



Commission for
Communications Regulation

Information Notice

GSM Liberalisation Project: Publication of correspondence and other material provided by interested parties (and ComReg's written responses to same) relating to MBSA process dating from 13 July 2012 to 3 January 2013

Document No:	13/29c
Date:	22 March 2013

A.1 Non-confidential correspondence and other material provided by interested parties (and ComReg’s written responses to same) relating to MBSA process dating from 13 July 2012 to 3 January 2013. Presented in six volumes (a – f).

Document 13/29a

1. ComReg: letter to Telefonica “Bidder Materials and mock auctions for Multi-Band Spectrum Award” [Redacted] (letter dated 26 July 2012)
2. ComReg: letter to Telefonica “Deposit” [Redacted] (letter dated 26 July 2012)
3. ComReg: letter to Telefonica “MBSA Application Clarifications” [Redacted] (letter dated 8 August 2012)
4. ComReg: letter to Telefonica “Review of MBSA Application” [Redacted] (letter dated 24 August 2012)
5. ComReg: letter to Telefonica “Multi-Band Spectrum Award – Adjustment to the auction timetable” (letter dated 14 September 2012)
6. ComReg: letter to Telefonica “Amendment to ComReg Document 12/52 Information Memorandum (“IM”)” (letter dated 20 September 2012)
7. ComReg: letter to Telefonica “ComReg’s letter to you of the 14 September 2012” (letter dated 27 September 2012)
8. ComReg: letter to Telefonica “Updated Bidder Materials for Multi-Band Spectrum Award” [Redacted] (letter dated 3 October 2012)
9. A&L Goodbody: letter to ComReg “Multi-Band Spectrum Auction - 800 MHz, 900 MHz & 1800 MHz (“the Auction”)” (letter dated 31 October 2012)
10. Irish Independent: Article “State can make €533m in digital switch” (article dated 25 October 2012)
11. Public Policy.ie: Article “Budget 2013 – Saorview Switchover a Windfall for Government” (article dated 24 October 2012)
12. ComReg: letter to A&L Goodbody “Multi-band Spectrum Auction – 800 MHz, 900 MHz & 1800 MHz” (letter dated 1 November 2012)
13. ComReg: letter to Telefonica “Article entitled “*Low phone use puts O2 on hold*” (letter dated 31 October 2012)
14. Sunday Times: Article “Low phone use puts O2 on hold” (article dated 28 October 2012)
15. Telefonica: letter to ComReg “Letter dated 31st October 2012” (letter dated 1 November 2012)
16. ComReg: letter to Telefonica “MBSA – Deposit Call” [Redacted] (letter dated 2 November 2012)
17. Telefonica: letter to ComReg “Deposit Call” [Redacted] (letter dated 2 November 2012)
18. ComReg: letter to Telefonica “Deposit Call” [Redacted] (letter dated 6 November 2012)
19. ComReg: letter to Telefonica “MBSA – Receipt of Deposit Call” [Redacted] (letter dated 8 November 2012)
20. ComReg: letter to Telefonica “Telefonica’s participation in the MBSA process” (letter dated 15 November 2012)
21. ComReg: letter to Telefonica “MBSA process” (letter dated 20 November 2012)
22. ComReg: letter to Telefonica “Return of Surplus Deposit plus Interest Earned” [Redacted] (letter dated 22 November 2012)

23. Telefonica: letter to ComReg “Deposit Interest” [Redacted] (letter dated 28 November 2012)
24. ComReg: letter to Telefonica “Deposit Interest” [Redacted] (letter dated 30 November 2012)
25. ComReg: letter to Telefonica “Return of Additional Interest Earned” [Redacted] (letter dated 30 November 2012)
26. ComReg: letter to Telefonica “End of Assignment Stage and Auction” (letter dated 5 December 2012)
27. Telefonica: letter to ComReg “MBSA Assignments” (letter dated 28 November 2012)
28. ComReg: letter to Telefonica “MBSA process” (letter dated 4 December 2012)
29. ComReg: letter to Telefonica “Entitlement to apply for a Preparatory and a Liberalised Use Licence” (letter dated 18 December 2012)

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30. ComReg: letter to Vodafone “Joint Venture arrangement between Vodafone Ireland Limited and Hutchinson 3G Ireland Limited” (letter dated 13 July 2012)
31. ComReg/Vodafone: Email exchange between Vodafone and ComReg “Draft Response regarding query / Strictly Confidential: ComReg MBSA Application form (ComReg document 12/52aR)” (final email dated 13 July 2012)
32. ComReg: letter to Vodafone “Bidder Materials and mock auctions for Multi-Band Spectrum Award” [Redacted] (letter dated 26 July 2012)
33. ComReg: letter to Vodafone “Deposit” [Redacted] (letter dated 26 July 2012)
34. ComReg: letter to Vodafone “MBSA Application Clarifications” [Redacted] (letter dated 8 August 2012)
35. Vodafone: letter to ComReg “Vodafone Questions and Requests Following MBSA Mock Auction” [Redacted] (letter dated 15 August 2012)
36. ComReg: letter to Vodafone “Letter of 15th August” (letter dated 15 August 2012)
37. ComReg: letter to Vodafone “Review of MBSA Application” [Redacted] (letter dated 24 August 2012)
38. Vodafone: letter to ComReg “Vodafone’s Second Mock Auction” (letter dated 7 September 2012)
39. ComReg: letter to Vodafone “ComReg Multi-Band Spectrum Award (MBSA) Process – Vodafone’s second mock auction of 7 September 2012” (letter dated 10 September 2012)
40. Vodafone: emails to ComReg “MSA” (emails dated 13 September 2012)
41. ComReg: letter to Vodafone “Email of the 13 September” (letter dated 14 September 2012)
42. ComReg: letter to Vodafone “Multi-Band Spectrum Award – Adjustment to the auction timetable” (letter dated 14 September 2012)
43. ComReg/Vodafone: Email exchange between Vodafone and ComReg “Multiband Spectrum Auction: ComReg Publication of Spectrum Correspondence” (final email dated 12 September 2012)
44. Vodafone: letter to ComReg “Multi-Band Spectrum Award Process” (letter dated 12 September 2012)
45. ComReg: letter to Vodafone “Multi-Band Spectrum Award – file formats” (letter dated 18 September 2012)

46. Vodafone: letter to ComReg “Multi-Band Spectrum Release: Outstanding Technical Issues” (letter dated 18 September 2012)
47. ComReg: letter to Vodafone “Multi-Band Spectrum Release: Outstanding Technical Issues” [Redacted] (letter dated 20 September 2012)
48. ComReg: letter to Vodafone “Amendment to ComReg Document 12/52 Information Memorandum (“IM”)” (letter dated 20 September 2012)
49. ComReg: letter to Vodafone “ComReg’s letter to you of the 14 September 2012” (letter dated 27 September 2012)
50. Vodafone: letter to ComReg “Mock Auction for Multi-Band Spectrum Award Process (“Mock Auction”)” [Redacted] (letter dated 2 October 2012)
51. ComReg: letter to Vodafone “Mock Auction for Multi-Band Spectrum Award Process” (letter dated 3 October 2012)
52. ComReg: letter to Vodafone “Updated Bidder Materials for Multi-Band Spectrum Award” [Redacted] (letter dated 3 October 2012)
53. Vodafone: letter to ComReg “Updated Bidder Materials for Multi-Band Spectrum Award (“MBSA”)” (letter dated 8 October 2012)
54. ComReg: letter to Vodafone “Updated Bidder Materials for Multi-Band Spectrum Award (“MBSA”)” (letter dated 11 October 2012)
55. Vodafone: letter to ComReg “Updated Bidder Materials for Multi-Band Spectrum Award” (letter dated 12 October 2012)
56. ComReg: letter to Vodafone “Updated Bidder Materials for Multi-Band Spectrum Award (“MBSA”)” [Redacted] (letter dated 12 October 2012)
57. Vodafone: letter to ComReg “Multi-Band Spectrum Award (“MBSA”) Process” (letter dated 31 October 2012)
58. ComReg: letter to Vodafone “Multi-Band Spectrum Award (“MBSA”) Process” (letter dated 2 November 2012)
59. ComReg: letter to Vodafone “MBSA – Deposit Call” [Redacted] (letter dated 2 November 2012)
60. ComReg: letter to Vodafone “MBSA – Receipt of Deposit Call” [Redacted] (letter dated 7 November 2012)
61. ComReg: letter to Vodafone “Vodafone’s participation in the MBSA process” (letter dated 11 November 2012)
62. ComReg: letter to Vodafone “MBSA process” (letter dated 20 November 2012)
63. ComReg: letter to Vodafone “Return of Surplus Deposit plus Interest Earned” [Redacted] (letter dated 22 November 2012)
64. ComReg: letter to Vodafone “Return of Additional Interest Earned” [Redacted] (letter dated 30 November 2012)
65. ComReg: letter to Vodafone “End of the Assignment Stage and Auction” (letter dated 5 December 2012)
66. Vodafone: letter to ComReg “Multi-Band Spectrum Auction (“MBSA”) Process” (letter dated 21 November 2012)
67. ComReg: letter to Vodafone “MBSA process” (letter dated 23 November 2012)
68. ComReg: letter to Vodafone “Entitlement to apply for a Preparatory and a Liberalised Use Licence” (letter dated 18 December 2012)

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69. ComReg: letter to MMC “Bidder Materials and mock auctions for Multi-Band Spectrum Award” [Redacted] (letter dated 26 July 2012)
70. ComReg: letter to MMC “Deposit” [Redacted] (letter dated 26 July 2012)

71. ComReg: letter to MMC “MBSA Application Clarifications” [Redacted] (letter dated 8 August 2012)
72. ComReg: letter to MMC “Review of MBSA Application” [Redacted] (letter dated 24 August 2012)
73. MMC: letter to ComReg “Multi-Band Spectrum Award” [Redacted] (letter dated 7 September 2012)
74. ComReg: letter to MMC “Letter of the 7th September” (letter dated 14 September 2012)
75. ComReg: letter to MMC “Multi-Band Spectrum Award – Adjustment to the auction timetable” [Redacted] (letter dated 14 September 2012)
76. MMC: letter to ComReg “Multi-Band Spectrum Award – Adjustment to the auction timetable” (letter dated 18 September 2012)
77. ComReg: letter to MMC “MBSA – Adjustment to the auction timetable” (letter dated 20 September 2012)
78. ComReg: letter to MMC “Confidential – Amendment to ComReg Document 12/52 Information Memorandum (“IM”)” (letter dated 20 September 2012)
79. ComReg: letter to MMC “ComReg’s letter to you of the 14 September 2012” [Redacted] (letter dated 27 September 2012)
80. ComReg: letter to MMC “Updated Bidder Materials for Multi-Band Spectrum Award” (letter dated 3 October 2012)
81. ComReg: letter to MMC “Statement made by Mr Paul Bradley on “*The Last Word with Matt Cooper*”” (letter dated 31 October 2012)
82. MMC: letter to ComReg “Multi-Band Spectrum Award – Alleged breach of confidentiality obligations” (letter dated 1 November 2012)
83. ComReg: letter to MMC “Letter of 1 November 2012” (letter dated 2 November 2012)
84. ComReg: letter to MMC “MBSA – Deposit Call” [Redacted] (letter dated 2 November 2012)
85. MMC: letter to ComReg “Multi-Band Spectrum Auction” [Redacted] (letter dated 6 November 2012)
86. ComReg: letter to MMC “Multi-Band Spectrum Auction” [Redacted] (letter dated 7 November 2012)
87. ComReg: letter to MMC “MBSA – Receipt of Deposit Call” [Redacted] (letter dated 7 November 2012)
88. ComReg: letter to MMC “Meteor’s participation in the MBSA process” (letter dated 15 November 2012)
89. ComReg: letter to MMC “MBSA process” (letter dated 20 November 2012)
90. ComReg: letter to MMC “Return of Surplus Deposit plus Interest Earned” [Redacted] (letter dated 22 November 2012)
91. ComReg: letter to MMC “Return of Additional Interest Earned” [Redacted] (letter dated 30 November 2012)
92. ComReg/MMC: Email exchange between MMC and ComReg “MBSA – next steps” (final email dated 19 November 2012)
93. MMC: email to ComReg “T1 Licences” (email dated 20 November 2012)
94. ComReg: letter to MMC “Multi-Band Spectrum Award” (letter dated 23 November 2012)
95. MMC: email to ComReg “SUF Timing” (email dated 15 November 2012)
96. MMC: letter to ComReg “Multi-Band Spectrum Award – Notification of Lots retained for GSM purposes” (letter dated 28 November 2012)

97. ComReg: letter to MMC “Multi-Band Spectrum Award – Notification of Lots retained for GSM purposes” (letter dated 4 December 2012)
98. ComReg: letter to MMC “End of Assignment Stage and Auction” (letter dated 5 December 2012)
99. ComReg: letter to MMC “Entitlement to apply for a Preparatory and a Liberalised Use Licence” (letter dated 18 December 2012)

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100. ComReg: letter to H3GI “Joint Venture arrangement between Vodafone Ireland Limited and Hutchinson 3G Ireland Limited” (letter dated 13 July 2012)
101. ComReg: letter to H3GI “Bidder Materials and mock auctions for Multi-Band Spectrum Award” [Redacted] (letter dated 26 July 2012)
102. ComReg: letter to H3GI “Deposit” [Redacted] (letter dated 26 July 2012)
103. ComReg: letter to H3GI “MBSA Application Clarifications” [Redacted] (letter dated 8 August 2012)
104. ComReg: letter to H3GI “Review of MBSA Application” [Redacted] (letter dated 24 August 2012)
105. H3GI: letter to ComReg “COMREG DOC. NO. 12/52” (letter dated 4 September 2012)
106. ComReg: letter to H3GI “Letter of the 4th September” (letter dated 12 September 2012)
107. ComReg: letter to H3GI “Multi-Band Spectrum Award – Adjustment to the auction timetable” (letter dated 14 September 2012)
108. H3GI: letter to ComReg “COMREG DOC. NO. 12/52 – POSSIBLE ERROR” (letter dated 13 September 2012)
109. ComReg: letter to H3GI “Letter of 13 September 2012” (letter dated 20 September 2012)
110. ComReg: letter to H3GI “Amendment to ComReg Document 12/52 Information Memorandum (“IM”)” (letter dated 20 September 2012)
111. H3GI: letter to ComReg “COMREG DOC. NO. 12/52 – MOCK AUCTION ASSIGNMENT ROUND OPTIONS” (letter dated 20 September 2012)
112. ComReg: letter to H3GI “Mock Auction Assignment Round Options” (letter dated 26 September 2012)
113. ComReg: letter to H3GI “ComReg’s letter to you of the 14 September 2012” [Redacted] (letter dated 27 September 2012)
114. H3GI: letter to ComReg “COMREG DOC. NO. 12/52” (letter dated 1 October 2012)
115. ComReg: letter to H3GI “Updated Bidder Materials for Multi-Band Spectrum Award” [Redacted] (letter dated 3 October 2012)
116. H3GI: letter to ComReg “COMREG DOC. NO. 12/52” [Redacted] (letter dated 12 October 2012)
117. ComReg: letter to H3GI “Letter of 12 October” (letter dated 12 October 2012)
118. ComReg: letter to H3GI “MBSA –Deposit Call” (letter dated 2 November 2012)
119. ComReg: letter to H3GI “H3GI’s participation in the MBSA process” (letter dated 15 November 2012)
120. H3GI: letter to ComReg “MULTI-BAND SPECTRUM AWARD” (letter dated 15 November 2012)

121. ComReg: letter to H3GI “Multi-Band Spectrum Award” (letter dated 21 November 2012)
122. ComReg: letter to H3GI “MBSA process” (letter dated 20 November 2012)
123. ComReg: letter to H3GI “Return of Surplus Deposit plus Interest Earned” [Redacted] (letter dated 22 November 2012)
124. ComReg: letter to H3GI “End of Assignment Stage and Auction” (letter dated 5 December 2012)
125. H3GI: email to ComReg “MBSA – Preparatory and Test and Trial Licences” (email dated 21 November 2012)
126. ComReg: letter to H3GI “Multi-Band Spectrum Award” (letter dated 23 November 2012)
127. H3GI: letter to ComReg “MULTI-BAND SPECTRUM AWARD” (letter dated 28 November 2012)
128. ComReg: letter to H3GI “MBSA process” (letter dated 4 December 2012)
129. ComReg: letter to H3GI “Entitlement to apply for a Preparatory and a Liberalised Use Licence” (letter dated 18 December 2012)
130. ComReg: letter to H3GI “Correction to Letter of 18 December 2012” (letter dated 3 January 2013)

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131. ComReg: to All Bidders “Dot econ : Downloadable files” (Report dated 14 September 2012)
132. ComReg: to All Bidders “Dot econ Report: Eligibility-reducing relaxed primary bids in ComReg’s multiband auction” (Report dated 20 September 2012)
133. ComReg: to All Bidders “Clarification on Multi-Band Spectrum Auction” (letter dated 3 October 2012)

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134. ComReg: to All Bidders “Dot-econ: WebBidder User Manual for the Irish Multi-Band Spectrum Award” (Manual dated October 2012)
135. ComReg: to All Winning Bidders “Clarification in response to query received by ComReg” (letter dated 28 November 2012)
136. ComReg: letter to DCENR “ComReg’s Multi-Band Spectrum Award (MBSA process)” (letter dated 1 October 2012)
137. DCENR: letter to ComReg “letter of 1 October” (letter dated 16 October 2012)

69. ComReg: letter to MMC “Bidder Materials and mock auctions for Multi-Band Spectrum Award” [Redacted] (letter dated 26 July 2012)

Mr. Joel Wachtler
Meteor Mobile Communications
1 HSQ
St. Johns Road
Dublin 8

BY HAND – 26 July 2012

Confidential

Bidder Materials and mock auctions for Multi-Band Spectrum Award

I am writing to you in your capacity as first Authorised Agent for Meteor concerning Meteor's participation in the Commission for Communications Regulation's (ComReg) Multi-Band Spectrum Award (MBSA).

Bidder Materials

Please find enclosed the Bidder Materials for accessing and using the Electronic Auction System ("EAS"), comprising:

- a CD-ROM, containing:
 - the digital certificates required to access the EAS for both the mock auction and the real auction, if required.;
 - a set of one-time passwords for authenticating telephone and fax communications during the actual auction, if required;
 - the EAS User Manual (in PDF format); and
- a sheet detailing your login credentials for Meteor's mock auction.

The certificate password for your digital certificates (required to decrypt and install the digital certificates on your bidding computer) has been handed over under separate cover.

The enclosed CD-ROM contains two digital certificates, being:

- a certificate authority (CA) certificate (cacert.der); and
- a bidder key certificate (with a filename of the form X.pfx).

You will need to install both digital certificates on your bidding computer (and backups) to be able to access the EAS for both the mock auction and the actual auction if required. You may also need to install Java (if this is not already installed). This process is described in the enclosed EAS User Manual. You should leave sufficient time for these preparations.

Mock Auction

ComReg has scheduled a mock auction for Meteor on Tuesday, 31 July 2012. If Meteor is not able to participate on that date, you should contact Dr. Samuel Ritchie at ComReg to agree upon another date for the mock auction. Please note that no other day in the week commencing 30 July is available.

The EAS will be made available for use from 10am on the day of the mock auction.¹ It is expected that the first bidding round will start at 11am, with the mock auction concluding at around 3pm.

You should use the time prior to the start of the first round of the mock auction to ensure that you can log into the EAS. If you have technical problems, telephone support will be available from 10am (on the telephone number identified in the attached sheet). Please note that support will only be provided on technical issues related to accessing and using the EAS. Please also note that telephone and fax bids will not be accepted for the mock auction - you must use the EAS to make bids in the mock auction.

Please note that the Primary Bid rounds in the mock auction are likely to be as short as possible to allow the mock auction to run through all stages of the auction within a reasonable time. For the avoidance of doubt, this does not in any way indicate the approach

¹ Please note that whilst the EAS is currently under testing, ComReg is providing access to the EAS at an early stage to assist in your preparations for the actual auction. Consequently, it is possible that changes may be made to the EAS prior to the actual auction, if required. ComReg therefore reserves the right to issue a revised EAS User Manual.

that ComReg may or may not adopt in the actual auction, if required.

For the purposes of the mock auction, all participating Bidders will have initial eligibility set at the maximum possible (i.e. 14 eligibility points). This may differ from Meteor's initial eligibility in the actual auction (as will be determined by Meteor's Application and Deposit), if required.

The attached sheet details your login credentials for the mock auction (which are required in addition to the digital certificates provided in the Bidder Materials). These login credentials are specific to the mock auction. Please note that new login credentials will be used for the actual auction, if required, and will be distributed to an Authorised Agent of Qualified Bidders. However, the same digital certificates will be used in both the mock auction and the actual auction, if required, to assist participants in determining that the certificates are properly installed and operational. Therefore, it is essential that appropriate steps be taken to secure any computer on which you install these certificates and to maintain its security between the mock auction and the actual auction, if required.

Please note that a revised support number along with telephone and fax numbers for backup bidding will be provided prior to the actual auction together with your login credentials.

Your Bidder Materials contains a set of 100 random passwords on your CD-ROM. These are only for use in the actual auction, if required, not during the mock auction. These may be used for authentication of telephone and fax communications. For example, on a telephone call you might be asked to provide character N from password M. You can also use this sheet to authenticate communication from the Auctioneer by asking the Auctioneer to provide characters from your sheet.

Yours sincerely

Dr. Samuel Ritchie

Meteor's MOCK AUCTION – Tuesday, 31 July 2012

Bidder identifier (This serial number appears only on our digital certificate CD)	[REDACTED]
URL to log in to EAS for mock auction (Note: this is Case sensitive)	https:// [REDACTED] [REDACTED]
Login password for mock auction (Note: This is case sensitive)	[REDACTED]
Telephone support number for technical issues (from 10am)	[REDACTED]

Bidder identifier (This serial number appears on your digital certificate CD)	[REDACTED]
Certificate installation password	[REDACTED]

70. ComReg: letter to MMC “Deposit” [Redacted] (letter dated 26 July 2012)

Meteor Mobile Communications


1 HSQ

St. Johns Road

Dublin 8

Dear Mr. Joel Wachtler

I am writing to you in your capacity as first Authorised Agent for Meteor concerning Meteor's application submitted as part of ComReg's Multi-Band Spectrum Award Process.

I confirm that ComReg received, in its bank account on 17 July 2012, the sum of  from Meteor.

Yours Sincerely

Dr. Samuel Ritchie

26 July 2012

71. ComReg: letter to MMC “MBSA Application Clarifications” [Redacted] (letter dated 8 August 2012)



Commission for
Communications Regulation
 Coimisiún Um
Rialáil Cumarsáide

Joel Wachtler
 Director of Strategy and Business Development
 Meteor Mobile Communications Ltd
 1 Heuston South Quarter
 St. John's Road
 Dublin 8

Dear Mr. Wachtler

I refer to the application submitted by Meteor Mobile Communications Ltd (the "Applicant") in connection with ComReg's Multi Band Spectrum Award (the "Application") which was received by ComReg on 18 July 2012.

I am writing to you in your capacity as principal Authorised Agent for the Applicant. ComReg has reviewed the Application and, in line with section 3.4.2 of the Information Memorandum (Document 12/52), is now seeking the following clarification and further information in relation to the Application.



In responding to this information request, please certify that all information provided with respect to group structure and ownership is, to the best of your knowledge, true, complete and accurate, subject to any corrections of information (in addition to the above) that you may consider appropriate to make. Please also certify that, in light of any additional/amended information provided, the ownership structure is still compliant with the ownership rules set out in section 3.3.4 of the Information Memorandum. Please also incorporate the above information in the ownership structure document which was furnished with the Application, as appropriate.

In accordance with the Application process, your response to the above information request must be provided in the form of **four identical paper copies** and **one** electronic copy in an editable format on CD-ROM. The container(s) in which the documents and CD-ROM are submitted must not in any way disclose the identity of the Applicant.

ComReg will only accept this information during the period **Thursday 16 August 2012 to Friday 17 August 2012** between 10.00 and 16.00 hours (Irish time). You are required to make an appointment with ComReg to submit this information. To make an appointment, you are required to contact **Dr Samuel Ritchie** on **Tuesday 14 August 2012** between 10.00 to 13:00 and 14:00 to 16.00 hours (Irish time) at phone number: 00 353 (0)1 804 9619

Yours sincerely

A handwritten signature in blue ink, appearing to read 'S. Ritchie', with a large flourish extending to the right.

Dr. Samuel Ritchie

72. ComReg: letter to MMC “Review of MBSA Application” [Redacted] (letter dated 24 August 2012)



24 August 2012

Joel Wachtler
Director of Strategy and Business Development
Meteor Mobile Communications Ltd
1 Heuston South Quarter
St. John's Road
Dublin 8

Dear Mr. Wachtler

I refer to the application (the "Application") submitted by Meteor Mobile Communications Ltd to the Commission for Communications Regulation ("ComReg"), on 18 July 2012, concerning the Multi Band Spectrum Award, and to subsequent clarifications received by ComReg in relation to same. I am writing to you in your capacity as principal Authorised Agent for the Applicant.

ComReg has now completed its review of the Application and in accordance with section 3.4.1 of the Information Memorandum (Document 12/52). ComReg confirms:

- that the Applicant has qualified to become a Bidder (and is hereafter referred to as the "Bidder") and
- that an Auction Main Stage is required and will now proceed.

ComReg also confirms that the Bidder's Initial Eligibility to Bid for Lots in each Time Slice in the first Primary Bid Round is as follows:

- Time Slice 1: [REDACTED]
- Time Slice 2: [REDACTED]

This eligibility is broken down as follows:

Lot Category number and name	Number of Lots available	Eligibility points per Lot	Eligibility points associated with Lots applied for in Lot Category by Bidder
800/1	6	2	[REDACTED]
800/2	6	2	[REDACTED]

Lot Category number and name	Number of Lots available	Eligibility points per Lot	Eligibility points associated with Lots applied for in Lot Category by Bidder
900/1	5	2	
900/2	7	2	
1800/1	6	1	
1800/2	15	1	
900/1/MET	2	2	
1800/1/MET	3	1	

Please also note that, following requests for same, ComReg has decided to facilitate one additional mock auction for each Bidder prior to commencement of the Auction. An additional mock auction has been scheduled for the Bidder, starting at **10 a.m.** (Irish time) on **6 September 2012**.¹

The Bidder must confirm to ComReg whether it wishes to avail of the additional mock auction by contacting Dr Samuel Ritchie before **4 p.m.** (Irish time) on **Thursday 30 August 2012**, at telephone number **00 353 (0)1 804 9619**. If no such confirmation is received, ComReg will proceed on the basis that the Bidder does not wish to participate in a mock auction and the scheduled mock auction will be cancelled.

In light of the additional mock auctions, the start date of the first Primary Bid Round will be **10 a.m.** (Irish time) on **Monday 24 September 2012**. However, this start date is subject to such change as may be necessitated by amendments to the Auction software or other unforeseen issues as may arise.

The Electronic Auction System (EAS) will be made available from **10 a.m.** on **Friday 21 September 2012** for Bidders to ensure connectivity issues are resolved.² On successful logon, each Bidder will have access to information on the aggregate demand for lots in each of Lot Categories 1 to 6 and the Round Price for each Lot Category in the first Primary Bid Round.

Yours sincerely



Dr. Samuel Ritchie

¹ Bidders participating in the additional mock auction are required to use the same certificates, URL and passwords as previously used.

² It is intended that the EAS will remain continuously online from 10 am on Friday 21 September 2012 until the end of the auction.

73. MMC: letter to ComReg “Multi-Band Spectrum Award” [Redacted] (letter dated 7 September 2012)

eircom Limited
 1 Heuston South Quarter
 St. John's Road, Dublin 8
 Tel +353 1 671 4444

www.eircom.ie



7 September 2012

Dr Samuel Ritchie
 Manager Spectrum Operations
 Commission for Communications Regulation
 Abbey Court
 Irish Life Centre
 Lower Abbey Street
 Dublin 1

~~Confidential~~

Multi-band Spectrum Award

Dear Samuel,

I am writing to you further to the second mock auction that took place yesterday. I would be grateful if you could address the following:

1. Unannounced changes

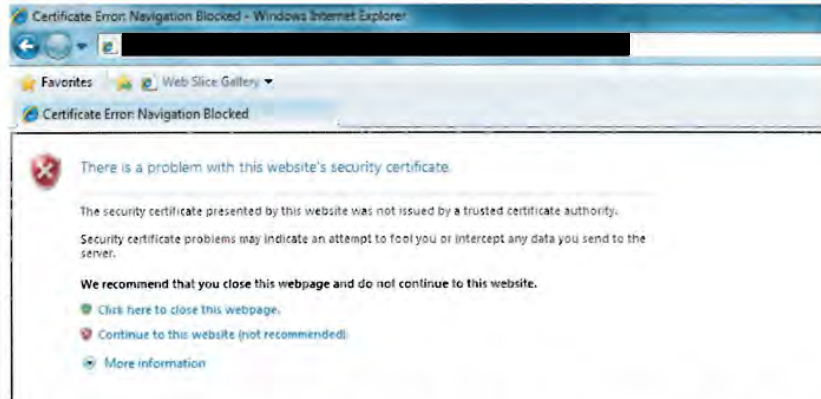
We were concerned to note that the format of certain downloadable output files, including the round summary files, has been altered since the first mock auction. It is disappointing that we were not notified in advance of these changes. We consider it extremely important that bidders have certainty as to the Electronic Auction Software interfaces and output files in advance of the commencement of the auction later this month. We request ComReg to confirm that no further changes will be made to the EAS bid entry interfaces and output files.

We also separately require confirmation that winner and pricing determination software that will be used during the auction is the same as the beta software that was released to interested parties in June. If there have been any changes please immediately make available the current version of the software together with explicit confirmation that no further amendments will be made to the software.

We wish to undertake in preparation of the auction a review of the solver software and request ComReg to send us copies of the solver input files from the mock auction.

2. Security issue

There is a problem with the Dotecon website security certificate as evidenced by the screen shot below.



It is critical that the auction is conducted in a secure manner. Please advise the corrective action ComReg will take to maximise the website's security.

We would ask that you consider the above as a matter of urgency and revert to us by close of business Tuesday 11th September 2012 with your considered position.

Yours sincerely,

A handwritten signature in blue ink that reads "W. M. McCoubrey".

William McCoubrey
Head of Regulatory Affairs – Mobile and Retail

74. ComReg: letter to MMC “Letter of the 7th September” (letter dated 14 September 2012)



14 September

By hand - ~~Confidential~~

William McCoubrey
Meteor Mobile Communications Ltd
1 Heuston South Quarter
St. John's Road
Dublin 8

Dear William

I refer to your letter of 7 September 2012 and address below each one of the matters you raised in turn.

1. Unannounced changes

You will note that ComReg has separately issued today a note to all Qualified Bidders. This addresses the points you raise with regard to downloadable output files.

Separately we can confirm that there has been no change to the beta software that was released to interested parties in June 2012 and the same software has been used by the Auctioneer to compute the results of the mock auction.

It is not appropriate to release the solver input files from the mock auction as this information would not be available in the actual auction under the information policy.

2. Security issue

As the error message in the screenshot reports, the problem highlighted by the browser is that the certificate has been issued by a Certification Authority which has not been installed by the user as a trusted Certification Authority.

To avoid this warning, the Certification Authority certificate provided to the Bidder (cacert.der) needs to be installed as a Trusted Root Certification Authority as detailed in Section C. 5 of the WebBidder User Manual. It may be necessary to have administrator

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privileges on the computer in order to do this. Please refer to your IT department if you are unable to install the certificate as instructed.

Please note that there is no problem with the certificate itself but only in establishing the trust relationship, which requires proper installation of the Certification Authority.

For the avoidance of doubt, the auction is conducted in a highly secure manner, which has been subject to rigorous security and audit tests by third parties.

Kind Regards

A handwritten signature in black ink, appearing to read 'Dr. Ritchie', written in a cursive style.

Dr. Samuel Ritchie

75. ComReg: letter to MMC “Multi-Band Spectrum Award – Adjustment to the auction timetable” [Redacted] (letter dated 14 September 2012)



Commission for
Communications Regulation
Coimisiún Um
Rialáil Cumarsáide

By Hand – ~~Strictly Confidential~~

14 September 2012

Mr. Joel Wachtler
Meteor Mobile Communications Ltd
1 Heuston South Quarter
St. Johns Road
Dublin 8

Matter: ~~Confidential~~ - Multi-Band Spectrum Award – Adjustment to the auction timetable

Dear Mr. Wachtler

In accordance with the provisions of the Information Memorandum (ComReg Document 12/52) (the “IM”), ComReg hereby gives notice of an adjustment of the Auction timetable.

ComReg now intends that the Main Stage of the auction will start on Tuesday 16 October, with access to the Electronic Auction System (EAS) being made available from Monday 15 October. ComReg apologises for any inconvenience arising from the adjustment of the Auction timetable.

Developments

Three developments have influenced ComReg’s decision to alter the Auction timetable:

1. Together with this notice, ComReg has included a document and sample files on CD that detail the formats to be used for downloadable data

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from the EAS. Some minor changes have been made to the format of this data in light of comments and queries received in the course of the two rounds of mock auctions;

2. In the course of testing the EAS and the performance of the Auction Rules, it has become apparent that, in certain circumstances, the current Auction Activity Rules are too permissive. Accordingly, ComReg intends to make a minor modification to the Auction Rules as described in more detail below; and
3. In addition, one Qualified Bidder has specifically requested a further mock auction in order to verify its understanding of the formats of the downloadable data.

After careful consideration, ComReg has decided that it is appropriate to adjust the previously announced timetable in order to allow Qualified Bidders to fully consider the effects of 1 and 2 above. Moreover, in light of these changes and the request at 3 above, ComReg is of the view that it is appropriate to give all Qualified Bidders the opportunity to participate in a further set of mock auctions to enhance their familiarity and understanding of the downloadable data formats and the modification to the Auction Rules described below.

ComReg is aware of the limited time for transition available after the Auction and has consequently adjusted the timetable by the minimum amount that it considers necessary to ensure that all Qualified Bidders are appropriately prepared to participate in the Auction. ComReg does not anticipate any further changes to the exportable files formats but, in the event that it is necessary to do so, ComReg will provide adequate notice to all Qualified Bidders.

Modification to Auction Rules

Whereas the clear intention of the Auction Rules is to create a chain of Relative Caps constraining the Bids that may be made for larger packages relative to smaller packages, this link may in certain limited cases become broken.

Specifically, where a Bidder makes a Relaxed Primary Bid that reduces Eligibility in one category, then further Bids in respect of packages bid for up to

this point may not be constrained by Relative Caps created by subsequent reductions in Eligibility. Such Bids would still remain constrained by the Final Price Cap, but the continuity of the chain of Relative Caps from larger to smaller packages would be broken. This is contrary to the underlying intent of the Activity Rules (see paragraph 4.156 of the IM).

This issue arises due to there being two categories of Eligibility, one for each Time Slice. It is a consequence of the rule that Eligibility in a round is determined to be the smaller of bidding activity and previous Eligibility in each Time Slice. This rule creates the possibility of a Relaxed Primary Bid that reduces Eligibility. However, the IM omits to include a modification of the Relative Cap rules that addresses this scenario to prevent the continuity of the chain of Relative Caps being broken.

ComReg, along with its advisors DotEcon, have carefully considered the impact of this omission in the Auction Rules. Although we consider that the circumstances in which it could be exploited are limited, we cannot rule out the possibility that it could be relevant and affect the Auction outcome. The issue can be addressed by ensuring that, where a Bidder does make a Relaxed Primary Bid that reduces Eligibility, the first subsequent reduction in Eligibility (if any) will create a Relative Cap back to a constraining package already bid for.

Given that this omission can be addressed with only a small modification to the Auction Rules, and this change is entirely consistent with the spirit and intent of the Auction Rules as consulted upon, ComReg is amending the IM in accordance with paragraph 5.30 to correct this omission.

Next Steps

In relation to data file formats, ComReg has together with this notice, included a document and sample files on CD that detail the formats to be used for downloadable data from the EAS.

The small amendment of the IM and the modification of the Auction Rules mentioned above, together with a report explaining in detail the nature of the issue and the implications of the change, will be distributed to Qualified Bidders shortly. This notice is being issued prior to the report being ready for

distribution as ComReg wishes to give Qualified Bidders the earliest possible notice of this change.

ComReg will shortly make contact with all Qualified Bidders with regards to the further round of mock auctions. Your mock auction will take place in the week beginning Monday 8 October 2012.

You should note that ComReg continues to reserve its rights to exercise its discretion in relation to the Award Process, including, without limitation to the generality of the foregoing, the right to make further amendments to the IM.

ComReg would also like to remind you of your obligations in relation to confidentiality under the terms of the IM, including under section 5.2.4 of the IM.

Furthermore, in order to ensure the confidentiality and integrity of communications in relation to the Award Process, all further communication relating to the Award Process must be hand delivered in a sealed envelope marked "Strictly Confidential" and for the attention of Samuel Ritchie to:

Dr. Samuel Ritchie
Commission for Communications Regulation
Abbey Court, Irish Life Centre,
Dublin 1.

Save where ComReg in writing and from this date explicitly permit otherwise (and specifically provided for in the IM), ComReg hereby gives notice that it will not be accepting communication from, or on behalf of, Qualified Bidders in any other form or by any other means until the completion of the Award Process.

Yours sincerely



Dr. Samuel Ritchie

76. MMC: letter to ComReg “Multi-Band Spectrum Award – Adjustment to the auction timetable” (letter dated 18 September 2012)

eircom Limited
 1 Heuston South Quarter
 St. John's Road, Dublin 8
 Tel +353 1 671 4444

www.eircom.ie



18 September 2012

Dr Samuel Ritchie
 Manager Spectrum Operations
 Commission for Communications Regulation
 Abbey Court
 Irish Life Centre
 Dublin 1

BY HAND

~~Strictly Confidential~~

Re: Multi-Band Spectrum Award - Adjustment to the auction timetable

Dear Dr Ritchie

We refer to your letter dated 14 September 2012 advising Meteor that the commencement date for the Main Stage of the Auction has been delayed to Tuesday 16 October, with access to the Electronic Auction System to be made available from Monday 15 October.

This change in the date of the auction, particularly at such a late stage with only one week's notice, causes considerable difficulties for Meteor. In particular, our advisers, Power Auctions and Analysys Mason, which had ensured their availability for next week, will not be available on the week of the 15th October and therefore will not be in a position to advise Meteor in the running of the auction. Both Power Auctions and Analysys Mason have previous commitments which cannot be changed having previously made every effort to accommodate the original commencement date. Power Auctions is running the Thai spectrum auction which has been announced as starting on 16 October 2012. Andrew Wright of Analysys Mason is due to give expert evidence to a Court abroad during that week.

Our advisors are fundamental to our bidding strategy particularly given the complex auction design chosen by ComReg. Accordingly, the unwarranted delay in running the auction will gravely prejudice our ability to participate in the award process effectively. We note that in delaying the auction, ComReg is accommodating a Qualified Bidder which has requested an additional mock auction. We request that an equivalent treatment be afforded to Meteor and that the auction is otherwise delayed until the week of 29 October 2012 when our advisors will be available.

We reserve our rights in this matter and look forward to hearing from you by return.

Yours sincerely

Joel Wachtler
 Director of Strategy and Business Development

77. ComReg: letter to MMC “MBSA – Adjustment to the auction timetable” (letter dated 20 September 2012)



By Hand - ~~Confidential~~

20 September 2012

Mr. Joel Wachtler
Director of Strategy and Business Development
Meteor Mobile Communications Ltd
1 Heuston South Quarter
St. Johns Road
Dublin 8

Dear Mr. Wachtler

MBSA – Adjustment to the auction timetable

I refer to the above matter and to your letter of 18 September 2012 in respect of same.

I note your concerns that certain advisors will be unavailable during the week beginning 15 October. In response, ComReg would bring your attention to, in particular, paragraphs 5.8, 5.9 and 5.30 of the Information Memorandum. These provisions, amongst others, serve to clarify that it is the responsibility of Meteor to engage and ensure the availability of relevant advisors before, during and after the Auction, as required.

It seems from your letter that, when engaging advisors, Meteor has acted on the assumption that the Auction would be completed by Friday 12 October (within a three week period of the initial proposed commencement date). However, at no point did ComReg guarantee that the Auction would commence on or be completed by a certain date. Indeed, in its recent notification to Meteor of 24 August 2012, ComReg expressly made it clear that the scheduled start date of the Auction notified therein is subject to such change as may be necessitated by amendments to the Auction software or other unforeseen issues as may arise.

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While it is regrettable that some of Meteor's advisors may not be able to attend the full Auction in the event that the Auction commences as scheduled, this is clearly a matter which is outside ComReg's control and is a matter for Meteor to address as appropriate in the period between now and the proposed commencement of the Auction.

I also note with concern Meteor's suggestion that there has been an unwarranted delay in running the Auction. This suggestion ignores the clear reasoning for ComReg's adjustment to the timetable set out in its letter to Meteor of 14 September. ComReg rejects this suggestion and considers that it would in fact be inappropriate to proceed with the Auction without appropriately modifying the Auction Rules and making provision for additional mock auctions for all Qualified Bidders.

ComReg also notes Meteor's suggestion that the adjustment to the timetable serves to accommodate a particular Qualified Bidder which has requested an additional mock auction. This suggestion ignores the other fundamental justifications given for the adjustment to the timetable noted in ComReg's letter of 14 September. For the avoidance of doubt, ComReg confirms that the adjustment is justified and would have been necessary irrespective of whether a further mock auction had been requested.

As stated in ComReg's letter to you of 14 September 2012, ComReg now intends that the Main Stage of the auction will start on Tuesday 16 October, with access to the Electronic Auction System (EAS) being made available from Monday 15 October.

Finally, please note that ComReg is aware of the limited time now available for transition before the commencement of Time Slice 1. ComReg is also aware of the expiration of existing GSM 900 MHz interim licences on 31 January 2013. ComReg can, therefore, confirm that it has now commenced consideration of the requirement for and details of a consultation on the need for the short term extension of the duration of existing Interim GSM rights of use in the 900 MHz band. You will appreciate, of course, that the ability to issue such a consultation is severely curtailed in advance of knowing the precise nature of the transition activities required to be undertaken by Existing GSM licensees. All other Qualified Bidders are being informed of this fact.

Please note that ComReg will shortly make contact with all Qualified Bidders with regards to the further round of mock auctions and that Meteor's mock auction, if you require it, will take place in the week beginning Monday 8 October 2012.

ComReg would also remind Meteor of its obligations in relation to confidentiality under the terms of the Information Memorandum. For the avoidance of doubt, these obligations also cover the above information concerning existing GSM 900 MHz interim licences.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'S. Ritchie', with a stylized flourish extending to the right.

Dr. Samuel Ritchie

78. ComReg: letter to MMC “Confidential – Amendment to ComReg Document 12/52 Information Memorandum (“IM”)” (letter dated 20 September 2012)



By Hand – ~~Strictly Confidential~~

20 September 2012

Mr. Joel Wachtler
Meteor Mobile Communications Ltd
1 Heuston South Quarter
St. Johns Road
Dublin 8

Matter: ~~Confidential~~ – Amendment to ComReg Document 12/52 Information Memorandum (“IM”)

Dear Bidder,

As notified to you by letter of 14 September, in the course of testing the EAS and the performance of the Auction Rules, it has become apparent that, in certain circumstances, the current Auction Activity Rules are too permissive. Whereas the clear intention of the Auction Rules is to create a chain of Relative Caps constraining the Bids that may be made for larger packages relative to smaller packages, this link may in certain limited cases become broken. This is contrary to the underlying intent of the Activity Rules (see paragraph 4.156 of the IM).

ComReg has discussed this matter in detail with its advisors DotEcon and has carefully considered the impact of this omission on the Auction Rules. Although ComReg considers that the circumstances in which it could be

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exploited are limited, we cannot rule out the possibility that it could be relevant and affect the Auction outcome. As a result, ComReg has concluded that it is necessary to address this issue.

The attached DotEcon report "*Eligibility reducing relaxed bids in ComReg's multiband auction*" explains in detail the nature and implications of the issue and contains recommendations on how the issue can be corrected through a modification of the Auction Rules. It is clear that this issue can be addressed with only a minor modification to the Auction Rules and that this modification is entirely consistent with the spirit and intent of the Auction Rules as consulted upon. After careful consideration, ComReg has therefore decided to modify the Auction Rules, in accordance with paragraph 5.30 of the Information Memorandum, by adopting the amendments to the Information Memorandum proposed in Annexes B and C of the Report. The Information Memorandum, as amended, should now be read in conjunction with Annexes B and C of the Report.

Additionally, and consequent to our letter of 14 September, some concern has been expressed with regard to the time now available to conclude transitional activities in advance of the expiry of existing Interim GSM 900 MHz rights of use. Please note that ComReg is aware of the limited time now available for transition before the commencement of Time Slice 1. ComReg is also aware of the expiration of existing GSM 900 MHz interim licences on 31 January 2013. ComReg can, therefore, confirm that it has now commenced consideration of the requirement for and details of a consultation on the need for the short term extension of the duration of existing Interim GSM rights of use in the 900 MHz band. You will appreciate, of course, that the ability to issue such a consultation is severely curtailed in advance of knowing the precise nature of the transition activities required to be undertaken by Existing GSM licensees. ComReg can assure all Qualified Bidders that it will act swiftly to resolve any such issues arising as soon as the auction outcome is clear.

You should note that ComReg continues to reserve its rights to exercise its discretion in relation to the Award Process, including, without limitation to the generality of the foregoing, the right to make further amendments to the IM.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'S. Ritchie', is positioned above the printed name.

Dr. Samuel Ritchie

79. ComReg: letter to MMC “ComReg’s letter to you of the 14 September 2012”
[Redacted] (letter dated 27 September 2012)



BY HAND - ~~CONFIDENTIAL~~

27 September 2012

Joel Wachtler
Director of Strategy and Business Development
Meteor Mobile Communications Ltd
1 Heuston South Quarter
St. John's Road
Dublin 8

Dear Mr. Wachtler

I refer to ComReg's letter to you of 14 September 2012 and write to you in your capacity as principal Authorised Agent for Meteor Mobile Communications Ltd ("the Bidder").

Mock Auction

As stated in ComReg's letter of the 14 September 2012, an additional mock auction is being made available for the Bidder. I can now confirm that this will commence at **11 a.m** (Irish time) on **Monday, 8 October 2012**.

I would be grateful if the Bidder would confirm to ComReg whether it wishes to avail of the additional mock auction in writing to Dr Samuel Ritchie by **close of business Wednesday 3 October 2012**. This confirmation must be hand delivered in a sealed envelope marked "Strictly Confidential" and for the attention of Samuel Ritchie to:

Dr. Samuel Ritchie
Commission for Communications Regulation,
Abbey Court, Irish Life Centre,
Dublin 1.

Please note that if no confirmation is received by that time, ComReg will proceed on the basis that the Bidder does not wish to avail of the mock auction and the provisioned mock auction will be cancelled.

Should the Bidder avail of the additional mock auction, I would draw your attention to the following:

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- the Bidders is required to use a different URL to that used previously - the URL for this mock auction is [REDACTED];
- the Bidder is required to use the same certificates and passwords as used in its previous mock auctions; and
- primary bid rounds will be of 10 minute duration.

Main Stage of Live Auction

Further to ComReg's letter of 14 September 2012, the start date of the first Primary Bid Round for the **Live Auction** will be **10.00AM** (Irish time) on **Tuesday 16 October 2012**. The Electronic Auction System (EAS) will be made available from 10.00AM (Irish time) on Monday 15 October 2012 to enable Bidders to satisfy themselves that their connectivity arrangements are in place. The EAS will remain continuously online from 10.00AM Monday 15 October 2012 until the end of the Auction.

Please note that the above start date is subject to change, such as to take into account any amendments to the auction software or other unforeseen issues as may arise. You should also note that ComReg continues to reserve its rights to exercise its discretion in relation to the Award Process, including the right to make further amendments to the Information Memorandum (IM).

As you will be aware, an article was published in the Sunday Times (Ireland) on 23 September 2012 revealing the fact that the commencement date for the Live Auction had been adjusted to a new date of 16 October. ComReg treats any breach of confidentiality obligations under statute or under the terms of the IM extremely seriously. Given this development and in order to ensure the integrity of the Award Process, ComReg requires that you notify it through the designated communication channels for this process of any breaches of the above confidentiality obligations by the Bidder or its personnel on or after 14 September 2012, or of other confidentiality breaches which may affect the Auction. ComReg reserves its right to request further information in relation to same.

Finally, ComReg would like to remind you of your obligations in relation to confidentiality under statute and under the terms of the IM, including under section 5.2.4 of the IM.

Yours sincerely



Dr. Samuel Ritchie

80. ComReg: letter to MMC “Updated Bidder Materials for Multi-Band Spectrum Award” (letter dated 3 October 2012)



Commission for
Communications Regulation
 Coimisiún Um
Rialáil Cumarsáide

BY HAND - ~~Confidential~~

3 October 2012

Joel Wachtler
 Director of Strategy and Business Development
 Meteor Mobile Communications Ltd
 1 Heuston South Quarter
 St. John's Road
 Dublin 8

Updated Bidder Materials for Multi-Band Spectrum Award

Dear Mr. Wachtler

I am writing to you in your capacity as **Authorised Agent** for Meteor Mobile Communications Ltd ("the Bidder") concerning the Bidder's participation in the Commission for Communications Regulation's (ComReg) Multi-Band Spectrum Award (MBSA).

Updated Bidder Materials

Please find enclosed on a DVD the following updated Bidder Materials:

- an updated Electronic Auction System (EAS) User Manual¹ (in PDF format). This version replaces the one issued on 25 July 2012; and
- an updated sample downloadable file "Lots Won" (in three different formats) – which replaces those issued on 14 September 2012².

¹ Please note that ComReg reserves the right to issue a revised EAS User Manual if necessary.

² This updated downloadable file is now consistent with section B.1.5 of the EAS user Manual.

Mock Auction

The EAS will be made available at least 30 minutes prior to the starting time of Bidder's mock auction (details of which were provided in ComReg's letter of 27 September 2012). You should use the time prior to the start of the first round of the mock auction to ensure that you can log into the EAS.

If technical matters arise during the course of Bidder's Mock Auction, telephone support will be available on the day on telephone number [REDACTED].

Please note that support will only be provided on issues related to accessing and using the EAS. Please also note that telephone and fax bids will not be accepted for the mock auction - you must use the EAS to make bids in the mock auction.

Live Auction

The certificates and passwords used for Bidder's mock auctions will be the ones applicable for the Live Auction.

Further to our letter of 27 September 2012, the following information is relevant to the **Live** auction:

Support Telephone Number	[REDACTED]
FAX number for backup Bidding	[REDACTED]
URL	[REDACTED]

Yours sincerely



Dr. Samuel Ritchie

81. ComReg: letter to MMC “Statement made by Mr Paul Bradley on “*The Last Word with Matt Cooper*”” (letter dated 31 October 2012)



BY HAND - ~~CONFIDENTIAL~~

31 October 2012

Joel Wachtler
Director of Strategy and Business Development
Meteor Mobile Communications Ltd
1 Heuston South Quarter
St. John's Road
Dublin 8

Dear Mr. Wachtler

I am writing to you as primary Authorised Agent of Meteor Mobile Communications Ltd (Meteor) in the context of Meteor's participation in the Commission for Communications Regulation's (ComReg) ongoing Multi-Band Spectrum Award (MBSA) process.

I refer to a statement made by Mr Paul Bradley, Head of Communications of eircom, on *'The Last Word with Matt Cooper'* radio show on 24 October 2012. Specifically, when asked by Mr Adrian Weckler, of the Sunday Business Post, "*Are you guys bidding for one of the 4G licences?*", Mr Bradley responded "*I can't comment officially in regard the spectrum auction as it's actually taking place*".

ComReg is particularly concerned that eircom Group, as a Connected Person (as defined in the Information Memorandum) of Meteor, has indicated publicly that Meteor is a participant in the MBSA process in violation of the confidentiality obligations and rules set out in the Information Memorandum (Document 12/52) (in particular, sections 3.3.5 and 5.2.4 of same) and to which Meteor agreed to be bound by. Moreover, ComReg does not consider that stating that it cannot "*comment officially*" makes this contravention any less serious.

Whilst ComReg does not propose to take any further action at this stage, given the present levels of media interest in the Award Process, ComReg wishes to remind Meteor and its Connected Persons that they are strictly prohibited from engaging with the media in relation to the Award Process.

Indeed, at this crucial juncture in the Award Process, any further engagement could have very serious and detrimental consequences for the Award Process and for the

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disclosing party. ComReg would also note that previous compliance or non-compliance (as the case may be) by Bidders (and their respective Connected Persons) with the terms of the Information Memorandum will be a relevant consideration when considering whether or not to take action in respect of any future contraventions.

Furthermore, we would also take this opportunity to remind Meteor of its obligations and in particular with regard to communication with ComReg as set out in section 4.1.3 of the Information memorandum (Doc 12/52). No other form of contact must be made during the auction.

We therefore look forward to strict compliance with the confidentiality and security obligations described in the Information Memorandum by Meteor and its Connected Persons.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'S. Ritchie', is positioned above the printed name.

Dr. Samuel Ritchie

82. MMC: letter to ComReg “Multi-Band Spectrum Award – Alleged breach of confidentiality obligations” (letter dated 1 November 2012)

eircom Limited
 1 Heuston South Quarter
 St. John's Road, Dublin 8
 Tel +353 1 671 4444

www.eircom.ie



1st November 2012

Dr Samuel Ritchie
 Manager Spectrum Operations
 Commission for Communications Regulation
 Abbey Court
 Irish Life Centre
 Dublin 1

BY HAND

~~Strictly Confidential~~

Multi-Band Spectrum Award – Alleged breach of confidentiality obligations

Dear Dr Ritchie,

We refer to your letter dated 31st October, 2012 alleging that eircom Group (as a Connected Person) has contravened the confidentiality obligations of the MBSA. We refute such allegation. We have not at any time indicated that Meteor is a participant in the MBSA process. In fact Mr Bradley's statement was reference to the fact that the MBSA process has been taking place since 25th May 2012 following publication of the MBSA Information Memorandum.

We have taken and continue to take our confidentiality obligations very seriously. Indeed, our team has been fully briefed on the confidential nature of this process and our continuing obligations in this respect. Unfortunately, it does not appear that the same can be said of other parties. In particular, we were astonished to read the article in the Irish Independent on 25th October, 2012 which attributes financial estimates of MBSA proceeds to Dotecon, ComReg's consultants. We question the appropriateness of the disclosure of such information and query how such information entered the public domain. In order to preserve the confidentiality of the process at such a sensitive stage, we seek assurance from ComReg as to the steps which it is taking to ensure that there are no further leaks of sensitive confidential information pertaining to the MBSA.

We reserve our rights in this matter.

Yours sincerely

Joel Wachtler
 Director of Strategy and Business Development

83. ComReg: letter to MMC “Letter of 1 November 2012” (letter dated 2 November 2012)



Commission for
Communications Regulation
Coimisiún Um
Rialáil Cumarsáide

BY HAND - ~~CONFIDENTIAL~~

2 November 2012

Joel Wachtler
Director of Strategy and Business Development
Meteor Mobile Communications Ltd
1 Heuston South Quarter
St. John's Road
Dublin 8

Dear Mr. Wachtler

I refer to your letter of 1 November 2012 a response from eircom Group to ComReg's letter of 31 October.

In response to paragraph one of your letter of the 1 November ComReg notes your clarification that Mr Bradley's reference to "*the spectrum auction*" was in fact a reference to the "*MBSA process*".

In relation to your second paragraph I draw your attention to the attached message, sent to all Bidders via the Electronic Auction System on 25 October 2012 and read by your staff or your company representatives at 14:52 on the same day.

ComReg would like to remind you of your obligations in relation to confidentiality under statute and under the terms of the IM, in particular Section 5.2.4 of the IM.

Yours sincerely

Dr. Samuel Ritchie

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The following excerpt is taken from the Electronic Auction System

Confidentiality Obligations

Message sent on 25 October 2012 at 14:50 (6 days, 18 hours ago)

As you may be aware, the media are and will continue to report and comment on the Award Process. While media reports might suggest otherwise, neither ComReg nor its consultants have engaged with the media since the commencement of the Award Process in relation to its operation or potential outcomes. ComReg and its consultants will continue this policy of non-engagement until ComReg publicly announces the results of the Award Process in accordance with the Information Memorandum.

Given the present levels of media interest in the Award Process, ComReg wishes to remind bidders that they are strictly prohibited from engaging with the media in relation to the Award Process. At this crucial juncture in the Award Process, any such engagement would have very serious and detrimental consequences for the Award Process and for the disclosing party. We look forward to your continued compliance with the confidentiality obligations described in the Information Memorandum.

Announcement on scheduling of Supplementary Bids Round will be sent at 15.00 IST.

Recipient

Meteor

Read on

Read on 25 October 2012 at 14:52

84. ComReg: letter to MMC “MBSA – Deposit Call” [Redacted] (letter dated 2 November 2012)



By Hand - ~~Confidential~~

2 November 2012

Mr. Joel Wachtler
Director of Strategy and Business Development
Meteor Mobile Communications Ltd
1 Heuston South Quarter
St. Johns Road
Dublin 8

Dear Mr Wachtler

MBSA – Deposit Call

ComReg is writing to you in your capacity as the primary Authorised Agent of Meteor Mobile Communications Ltd ('Meteor').

As you are aware, the Supplementary Bids Round has come to an end. ComReg notes that the highest Bid made by Meteor during the Main Stage of the Auction exceeded the amount currently held by ComReg on Deposit. Therefore, in accordance with paragraphs 4.188 and 4.189 of the Information Memorandum (Document 12/52), ComReg requires Meteor to increase its Deposit by [REDACTED].

Meteor is required to pay the above amount into the following ComReg bank account:

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

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

- the reference is "MBSA"; and
- your Bank quotes your Account Number in making the transfer to ComReg.

1

The above amount must be received as cleared funds in the above account before 12:00 pm (noon) on Friday, 9 November 2012. ComReg will hold this money in accordance with the provisions of the Information Memorandum, including, section 3.3.3. I will write you on behalf of ComReg to confirm receipt of these funds in due course. Under no circumstances should you or any representative of Meteor contact any other ComReg staff on this matter.

Please note that the next notification by ComReg will be via the EAS on Monday, 12 November.

ComReg would like to remind you of your obligations in relation to confidentiality under statute and under the terms of the IM, in particular Section 5.2.4 of the IM.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'S. Ritchie', is written over a faint, light blue circular watermark or stamp.

Dr Samuel Ritchie

85. MMC: letter to ComReg “Multi-Band Spectrum Auction” [Redacted] (letter dated 6 November 2012)

86. ComReg: letter to MMC “Multi-Band Spectrum Auction” [Redacted] (letter dated 7 November 2012)



7 November 2012

By Hand - ~~Confidential~~

Geoff Shakespeare
Chief Technology Officer
Meteor Mobile Communications Limited
1 Heuston South Quarter
St. John's Road
Dublin 8

Dear Mr. Shakespeare

Multi-Band Spectrum Auction

Thank you for your letter of 6 November 2012 in relation to the above.

ComReg welcomes the opportunity to confirm that it continues to apply the provisions of the Information Memorandum (Document 12/52) (IM), in a manner consistent with its statutory functions, objectives and duties, with regard to substantive and procedural matters concerning its Multi-Band Spectrum Award (MBSA) process.

ComReg would also make the following comments in relation to the issues raised by you in your letter.

Firstly, the figure of [REDACTED] was calculated in accordance and in compliance with the IM. As you are no doubt be aware:

- paragraph 4.188 of the IM provides that, at the end of the Supplementary Bids Round and prior to the notification to Bidders on the outcome of the Main Stage, ComReg may give notice to one or more Bidders that they need to increase their Deposits to an amount specified by ComReg; and
- paragraph 4.189 states that ComReg reserves the right to issue a Deposit Call of up to 100% of a Bidder's highest Bid at this point.

Given these particular provisions which bind Meteor and ComReg, and noting (i) the quantum of the Deposit Call issued to Meteor and (ii) that Meteor's highest Bid at this point is [REDACTED], it should be readily apparent to Meteor that ComReg is acting well within the discretion reserved to it under the terms of the IM in making its deposit call to Meteor.

Secondly, ComReg can confirm that, in calculating any deposit calls which it may have made, it has adhered at all times to the principle of non-discrimination.

1

Finally, ComReg is happy to again confirm that it has, at all times, conducted this process in a manner consistent with its statutory functions, objectives and duties.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. Ritchie', written in a cursive style.

Dr. Samuel Ritchie

87. ComReg: letter to MMC “MBSA – Receipt of Deposit Call” [Redacted] (letter dated 7 November 2012)



Commission for
Communications Regulation
Coimisiún Um
Rialáil Cumarsáide

By Hand - ~~Confidential~~

7 November 2012

Mr. Joel Wachtler
Director of Strategy and Business Development
Meteor Mobile Communications Ltd
1 Heuston South Quarter
St. Johns Road
Dublin 8

Dear Mr Wachtler

MBSA – Receipt of Deposit Call

On 2 November 2012, ComReg issued Meteor with a Deposit Call via hand delivered letter. In this letter, ComReg committed to providing Meteor with acknowledgement of receipt of Deposit Call if Meteor deposited the correct amount in the designated bank account within the timeframe stipulated.

In this regard, ComReg formally acknowledges that it successfully received Meteor's required Deposit Call of [REDACTED] in cleared funds in the designated bank account within the timeframe stipulated.

Yours sincerely

Dr. Samuel Ritchie

88. ComReg: letter to MMC “Meteor’s participation in the MBSA process” (letter dated 15 November 2012)



from the chairperson

By Hand

15 November 2012

Mr. Joel Wachtler
Director of Strategy and Business Development
Meteor Mobile Communications Ltd
1 Heuston South Quarter
St. Johns Road
Dublin 8

Dear Mr Wachtler

Re: Meteor's participation in the MBSA process.

On behalf of the Commission I am pleased to inform in writing that you have been successful in acquiring liberalised rights of use in the Multi-band Spectrum Award. The details of this have been communicated through the Electronic Auction System.

As you will note from the Information Memorandum there are a number of stages that together we need to complete, and ComReg very much anticipates your continued full co-operation in bringing this Award to a speedy final conclusion. In due course, ComReg will write to Meteor separately at working level in this regard.

On completion of these matters, ComReg will be in a position to arrange for the issue of your licences.

Yours Sincerely



Alex Chisholm

Chairperson

89. ComReg: letter to MMC “MBSA process” (letter dated 20 November 2012)



By Hand

20 November 2012

Mr. Joel Wachtler
Director of Strategy and Business Development
Meteor Mobile Communications Ltd
1 Heuston South Quarter
St. Johns Road
Dublin 8

MBSA process

Dear Mr Wachtler

I am writing to you in your capacity as principal Authorised Agent of Meteor further to the conclusion of the Assignment Round of the Multi-Band Spectrum Award on Wednesday 14 November 2012.

Negotiation Phase

As mentioned in Wednesday's EAS announcement, the Negotiation Phase has, in accordance with paragraph 3.157 of the Information Memorandum ('IM'), commenced and will run for a two week period until 16.00 GMT Wednesday 28 November 2012.

In addition, and in accordance with Section 4.5.10 of the IM, during this two week period Winning Bidders have the opportunity to agree amongst themselves an alternative configuration of assignments to facilitate contiguity of spectrum holdings. If Winning Bidders generate and agree on an alternative assignment plan for a band, ComReg will adopt this plan for that band.

As noted in paragraph 4.236 of the IM, as part of this Negotiation Phase ComReg will allow two or more Winning Bidders to 'swap' equivalent radio frequency assignments which they would otherwise have been allocated pursuant to the Assignment Round, providing that this is agreed among these Winning Bidders and does not affect the other Winning Bidders or is consented to by affected Winning Bidder(s). This would require only the consent of those parties swapping the relevant frequency assignments and affected parties as appropriate,

1

which might not be all parties. Unaffected Winning Bidders (and Existing GSM Licensees if applicable) from the Assignment Round would have no power to block this negotiated outcome.

In the IM (see for example paragraph 4.211) ComReg stated that any unallocated Lots would be located contiguously in the presentation of assignment options in the Assignment Round. Winning Bidders will note that there are three unallocated Lots in a contiguous block (Lots I, J, K) in Time Slice 1 in the 1800 MHz band. Noting ComReg's position in Decision D04/12 that unsold lots will not be allocated for a reasonable period after the process, and, in any event, will not be allocated for a period of at least 1 year, ComReg considers that it would be appropriate, in terms of ensuring the effective management and encouraging the efficient use of radio frequencies and in the circumstances of avoiding the requirement for Transition Activities between Time Slice 1 and Time Slice 2, to permit assignment outcomes where the location of one or more of these unallocated Lots would vary from its current location in Lots I, J or K. Winning Bidders should therefore consider the above when considering and suggesting alternative assignment outcomes in the Negotiation phase,

Any negotiated agreement to which Meteor is a party must be signed by an Authorised Agent of Meteor and submitted in hardcopy format to Dr. Samuel Ritchie at ComReg by 16.00 GMT on Wednesday 28 November 2012. This submission is also to include an electronic version of this negotiated agreement on CD-ROM.

Please note that the parties to any such agreement need to ensure that it is drafted to reflect the conditional nature of the agreement which will be subject to ComReg's approval and subject to the Notification and Grant Stage concluding as the parties anticipate.

Notification of Lots retained for GSM Purposes

For the purposes of implementing the Notification and Grant Stage, Winning Bidders who partially liberalised existing GSM rights in Time Slice 1 must identify the Lots that they wish to retain as part of their existing GSM Licence.

Additionally where the position of these GSM Lots is adjacent to another Winning Bidder, the Winning Bidder is to indicate to ComReg whether it has a technical co-existence agreement with this neighbouring Winning Bidder that would permit it to use less stringent technical parameters than those set out in the Annex to EC Decision 2009/766/EC, as amended. As stated in the IM, the number of GSM channels that can be maintained in any Lots retained as part of their existing GSM Licence will be determined by ComReg using the technical co-existence rules set out in EC Decision 2009/766/EC, as amended.

This information is to be submitted in writing to Samuel Ritchie in ComReg by 16.00 GMT on Wednesday 28 November 2012.

Transition Project Proposal

ComReg will write to you in due course on the Transition Project Proposal.

Competition Law Restrictions

When engaging in communications and/or meetings with other parties during the Negotiation Phase and the formulation of a Transition Project Proposal, as appropriate, Winning Bidders should remain cognisant of their obligations under the IM and under Irish and EU competition law, in particular, the prohibitions under section 4 of the Competition Act 2002 (as amended) and Article 101 of the Treaty on the Functioning of the European Union. Nothing in this notice, in the IM or in any other communication issued by ComReg under the Award Process, should be construed as permitting, requiring or facilitating a breach of Irish or EU competition law or any other statute or law.

ComReg would point out that communications and/or meetings between Winning Bidders and Existing GSM Licensees concerning the Negotiation Phase and the formulation of a Transition Project Proposal should be strictly confined to those topics and to the minimum communications necessary to achieve the relevant objectives set out in the IM.

Where a party to such communications and or meetings knows or has reason to suspect that a breach of competition law may have occurred or may occur by virtue of such communications, they are required to notify ComReg immediately of this possibility and ComReg may engage with the Competition Authority further to such notification.

Confidentiality

Finally, ComReg would like to remind you of your obligations in relation to confidentiality under statute and under the terms of the IM.

Yours Sincerely



Dr. Samuel Ritchie

90. ComReg: letter to MMC “Return of Surplus Deposit plus Interest Earned”
[Redacted] (letter dated 22 November 2012)



Commission for
Communications Regulation
Coimisiún Um
Rialáil Cumarsáide

By Hand - ~~Confidential~~

22 November 2012

Mr. Joel Wachtler
Director of Strategy and Business Development
Meteor Mobile Communications Ltd
1 Heuston South Quarter
St. Johns Road
Dublin 8

Return of Surplus Deposit plus Interest Earned

Dear Mr. Wachtler

I am writing to you in your capacity as principal Authorised Agent of Meteor further to the conclusion of the Assignment Round of the Multi-Band Spectrum Award on Wednesday 14 November 2012.

In accordance with paragraph 3.149 of the Information Memorandum (ComReg Document 12/52) ComReg has transferred the amount of [REDACTED] to the account specified on page 3 of the Application form submitted by Meteor.

Please note that Rebates i.e. Relocation Rebates and Early Liberalisation Rebates, if applicable, will be addressed separately in accordance with the Information Memorandum in due course.

The amount of [REDACTED] was calculated as follows:

Item	Amount (€)	Balance (€)
Initial Deposit	[REDACTED]	[REDACTED]
Deposit Call	[REDACTED]	[REDACTED]
Upfront Fees	[REDACTED]	[REDACTED]
Interest Earned	[REDACTED]	[REDACTED]
Surplus Deposit plus Interest Returned	[REDACTED]	0.00

Yours Sincerely

Dr. Samuel Ritchie

An Coimisiún um Rialáil Cumarsáide
Commission for Communications Regulation
Abbey Court Irish Life Centre Lower Abbey Street Dublin 1 Ireland
Telephone +353 1 804 9600 Fax +353 1 804 9680 Email info@comreg.ie Web www.comreg.ie

91. ComReg: letter to MMC “Return of Additional Interest Earned” [Redacted]
(letter dated 30 November 2012)



Commission for
Communications Regulation
Coimisiún Um
Rialáil Cumarsáide

By Hand - ~~Confidential~~

30 November 2012

Mr. Joel Wachtler
Director of Strategy and Business Development
Meteor Mobile Communications Ltd
1 Heuston South Quarter
St. Johns Road
Dublin 8

Dear Mr. Wachtler

Return of Additional Interest Earned

I am writing to you in your capacity as principal Authorised Agent of Meteor further to my letter of 22 November.

Following receipt of final statements from the National Treasury Management Agency (NTMA), noting that a small amount of additional Interest has been earned by Meteor, and in accordance with paragraph 3.149 of the Information Memorandum (ComReg Document 12/52) ComReg has transferred the amount of [REDACTED] to the account specified on page 3 of the Application form submitted by Meteor.

Yours Sincerely

Dr. Samuel Ritchie

92. ComReg/MMC: Email exchange between MMC and ComReg “MBSA – next steps” (final email dated 19 November 2012)

From: McCoubrey, William [<mailto:William.McCoubrey@meteor.ie>]
Sent: 16 November 2012 11:59
To: Samuel Ritchie
Cc: Patrick Mulvey
Subject: MBSA - next steps

Samuel,

Grateful if you could advise next steps in the process towards award of the licences and how you intend to manage the process.

Thanks,
William

William McCoubrey
Head of Regulatory Affairs - Mobile and Retail



From: Samuel Ritchie
Sent: 19 November 2012 16:58
To: 'McCoubrey, William'
Subject: RE: MBSA - next steps

William

ComReg will continue to manage this process in accordance with the processes and procedures as published in the Information Memorandum (ComReg Doc. 12/52).

The next steps in this process is detailed in section 4.5.10 of the IM – as you know, we are now in the Negotiation Phase of the award process.

Following the conclusion of the Assignment Stage we will move into the Notification and Grant Stage as per section 3.7 of the IM – at the end of this stage, and as applicable, ComReg will issue Preparatory Licences and Liberalised Use Licences.

Regards

Samuel

Dr. Samuel Ritchie
Manager Spectrum Operations

Commission for Communications Regulation
Email samuel.ritchie@comreg.ie

93. MMC: email to ComReg “T1 Licences” (email dated 20 November 2012)

From: McCoubrey, William [<mailto:William.McCoubrey@meteor.ie>]
Sent: 20 November 2012 08:53
To: Samuel Ritchie
Cc: Patrick Mulvey
Subject: T1 Licences

Samuel,

Following conclusion of the Main Stage we have a combination of existing / liberalised lots in the 900MHz and 1800MHz bands. Our Assignment Round results for the 900MHz band are blocks A and B, and for the 1800MHz band are Blocks L, M, N, and O. We assume it is at our discretion to elect which of the blocks will be licensed under amendment to our existing licence and which blocks will be licensed under liberalised use licences. Can you please confirm that this is the case.

Regards,
William

William McCoubrey
Head of Regulatory Affairs - Mobile and Retail



94. ComReg: letter to MMC “Multi-Band Spectrum Award” (letter dated 23 November 2012)



Commission for
Communications Regulation
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Rialáil Cumarsáide

By Hand - ~~Confidential~~

23 November 2012

William McCoubrey
 Meteor Mobile Communications Ltd
 1 Heuston South Quarter
 St. Johns Road
 Dublin 8

Dear Mr. McCoubrey

Multi-Band Spectrum Award

I refer to your email of 20 November in relation to the Multi-Band Spectrum Award and in particular your query regarding the possibility of locating Meteor's liberalised 2 x 5 MHz spectrum rights in the middle of Block A and B (i.e. upper half of block A and lower half of block B) in the 900 MHz band.

As you know, ComReg has provided for a Negotiation Phase (see Section 4.5.10 of the Information Memorandum) following the completion of the Assignment Round and the release of the provisional frequency assignment plan. The Negotiation Phase gives Winning Bidders, including Meteor, the opportunity to agree amongst themselves an alternative configuration of assignments aimed at facilitating contiguity of spectrum holdings and so encouraging efficient use of spectrum.

Accordingly, you will appreciate that it would not be appropriate for ComReg to consider Meteor's query in isolation and prior to completion of the Negotiation Phase as provided for in the Information Memorandum. However, we would urge Meteor to put forward its proposal as part of any Negotiation Phase discussion.

As you know, it is ComReg's policy to publish exchanges of correspondence such as this in accordance with its usual procedures. Accordingly, I would be grateful if you could indicate whether there is any specific confidential material in your e-mail that Meteor considers ought not to be published in accordance with these procedures.

I trust this clarifies matters.

Yours sincerely

Dr Samuel Ritchie

An Coimisiún um Rialáil Cumarsáide
Commission for Communications Regulation
 Abbey Court Irish Life Centre Lower Abbey Street Dublin 1 Ireland
 Telephone +353 1 804 9600 Fax +353 1 804 9680 Email info@comreg.ie Web www.comreg.ie

95. MMC: email to ComReg “SUF Timing” (email dated 15 November 2012)

From: McCoubrey, William [<mailto:William.McCoubrey@meteor.ie>]
Sent: 15 November 2012 14:30
To: Patrick Mulvey; Samuel Ritchie
Subject: SUF timing

Samuel / Paddy,

Grateful if you could clarify timing of SUF payments.

Pro rata payment to July

In ComReg 11/60 it was proposed that the first SUF payment for T1 spectrum would be calculated on a pro rata basis from Licence Commencement date to 12 July and then applied annually thereafter each July. ComReg 12/52 seems to suggest that the SUFs will be applied annually from Licence Commencement date (assume February). If that is the case when would the pro rata adjustment to July happen – at the end of T1 or end of T2.

T2 only spectrum

In the case of T2 only spectrum, presumably the licence commencement is deemed to be 13 July. As such SUFs would be payable on those blocks in July each year. Subject to clarification in respect of the pro rata payment it is possible that operators would have to make two payments per annum (February for spectrum commenced in T1 and July for T2 spectrum). Is this the intention? Pro rating the first T1 SUF to July would work better from an overall administrative perspective.

We are undertaking some cashflow planning and a response at your earliest convenience would be appreciated.

Regards,
William

William McCoubrey
Head of Regulatory Affairs - Mobile and Retail



96. MMC: letter to ComReg “Multi-Band Spectrum Award – Notification of Lots retained for GSM purposes” (letter dated 28 November 2012)

eircom Limited
1 Heuston South Quarter
St. John's Road, Dublin 8
Tel +353 1 671 4444

www.eircom.ie



28th November 2012

Dr Samuel Ritchie
Manager Spectrum Operations
Commission for Communications Regulation
Abbey Court
Irish Life Centre
Dublin 1

Multi-Band Spectrum Award – Notification of Lots retained for GSM purposes

Dear Dr Ritchie,

Further to your letter dated 20th November, I am pleased to notify the Lots to be retained for GSM purposes in Time Slice 1 on behalf of Meteor Mobile Communications Limited ("Meteor"). Meteor will retain Lot A in the 900MHz band for GSM purposes. Meteor will retain Lots L and M in the 1800MHz band for GSM purposes. We note that these GSM Lots are not adjacent to another Winning Bidder.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Joel Wachtler", written over a horizontal line.

Joel Wachtler
Director of Strategy and Business Development

97. ComReg: letter to MMC “Multi-Band Spectrum Award – Notification of Lots retained for GSM purposes” (letter dated 4 December 2012)



Commission for
Communications Regulation
Coimisiún Um
Rialáil Cumarsáide

By Hand - ~~Confidential~~

4 December 2012

Mr. Joel Wachtler
Director of Strategy and Business Development
Meteor Mobile Communications Ltd
1 Heuston South Quarter
St. Johns Road
Dublin 8

Multi-Band Spectrum Award - Notification of Lots retained for GSM purposes

Dear Mr Wachtler

I refer to the above matter and to your letter of 28 November 2012.

As you are aware, we wrote to you as principal Authorised Agent of Meteor Mobile Communications (MMC) on 20 November 2012 requesting that, by 28 November 2012, MMC identify which Lots it wishes to retain as part of its Existing GSM Licence. On the same day and further to ComReg's letter, ComReg received an email from William McCoubrey of MMC expressing a preference that MMC's liberalised 2 x 5MHz block in the 900 MHz band would "*sit in the middle of the 2x10MHz, i.e. upper half of block A and lower half of block B*".

The preference in this email would appear to conflict with some of the information contained in your subsequent letter of 28 November 2012. However, as your letter was issued following Mr. McCoubrey's email and in accordance with ComReg's request of 20 November 2012, ComReg will proceed on the basis of the clarification provided in your letter of 28 November 2012.

Yours sincerely

Dr. Samuel Ritchie

Cc William McCoubrey (by email)

98. ComReg: letter to MMC “End of Assignment Stage and Auction” (letter dated 5 December 2012)



BY HAND

5 December 2012

Mr. Joel Wachtler
Director of Strategy and Business Development
Meteor Mobile Communications Ltd
1 Heuston South Quarter
St. Johns Road
Dublin 8

End of the Assignment Stage and Auction

Dear Mr. Wachtler

I am writing to you in your capacity as principal Authorised Agent of Meteor Mobile Communications Limited.

As you will be aware, the two week Negotiation Phase, as provided for in Sections 3.6.2 and 4.5.10 of the Information Memorandum ("the IM"), has now ended. ComReg can confirm that, during this period, it was not notified of any agreement entered into pursuant to the Negotiation Phase.

In accordance with paragraph 3.142 of the IM, ComReg hereby notifies Meteor Mobile Communications Limited that as Bidders (and Existing GSM Licensees) have not come to an alternative configuration of frequency assignments, ComReg will rely on the results of the Assignment Round, as previously notified to you in accordance with paragraph 3.139 of the IM.

ComReg confirms that the Auction has now ended and, in accordance with paragraphs 4.238 and 4.240 of the IM, the results of the Auction are set out in Annex 1 below. Please note that, in accordance with paragraph 4.239 of the IM, ComReg will make these results public in due course.

Finally, ComReg will shortly be writing to you in relation to your entitlement to apply for a Liberalised Use Licence and a Preparatory Licence in accordance with the results of the Auction and the provisions of the Notification and Grant Stage as set out in section 3.7 of the IM.

Yours sincerely,



Dr Samuel Ritchie



Annex 1: Results of the Auction

The 800 MHz band

	Meteor Mobile Communications Ltd.	Telefonica Ireland Ltd.	Vodafone Ireland Ltd.
Time Slice 1	800/1/A, 800/1/B	800/1/C, 800/1/D	800/1/E, 800/1/F
Time Slice 2	800/2/A, 800/2/B	800/2/C, 800/2/D	800/2/E, 800/2/F

The 900 MHz band

	Hutchison 3G Ireland Ltd.	Meteor Mobile Communications Ltd.	Telefonica Ireland Ltd.	Vodafone Ireland Ltd.
Time Slice 1	900/1/G	900/1/A,* 900/1/B	900/1/C, 900/1/D	900/1/E, 900/1/F
Time Slice 2	900/2/G	900/2/A, 900/2/B	900/2/C, 900/2/D	900/2/E, 900/2/F

* Lot 900/1/A is to be assigned to Meteor Mobile Communications Ltd. on a non-liberalised basis under the terms of its Existing GSM Licence and in line with the provisions of the IM.

The 1800 MHz band

	Hutchison 3G Ireland Ltd.	Meteor Mobile Communications Ltd.	Telefonica Ireland Ltd.	Vodafone Ireland Ltd.
Time Slice 1	1800/1/D, 1800/1/E	1800/1/L,** 1800/1/M,** 1800/1/N, 1800/1/O	1800/1/A,*** 1800/1/B,*** 1800/1/C***	1800/1/F, 1800/1/G, 1800/1/H
Time Slice 2	1800/2/I, 1800/2/J, 1800/2/K, 1800/2/L	1800/2/M, 1800/2/N, 1800/2/O,	1800/2/A, 1800/2/B, 1800/2/C	1800/2/D, 1800/2/E, 1800/2/F, 1800/2/G, 1800/2/H

** Lots 1800/1/L and 1800/1/M are to be assigned to Meteor Mobile Communications Ltd. on a non-liberalised basis under the terms of its Existing GSM Licence and in line with the provisions of the IM.

*** Lots 1800/1/A, 1800/1/B, 1800/1/C are to be assigned to Telefonica Ireland Ltd. on a non-liberalised basis under the terms of its Existing GSM Licence (expiry date of 31 December 2014) and in line with the provisions of the IM.



Breakdown of the Upfront Fee¹

	Hutchison 3G Ireland Ltd.	Meteor Mobile Communications Ltd.	Telefonica Ireland Ltd.	Vodafone Ireland Ltd.
Base Price	€51,137,000	€144,689,000	€124,634,000	€158,737,000
Additional Price – 800 MHz band	N/A	€0	€200,029	€200,029
Additional Price – 900 MHz band	€0	€0	€100,029	€1,895,294
Additional Price – 1800 MHz band	€0	€89,136	€0	€13,952
Total Upfront Fee	€51,137,000	€ 144,778,136	€ 124,934,058	€ 160,846,275

¹ Final Upfront Fees is contingent on: any Licence fee refunds or adjustments in respect of delayed commencement arising from Transition; Relocation Rebates; Early Liberalisation Rebates; and/or any Advanced Commencement fees due. These are detailed in the Information Memorandum. The amounts will be finalised over the course of the transition process.

99. ComReg: letter to MMC “Entitlement to apply for a Preparatory and a Liberalised Use Licence” (letter dated 18 December 2012)



Commission for
Communications Regulation
Coimisiún Um
Rialáil Cumarsáide

By Hand

18 December 2012

Mr. Joel Wachtler
Director of Strategy and Business Development
Meteor Mobile Communications Ltd
1 Heuston South Quarter
St. Johns Road
Dublin 8

Entitlement to apply for a Preparatory and a Liberalised Use Licence

Dear Mr. Wachtler

I am writing to you in your capacity as principal Authorised Agent of Meteor Mobile Communications Limited ('Meteor') further to my letter of 4 December 2012 concerning the end of the Assignment Stage and Auction.

In accordance with Regulation 4 of the Wireless Telegraphy (Liberalised Use and Preparatory Licences in the 800 MHz, 900 MHz and 1800 MHz Bands) Regulations 2012 (the "Regulations"), section 3.7 of the Information Memorandum ("IM") and the results of the Multi-Band Spectrum Award process (see Document 12/131¹), ComReg is now notifying you of Meteor's entitlement to apply for a Preparatory and a Liberalised Use Licence (as defined in the IM and the Regulations).

Meteor's entitlement to be granted a Licence is subject to its compliance with certain administrative obligations the most important of which are discussed below.

1. Payment of the Upfront Fee

In accordance with paragraph 3.148 of the IM, a Winning Bidder is required to pay the Upfront Fee prior to the receipt of a Preparatory or a Liberalised Use Licence.

As noted in ComReg's letter of 22 November 2012, Meteor's Upfront Fee has been paid in full to ComReg and this obligation has therefore been met by Meteor.

¹ Document 12/131, "Frequency Arrangements and Results of the Multi-Band Spectrum Award Process", Information Notice, published 5 December 2012.



2. The Preparatory Licence

Paragraphs 3.150 and 3.151 of the IM outline the notification and grant process associated with a Preparatory Licence.

In accordance with these provisions, ComReg has prepared an **Application Form for a Preparatory Licence** (see attached document) in order to collect the information necessary to populate a Winning Bidder's Preparatory Licence.

Should Meteor wish to obtain a Preparatory Licence, Meteor is first required to:

- submit a completed Application Form for a Preparatory Licence to ComReg; and
- pay the €100 fee for a Preparatory Licence.

Following receipt of the above, and noting that the Upfront Fee obligation has already been met, ComReg will proceed to grant a Preparatory Licence to Meteor.

Annex 1 of this letter explains a number of the specific details that ComReg intends to include in Meteor's Preparatory Licence should it apply for such a Licence.

3. The Liberalised Use Licence

Paragraphs 3.152 and 3.153 of the IM outline the notification and grant process associated with a Liberalised Use Licence.

In accordance with these provisions, and based on information currently available to ComReg in relation to the MBSA process:

- **Annex 2** sets out a number of details specific to a Winning Bidder's Liberalised Use Licence, and amongst other things, Annex 2:
 - explains how the commencement date and expiry date of a Liberalised Use Licence will be set;
 - sets out the specific details that ComReg intends to include in Part 1 of Meteor's Liberalised Use Licence;
 - sets out the commencement date and expiry date of Meteor's Liberalised Use Licence, noting that this commencement date could be brought forward should Meteor request Advanced Commencement for any of the Spectrum Blocks that are not required for Transition purposes (i.e. those Spectrum Blocks with a commencement date of 1 February 2013); and



- sets out the Spectrum Usage Fees (SUF) associated with SUF Period 1² of the Liberalised Use Licence noting that the SUFs associated with certain Spectrum Blocks will only be determined at a later stage, as the commencement date of these Spectrum Blocks is contingent upon finalisation and implementation of the Transition Project Plan (see, in this regard, section 3.8 of the IM); and
- ComReg has prepared an **Application Form for a Liberalised Use Licence** (see attached document) in order to collect the information necessary to populate a Winning Bidder's Liberalised Use Licence.

SUF for SUF Period 1

As mentioned above, Annex 2 sets out:

- specific details that ComReg intends to include in Part 1 of Meteor's Liberalised Use Licence (including the expected commencement date for each Spectrum Block); and
- the Spectrum Usage Fees (SUF) associated with SUF Period 1 of Meteor's Liberalised Use Licence.

As noted in Annex 2, ComReg is currently not in a position to set the commencement date for all Spectrum Blocks in Meteor's Liberalised Use Licence and, given this, ComReg is not in a position to issue a SUF invoice for all the Spectrum Blocks that will eventually be included in Meteor's Liberalised Use Licence. In that regard:

- for the Spectrum Blocks in Annex 2 with a commencement date of 1 February 2013, ComReg intends to send an invoice to Meteor in the coming days for the SUF associated with SUF Period 1 for these Spectrum Blocks. This invoice will be for €2,700,00.00 and will state that this fee will have to be paid prior to the commencement date of the Liberalised Use Licence (currently envisaged to be 1 February 2013); and
- for the Spectrum Blocks in Annex 2 with commencement dates yet to be determined (or "TBD") ComReg will write to Meteor in due course specifying the commencement date of these Spectrum Blocks in line with the finalisation and implementation of the Transition Project Plan and the SUF associated with SUF Period 1 for these Spectrum Blocks.

² Based upon a Licence Commencement Date of 1 February 2013, the first SUF period ('SUF Period 1') would be from 1 February 2013 to 31 January 2014.



Surrender/Amendment of an Existing GSM Licence

As set out in paragraph 3.152 of the IM, *“where an Existing GSM Licensee has been allocated Lots in Lots Categories 7, 8, 9 or 10 in the Award Process, or has obtained a Liberalised Use Licence with an advanced commencement date, the Existing GSM Licensee is required to amend or surrender the rights associated with its GSM Licence (whichever is appropriate) in line with the outcome of the Award Process.”*

As ComReg is currently in the process of finalising the Transition Project Plan for the 900 MHz and 1800 MHz bands, ComReg is not yet in a position to specify the dates for the amendment or surrender of Existing GSM Licences.

ComReg will write to the Existing GSM Licensees in due course on this matter.

Transition Process

ComReg is currently in the process of finalising a Transition Project Plan for the 900 MHz and 1800 MHz bands and, in this regard, ComReg notes that it recently received transition information from all the Winning Bidders.

ComReg will be writing to all Winning Bidders in due course on this matter with the aim of finalising a Transition Project Plan in January 2013.

All Winning Bidders have agreed to be bound by and to comply with the Transition Rules and are required to abide by the finalised Transition Project Plan. In that regard, ComReg has reserved the right to make a final and binding decision in relation to the Transition Project Plan and will take appropriate and effective measures to ensure that there is no undue delay in the availability of liberalised spectrum.

Advanced Commencement Method 2

As set out in paragraphs 2.31 and 2.32 of the IM, Advanced Commencement Method 2 is available to a Winning Bidder, should it wish to apply.

Refunds, Adjustments or Rebates

Please note that Refunds or Adjustments related to the Upfront Fee and Rebates in relation to Early Liberalisation and/or Relocation will be addressed in due course in accordance with the IM.



Process for applying for a Liberalised Use Licence

To apply for a Liberalised Use Licence, Meteor is required to:

- submit a completed Application Form for a Liberalised Use Licence to ComReg; and
- pay the SUFs amount as set out above (or as otherwise notified) in line with the payment date as specified on the invoice.

Following receipt of the above, and subject to Meteor's compliance with above obligations and the other obligations as set out in the IM, ComReg will proceed to grant a Liberalised Use Licence to Meteor.

Publication of the Liberalised Use Licence on ComReg's website

As set out in paragraph 3.155 of the IM, and as subsequently discussed in Document 12/73³ (see ComReg's answer to Q62 in particular), once a Liberalised Use Licence has been issued, ComReg will publish on its website the text of the Liberalised Use Licence⁴, and subsequent amendments to same, in accordance with ComReg's Guidelines on the treatment of confidential information (Document 05/24)⁵.

Subsequent amendments to a Liberalised Use Licence

ComReg is currently not in a position to finalise all details associated with Meteor's Liberalised Use Licence. ComReg will write to Meteor in due course on any outstanding items (e.g. commencement date of certain Spectrum Blocks, etc.) relating to Meteor's Liberalised Use Licence.

Yours Sincerely

Dr. Samuel Ritchie

³ Document 12/73, "Multi-band Spectrum Release: Questions & Answers and Clarifications", Information Notice, published 06 July 2012.

⁴ For the avoidance of doubt, this includes all Parts of the Liberalised Use Licence.

⁵ Document 05/24, "Guidelines on the treatment of confidential information", Response to Consultation and final text of Guidelines, published 22 March 2005



Annex 1: Preparatory Licence - specific details

The following explains a number of specific details that ComReg intends to include in a Winning Bidder's Preparatory Licence.

1. The **Commencement Date of the Preparatory Licence** will be the date that the Winning Bidder's Preparatory Licence is issued;
2. The **Commencement Date of each Authorised Band in Part 2 of the Preparatory Licence** will be the date that the Winning Bidder's Preparatory Licence is issued;
3. The **Expiry Date of each Authorised Band in Part 2 of the Preparatory Licence** will coincide with the earliest commencement date of spectrum rights in that Authorised Band in the Winning Bidder's Liberalised Use Licence (see Annex 2 for further details); and
4. The **Expiry Date of the Preparatory Licence** will coincide with the latest expiry date of an Authorised Band in Part 2 of the Winning Bidder's Preparatory Licence.

Based upon the results of the MBSA process as set out in Document 12/131 and the information currently available to ComReg, the following sets out the specific details that ComReg intends to include in Part 2 of Meteor's Preparatory Licence.

Part 2 of Meteor's Preparatory Licence

Authorised Band	Commencement Date	Expiry Date	Description of Apparatus
800 MHz	Same date as the Licence issue date	31 January 2013	Apparatus compliant with EC Decision 2010/267/EU as amended
900 MHz	Same date as the Licence issue date	To be determined (TBD) in line with the MBSA Transition Process	Apparatus compliant with EC Decision 2009/766/EC as amended
1800 MHz	Same date as the Licence issue date	31 January 2013	Apparatus compliant with EC Decision 2009/766/EC as amended



Annex 2: Liberalised Use Licence - specific details

The following explains a number of specific details that ComReg intends to include in a Winning Bidder's Liberalised Use Licence:

1. The **Commencement Date of the Liberalised Use Licence** will coincide with the earliest commencement date for a Spectrum Block as set out in Part 1 of the Winning Bidder's Liberalised Use Licence;
2. The **Uplink / Downlink Frequency Assigned to each Spectrum Block in Part 1 of the Liberalised Use Licence** will be set in accordance with the results of the MBSA process as set out in Document 12/131;
3. The **Commencement Date of each Spectrum Block in Part 1 of the Liberalised Use Licence** will be set in accordance with the results of the MBSA process as set out in Document 12/131 and the provisions of the IM which, amongst other things, note that the commencement date of Spectrum Blocks in Time Slice 1 may be delayed due to Transition issues or brought forward under the Advanced Commencement provisions;
4. The **Expiry Date of each Spectrum Block in Part 1 of the Liberalised Use Licence** will be set in accordance with the results of the MBSA process as set out in Document 12/131 and the provisions of the IM; and
5. The **Expiry Date of the Liberalised Use Licence** will be set to coincide with the latest expiry date for a Spectrum Block as set out in Part 1 of the Winning Bidder's Liberalised Use Licence.

Based upon the results of the MBSA process as set out in Document 12/131 and the information currently available to ComReg on the MBSA Transition process and in the absence of a request for Advanced Commencement, the following sets out:

- the specific details that ComReg intends to include in Part 1 of Meteor's Liberalised Use Licence;
- the expected commencement date and expiry date of Meteor's Liberalised Use Licence; and
- the Spectrum Usage Fees (SUF) for SUF Period 1 of Meteor's Liberalised Use Licence.



Part 1 of Meteor's Liberalised Use Licence

Authorised Band	Name of Spectrum Block	Uplink / Downlink Frequency Assigned to Spectrum Block	Commencement Date per Spectrum Block	Expiry Date per Spectrum Block
800 MHz	800/A	832.0 - 837.0 MHz 791.0 - 796.0 MHz	1 February 2013	12 July 2030
800 MHz	800/B	837.0 - 842.0 MHz 796.0 - 801.0 MHz	1 February 2013	12 July 2030
900 MHz	900/A	880.0 - 885.0 MHz 925.0 - 930.0 MHz	13 July 2015	12 July 2030
900 MHz	900/B	885.0 - 890.0 MHz 930.0 - 935.0 MHz	TBD in line with the MBSA Transition Process	12 July 2030
1800 MHz	1800/M	1770.0 - 1775.0 MHz 1865.0 - 1870.0 MHz	13 July 2015	12 July 2030
1800 MHz	1800/N	1775.0 - 1780.0 MHz 1870.0 - 1875.0 MHz	TBD in line with the MBSA Transition Process	12 July 2030
1800 MHz	1800/O	1780.0 - 1785.0 MHz 1875.0 - 1880.0 MHz	1 February 2013	12 July 2030

Based upon the above and subject to its compliance with its Licence obligations and obligations under the IM:

- the **commencement date of Meteor's Liberalised Use Licence** will be **1 February 2013**, although this date could be brought forward should Meteor request Advanced Commencement for any of the Spectrum Blocks that are not required for Transition purposes (i.e. those Spectrum Blocks with a commencement date of 1 February 2013); and
- the **expiry date of the Meteor's Liberalised Use Licence** will be **12 July 2030**.



Spectrum Usage Fees for SUF Period 1 of Meteor's Liberalised Use Licence

Based upon a Licence Commencement Date of 1 February 2013, the first SUF period ('SUF Period 1') associated with Meteor's Liberalised Use Licence is from 1 February 2013 to 31 January 2014.

The following sets out the SUFs associated with SUF Period 1 of Meteor's Liberalised Use Licence.

Name of Spectrum Block	Commencement Date per Spectrum Block	Expiry Date per Spectrum Block	Days in SUF Period 1	Base SUF Fee	CPI Adjust ment	Actual SUF Fee (Adjusted for CPI and duration of Spectrum Block in SUF period 1)
800/A	1 February 2013	12 July 2030	Full year	€1,080,000	0%	€1,080,000
800/B	1 February 2013	12 July 2030	Full Year	€1,080,000	0%	€1,080,000
900/B	TBD in line with the MBSA Transition Process	12 July 2030	TBD	€1,080,000	0%	TBD
1800/N	TBD in line with the MBSA Transition Process	12 July 2015	TBD	€540,000	0%	TBD
1800/O	1 February 2013	12 July 2015	Full Year	€540,000	0%	€540,000

Given the above:

- the SUFs associated with Spectrum Blocks 800/A, 800/B and 1800/O can be calculated now. The sum of these SUFs is **€2,700,000**; and
- the SUFs associated with Spectrum Blocks 900/B and 1800/N cannot be calculated at this time as the commencement date of these Spectrum Block are to be determined in line with the MBSA Transition Process.