur initiates a qualified call for expressions of interest with a deadline. The call for expressions of interest is published in the Bundesnetzagentur's Official Gazette. If the content provider chosen notifies the Bundesnetzagentur of his choice of transmitter network operator in the course of the expressions of interest procedure and before the deadline ends, the procedure is discontinued and an individual frequency assignment is made. Award proceedings must be carried out if such a notice has not been provided by the deadline.

At the end of the expressions of interest procedure, it is clear whether there is a shortage of frequencies (= more than one interested party), no shortage of frequencies (= one interested party) or no interest in frequencies (= no interested parties).

If more than one interested party comes forward during the expressions of interest procedure, award proceedings are to be conducted (section 61(1) TKG). The order for the award proceedings for each notified coverage requirement takes the form of a Bundesnetzagentur President's Chamber decision and is published in the Bundesnetzagentur's Official Gazette. The order for the award proceedings constitutes the opening of a tendering procedure (section 61(5) TKG), inviting written

tenders within a specified period of time. The order sets out the general criteria for award proceedings and the specific criteria to be met by the tenderers in each individual case.

If more than one tender is submitted within the specified period, the Bundesnetzagentur President's Chamber decides on the successful tenderer. If only one tender is submitted within the specified period, an individual frequency assignment (as described above) is made. The notified coverage requirement cannot be implemented if no tenders are submitted within the specified period.

If there is only one interested party, this party is requested to submit to the Bundesnetzagentur without delay (by a given deadline) a substantiated application and provide proof that the requirements for frequency assignment are met.

The notified coverage requirement cannot be implemented if there are no interested parties.

The framework conditions for the frequency assignment procedure are determined in the "administrative rule on frequency assignments for broadcasting service (VVRuFu)", which can be accessed on the website of the Bundesnetzagentur (www.bundesnetzagentur.de).

II. Other options for broadcasting

Please contact your regional media authority with any questions you have on the distribution of your licensed programmes via cable or satellite.

III. Other frequency usages

Under section 55(1) first sentence, each frequency usage requires prior frequency assignment, unless otherwise provided for by the Act. Frequencies can be assigned if they are designated in the Frequency Plan for the particular purpose, if they are available and if they are compatible with other frequency usages.

Frequencies for the broadcasting service can also be used in other ways within a limited context. The possibilities arise from the provisions of VVRuFu. This is possible especially in the context of



events or broadcasts that are not limited to a property.

The contact point is Broadcasting Service Centre 5 "Broadcasting" (DLZ "Rundfunk") of the Bundesnetzagentur (see enclosure). Further support will be provided from there. Should you have any questions regarding low frequency, medium frequency and high frequency broadcasting please direct them to: rundfunk@bnetza.de. The case manager responsible will get in touch with you.

Frequencies must be coordinated, depending on the technical parameters requested, to avoid technical interference with other usages. They must be coordinated both nationally and internationally, if appropriate.

Fees and contributions are levied under section 142ff of the Telecommunications Act for the Bundesnetzagentur's official acts. The updated ordinances showing the fees and contribution charges can be viewed on the website of the Bundesnetzagentur (www.bundesnetzagentur.de).



Federal state	State media authority	Bundesnetzagentur office
Baden-Württemberg	Landesanstalt für Kommunikation Baden-Württemberg Reinsburgstraße 27 70178 Stuttgart Tel.: 0711 66991-0 Fax 0711/66991-11 E-mail: info@lfk.de Internet: www.lfk.de	Bundesnetzagentur DLZ 5 Einkornstraße 109 74523 Schwäbisch-Hall Tel.: 0791/9424-0 Fax 0791/9424-180 E-mail: nuer5.postfach@bnetza.de
Bavaria	Bayerische Landeszentrale für neue Medien Heinrich-Lübke-Straße 27 81737 München Tel.: 089/63808-0 Fax 089/63808-340 E-mail: blm@blm.de Internet: www.blm.de	Bundesnetzagentur DLZ 5 Einkornstraße 109 74523 Schwäbisch-Hall Tel.: 0791/9424-0 Fax 0791/9424-180 E-mail: nuer5.postfach@bnetza.de
Berlin	Medienanstalt Berlin-Brandenburg Kleine Präsidentenstraße 1 10178 Berlin Tel.: 030/264967-0 Fax 030/264967-90 E-mail: mail@mabb.de Internet: www.mabb.de	Bundesnetzagentur DLZ 5 Elly-Beinhorn Straße 2 65760 Eschborn Tel.: 06196/965-0 Fax 06196/965-180 E-mail: esch5.postfach@bnetza.de
Brandenburg	Medienanstalt Berlin-Brandenburg Kleine Präsidentenstraße 1 10178 Berlin Tel.: 030/264967-0 Fax 030/264967-90 E-mail: mail@mabb.de Internet: www.mabb.de	Bundesnetzagentur DLZ 5 Elly-Beinhorn Straße 2 65760 Eschborn Tel.: 06196/965-0 Fax 06196/965-180 E-mail: esch5.postfach@bnetza.de
Bremen	Bremische Landesmedienanstalt Richtweg 14 28195 Bremen Tel.: 0421/33494-0 Fax 0421/323533 E-mail: info@bremische-landesmedienanstalt.de Internet: www.bremische-landesmedienanstalt.de	Bundesnetzagentur DLZ 5 Willestraße 2 30173 Hannover Tel.: 0511/2855-0 Fax 0511/2855-80 E-mail: rundfunk.hannover@bnetza.de
Hamburg	Medienanstalt Hamburg / Schleswig-Holstein Rathausallee 72-76 22846 Norderstedt Tel.: 040/369005-0 Fax.: 040 369005-55 E-mail: info@ma-hsh.de Internet: www.ma-hsh.de	Bundesnetzagentur DLZ 5 Willestraße 2 30173 Hannover Tel.: 0511/2855-0 Fax: 0511/2855-80 E-mail: rundfunk.hannover@bnetza.de



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Mecklenburg-Western Pomerania	Medienanstalt Mecklenburg-Vorpommern Bleicherufer 1 19053 Schwerin Tel.: 0385/55881-0 Fax.: 0385/55881-30 E-mail: info@medienanstalt-mv.de Internet: www.medienanstalt-mv.de	Bundesnetzagentur DLZ 5 Willestraße 2 30173 Hannover Tel.: 0511/2855-0 Fax: 0511/2855-80 E-mail: rundfunk.hannover@bnetza.de
Lower Saxony	Niedersächsische Landesmedienanstalt für privaten Rundfunk Seelhorststraße 18 30175 Hannover Tel.: 0511/28477-0 Fax.: 0511/28477-36 E-mail: info@nlm.de Internet: www.nlm.de	Bundesnetzagentur DLZ 5 Willestraße 2 30173 Hannover Tel.: 0511/2855-0 Fax: 0511/2855-80 E-mail: rundfunk.hannover@bnetza.de
North-Rhine Westphalia	Landesanstalt für Medien Nordrhein-Westfalen Zollhof 2 40221 Düsseldorf Tel.: 0211/77007-0 Fax.: 0211/72717-0 E-mail: info@lfm-nrw.de Internet: www.lfm-nrw.de	Bundesnetzagentur DLZ 5 Alter Hellweg 56 44379 Dortmund Tel.: 0231/9955-0 Fax: 0231/9955-180 E-mail: dort5.postfach@bnetza.de
Rhineland-Palatinate	Landeszentrale für Medien und Kommunikation Turmstraße 10 67059 Ludwigshafen Tel.: 0621/5202-0 Fax: 0621/5202-152 E-mail: mail@lmk-online.de Internet: www.lmk-online.de	Bundesnetzagentur DLZ 5 Elly-Beinhorn Straße 2 65760 Eschborn Tel.: 06196/965-0 Fax: 06196/965-180 E-mail: esch5.postfach@bnetza.de
Saarland	Landesmedienanstalt Saarland Nell-Breuning-Allee 6 66115 Saarbrücken Tel.: 0681/38988-0 Fax.: 0681/38988-20 E-mail: info@lmsaar.de Internet: www.lmsaar.de	Bundesnetzagentur DLZ 5 Elly-Beinhorn Straße 2 65760 Eschborn Tel.: 06196/965-0 Fax: 06196/965-180 E-mail: esch5.postfach@bnetza.de



Saxony	<p>Sächsische Landesanstalt für privaten Rundfunk und neue Medien Ferdinand-Lassalle-Straße 21 04109 Leipzig</p> <p>Tel.: 0341/2259-0 Fax: 0341/2259-199 E-mail: info@slm-online.de Internet: www.slm-online.de</p>	<p>Bundesnetzagentur DLZ 5 Max-Liebermann-Straße 81 04157 Leipzig</p> <p>Tel.: 0341/999-60 Fax: 0341/999-6180 E-Mail: leip5.postfach@bnetza.de</p>
Saxony-Anhalt	<p>Medienanstalt Sachsen-Anhalt Reichardtstraße 9 06114 Halle/Saale</p> <p>Tel.: 0345/5255-0 Fax.: 0345/5255-121 E-mail: info@msa-online.de Internet: www.msa-online.de</p>	<p>Bundesnetzagentur DLZ 5 Max-Liebermann-Straße 81 04157 Leipzig</p> <p>Tel.: 0341/999-60 Fax: 0341/999-6180 E-mail: leip5.postfach@bnetza.de</p>
Schleswig-Holstein	<p>Medienanstalt Hamburg / Schleswig-Holstein Rathausallee 72-76 22846 Norderstedt</p> <p>Tel.: 040/369005-0 Fax.: 040/369005-55 E-mail: info@ma-hsh.de Internet: www.ma-hsh.de</p>	<p>Bundesnetzagentur DLZ 5 Willestraße 2 30173 Hannover</p> <p>Tel.: 0511/2855-0 Fax: 0511/2855-80 E-mail: rundfunk.hannover@bnetza.de</p>
Thuringia	<p>Thüringer Landesmedienanstalt Steigerstraße 10 99096 Erfurt</p> <p>Tel.: 0361/21177-0 Fax.: 0361/21177-55 E-mail: mail@t1m.de Internet: www.t1m.de</p>	<p>Bundesnetzagentur DLZ 5 Max-Liebermann-Straße 81 04157 Leipzig</p> <p>Tel.: 0341/999-60 Fax: 0341/999-6180 E-mail: leip5.postfach@bnetza.de</p>