

**Amendment to the Terms and Conditions set out in Radio Frequency Auction No. 9 Auction Catalogue dated 2 November 2007 (“Terms and Conditions”)**

Under clause 2 of the Terms and Conditions, the definition of “Acquisition Limit” in clause 1.1 of the Terms and Conditions and in clause 1.1 of the Management Rights Deed (attached as Schedule 3 to the Terms and Conditions) is amended by replacing that definition with the following definition:

**“Acquisition  
Limit”**

The holding of, or having a Controlling Interest in, management rights for not more than 40 MHz of spectrum where those management rights commence on or after 1 January 2009 in:

(a) the bands from 2300 MHz to 2396 MHz and from 2500 MHz to 2690 MHz that are the subject of this auction; and

(b) the band from 2370 MHz to 2395 MHz.

Dated at Wellington on this 13<sup>th</sup> day of November 2007.

BRIAN MILLER, Manager, Radio Spectrum Policy and Planning, Energy and Communications Branch, Ministry of Economic Development, acting under the authority of the Chief Executive of the Ministry of Economic Development.