



Commission for  
**Communications Regulation**

## Information Notice

### **Grant of a Wireless Telegraphy (Interim GSM Mobile Telephony) Licence to each of Vodafone Ireland Limited and Telefonica Ireland Limited**

<b>Document No:</b>	<b>11/36</b>
<b>Date:</b>	<b>13 May 2011</b>

## **1 Grant of a Wireless Telegraphy (Interim GSM Mobile Telephony) Licence to each of Vodafone Ireland Limited and Telefonica Ireland Limited**

On 3 May 2011, ComReg received an application for an Interim Licence from each of Vodafone and Telefonica.

Following its review of these applications, ComReg considered that each application had been completed by the respective applicant in accordance with:

- paragraph 3.1 of Decision 03/11;
- Regulation 4(1) and 4(2) of the Regulations;
- Information Notice 11/30; and
- Application Form 11/31.

Accordingly, ComReg considered that all required steps had been completed by each of Vodafone and Telefonica to enable ComReg to grant an Interim Licence to each of these parties in accordance with paragraph 3.1 of Decision 03/11.

On this basis, and in accordance with Regulation 9(6) of the European Communities (Electronic Communications Networks and Services) (Authorisation) Regulations, ComReg hereby makes public that an Interim Licence was today granted to each of Vodafone and Telefonica.

In addition, and in keeping with ComReg's practice of publishing information in relation to third generation (3G) and GSM licensing, ComReg will be publishing non-confidential versions of the granted Interim Licences on its web-site in due course.

In anticipation of any correspondence on matters relating to this document, ComReg hereby gives notice that it will publish all material correspondence received in this regard. Such information will be subject to the provisions of ComReg's Guidelines on the Treatment of Confidential Information.<sup>1</sup>

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<sup>1</sup> ComReg 05/24 Response to Consultation - Guidelines on the treatment of confidential information - March 2005.

## Background

On 13 April 2011, the Commission for Communications Regulation (ComReg) published its Response to Consultation and Decision on Interim Licences for the 900 MHz band (ComReg Document 11/29 and ComReg Decision No. D03/11, respectively).

In Decision D03/11, ComReg decided, having regard to the matters recited therein, that it would make the Interim Licence Regulations<sup>2</sup> upon obtaining ministerial consent thereto, and decided and resolved, upon application properly being made to it by Vodafone Ireland Limited (Vodafone) and/or Telefonica Ireland Limited (Telefonica) within the terms of the finalised Interim Licence Regulations, and on payment of the fees prescribed thereby, to grant to them, or either of them, as the case might be, under section 5 of the Wireless Telegraphy Act 1926, a licence to keep, have possession of, install, maintain, work and use in a specified place in the State, apparatus for wireless telegraphy for the purpose of providing a Global System for Mobile Communications (GSM) Mobile Telephony Service in the form, for the period, and subject to the conditions and restrictions (including conditions as to revocation, and so on), prescribed in the Interim Licence Regulations: including as appropriate, the Interim Licence schedules as set out in Annex 4 to ComReg Document 11/29 (“Interim Licence”).

On 20 April 2011, the Minister for Communications, Energy and Natural Resources (“the Minister”), pursuant to section 37 of the Communications Regulation Act, 2002 as amended (“2002 Act”), gave his consent to the making by ComReg of the Wireless Telegraphy (Interim GSM Mobile Telephony Licence) Regulations 2011 (SI No. 189 of 2011) (“the Regulations”).

On 21 April 2011, ComReg published:

- Information Notice 11/30 – which provided information on ComReg’s application procedures for Interim Licences; and
- Application Form 11/31 – which set out the application form for Interim Licences (“the Application Form”).

Application Form 11/31 states that for a valid application for an Interim Licence to be submitted an applicant **MUST**:

- Properly complete all sections of the Application Form, including:
  - Providing a hard-copy list of the locations at which the applicant seeks to be authorised to keep and have possession of the 900 MHz GSM Mobile Telephony Service Apparatus;
  - Providing details of the 900 MHz GSM Mobile Telephony Service Apparatus which the applicant seeks to be authorised to keep and have possession of, in hard-copy format; and

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<sup>2</sup> Being the Wireless Telegraphy (Interim GSM Mobile Telephony Licence) Regulations as set out in draft form in Annex 3 to ComReg Document 11/29

- Uploading to ComReg's *Siteviewer* facility the locations at which the applicant seeks to be authorised to keep and have possession of the GSM Mobile Telephony Service Apparatus;
- Include full payment for the applicable annual Wireless Telegraphy (Interim GSM Mobile Telephony) Licence fee with the completed Application Form<sup>3</sup>; and
- Sign the Declaration Form.

Applications for an Interim Licence were to be required to be received by ComReg no later than 5.00p.m, Tuesday 3 May 2011.

Information Notice 11/30 also noted that, provided that properly completed application forms and the applicable licence fees were received by ComReg within the deadline identified above, it was envisaged that Interim Licences would be issued on 13 May 2011 in respect of the first period of up to one year (being 16 May 2011 to 15 May 2012).

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<sup>3</sup> The annual Interim Licence fee is €71,338 for each duplex channel of 200 kHz. Where the maximum amount of 36 duplex channels of 200 kHz (i.e. 2 x 7.2 MHz of GSM 900 MHz spectrum) is applied for, the total annual fee payable is €2,568,168.