

**IN THE HIGH COURT OF SOUTH AFRICA**

**GAUTENG DIVISION, PRETORIA**

**Case Number: 66778/2020**

In the matter between:

**TELKOM SA SOC LIMITED**

**First Applicant**

**e.tv (PTY) LIMITED**

**Second Applicant**

**and**

**INDEPENDENT COMMUNICATION AUTHORITY**

**First Respondent**

**OF SOUTH AFRICA**

**CHAIRPERSON: INDEPENDENT COMMUNICATION**

**AUTHORITY**

**Second Respondent**

**OF SOUTH AFRICA**

**VODACOM (PTY) LIMITED**

**Third Respondent**

**MOBILE TELEPHONE NETWORKS (PTY) LIMITED**

**Fourth Respondent**

**CELL C (PTY) LIMITED**

**Fifth Respondent**

**WIRELESS BUSINESS SOLUTIONS (PTY) LIMITED**

**Sixth Respondent**

**LIQUID TELECOMMUNICATIONS SOUTH AFRICA (PTY)**

**LIMITED**

**Seventh Respondent**

**MINISTER OF COMMUNICATIONS AND DIGITAL**

**TECHNOLOGIES**

**Eighth Respondent**

**COMPETITION COMMISSION OF SOUTH AFRICA**

**Ninth Respondent**

**SOUTH AFRICAN COMMUNICATIONS FORUM**

**Tenth Respondent**

**SOUTH AFRICAN BROADCASTING CORPORATION**

**LIMITED**

**Eleventh Respondent**

**SENTECH SOC LIMITED**

**Twelfth Respondent**

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**ORDER**

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**BAQWA J**

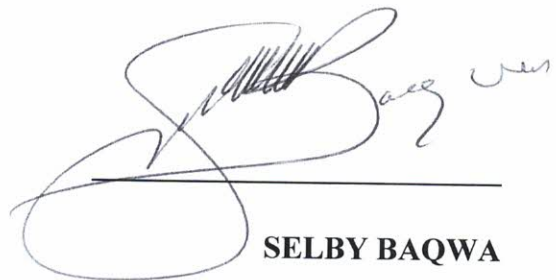
Having considered all of the above, I make the following order:

Pending the final determination of the order sought in Part C, the following order is made:

61.1 An order interdicting the first respondent from assessing or adjudicating any applications received by it pursuant to the ITA for the licensing of spectrum in the IMT 700, IMT800, IMT2600 and IMT 3500 bands issued by the first respondent on 2 October 2020 under gazette No 43768 [notice 535 of 2020].

61.2 An order suspending the closing date for the submission of applications for the licence to operate a Wireless Open Access Network as stated in the ITA issued by the first respondent on 2 October 2020 under government gazette no. 43767 [Notice 534 of 2020].

61.3 The first and the second respondents shall pay the costs of the applicants jointly and severally, the one paying the other to be absolved in respect of Part B, including the costs of two counsel.



A handwritten signature in black ink, appearing to read 'Selby Baqwa', is written over a horizontal line. The signature is stylized and cursive.

**SELBY BAQWA**

**JUDGE OF THE HIGH COURT OF SOUTH AFRICA**

**GAUTENG DIVISION, PRETORIA**