



Commission for
Communications Regulation

Application form for a renewal of a Further Temporary Electronic Communications Service Licence (No.2)

Application Form

Date: 21/06/2021

Reference: ComReg 21/24aR

An Coimisiún um Rialáil Cumarsáide

Commission for Communications Regulation

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1 Notes for Applicants

1. The granting by the Commission for Communications Regulation (“ComReg”) of a Further Temporary Electronic Communications Service (“ECS”) Licence (“Licence”) is governed by the Wireless Telegraphy (Further Temporary ECS Licence Regulations (No. 2)) Regulations 2021, S.I. No. 137 of 2021 (the “Regulations”).¹ In particular, the Regulations detail the form and duration of, and the restrictions and conditions subject to which, Licences are granted by ComReg.
2. Persons applying for a Licence (“Applicants”) are also referred to ComReg Document 20/24 (the “Response to Consultation and Decision on a second further temporary licensing framework for spectrum rights in the 700 MHz, 2.1 GHz and 2.6 GHz Bands”) for background on the licensing framework for new rights of use under the Regulations and for interpretation of the defined terms used herein.
3. In line with Regulation 4 of the Regulations, this application form (“Application Form”) sets out the information required from Applicants in an application for a Licence (“Application”).
4. A Licence allows the Licensee to keep and have possession of, install, maintain, work and use Apparatus for terrestrial systems capable of providing electronic communications services in the 700 MHz Duplex, 2.1 GHz and/or 2.6 GHz Bands in the part(s) of those bands to which the Licence relates for the duration of the Licence.
5. A licence is a “non-exclusive” Licence and all Apparatus licensed under a Licence are required to comply with, among other things, the conditions of the Licence and the relevant European Commission (“EC”) Decisions for the 700 MHz Duplex, 2.1 GHz and 2.6 GHz Bands, including Decision (EU) 2016/687², Decision 2012/688/EC (as amended)³ and Decision 2008/477/EC (as amended)⁴.
6. In order for an Application to be valid, the Applicant must properly and satisfactorily complete and submit all sections of the Application Form. In that regard, the Applicant **MUST**:

¹ <http://www.irishstatutebook.ie/eli/2021/si/137/made/en/pdf>

² Commission Implementing Decision of 28 April 2016 on the harmonisation of the 694-790 MHz frequency band for terrestrial systems capable of providing wireless broadband electronic communications services and for flexible national use in the Union, (2016/687/EU).

(<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016D0687&from=EN>)

³ 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.

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

⁴ Commission Decision of 13 June 2008 on the harmonisation of the 2500 - 2690 MHz frequency band for terrestrial systems capable of providing electronic communications services in the Community, (2008/477/EC) as amended by (EU) 2020/636.

(<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32008D0477&from=EN>)

- Provide full Applicant Details as per Part 1;
 - Provide, in a separate document attached to the completed Application Form, details in relation to the factors identified in Regulation 4(2) and (3) of the Regulations, using the headings as set out in Part 2 below;
 - Provide details of the Apparatus which the Applicant seeks to be authorised to keep and have possession of, in Microsoft Excel format, using the headings set out in Part 3;
 - 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 Apparatus, in Microsoft Excel in the format as detailed in Part 4 below;
 - Make payment of the relevant Licence fee in accordance with Regulation 8 of the Regulations and to the bank account identified in Part 5 below; and
 - Sign the Application Declaration Form (Part 6).
7. Completed Application Forms and accompanying documents (including Excel files and a separate document as required under Part 2 below) must be submitted to licensing@comreg.ie and the payment of the relevant Licence fee to ComReg's account in Part 5.

2 Application Form

Part 1: Applicant Details

| | |
|---|--|
| Full Name of the company, firm or person in whose name the Licence is sought | |
| Trading name (If different from above) | |
| Company Registration Number (If limited company) | |
| Registered Business address | |
| Contact name | |
| Contact phone number | |
| Contact e-mail for general matters relating to the Licence Contact e-mail to which the Licence can be sent (if different from above) | |

Part 2: Information in relation to the matters identified in Regulation 4(2) and 4(3) of the Regulations

As part of the renewal process and in accordance with Regulation 4(2) and (3) of SI 137 of 2021, ComReg requests the licensee to provide details in relation to the following matters in a separate document under the following headings.

Where the type of information requested below is the same as previously provided in support of the Further Temporary ECS licensing Framework (No. 2), Applicants should provide an update to the datasets, highlighting the relevant changes since the data was last submitted in February / March 2021:

1. Network traffic / capacity / performance information:

- (i) available information regarding the traffic (voice and data), capacity /performance of the network considering the extraordinary situation arising from COVID19. In particular, the changes in network traffic (voice and data), capacity / performance since COVID-19 until now.
- (ii) information on the expected traffic demand and network capacity beyond 1 July 2021; and
- (iii) observations of how much of the changes in traffic and capacity is due to forecasted annual changes that would be expected on a network in the normal course (accounting for seasonal changes and projected market developments in the absence of COVID-19) and those that can reasonably be considered to be directly related to Government COVID-19 measures.

2. Ability to make use of temporary rights - Sites and transmitters:

- (i) information regarding the number, locations and deployment dates of sites/transmitters per spectrum band that have actually been used to date using temporary ECS rights of use, indicating the terrestrial system(s) (e.g. LTE) supported. Note that this can be provided separately in a Microsoft Excel sheet, alongside the requirements under Part 3 and Part 4 of the Application Form.
- (ii) information on the number of sites/transmitters per band that would be expected to be used over the duration of the licence renewal indicating the terrestrial system(s) (e.g. LTE) being supported. Note, where a Licensee has applied for and being granted a 2.1 GHz Band Liberalised Use licence, Part 3 (Schedule of Apparatus) and Part 4 (Apparatus Location and Details) information for the 2.1 GHz band should not be included in the renewal application.

3. How temporary rights have assisted with the provision of ECS in the state:

- (i) information on how the existing temporary rights of use of radio frequencies has assisted in alleviating the network /capacity /performance constraints to date. Please provide:
 - a. information on the percentage of network traffic (voice and data) carried by temporary spectrum rights for the each of the 700 MHz band and 2.1 GHz bands.
 - b. information highlighting trends where the network capacity/network performance improvements are correlated to use of temporary ECS rights of use. For example when temporary ECS rights of use were brought into use (see 2 above) the network traffic / capacity / performance improvements observed at these times.
 - (ii) information on how temporary rights may materially assist over the duration of a licence renewal, noting that where a Licensee has applied for and being granted a 2.1 GHz Band Liberalised Use licence, information on the 2.1 GHz band should not be included.
4. **Managing the risks to the provision and quality of existing ECS:**
- (i) information regarding the management of the risks and the measures taken to date by the Licensee in the provision and quality of existing ECS. For example, the key measures taken on foot of Annex 4 of Document 20/27 - 700 MHz Coordination procedures.
5. **Risks in relation to non-renewal:** The risk of congestion and other disruption to consumer services and the locations where it would most likely arise in the event of the non-renewal of a Licence, identifying if such congestion or disruption would reasonably be considered to be due to COVID-19 matters or mobile market developments / commercial strategy matters.
6. **Actions required in relation to non-renewal:** Details of the preparations and actions that the Licensee has taken and would need to take in the event of a non-renewal of a Licence.
7. **Other factors:** that the Licensee deems relevant to the consideration of the renewal of a Licence.

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 and ComReg would highlight Regulation 4(3) of the Regulations in this regard.

Part 3: Schedule of Apparatus

Please provide details of the 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 |
|--|---------------------------|--------------------|-----------------------|--------------|-------|
| [700 MHz Duplex, 2.1 GHz, 2.6 GHz, as appropriate] | | | | | |

Note, where a Licensee has applied for and being granted a 2.1 GHz Band Liberalised Use licence, information for the 2.1 GHz band should not be included in the renewal application.

Part 4: Apparatus Location and Details

Please provide details of the locations of the 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 |
|--|---------------|----------|-----------|---------------------------|--------------|
| [700 MHz Duplex, 2.1 GHz, 2.6 GHz, as appropriate] | | | | | |

Note, where a Licensee has applied for and being granted a 2.1 GHz Band Liberalised Use licence, information for the 2.1 GHz band should not be included in the renewal application.

Part 5: Payment of Licence fee

In accordance with Regulation 8 of the Regulations, the fee for a Licence is €100 and is non-refundable.

Please provide separate payment of the Licence 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: BOFIE2D
IBAN No: IE96 BOFI 9000 1796 6146 39

Part 6: Application Declaration Form

Declaration by Applicant

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 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 Apparatus.

I accept that the grant of a Licence does not confer any right of ownership of the frequency spectrum to which the Licence relates, and agree to abide by all conditions of the Licence and any direction made by the Commission for Communications Regulation (ComReg) from time to time. I confirm that the Applicant is fully aware that the Licences are being made available solely to accommodate the claimed unanticipated spike in demand arising from the extraordinary situation relating to COVID-19, that all Licences granted or renewed under the Regulations will expire 3 months after commencement or on 1 October 2021 (whichever is the earliest) and that the longer term questions of assignment of spectrum rights of use in the 700MHz Duplex and 2.6 GHz Band, liberalisation of rights of use in the 2.1 GHz Band and assignment of new rights of use in that band will be determined through such an award process as ComReg shall determine to be appropriate. I further confirm that the Applicant identified herein will take full account of this in making any investment or marketing decisions and will not seek to argue that any such decisions made as a result of the grant of a Licence give it any expectation of favourable treatment with regards to access to liberalised rights of use in those bands.

I accept that ComReg may publish and/or make available information relating to 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: _____