



Commission for
Communications Regulation

Application form for a Temporary Electronic Communications Service Licence

Application Form

Date: 09/06/2020

Reference: ComReg 20/27aR

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1 Notes for Applicants

1. The granting by the Commission for Communications Regulation (“ComReg”) of a Temporary Electronic Communications Service (“ECS”) Licence is governed by the Wireless Telegraphy (Temporary Electronic Communications Services Licences) Regulations 2020, S.I. No. [_____] of 2020 (the “Regulations”).¹ In particular, the Regulations detail the form and duration of, and the restrictions and conditions subject to which, Temporary ECS Licences are granted by ComReg.
2. Persons applying for a Temporary ECS Licence (“Applicants”) are also referred to ComReg Document 20/27 (the “Decision on Temporary ECS Licences”) 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 accordance with the Decision on Temporary ECS Licences, only existing mobile network operators may apply for a Temporary ECS Licence.
4. 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 Temporary ECS Licence (“Application”).
5. As the Regulations have yet to be made by ComReg with the consent of the Minister for Communications, Climate Action and Environment (as required under section 37 of the Communications Regulation Act 2002), ComReg’s ability to grant any Temporary ECS Licence is subject to same.
6. A Temporary ECS Licence allows the Licensee to keep and have possession of, install, maintain, work and use Wireless Telegraphy Apparatus for terrestrial systems capable of providing electronic communications services in the 700 MHz Duplex, 2.1 GHz and 2.6 GHz Bands (“Apparatus”) in the part/s of those bands to which the Licence relates for the duration of the Licence.

¹ As currently set out in draft form in Annex 3 to ComReg Document 20/27.

7. A Temporary ECS licence is a “non-exclusive” Licence and all Apparatus licensed under a Temporary ECS Licence is 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/EC³ and Decision 2008/477/EC⁴ .
8. 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**:
- 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) of the Regulations, using the headings as set out in Part 2;
 - 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;
 - Make payment of the Temporary ECS Licence Fee to the bank account identified in Part 5; and
 - Sign the Application Declaration Form (Part 6).
9. Completed Application Forms and accompanying documents (including Excel files and a separate document as required under Part 2) must be submitted to licensing@comreg.ie and the payment of the Temporary ECS Licence Fee to ComReg’s account in Part 5.

² Commission Implementing Decision (EU) 2016/687 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.

(<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).

(<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).

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

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)	
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 122 of 2020, ComReg requests the licensee to provide the following information.

Please provide details in relation to the following matters in a separate document under the following headings:

1. **Network / capacity information:** available information regarding the capacity / performance of the network considering the extraordinary situation arising from COVID19. In particular, the changes in network capacity / performance since COVID-19. Also the licensee's observations of how much of the change is due to forecasted annual changes in capacity/demand on a network and those related to COVID-19.
2. **Sites and transmitters:** (i) 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. Note that this can be provided separately in an excel sheet, alongside the requirements under Part 3 and Part 4 of the Application Form. (ii) The number of sites per band that would be expected to be used over the duration of the licence renewal.
3. **How temporary rights have assisted with the provision of ECS in the state:** available information regarding how the rights of use of radio frequencies obtained by the Licensee previously has assisted in alleviating the network /capacity / performance constraints and information on how it may materially assist in the coming period. Please provide available 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 / capacity improvements observed at these times.
4. **Risks to the provision and quality of existing ECS:** available 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.

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) 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]					

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 ERP
[700 MHz Duplex, 2.1 GHz, 2.6 GHz, as appropriate]					

Part 5: Payment of Temporary ECS Licence Fee

The Temporary ECS Licence Fee is €100 and is non-refundable.

Please provide separate payment of the Temporary ECS 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: BOFIIIE2D
IBAN No: IE96 BOFI 9000 1796 6146 39

Part 6: Application Declaration Form

Declaration by Applicant

Temporary ECS 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 Temporary ECS 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 Wireless Telegraphy apparatus.

I accept that the grant of a Temporary ECS 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 Temporary ECS 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 Temporary ECS Licences granted or renewed under the Regulations will expire on or before 6 months from the date of the Regulations 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 Temporary ECS 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 Temporary ECS 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
(company name)

this declaration and to sign on behalf of _____.
(company name)

Signature: _____

Name in Capital Letters Only: _____

Position: _____

Date: _____