



Commission for  
**Communications Regulation**

# Application Form for a 2.1 GHz Band Liberalised Use Licence

Application Form

**Date:** 31/05/2021

**Reference:** ComReg 21/57

**An Coimisiún um Rialáil Cumarsáide**  
**Commission for Communications Regulation**  
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# 1 Notes for Applicants

1. This document sets out the application form (“Application Form”) for a 2.1 GHz Band Liberalised Use Licence.
2. The granting by the Commission for Communications Regulation (“ComReg”) of a 2.1 GHz Band Liberalised Use Licence is governed by the Wireless Telegraphy (Third Generation and GSM Licence) Regulations, 2002 and 2003 (S.I. No 345 of 2002 and S.I. No 340 of 2003) as amended by the Wireless Telegraphy (Third Generation and GSM Licence (Amendment) and Interim Licensing) Regulations 2021, (S.I. No. [\_\_\_\_\_] of 2021) (“2021 Regulations”) (“the Regulations”). In particular, the Regulations detail the form and duration of a 2.1 GHz Band Liberalised Use Licence and the restrictions and conditions subject to which it would be granted by ComReg.
3. Capitalised terms used in this document and not otherwise defined are intended to bear the meaning ascribed to them in the Regulations or, where not defined in the Regulations, ComReg Document 21/40<sup>1</sup> (the “Information Memorandum”). An Existing Licensee applying for a 2.1 GHz Band Liberalised Use Licence (“Applicant”) is also referred to Chapter 4 of ComReg Document 20/122<sup>2</sup> for background on the present licensing framework.
4. Regulation 13 of the Regulations, inserted into the Regulations by Regulation 4(1)(c) of the 2021 Regulations, provides that an Existing Licensee<sup>3</sup> (i.e. the holder of a Third Generation and GSM Mobile Telephony Licence) may apply for a 2.1 GHz Band Liberalised Use Licence(s).
5. In line with Regulation 13 of the Regulations, this Application Form sets out the information required from Applicants in an application for a 2.1 GHz Band Liberalised Use Licence (“Application”).
6. A 2.1 GHz Band Liberalised Use Licence allows the Licensee to keep and have possession of, install, maintain, work and use Liberalised Apparatus for wireless telegraphy for terrestrial systems capable of providing Electronic Communications Services in the 2.1 GHz Band in the part(s) of that band to which the Licence relates for the duration of the Licence.

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<sup>1</sup> “Multi Band Spectrum Award –Information Memorandum and Draft Regulations - The 700 MHz Duplex, 2.1 GHz, 2.3 GHz and 2.6 GHz Bands”, <https://www.comreg.ie/publication-download/multi-band-spectrum-award-information-memorandum-and-draft-regulations-the-700-mhz-duplex-2-1-ghz-2-3-ghz-and-2-6-ghz-bands>

<sup>2</sup> “Multi Band Spectrum Award - Response to Consultation and Decision - The 700 MHz Duplex, 2.1 GHz, 2.3 GHz and 2.6 GHz Bands”, <https://www.comreg.ie/publication/multi-band-spectrum-award-response-to-consultation-and-decision-the-700-mhz-duplex-2-1-ghz-2-3-ghz-and-2-6-ghz-bands>

<sup>3</sup> Existing Licensees include only Meteor Mobile Communications (i.e. Eir), Three and Vodafone.

7. A 2.1 GHz Band Liberalised Use Licence is a “non-exclusive” Licence and all Liberalised Apparatus licensed under a Licence are required to comply with, among other things, the conditions of the Licence and relevant European Commission decisions for the 2.1 GHz Band, i.e. Decision 2012/688/EC (as amended)<sup>4</sup>.

### **Liberalisation Fees**

8. For Three and Vodafone, whose Existing Licences expire on or before 15 October 2022, no additional fee (i.e. Liberalisation Fee) shall apply in respect of the granting of a 2.1 GHz Band Liberalised Use Licence. However, those parties shall continue to be liable for all applicable fees relating to their Existing Licences.
9. For Eir, whose Existing Licence does not expire until 11 March 2027, a Liberalisation Fee (if one is determined applicable in accordance with Annex 14 of the Information Memorandum) shall apply in respect of the granting of a 2.1 GHz Band Liberalised Use Licence for the period 16 October 2022 to 11 March 2027 (or for whatever portion of that period Eir applies to be granted a 2.1 GHz Band Liberalised Use Licence). In any event, Eir shall continue to be liable for all applicable fees relating to its Existing Licence.
10. If Eir applies for a 2.1 GHz Band Liberalised Use Licence and, in light of the outcome of the Award, a Liberalisation Fee is determined by ComReg to apply, Eir must make payment of the Liberalisation Fee in accordance with Regulation 13 of the Regulations, Annex 14 of the Information Memorandum and to the bank account identified in Part 5 below<sup>5</sup>. In that regard, ComReg will issue an invoice to Eir setting out the Liberalisation Fee and Eir shall pay the Liberalisation Fee within the time period specified in the invoice.
11. If Eir applies for a 2.1 GHz Band Liberalised Use Licence on or before the “LF Notification Date”<sup>6</sup>, by completing this Application Form it acknowledges and agrees that it is bound by and required under Regulation 13 of the Regulations to pay any Liberalisation Fee determined by ComReg in accordance with Annex 14 of the Information Memorandum. For the avoidance of doubt, Eir’s agreement to same constitutes the written binding commitment required under Regulation 13(3) of the Regulations.

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<sup>4</sup> Commission Implementing Decision of 5 November 2012 on the harmonisation of the frequency bands 1 920-1 980 MHz and 2 110-2 170 MHz for terrestrial systems capable of providing electronic communications services in the Union, (2012/688/EU) as amended by (EU) 2020/667.

(See further: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32012D0688&from=EN> and <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32020D0667&from=EN>)

<sup>5</sup> Eir shall continue to be liable for all other applicable fees relating to its Existing Licence.

<sup>6</sup> As set out in Annex 14 of the Information Memorandum, the calculation of the Liberalisation Fee (if any) will be completed following the Assignment Round of the Award, and the date on which Eir receives notification of the calculated Liberalisation Fee is termed the “LF Notification Date”.

### ***Validity and Submission of Applications***

12. In order for an Application to be valid, the Applicant must properly and satisfactorily complete and submit all sections of the Application Form relevant to it. In that regard, the Applicant **MUST**:

- Provide full Applicant Details as per Part 1;
- Provide details of the Liberalised Apparatus which the Applicant seeks to be authorised to keep and have possession of (in Microsoft Excel format and using the headings set out in Part 2);
- Provide a list of the locations at which the Applicant seeks and is sufficiently ready to be authorised to keep and have possession of the Liberalised Apparatus (in Microsoft Excel format and using the headings set out in Part 3 below);
- Sign the Application Declaration Form (Part 4); and
- In the case of Eir only, if Eir is applying **after** the LF Notification Date, make payment of the applicable Liberalisation Fee (if any) to the bank account identified in Part 5 below.

13. ComReg reserves the right to seek clarifications and/or further information from the Applicant and to specify the timeframe within which such clarifications and/or further information must be provided.

14. Completed Application Forms and accompanying documents (including Excel files as required under Parts 2 and 3 below) must be submitted to [licensing@comreg.ie](mailto:licensing@comreg.ie), with originals to follow by courier / registered post to the following address:

Mr Brendan O'Brien  
2.1 GHz Band Liberalisation  
Commission for Communications Regulation  
One Dockland Central  
Guild Street  
Dublin 1 D01 E4X0

## 2 Application Form

### Part 1: Applicant Details

<b>Full name of the company in whose name the Licence is sought</b>	
<b>Trading name</b> (If different from above)	
<b>Company Registration Number</b> (If limited company)	
<b>Applicant's ComReg eLicensing Account number</b>	
<b>Business address</b>	
<b>Contact name</b>	
<b>Contact phone number</b>	
<b>Contact e-mail for general matters relating to the Licence</b>  <b>Contact e-mail to which the Licence can be sent (if different from above)</b>	

## Part 2: Schedule of Liberalised Apparatus

Please provide details of the Liberalised Apparatus which the Applicant seeks to be authorised to keep and have possession of, in Microsoft Excel format, under the following headings:

Band	Equipment Index Reference	Terrestrial System	Equipment Description	Manufacturer	Model
<b>2.1 GHz</b>					

## Part 3: Liberalised Apparatus Location and Details

Please provide details of the locations of the Liberalised Apparatus which the Applicant seeks to be authorised to keep and have possession of, in Microsoft Excel format, under the following headings:

Band	Site Identity	Eastings	Northings	Equipment Index Reference	Maximum EIRP/TRP (dBm/5MHz)
<b>2.1 GHz</b>					

## Part 4: Application Declaration Form

### Declaration by Applicant

#### 2.1 GHz Band Liberalised Use Licence

I hereby certify that the information provided in this Application is, to the best of my knowledge, true and complete and I accept that the provision of incorrect or misleading information, or mis-declarations in this form, may render this Application, and any 2.1 GHz Band Liberalised Use Licence granted on foot of this Application, null and void.

In accordance with the Wireless Telegraphy Act of 1926, as amended, I accept responsibility for the installation and maintenance of the Liberalised Apparatus.

I accept that the grant of a 2.1 GHz Band Liberalised Use Licence does not confer any right of ownership of the frequency spectrum to which the 2.1 GHz Band Liberalised Use Licence relates, and agree to abide by all conditions of the 2.1 GHz Band Liberalised Use Licence and any direction made by the Commission for Communications Regulation (ComReg) from time to time.

I accept that the expiry date of a 2.1 GHz Band Liberalised Use Licence shall be the same as its Existing Licence.

I accept that ComReg may publish and/or make available information relating to 2.1 GHz Band Liberalised Use Licences and certain information relating to this Application may be contained in such publications.

I confirm that no change will be made in any of the foregoing without the prior approval of ComReg.

I certify that I am duly authorised by \_\_\_\_\_ to make  
(Applicant name)

this declaration and to sign on behalf of \_\_\_\_\_.  
(Applicant name)

Signature: \_\_\_\_\_

Name in Capital Letters Only: \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_



## Part 5: Payment of Liberalisation Fee

If applicable, please provide separate payment of the Liberalisation Fee to ComReg's nominated bank account, citing clearly in the narrative the name of the Applicant.

Transfers to ComReg's account should be made to:

Bank:	Bank of Ireland, 2 College Green, Dublin 2, Ireland.
Account Number:	96614639
Sort Code:	90-00-17
BIC Code:	BOFIIIE2D
IBAN No:	IE96 BOFI 9000 1796 6146 39

Please ensure that:

1. the Bank quotes the Applicant's Account Number in making the transfer to ComReg; and
2. The details of the date of and payment amount are provided by email to ComReg's Accounts Department ([accounts@comreg.ie](mailto:accounts@comreg.ie)).