

Office of the Director of
**Telecommunications
Regulation**

Telecommunications Licence Applications

Consultation Paper

Document No. ODTR 98/37

September 1998

Oifig an Stiúirthóra Rialála Teileachumarsáide
Office of the Director of Telecommunications Regulation
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Introduction

The Director of Telecommunications Regulation (“the Director”) has recently undertaken a consultation on telecommunications licensing principles¹ that will be applied to the telecommunications market once liberalisation occurs on December 1st 1998. As part of that consultation process, the Director indicated that she proposes to implement straight-forward licence application procedures for the new liberalised telecommunications market. Comments received during the consultation supported this approach.

This document outlines the procedures which the Director intends to put in place for the submission of applications for telecommunications licences, the evaluation of those applications and the granting of licences. The proposed procedures are designed to be easy to use, clear and light handed while at the same time ensuring that the Director has adequate and appropriate information on which to base decisions in relation to the applications. The data requested is the minimum necessary for the Director to make informed decisions on applications with provisions for requests for further information where necessary.

It is currently proposed that separate application forms be used for each class of licence available. It is noted that, given the modular approach to licensing which has been proposed, a single application form could be used with different sections devoted to each class. Comments on this as well as all other aspects of the procedures are welcome. Draft texts of application forms are attached to this consultation paper. These are not fully complete and cannot be finalised until the consultation on draft licence terms and conditions is in train. However, the types of information which the Director will seek is clearly set out in the draft forms for comment.

Given the close relationship between various elements of the overall liberalisation consultation process, it is important to note that while referring to proposed licence conditions and the role of significant market power in the licensing regime, this document does not address these two issues in any detail. Specific papers will be published on those matters shortly.

There remain a number of other important issues which require clarification such as the access rights which should be afforded simple resellers as noted in the ODTR report on the consultation process in relation to Telecommunications Licensing Principles².

This is not a legal document; the Director is not bound by this document and may amend it from time to time. This document is without prejudice to the legal position or the rights and duties of the Director to regulate the market generally.

Structure of the Paper

This paper is structured as follows:

- Section 3 details the consultation procedure;
- Section 4 briefly describes the legal framework within which licences will be granted;
- Section 5 sets out the scope and type of licences in accordance with the licensing principles paper; Comments on the scope, type and framework of the licences are more appropriate to other elements of the consultation process and are presented here primarily for information.

¹ Telecoms Licensing Principles Consultation Paper, ODTR 98/21 and Telecoms Licensing Principles; Report on Consultation Process, 98/31R

² ODTR 98/31R

- Section 6 sets out proposed application procedures; Respondents are requested to comment on this section of the paper as it will form the basis for guidelines to applicants in submitting applications.
- Appendix 1 presents a draft declaration form for a Basic Telecommunications Service Provider Licence – Class 1
- Appendix 2 presents a draft application form for a Basic Telecommunications Service Provider Licence – Class 2 (includes use of numbers)
- Appendix 3 presents a draft application form for a Telecommunications Operator Licence – Class 3 and should be used by class 3 and class 4 operators.

Respondents are requested to comment on the proposed format of application forms as set out in the appendix, including the proposal to use individual colour coded forms for each licence type, as well as the types of information requested in the application forms.

Consultation procedures and timetable

The consultation period will run from Tuesday September 8th to Tuesday September 22nd 1998. Written comments should be submitted before 5.00 p.m. on September 22nd 1998 to:

Maeve O'Reilly
The Office of the Director of Telecommunications Regulation
Abbey Court
Irish Life Centre
Lower Abbey Street
Dublin 1

The Director regrets that a longer period could not be made available for comment. The Director appreciates the responses of interested parties to a range of elements of the consultation process to date and looks forward to receiving responses to this paper notwithstanding the short timeframe. The Director intends to issue her response to the consultation by the end of September.

To guide industry the following indicative timetable for further consultations in the area of licensing is given.

- A response paper to the consultation on Significant Market Power in telecommunications will be published in early to mid-September.
- Draft pro-forma licences will be available for comment in mid-September. Comments will be due early October. Final pro forma licences will be published in mid October.
- Licence applications are currently expected to be due at the end of October with awards being made by 1 December.

The timetable for numbering allocation will be separately notified and will take account of the need to have a provisional allocation prior to licence award. This will allow planning to commence. Spectrum allocation procedures will also be notified as appropriate.

Legal Framework

The legislation governing licensing of telecommunications networks and services provides for:

- (a) licensing of the following services / networks under Section 111(2) of the 1983 Act: public telecommunications networks; voice telephony services; mobile and personal communications services; mobile and personal communications systems; any other network, service or system which requires the allocation to users of numbers from the national numbering resource; and
- (b) licensing under Section 111(3) of all telecommunications services and networks other than those which are listed in Section 111(2) of the 1983 Act or which come within the scope of the exemptions provided for in Section 4A of the Telegraph Act 1869³.

As indicated in the ODTR document "Telecommunications Licensing Principles: Report on the Consultation"⁴ services, networks or systems of the types specified in Section 4A of the 1869 Act will not require to be licensed under Section 111 of the 1983 Act. Among the exemptions provided for in Section 4A are services and networks provided and maintained by a person solely for his own use. As a guiding principle a telecommunications service will fall to be licensed if it is provided to the public. This is a complex area. For example certain telecommunications services to be provided to the public might comprise elements of services or networks delivered by different parts of a multi-faceted entity. In such instances the Director will examine applications on a case by case basis.

Networks and services using radio-based infrastructure, whether licensed under Section 111 of the 1983 Act or exempted under Section 4A of the 1869 Act, will require to be licensed under the Wireless Telegraphy Act 1926.

Scope and Types of licences available

Classes of Licences for Operators and Service Providers

Four classes of operator or service providers were identified in the ODTR report on the consultation process on Telecommunications Licensing Principles.⁵ These categories form the basis of the Director's proposed licensing structure. The licences will form modular building blocks. Hence a class 2 licence will include all of the conditions in a class 1 licence, plus some conditions specific to class 2. A class 3 licence will include all conditions of a class 2 licence plus some additional conditions specific to class 3. Finally, a class 4 licence will include all class 3 conditions plus conditions specific to operators which have been designated as having Significant Market Power. The Director is at present considering the possibility within the licensing framework of differentiating between class 4 operators so that not all published class 4 conditions would apply to all class 4 operators.

Table 5.1 below sets out the four classes, describes the services or activities which are covered in each class and references the relevant application form for each class of licence.

³ As inserted by Regulation 5 of the European Communities (Telecommunications Infrastructure) Regulations 1997, SI 338 of 1997

⁴ See 2 above

⁵ ODTR/31R

Class	Type of service provider / operator	Licence Type and Application Form
1	Entities providing telecommunications services to the public, not requiring access to spectrum or numbers and not intending to build infrastructure	Basic Telecommunications Service Provider Licence – Class 1 (see appendix 1)
2	Entities providing telecommunications services to the public, requiring numbers but not intending to build infrastructure and hence not needing access to spectrum or rights of access to land.	Basic Telecommunications Service Provider Licence – Class 2 (see appendix 2)
3	Entities building telecommunications networks for the provision of telecommunications services to the public (including any third party) and hence potentially needing access to numbers and spectrum and also needing to avail of rights of access to land	Telecommunications Operator Licence – Class 3 (see appendix 3)
4	Entities in class 3 having significant market power (SMP) in all or part of a relevant telecommunications market.	Telecommunications Operator Licence – Class 4 (see appendix 3)

Table 5.1

In addition some operators will be designated as having Universal Service Obligations (USO).

Licence terms and conditions will relate to the operations and requirements of the licensee. Similarly, the information required from licensees will relate to the class of licence requested. Applicants for class 1 licences will be required to provide minimum information only whereas applicants for class 3 / 4 licences will be required to provide more detailed information.

Given the definition of what constitutes a class 4 operator it is likely that it will only be on introduction of full liberalisation that any operator will be required to apply for grant of a Class 4 licence. A new operator starting in the Irish market will be unlikely to have SMP and consequently may be expected to apply for a class 1, 2 or 3 licence. Thereafter movement by a licensee into class 4 will depend on that licensee meeting the criteria for designation of SMP (which will be dealt with in the forthcoming consultation paper on SMP and the consultation paper on licence conditions). Upon designation of a licensee as an SMP and therefore a class 4 operator the relevant SMP conditions of a licence will be triggered and will bind the licensee in question. Additional class 4 conditions may also be introduced by way of licence amendment. Such licence amendment will, in accordance with the relevant legislation, involve a consultation period.

Licence Fee

Under the Licensing Directive licence fees must be related to the administrative costs of licensing. This will be achieved by a once off licence fee payable with the application for the relevant licence.

It is proposed to have two application fees. One fee level will apply to class 1 and 2 licences equally. A different fee level will apply to class 3 and 4 licences. Information on the licence fee levels will be published shortly.

The Application Process

Timing

Following consideration of responses received to this Consultation Paper final declaration and application forms for licences will be published in early October. Guidelines on the procedures to be followed in submitting declarations and applications will be issued with each form. This will be based on the information contained in this Consultation Paper, tailored where appropriate to take account of comments received in the course of this consultation.

Draft pro-forma licences and conditions will be available for comment in mid-September, with comments due by the beginning of October. Final terms and conditions will be published by mid October.

Declarations / applications for licences under Sections 111(2) and (3) of the 1983 Act will be accepted from 27 October – by which time the SMP status of companies will have been notified to them by the Director. Forms received by close of business on 30 October will be considered for licence award on 1 December 1998. Declarations / applications received after 30 October are unlikely to be processed until after 1 December.

No application will be considered until the relevant licence fee has been paid.

Telecommunications licences which have already been granted under Section 111 will, in accordance with their terms, remain valid until 30 June 1999. Holders of such licences who wish to continue their authorisation after 30 June 1999 will be required to reapply for licences under the new licensing regime and to pay the relevant licensing fee when submitting the new application. Such applications may be submitted at any time after 27 October 1998 – licensees are not required to wait until 30 June 1999 to reapply. If an existing licensee wishes to apply before 30 June 1999 for a telecommunications licence under the proposed new licensing regime he/it will be required to relinquish his/its existing licence.

Licence Applications

The proposal is to have separate application forms for each of the different classes of licence and that these will be colour coded and assigned individual reference numbers for ease of use.

The following licences will be granted under Section 111(3):

- Class 1 – Basic Telecommunications Service Provider Licence

Licences granted under Section 111(2) will be as follows:

- Class 2 – Basic Telecommunications Service Provider Licence where numbers are required
- Class 3 – Telecommunications Operator Licence

Licences under Section 111(3); Class 1 Basic Telecommunications Service Provider Licence

The proposed declaration procedure for licences under Section 111(3) of the 1983 Act is as follows:

- i. Applicant to submit declaration form duly completed and appropriate licence fee. The Director will confirm receipt of the licence fee and that she will hold same on behalf of the Applicant pending consideration of the declaration.
- ii. An indication of the types of information which a licence Applicant will be required to furnish to the Director is set out the draft form attached at Annex 1.

The Director may request further information from an Applicant if in her opinion the form submitted has not been completed properly or for the purposes of confirming that the service

concerned is of a type which is properly licensable under Section 111(3). If it is necessary to request further information licence award may be delayed.

- iii. The conditions with which the licensee will be required to comply will be attached to the form together with a declaration which the licensee will be required to sign confirming the accuracy of the information furnished and that it will at all times comply with the conditions set by the Director as varied from time to time in accordance with relevant legislation. Further information on the proposed conditions will be available in a consultation paper which will be published in mid-September.
- iv. The Director will evaluate the application/declaration with a view to confirming that the service to which it applies is of a type which is licensable under Section 111(3) of the 1983 Act and that the form has been properly completed and the appropriate licence fee paid.
- v. If any form is submitted which is incomplete or which relates to a service of a type which is not licensable under Section 111 of the 1983 Act the Director shall notify the Applicant accordingly within 4 weeks of submission of the original completed form.
- vi. If the Director is satisfied that the form submitted to her relates to a service which is properly licensable under Section 111(3) and has been completed in full she will acknowledge receipt of thereof and confirm that the person is licensed to provide the service outlined subject to the conditions applicable to that licence.
- vii. Provided the relevant licence fee has been paid, an Applicant will be entitled to exercise the rights conferred by the relevant licence under Section 111(3) on the earliest of:
 - receipt of confirmation of the licence from the Director
 - if no written objection or request for further information is issued by the Director in relation to the declaration within four weeks of its submission, on expiry of such four week period
 - where the Applicant has been notified that the form is incomplete or unsatisfactory to the Director, on expiry of the four week period commencing on the date on which all required information and satisfactory declaration are furnished to the Director.
- viii. Notice of grant of the licence to an Applicant and details of the name, address and telephone number of a designated contact in Ireland will be made available to the public by the Director.

Licences under Section 111(2); Class 2 Basic Telecommunications Service Provider Licence (requiring numbers) and Class 3 Telecommunications Operator Licence

It is proposed that applicants for licences under Section 111(2) of the 1983 Act be required to follow the procedure set out below:

- i. Applicant to submit application form duly completed and appropriate licence fee.
- ii. A draft of the form of application currently proposed by the Director is attached at Annex 2. This sets out the types of information to be furnished to the Director when applying for a licence under Section 111(2). It should be noted that, if in the Director's reasonable opinion the information provided in a licence application is insufficient to support the application further information may be sought and award of any licence to the Applicant may be delayed.
- iii. The Director will review applications received with a view to confirming that
 - the application is in due form and has been properly and fully completed
 - the service / network falls within the licence type applied for
 - the Applicant is not disqualified from holding the licence concerned
 - the appropriate fee has been paid.

- iv. If the Director is satisfied with regard to each of the above she will proceed to evaluate the application (see vii below).
- v. If the Director considers that the application form has not been properly completed she shall so notify the Applicant and request that the application form be resubmitted with the additional information required.
- vi. If the Director considers that, having regard to the considerations referred to above it is not appropriate for a licence to be issued to the Applicant, she shall notify the Applicant of her proposal to refuse grant of the licence and shall follow the procedures set out in Section 111(10) of the 1983 Act.
- vii. In evaluating an application for a licence under Section 111(2) the Director will be concerned to ensure that there are no grounds to doubt that:
 - the proposed service is lawful and consistent with international obligations and EU and national law
 - the Applicant has the necessary financial, managerial and technical resources to operate the proposed service
 - the proposed service will meet the requirements and the Applicant will comply with the terms and conditions for a Section 111(2) licence set out in the form of licence published and with any additional conditions which the Director may consider appropriate having regard to relevant legislation
 - any spectrum allocated will be used efficiently and will not interfere with other services / networks
 - in the case of a telecommunications network, it is designed to assure quality and availability of service.
- viii. The Director will notify the Applicant of her decision in relation to grant of a licence within six weeks of submission of the licence application or, if later, of any additional information requested by the Director. Notice of the decision of the Director to grant the licence will be made available to the public.

Where the Director has decided to grant a licence the form of licence will issue with the decision of the Director or as soon as may be thereafter. In the case of licence applications submitted by 30 October 1998 which are accepted by the Director it is intended that the relevant licence will issue on 1 December 1998.

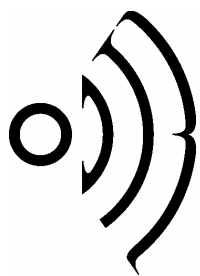
- ix. In the event that the Director decides to refuse to grant a licence the procedures set out in Section 111(10) of the 1983 Act will be followed.

6.5 Other licence application procedures

From time to time and where objectively justifiable the Director may hold a competition for award of a licence for example to ensure efficient use of scarce resources such as spectrum. If a competition is held the Director will at that time specify the application procedures to be followed by participants in the competition.

The Director also reserves the right to consult with the public prior to grant of a licence to any Applicant with SMP and may in this regard vary the application procedure outlined above to allow for such consultation.

ENDS/



Office of the Director of
**Telecommunications
Regulation**

**DRAFT Declaration form for a
Basic Telecommunications
Service Provider Licence – Class 1**

**under section 111(3) of
the Postal and Telecommunications Services Act, 1983 as amended**

Document No.: ODTR 98/XX

Oifig an Stiúirthóra Rialála Teileachumarsáide
Office of the Director of Telecommunications Regulation
Abbey Court, Irish Life Centre Lower Abbey Street, Dublin 1.
Telephone +353-1-804 9600 *Fax* +353-1-804 9680 *Web:*
www.odtr.ie

Note for the guidance of Applicants for a Basic Telecommunications Service Provider Licence - Class 1

This application form is in three parts:

Part I specifies the conditions of the Basic Telecommunications Service Provider Licence - Class 1. Licensees are required to comply with these conditions following award of the licence.

Part II specifies the information which the Applicant must provide on the form. All questions in this part must be completed in type or block letters.

Part III is a declaration which must be signed:

- (i) In the case of an **individual**, by the person in whose name the application is made.
- (ii) In the case of a **partnership**, by each of the partners.
- (iii) In the case of a **company or other body corporate**, by a director, company secretary or other authorised officer.
- (iv) In the case of a **co-operative or other body**, by the secretary of the co-operative or other body.
- (v) Where the Applicant is located overseas, the application must include an address for service of process and any other notice in Ireland.

The completed application form must be accompanied by a fee of IR£ _____ payable to the Director of Telecommunications Regulation.

Part I: Licence Conditions

To be inserted following a separate consultation on licence conditions . Conditions will include, but not be limited to those relating to:

- Duration and renewal
- Suspension and revocation
- Amendment
- Compliance

Part II: Information Required from Applicant

(please complete fully in type or block letters)

1. Contact Details

1.1 Name and business address of Applicant:

1.2 Designated Contact Person: _____

1.3 Telephone Number: _____

1.4 Fax Number: _____

1.5 E-mail Address (if available): _____

2. Business Details

2.1 If the Applicant is a company, partnership, co-operative or other body please give the name(s) and private address(es) of each of the current directors, company secretary, partners or members of the committee of management:

Name	Address
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

2.2 Name under which Applicant proposes to trade, and registered office address if different to above:

2.3 In the case of a company or other body corporate please supply the company's registered number. If not incorporated in Ireland, please provide any registration number which the Companies Registration Office in Ireland may have issued.

2.4 Address in Ireland for service of process or other notices (in case of overseas Applicant)

3. Service Details

3.1 Please provide the following information (on separate annexed A4 sheets):

- (a) Description of each proposed service and targeted customer base.
- (b) A separate schematic diagram for each proposed service showing the routing of the services through telecommunications networks.

4. Transition Measures

4.1 This application is made in accordance with Section 111(3) of the Postal and Telecommunications Services Act, 1983 as amended.

4.2 Does the Applicant currently hold a licence to provide the services specified in this application form (please tick)?

Yes:

No:

4.3 Please provide details of the licence currently held

4.4 Please confirm that the Applicant will relinquish the currently held licence on issue of a licence on foot of this application.

Part III: Declaration

(To be signed in accordance with the notes for the guidance of Applicants for a Basic Telecommunications Service Provider Licence – Class 1.)

On behalf of the Applicant, I declare that:

- (a) The Applicant shall at all times comply in every respect with the Class 1 conditions attached to this form as the same are modified from time to time; and
- (b) the information provided by me on behalf of the Applicant is accurate and complete in all respects.

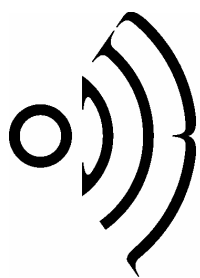
Signed:

Full name(s) of Signatory(ies):

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Position held (where Applicant is a company, co-operative or other body corporate):

Date: _____



Office of the Director of
**Telecommunications
Regulation**

**DRAFT Application for
Basic Telecommunications
Service Provider Licence – Class 2**

**under section 111(2) of
the Postal and Telecommunications Services Act, 1983 as amended**

Document No.: ODTR 98/XX

Oifig an Stiúirthóra Rialála Teileachumarsáide
Office of the Director of Telecommunications Regulation
Abbey Court, Irish Life Centre Lower Abbey Street, Dublin 1.
Telephone +353-1-804 9600 *Fax* +353-1-804 9680 *Web:*
www.odtr.ie

Note for the guidance of Applicants for a Basic Telecommunications Service Provider Licence - Class 2

This application form is in three parts:

Part I specifies the conditions of the Basic Telecommunications Service Provider Licence - Class

1. Licensees are required to comply with these conditions following award of the licence.

Part II specifies the information which the Applicant must provide on the form. All questions in this part must be completed in type or block letters.

Part III is a declaration which must be signed:

- (i) In the case of an **individual**, by the person in whose name the application is made.
- (ii) In the case of a **partnership**, by each of the partners.
- (iii) In the case of a **company or other body corporate**, by a director, company secretary or other authorised officer.
- (iv) In the case of a **co-operative or other body**, by the secretary of the co-operative or other body.
- (v) Where the Applicant is located overseas, the application must include an address for service of process or other notice in Ireland.

The completed application form must be accompanied by a fee of IR£ _____ payable to the Director of Telecommunications Regulation.

Applications for numbers must be made separately under procedures to be established by the Director in the context of the numbering consultation carried out by this Office. These will be published in the near future.

Part I: Licence Conditions

To be inserted following a separate consultation on licence conditions (see section xx of this consultation document). Conditions will include, but not be limited to those relating to:

- Duration and renewal
- Suspension and revocation
- Amendment
- Compliance

Part II: Information Required from Applicant

(please complete fully in type or block letters)

1. Contact Details

1.1 Name and business address of Applicant:

1.2 Designated Contact Person: _____

1.3 Telephone Number: _____

1.4 Fax Number: _____

1.5 E-mail Address (if available): _____

2. Business Details

2.1 If the Applicant is a company, partnership, co-operative or other body please give the name(s) and private address(es) of each of the current directors, company secretary, partners or members of the committee of management:

Name	Address
_____	_____
_____	_____
_____	_____
_____	_____

2.2 Name under which Applicant proposes to trade and address of registered office if different to _____ above:

2.3 In the case of a company or other body corporate please supply the company's registered number. If not incorporated in Ireland, please provide any registration number which the Companies Registration Office in Ireland may have issued.

2.4 Address in Ireland for service of process and other notices (in case of overseas Applicant)

3. Service Details

3.1 Please provide the following information (on separate annexed A4 sheets):

(a) Description of each proposed service and targeted customer base.

(b) A separate schematic diagram for each proposed service showing the routing of the services through telecommunications networks.

3.2 Has the Applicant applied to the ODTR for an allocation of numbers (please tick):

Yes:

No:

3.3 If yes, please attach a copy of the application for numbers. In no, please indicate any plans to apply for a numbering allocation.

4. Transition Measures

4.1 This application is made in accordance with Section 111(2) of the Postal and Telecommunications Services Act, 1983 as amended.

4.2 Does the Applicant currently hold a licence to provide the services specified in this application form (please tick)?

Yes:

No:

4.3 Please provide details of the licence currently held

4.4 Please confirm that the Applicant will relinquish the currently held licence on issue of a licence on foot of this application.

Part III: Declaration

(To be signed in accordance with the notes for the guidance of Applicants for a Basic Telecommunications Service Provider Licence – Class 1.)

On behalf of the Applicant, I declare that:

- (a) The Applicant shall at all times comply in every respect with the Class 2 conditions attached to any licence that may be awarded to the Applicant as the same may be modified from time to time; and
- (b) the information provided by me on behalf of the Applicant is accurate and complete in all respects.

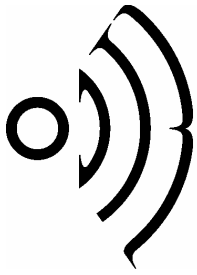
Signed:

Full name(s) of Signatory(ies):

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Position held (where Applicant is a company, co-operative or other body corporate):

Date: _____



Office of the Director of
**Telecommunications
Regulation**

DRAFT Application for a Telecommunications Operators Licence – Class 3

**Under section 111(2) of
the Postal and Telecommunications Services Act, 1983 as amended**

Document No.: ODTR 98/XX

Oifig an Stiúirthóra Rialála Teileachumarsáide
Office of the Director of Telecommunications Regulation
Abbey Court, Irish Life Centre Lower Abbey Street, Dublin 1.
Telephone +353-1-804 9600 Fax +353-1-804 9680 Web: www.odtr.ie

Note for the guidance of Applicants for a Telecommunications Operator's Licence - Class 3

This application form is in three parts. All parts of the application form must be completed in type or block letters.

Part I should be completed by all Applicants.

Part II should be completed by any Applicant which has received a notification from the Director that the Applicant has Significant Market Power on a relevant telecommunications market.

Part III is a declaration which must be signed:

- (i) In the case of an **individual**, by the person in whose name the application is made.
- (ii) In the case of a **partnership**, by each of the partners.
- (iii) In the case of a **company or other body corporate**, by a director, company secretary or other authorised officer.
- (iv) In the case of a **co-operative or other body**, by the secretary of the co-operative or other body.
- (v) Where the Applicant is located overseas, the application must include an address for services in Ireland.

The completed application form must be accompanied by a fee of IR£_____ payable to the Director of Telecommunications Regulation.

Applications for numbers must be made separately under procedures to be established by the Director in the context of the numbering consultation carried out by this Office. These will be published in the near future.

Where up-to-date information requested in this form has already been provided to the ODTR in another forum, a reference to that information or a copy of same may be provided.

Part I – Information to be Provided by All Applicants

1. Contact Details

1.1 Name and business address of Applicant:

1.2 Designated Contact Person: _____

1.3 Telephone Number: _____

1.4 Fax Number: _____

1.5 E-mail Address (if available): _____

2. Business Details

2.1 If the Applicant is a company, partnership, co-operative or other body please give the name(s) and private address(es) of each of the current directors, company secretary, partners or members of the committee of management:

Name	Address
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

2.2 Name under which Applicant proposes to trade, and registered office address if different to above:

2.3 In the case of a company or other body corporate please supply the company's registered number. If not incorporated in Ireland, please supply any registration number which the Companies Registration Office in Ireland may have issued.

2.4 Address in Ireland for service of process and other notices (in case of overseas Applicant)

3. Service and Business Information

3.1 Please provide the following information (on separate annexed A4 sheets):

- (a) Description of each proposed service and targeted customer base.
- (b) A separate schematic diagram for each proposed service showing the routing of the services through telecommunications networks.

3.2 Please provide details of directory information services offered to the public and other operators

3.3 Please provide details of any public call boxes offered or intended to be offered and the arrangements for the display of call charge information.

3.4 Please provide details of emergency services to be offered by the Applicant.

3.5 Please provide details of quality of service targets supported by the Applicant.

3.6 Please provide a high level business plan. The plan should outline any major assumptions used and should cover a period between five and ten years. The information provided should include:

- sources of funding, debt levels, equity and independent confirmation as appropriate;
- audited accounts if available;
- balance sheet if available or projected balance sheet;
- profit and loss account if available or projected profit and loss accounts;
- cash flow projections;
- market forecasts.

3.7 Has the Applicant applied to the ODTR for an allocation of numbers (please tick):

Yes:

No:

3.9 If yes, please attach a copy of the application for numbers. In no, please indicate any plans to apply for a numbering allocation.

4. Network Information

4.1 Please provide a summary of the infrastructure the Applicant already has in place or is planning to put in place within the next three years, including radio based infrastructure.

4.2 If the Applicant is **already** using radio frequency spectrum, please provide details of the Wireless Telegraphy licences held including the number of licences and the reference number of each licence.

4.3 If the Applicant is **planning** to use radio frequency spectrum, please indicate whether an application has been submitted for Wireless Telegraphy licences and provide details (copies may be enclosed if preferred).

4.4 Please indicate the steps the Applicant is taking to ensure the orderly and efficient use of such spectrum (this information may be provided as a separate annex).

5. Transition Measures

5.1 This application is made in accordance with Section 111(2) of the Postal and Telecommunications Services Act, 1983 as amended.

5.2 Does the Applicant currently hold a licence to provide the services specified in this application form (please tick)?

Yes:

No:

5.3 Please provide details of the licence currently held

5.4 Please confirm that the Applicant will relinquish the currently held licence on issue of a licence on foot of this application.

Part II – Information to be Provided by Applicants who have been designated by the Director as having Significant Market Power.

6. Information on Service Offerings and Charges

- 6.1 Please provide a copy of a Reference Interconnection Offer published by the Applicant.
- 6.2 Please provide details of any other special wholesale terms on which facilities and services will be made available to providers of services having no interconnecting networks.
- 6.3 Please provide details of the products and services provided by the Applicant and the terms on which they are available.
- 6.4 Please provide details of the cost accounting system to be adopted by the Applicant in order to allow unbundling of interconnection charges and the calculation of component costs.
- 6.5 Please provide details of any other trading activities of the Applicant in and outside the telecommunications market and arrangements made to ensure no cross-subsidisation between the Applicant's:
 - Wholesale and retail activities;
 - Telecommunications and non-telecommunications activities
 - Telecommunications equipment production or supply and other telecommunications activities.
- 6.6 Please provide details of current and proposed offerings of leased lines and the terms of the leases.
- 6.7 Please provide details of current and proposed arrangements for the rental, maintenance and repair of terminal equipment.

7. Information relating to Customer Service

- 7.1 Please provide details of current contracts with all classes of customers (please provide copies).
- 7.2 Please provide details of measures adopted by the Applicant for the effective and fair resolution of complaints made by customers and other operators who are customers of the Applicant.
- 7.3 Please provide details of measures adopted by the Applicant to ensure transparent publication of all terms of conditions including charges for services.
- 7.4 Please provide details of any Code of Practice for ensuring fair marketing practices, especially in the context of comparisons with service offerings of other service providers, linked sales and trial services (please provide copies).

7.5 Please provide details of any Code of Practice in relation to customers including withdrawal of service from customers (please provide copies).

8. General Information

8.1 Please provide details of current and proposed arrangements for ensuring adherence to EU and Irish legislative measures for the protection of personal data.

8.2 Please provide details of any other current or proposed arrangements for ensuring compliance with EU and Irish legislative measures in relation to telecommunications.

Part III: Declaration

(To be signed in accordance with the notes for the guidance of Applicants for a Basic Telecommunications Operator Licence – Class 3.)

On behalf of the Applicant, I hereby declare that:

- (a) The Applicant shall at all times comply in every respect with the conditions attached to any licence that may be awarded to the Applicant as the same may be modified from time to time; and
- (b) the information provided by me on behalf of the Applicant is accurate and complete in all respects.

Signed:

Full name(s) of Signatory(ies):

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Position held (where Applicant is a company, co-operative or other body corporate):

Date: _____