



2 July 2020

s 9(2)(a)

By Email: s 9(2)(a)

Dear s 9(2)(a)

Wellington International Airport Limited – Managed Spectrum Park – Ineligibility to hold licences

I write in response to your email dated 3 March 2020, in which you raised concerns about the granting of spectrum licences to Wellington International Airport Limited (WIAL). Sincere apologies for the delay in responding.

As described in Radio Spectrum Management's previous response, a key factor in the decision not to revoke the licences was the fact that WIAL noted the relationship between Infratil and Vodafone in its statutory declaration. It is, however, agreed that Radio Spectrum Management (RSM) made a mistake when assessing the eligibility of WIAL for MSP licences, by failing to identify an association that exists through a chain of related companies.

RSM will be taking steps to refine its process to ensure a more robust assessment of any association between parties in future.

Having considered all the circumstances, RSM decided not to cancel WIAL's licenses. These circumstances included that it was RSM's error, that WIAL made note of the association, no third party was harmed by the decision, and that this was an oversight in the application of the policy rules, rather than something that went against the policy intent.

I trust that this explains how MBIE arrived at its decision. If you are still not satisfied you have the right to refer this matter to the Ombudsman.

Yours sincerely

Carolyn Tremain
Chief Executive