



Commission for  
**Communications Regulation**

## Information Notice

### **Proposed Amendments to the eircom Ltd. FWPMA Narrowband Licence**

<b>Document No:</b>	<b>03/18</b>
<b>Date:</b>	<b>7 February 2003</b>

Contents

Introduction ..... 3

Background ..... 4

FWPMA Narrowband Licence Proposals ..... 5

Contact details ..... 6

Annex ..... 7

## Introduction

The Commission for Communications Regulation (ComReg) proposes, pursuant to Section 111(10)(a)(ii) of the Postal and Telecommunications Services Act 1983 (as amended), to amend Part 5 of the General Telecommunications Licence (FWPMA narrowband licence) currently held by eircom Ltd. (eircom). Details of the proposed amendments are set out in the Annex to this document and are being published in Iris Oifigiúil. Interested parties have 21 days from the date of that publication to make representations in relation to the proposals. The Commission will confirm or amend its original proposal following a review of any comments received.

This note gives details in respect of the proposed amendments to Part 5 of the eircom General Telecommunications Licence (FWPMA narrowband licence).

## Background

In June 2000, *eircom* Ltd (*eircom*) was awarded a national Fixed Wireless Point to Multipoint (FWPMA) Narrowband licence to provide narrowband service in the 2.0 - 2.3 GHz and 3.4 - 3.6 GHz frequency bands, following a licence competition held by the ODTR.

In 2001, the ODTR (now ComReg) initiated what became an extended review of these FWPMA licences and of the conditions attached to these licences. Following this review, it became apparent that some of the conditions in the licences were not being complied with.

*Eircom* requested ComReg to remove Centrex from the list of Required Services and the obligation to rollout a specific number of antenna sites from its FWPMA Narrowband Licence. In addition, *eircom* requested an amendment to the obligations in respect of population, geographic coverage, number of counties covered and performance guarantees.

Having considered the situation in detail in respect of the FWPMA licences, the guiding principles underlying the proposed changes have been determined in a proportionate manner within the framework of the licences.

In light of the above, the Commission now proposes to make the amendment set out in this notice.

## FWPMA Narrowband Licence Proposals

### **eircom Ltd.**

The Commission is proposing to make the following amendments to the Second Schedule to Part 5 of eircom Ltd's General Telecommunications Licence (FWPMA Narrowband Licence):

- To remove Centrex from the list of "Required Services" in Part I;
- To remove the obligation on eircom to rollout a specified number of antenna sites per year from Table 1, Part III "Coverage and Roll-Out Targets";
- To replace the geographical coverage obligations laid down for the years 2-7 with a single obligation in year 5 in Table 1, Part III "Coverage and Roll-Out Targets";
- To replace the population coverage obligations laid down for the years 2-10 with obligations in years 5, 8, 9 and 10 in Table 1, Part III "Coverage and Roll-Out Targets";
- To remove the obligations in respect of number of counties covered for the years 2, 3, 4, 6 and 7 in Table 1, Part III "Coverage and Roll-Out Targets", keeping the obligation in year 5 as per the original licence;
- To replace the financial guarantees for the years 2, 3 and 4 with financial guarantees for the years 5 and 8 in Table 1, Part V "Performance Guarantees".

The reasons for these proposed changes are as follows:

- The Centrex service is a service whereby the PABX function is provided by the telecommunications operator at its switch. Technological developments have overtaken this service and it is no longer provided by eircom.
- eircom has indicated that its coverage and service rollout commitments can be achieved by using fewer antenna sites/sectors than originally proposed. The Commission accepts this finding and considers that an obligation on eircom to provide unnecessary antenna sites is unreasonable.

## Contact details

Representations about the proposed amendments may be sent to:

**Ms. Sinead Devey**

Commission for Communications Regulation

Block DEF

Abbey Court

Irish Life Centre

Abbey Street

Dublin 1

Phone: (01) 8049621

Fax: (01) 8049671

Email: [fwpma@comreg.ie](mailto:fwpma@comreg.ie)

## Annex

<p><b><i>Proposed Part I, Second Schedule to Part 5 of eircom Ltd's General Telecommunications Licence (FWPMA Narrowband)</i></b></p>
---

### **Part I: Required Services**

- 1 The following services are deemed to be Required Services for the purposes of Condition 28.1 and shall be provided by the Licensee within two months of the Designated Commencement Date unless otherwise indicated:
  - **Voice** -All the same services as in the wired access network including:
    - PSTN:  
Customer lines, Domestic PSTN, IDD
    - Call Management Services:  
Call waiting, call diversion, three way calling, alarm/reminder calls, call answering/voicemail, caller display, caller ID restriction, call completion.
    - Number Translation Services:  
Freephone 1800, Callsave 1850, LoCall 1890, International freephone, Information services 1530 - 1580,
    - Operator Services:  
Operator assistance, directory enquiries, emergency services, special directory services.
    - Payphones
  - **Data:**
    - ISDN Basic Rate
    - Leased Lines (64 kbps, 128kbps from launch, and asymmetric 384 kbps within 11 months from the Designated Commencement Date)
    - Flexible Bandwidth
    - X25
    - Frame Relay (128 kbps from launch, and 384 kbps within 11 months from the Designated Commencement Date)

- IP Packet Services (speeds of 2Mbps within 28 months of the Designated Commencement Date)
  - **Managed Services**
    - Managed Data Services:  
Managed LAN service, LAN interconnect, managed CPE, managed Intranets and Extranets, Audioconferencing.
  - **Multimedia and Internet Services:**
    - Internet Access
    - Groupworking
    - E-Commerce, Web Advertising and Associated Services:
    - Web design, hosting, web site management, e-mail and messaging solutions, management information, transaction management and secure payment mechanisms.
    - Content Services
  - **Other Services:**
    - Real time file sharing, remote access to corporate networks, off-net access to corporate VPNs.
- 2 Notwithstanding the above, where the Licensee can demonstrate, to the satisfaction of the Director, that it is not technologically feasible to provide a particular Required Service within the permitted timescale, the Licensee may, at the discretion of the Director and for a time period specified by the Director, delay the provision of that service.
- 3 Where in the opinion of the Licensee, a Required Service becomes obsolete due, in particular, to technical and market changes, the Director, following a request from the Licensee and where the Director considers it appropriate to do so, may modify the list of the Required Services.



***Proposed Part III, Second Schedule to Part 5 of eircom Ltd's General Telecommunications Licence (FWPMA Narrowband)***

**Part III: Coverage and Roll-Out Targets**

1. At minimum, the Licensee shall provide Coverage and service roll-out of the FWPMA Network in accordance with the schedule in Table 1 below.

**Table 1 : Coverage and Roll-out**

<b>End year<sup>1</sup></b>	<b>1</b>	<b>5</b>	<b>8</b>	<b>9</b>	<b>10</b>
<b>Geographical Coverage<sup>2</sup></b>	19%	35%	44%	44%	44%
<b>Population Coverage</b>	25%	70%	70%	70%	70%
<b>Counties Covered (area &gt; 400 km<sup>2</sup>)</b>	11	25	25	25	25

**2. Acquisition and Development of New Sites**

- (a) The Licensee shall only develop new sites where no suitable sites are in the ownership of the Licensee or are reasonably available to the Licensee from other organisations on a commercial basis.
- (b) Notwithstanding paragraph (a), the Licensee shall ensure that not more than seven of the total number of antenna sites are greenfield sites acquired and developed by the Licensee for the purposes of installing antennas for the provision of the Required Services.

**3. Modifications**

The Director, following a request from the Licensee and where the Director considers it appropriate to do so, may modify the obligations contained in this Part III.

<sup>1</sup> End year 1 shall mean 16 months from the Designated Commencement Date, with each end year thereafter increasing in 12 monthly increments up to end year 9. End year 10 shall mean 120 months from the Designated Commencement Date.

<sup>2</sup> Assessment of compliance by the Director with the Coverage specified in Table 1 shall be made using a typical customer antenna and a typical customer receiver (as included in a standard subscription) at 7metres above ground level or such other means as may be specified by the Director from time to time.

***Proposed Table 1, Part V, Second Schedule to Part 5 of eircom Ltd's General Telecommunications Licence (FWPMA Narrowband)***

**Table 1: Performance Targets and Financial Guarantees (Launch Date and Roll-out)**

Performance Target	Financial Guarantees	Maximum Financial Commitment
<p><b>Launch Date:</b>            Within 2 months of the Designated Commencement Date:            1 base Station available and capable of providing a basic rate ISDN service to customers</p>	£500,000 for non compliance on promised date plus an additional £100,000 per month of non-compliance up to a maximum of 5 months	£1 million
<p><b>Roll-out: - Population Coverage</b></p> <ol style="list-style-type: none"> <li>1. 15% of population covered within 8 months of the Launch Date</li> <li>2. 25% of population covered within 14 months of the Launch Date</li> <li>3. 70% of population covered within 62 months of Launch Date</li> <li>4. 70% of population covered within 98 months of Launch Date</li> </ol>	<p>£60,000 for non-compliance on promised date plus an additional £60,000 per month of non compliance up to a maximum of 4 months thereafter.</p> <p>£60,000 for non-compliance on promised date plus an additional £60,000 per month of non compliance up to a maximum of 4 months thereafter.</p> <p>£225,000 for non-compliance on due date plus an additional £225,000 for non compliance 4 months thereafter.</p> <p>£225,000 for non-compliance on due date plus an additional £225,000 for non compliance 4 months thereafter.</p>	<p>£300,000</p> <p>£300,000</p> <p>£450,000</p> <p>£450,000</p>

<b>Roll-Out – Geographical Coverage</b>		
1. 11% Geographic Coverage within 8 months of the Launch Date	£60,000 for non-compliance on promised date plus an additional £60,000 per month of non compliance up to a maximum of 4 months thereafter.	£300,000
2. 19% Geographic Coverage within 14 months of the Launch Date	£60,000 for non-compliance on promised date plus an additional £60,000 per month of non compliance up to a maximum of 4 months thereafter.	£300,000
3. 35% Geographic Coverage within 62 months of Launch Date	£225,000 for non-compliance on due date plus an additional £225,000 for non compliance 4 months thereafter.	£450,000
4. 44% Geographic Coverage within 98 months of Launch Date	£225,000 for non-compliance on due date plus an additional £225,000 for non compliance 4 months thereafter.	£450,000