

Annex 3: Application Form¹

Applicants must complete Parts 1, 2 and 3 of this Application Form. Any additional documentation required to be supplied by the Applicant as part of its Application is to be appended to this Application Form.

Part 1: Administrative Information

For an Application to be complete, the administrative information listed in Table 1 below must be provided. Note that the Applicant name provided will be that to whom licences will be awarded where relevant. Contact details for Authorised Agents are those that will be used by ComReg for circulating Bidder Materials for the Auction and for contacting the Bidder during the Auction if necessary.

Information required	Information provided
Name of Applicant*	Name:
Complete postal address of registered office or, if it does not have a registered office, the principal place where it carries on business and, if different, address to which all communications will be sent regarding the Award Process	Address 1:
	Address 2 (if different):
Telephone/ fax number for Applicant	Telephone:
	Fax:

¹ A writeable PDF format of this form will be made available on the ComReg website.

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Information required	Information provided
Bank details of Applicant (for the purpose of returning part or all of the Applicant's Deposit where applicable)	Name of Bank and address of relevant branch: Account Number: Sort Code: BIC Code: IBAN No:
Name of Applicant's Authorised Agent 1** (Block capitals)	Name:
Position of Applicant's Authorised Agent 1	Position:
Telephone numbers, fax number and e-mail address of Applicants Authorised Agent 1	Telephone (fixed): Telephone (mobile): Fax: Email:
Specimen signature of Applicant's Authorised Agent 1 Witnessed By	Signature 1: Name: Position: Signature:
Name of Applicant's Authorised Agent 2*** (Block capitals)	Name:

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Information required	Information provided
Position of Applicant's Authorised Agent 2	Position:
Telephone numbers, fax number and e-mail address of Applicants Authorised Agent 2	Telephone (fixed): Telephone (mobile): Fax: Email:
Specimen signature of Applicant's Authorised Agent 2 Witnessed By	Signature: Name: Position: Signature:

Table 1: Administrative information

* Note: In the case of Applicants that are bodies corporate, attach a certified copy of Certificate of Registration along with Articles of Association and Memorandum of Association or equivalent together with a certified translation thereof into English or Irish, where the original is not in English or Irish. Company Secretary or authorised signatory is required to certify the copy.

** Note: Authorised Agents must be authorised to bind the Bidder and to take all decisions or communicate all decisions connected with the Auction on the Bidder's behalf including, but not limited to, the authority to submit Bids in respect of any of the Lots available in the Award Process and to commit to payment of the necessary amount if the Bidder is granted spectrum. If Applicants wish to have the ability to participate in the Assignment Stage as part of an Alliance, Authorised Agents must further be authorised to delegate the power to make Assignment Stage Bids, which are binding on the Applicant on a joint and several basis with all members of the Alliance, to up to two Authorised Agents of another member of the Alliance.

*** Note: Applicants can authorise one more person, who could act as the Alternate Authorised Agent in case of unavailability of the primary Authorised Person. In case of any duplication of submissions made on behalf of the Bidder by different Authorised Agents, the submission made by the first Authorised Agent would be considered as final and binding.

Appropriate evidence of the authorisation of Authorised Agents, as per Section 3.3.2 of the Information Memorandum, must be attached hereto.

Part 2: Applicant Declaration

The terms “Auction Rules”, “Associated Bidders”, “Applicant”, “Bidding Group”, “Connected Person”, “Confidential Information” and “Insider” for the purposes of this declaration shall be construed as defined in the Information Memorandum.

We, the undersigned, being Authorised Agents of [_____] (the “**Applicant**”) hereby undertake, warrant and declare, and to the extent that anything contemplated hereunder remains to be done, covenant, both on our own behalf and on behalf of the Applicant, having made all reasonable inquiries that:

1. The Applicant is entitled to submit the Application and participate in the Award Process, and the Applicant has obtained all necessary declarations of consent, permissions and approvals.
2. The Applicant has ensured and will ensure that all information and all declarations contained in the Application and appendices attached thereto are correct and accurate.
3. The Applicant has and will ensure that, until public announcement by ComReg on the outcome of the Award Process, the Applicant discloses Confidential Information only to the extent it is necessary and then, save as expressly permitted by the Information Memorandum, only to other parties within the Applicant's own Bidding Group or to persons who, prior to such disclosure, are Insiders in relation to the same Applicant and that the Applicant shall take all reasonable measures with a view to ensuring that the person who receives such Confidential Information treats it as confidential at all times until public announcement by ComReg on the outcome of the Award Process.
4. The Applicant has ensured and will ensure that the Applicant, the Applicant's employees, board of directors (where Applicant is a body corporate) and persons connected with the Applicant or Insiders refrain from disclosing Confidential Information to parties other than as specified in paragraph 3 above and from exchanging Confidential Information with other parties regarding the Applicant's strategy for obtaining and use of the Licence or Licences until public announcement by ComReg on the outcome of the Award Process.
5. Save as expressly permitted by the Information Memorandum, the Applicant will ensure that the Applicant and any Connected Persons and any Insiders - shall refrain from entering into agreements or negotiations with a view to entering into agreements with other Interested Parties or their Connected Persons in relation to matters concerning the Award Process, including without

prejudice to the generality of the foregoing agreements relating to spectrum, network or infrastructure sharing, from the time at which this Application is submitted to the date of the issue of the Licences.

6. The Applicant has ensured and will ensure that the Applicant - and, to the best knowledge of the Applicant, any Connected Persons and any Insiders - neither prior to the submission of the Application, nor after the submission thereof and until the Licences have been issued, shall enter into agreements or establish any understanding with a provider of equipment or software which:
 - regulates such provider's possibility of supplying equipment or software to another Applicant or their Connected Persons concerning the planning, establishment or operation of a network using the frequencies dealt with in this Award Process, or
 - regulate the prices or other terms and conditions that a provider of equipment or software may offer another Applicant or their Connected Persons in connection with the planning, establishment or operation of a network using the frequencies dealt with in this Award Process.

The Applicant has ensured that agreements already entered into or understandings already established, as mentioned in this paragraph 6, have been terminated, and to the best knowledge of the Applicant, any Connected Persons and any Insider have ensured that any such agreements or understandings have been terminated.

7. The Applicant has ensured and will ensure that the Applicant - and, to the best knowledge of the Applicant, any Connected Persons and any Insider - does not enter into agreements or establish any understanding with a third party, either prior to or during the Award Process, for the access to or the use of the Applicant's network or networks using the frequencies dealt with in this Award Process, if the agreement or the understanding directs such third party not to participate or limits such third party's ability to participate in the Award Process.
8. The Applicant has ensured that agreements already entered into or understandings already established, as mentioned in the above paragraph, have been terminated, including to the best knowledge of the Applicant, any Connected Persons and any Insider have ensured such agreements or understandings have been terminated.
9. The Applicant has ensured and will ensure that the Applicant – and, to the best knowledge of the Applicant, any Connected Persons and any Insiders – both prior to and after the submission of an Application and until the Licences have

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been issued, refrains from any action that could have an adverse effect on the Award Process.

10. The Applicant shall comply with the Auction Rules as contained in the Information Memorandum including, without limitation, the provisions of Chapter 5 at all times and shall procure that its personnel, Insiders and Connected Persons, to the extent appropriate, shall also comply with the Auction Rules from the date of publication of the Information Memorandum until the commencement of the Licences.
11. The Applicant has ensured and will ensure that prior to the filing of its Application, the Applicant takes all reasonable measures with a view to identifying its Connected Persons and Associated Bidders.
12. The Applicant will ensure that, in accordance with Section 3.3 of the Information Memorandum, after submitting its Application all relevant changes to its ownership structures are notified to ComReg.
13. Save as disclosed in an appendix attached to this Declaration, the Applicant (i) is not, or, in case the Applicant is a partnership, a joint venture or equivalent, the relevant partners or participants are not, nor is expected to be subject to an insolvency process including, without prejudice to the generality of the foregoing, liquidation, examinership, receivership, bankruptcy, winding-up proceedings or equivalent proceedings in other jurisdictions and (ii) is capable of paying its debts as they fall due.
14. Save as disclosed in an appendix attached to this Declaration, the Applicant is not, or, in case the Applicant is a partnership, a joint venture or equivalent, the relevant partners or participants are not, nor is expected to be involved in any disputes which may in any material and adverse way affect the Applicant's possibility of complying with the terms of the Licence, if the Applicant is awarded such Licence.
15. The Applicant agrees that any disclosure made under paragraph 13 and/or paragraph 14 above must contain sufficiently clear and detailed information to allow ComReg to assess the Applicant's capacity to participate in the Award Process, to comply with the Auction Rules and to comply with the terms of the Licence. The Applicant agrees that ComReg's decision further to any assessment in this respect shall be final and that ComReg reserves the right to, where necessary and proportionate, seek further information or clarification from an Applicant, to specify the level of detail required and the timescales within which it must be provided. The Applicant agrees that any failure to cooperate fully with this disclosure requirement may result in an Applicant's

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Application being deemed invalid or in subsequent disqualification of the Applicant from the Award Process.

16. The Applicant agrees that, even if they are unsuccessful in becoming a Bidder, they remain bound by the Auction Rules, including those on confidentiality and Bidder behaviour, until a public announcement on the outcome of the Award Process is made by ComReg.

17. The Applicant has the legal capacity to enter into an Alliance, and we have been expressly authorised by the Applicant to:*

- notify ComReg that the Applicant has joined an Alliance for the purpose of Bidding in the Assignment Stage; and
- delegate the power to make Assignment Stage Bids, which are binding on the Applicant on a joint and several basis with all members of such an Alliance, to up to two Authorised Agents of another member of the Alliance.

18. The Applicant has not put in train any steps for the formation of an Alliance and will not do so until it is informed of the results of the Main Stage.

**Delete entire paragraph 17 if the Applicant does not wish to have the ability to make Assignment Stage Bids as part of an Alliance.*

Applicant Name: _____

For and on behalf of the Applicant:

(Signature of those persons who are empowered to bind the Applicant or otherwise authorised to bind the Applicant)

Name in block capitals: _____

Date

(DD/MM/YYYY):

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If the Applicant is a partnership, a joint venture or equivalent, the Declaration must also be signed by the relevant partners or participants:

As partner/participant:

(Signature)

Name in block capitals: _____

Date

(DD/MM/YYYY):

Part 3: Initial Bid Form

The submission of this Initial Bid Form as part of a complete Application represents a binding offer to pay the upfront and annual fees linked to each of the Lots specified herein in exchange for a Licence for those Lots. The Initial Bid Form, including Lots in all Lot categories, Reserve Prices and Associated Eligibility Points are presented in Table 2 below. Note that for an Initial Bid Form to be valid, it must:

- Adhere to the Auction Rules on Competition Caps; and
- Be accompanied by a Deposit paid into ComReg's bank account that shall at least correspond to the sum of the Reserve Prices of Lots requested by the Applicant by the deadline of 23:59 hours on The Application Date.

All Deposits are to be paid into ComReg's bank account. Transfers to ComReg's account should be made to:

Bank of Ireland, 2 College Green, Dublin 2, Ireland.
Account Number: 96614639
Sort Code: 90-00-17
BIC Code: BOFIE2D
IBAN No: IE96 BOFI 9000 1796 6146 39

If making a bank transfer/EFT, please ensure that:

- Reference is "3.6 GHz Award"; and
- Your Bank quotes your Account Number (if an existing ComReg account holder) in making the transfer to ComReg.

Information Required	Information Provided
Applicant Name:	
Total no. Lots applied for:	
Total amount of Deposit:	

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Lot Category	Region	Frequency band	Number of Lots available	Lot size	Reserve Price per Lot (€)	Annual SUF per Lot (€)	Eligibility Points per Lot	Number of Lots applied For per Lot Category
A1	Border, Midlands & West	3 410 – 3 435 MHz	1	25 MHz	114,000	17,670	50	
B1	Border, Midlands & West	3 475 – 3 800 MHz	65	5 MHz	22,800	3,534	10	
A2	South West	3 410 – 3 435 MHz	1	25 MHz	72,000	11,160	25	
B2	South West	3 475 – 3 800 MHz	65	5 MHz	14,400	2,232	5	
A3	East	3 410 – 3 435 MHz	1	25 MHz	64,000	9,920	25	
B3	East	3 475 – 3 800 MHz	65	5 MHz	12,800	1,984	5	
A4	South East	3 410 – 3 435 MHz	1	25 MHz	44,000	6,820	25	
B4	South East	3 475 – 3 800 MHz	65	5 MHz	8,800	1,364	5	
A5	Dublin CSO boundary for City and Suburbs	3 410 – 3 435 MHz	1	25 MHz	178,000	27,590	75	
B5	Dublin CSO boundary for City and Suburbs	3 475 – 3 800 MHz	65	5 MHz	35,600	5,518	15	
A6	Cork CSO boundary for City and Suburbs	3 410 – 3 435 MHz	1	25 MHz	34,000	5,270	10	
B6	Cork CSO boundary for City and Suburbs	3 475 – 3 800 MHz	65	5 MHz	6,800	1,054	2	
A7	Limerick CSO boundary for City and Suburbs	3 410 – 3 435 MHz	1	25 MHz	16,000	2,480	5	
B7	Limerick CSO boundary for City and Suburbs	3 475 – 3 800 MHz	65	5 MHz	3,200	496	1	
A8	Galway CSO boundary for City and Suburbs	3 410 – 3 435 MHz	1	25 MHz	14,000	2,170	5	
B8	Galway CSO boundary for City and Suburbs	3 475 – 3 800 MHz	65	5 MHz	2,800	434	1	

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Lot Category	Region	Frequency band	Number of Lots available	Lot size	Reserve Price per Lot (€)	Annual SUF per Lot (€)	Eligibility Points per Lot	Number of Lots applied For per Lot Category
A9	Waterford CSO boundary for City and Suburbs	3 410 – 3 435 MHz	1	25 MHz	8,000	1,240	5	
B9	Waterford CSO boundary for City and Suburbs	3 475 – 3 800 MHz	65	5 MHz	1,600	248	1	

Table 2: Initial Bid Form

Applicant Name: _____

(Signature of those persons who are empowered to bind the Applicant or otherwise authorised to bind the Applicant)

Name in block capitals: _____

Date (DD/MM/YYYY): _____

Application Checklist

Tick the boxes to ensure that all the required information is included in your Application.

A complete Application must consist of the following:

Part 1: Administrative Information - All sections of Table 1 completed and signed.

- Appropriate evidence for signatory of Application as specified in Section 3.3.2 of the Information Memorandum
- Ownership Structure Document as specified in Section 3.3.2

Part 2: Applicant Declaration signed

Part 3: Initial Bid Form completed and signed

Application Procedure

The Application procedure is set out in Section 3.3.6 of the Information Memorandum and states that:

In order to take part in the Award Process, Applicants must submit four completed and identical Application Forms on paper including four identical copies of an Ownership Structure Document and an electronic copy of same in an editable format on CD-ROM. The container(s) in which the Application Form and Ownership Structure Documents and CD-ROM are submitted must not in any way disclose the identity of the Applicant.

ComReg will only accept applications on Working Days from **20 October 2016 to 26 October 2016** between **10.00 and 16.00 hours (Irish time)**. Applicants are required to make an appointment with ComReg to submit an Application. To make an appointment to submit an Application, Applicants are required to contact **Mr Joseph Coughlan** on Working Days between **18 October 2016** and **25 October 2016**, and between 10.00 to 13:00 and 14:00 to 16.00 hours (Irish time) at:

Phone: 00 353 (0)1 804 9767

All Applications will be date and time stamped. Applicants will be given a receipt acknowledging the submission of their Application.

An Application can be replaced at any time up to 16.00 hours (Irish time) on the Application Date, **26 October 2016**. In the event that an Applicant submits more than one Application prior to 16.00 on the Application Date, only the latest Application received from that Applicant will be taken into consideration.

On the submission of a second or subsequent Application prior to the Application Date, the Applicant must return the receipt for the prior Application to ComReg. This receipt will be endorsed to indicate that the earlier Application has been superseded and will not be evaluated. However, any superseded Applications will not be returned until after the Qualification Stage of the Award Process.

No Applications will be opened by ComReg until after 16:00 hours (Irish time) on the Application Date **26 October 2016**. Applications will be opened in the presence of an independent auditor.

The deadline for receipt of Deposits, as set out in Section 3.3.3, will be 23:59 hours (Irish time) on the Application Date **26 October 2016**.