

**DRAFT**  
**Subject to Legal Review for Accuracy, Clarity, and Consistency**  
**March 8, 2004**

**This letter was negotiated during the course of the CAFTA negotiations and is related to the Agreement, but is not part of the CAFTA.**

**[Letter on Costa Rica's radio-electric spectrum]**

**[date]**

The Honorable Miguel Lacayo  
Minister of Economy of El Salvador

The Honorable Marcio Cuevas  
Minister of Economy of Guatemala

The Honorable Norman Garcia  
Minister of Foreign Trade of Honduras

The Honorable Mario Arana Sevilla  
Minister of Development, Industry and Commerce of Nicaragua

The Honorable Robert B. Zoellick  
United States Trade Representative

Dear Ministers,

I have the honor to refer to Annex 13 (Specific Commitments of Cost Rica on Telecommunications Services) of the United States-Central America Free Trade Agreement (the "Agreement") signed at \_\_\_\_\_ on \_\_\_\_\_, 2004.

Costa Rica is undertaking an obligation to open its market for the supply of wireless services. Once the market is open, in order for competitive wireless service suppliers to provide service, they will need to be assigned blocks of spectrum. For purposes of this Agreement, it is understood that the Republic of Costa Rica shall, in compliance with its policy to allocate radio-electric spectrum in a manner to promote its most efficient use, and in keeping with international and regional norms, and at a minimum, ensure that there will be sufficient, commercially relevant frequencies available in the national spectrum in order to comply with the market access commitments included in section III.2 of Annex 13. According to CITELE and ITU recommended norms, commercially relevant frequencies for the provision of commercial mobile wireless services are understood to include the following ranges: 800 – 900 MHz, and the 1700 – 1999 MHz.

I have the honor to propose that this letter and your letters of confirmation in reply shall constitute an agreement between our Governments.

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Sincerely,

Alberto Trejos  
Minister of Foreign Trade of Costa Rica

**[identical reply letters not included ]**