



Commission for  
**Communications Regulation**

# **Third Party Business Radio Re-opening the scheme for licensing**

## **Consultation**

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**An Coimisiún um Rialáil Cumarsáide  
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# 1 Background

- 1 The Commission for Communications (“ComReg”) established the Third Party Business Radio (“TPBR”) licensing scheme in 2005, following a public consultation. The TPBR scheme provides the business radio community with a versatile service offering that can be tailored by licensees to meet the short term or longer term needs of individual users as these evolve over time. Unlike traditional business radio licences, TPBR licences allow licensees to provide business radio services to third parties throughout the State, without them requiring an individual licence for each specific geographic site or each third party user.
- 2 All TPBR licences to date have been issued under the *Wireless Telegraphy (Third Party Business Radio Licence) Regulations 2005*<sup>1</sup> which amongst other things provides that TPBR licences shall be of five years duration and shall then expire.
- 3 In 2010, prior to the expiry of the first TPBR licences, ComReg re-opened the TPBR scheme in order to grant new licences, to run for a further five year period.
- 4 During the period December 2010 to December 2011, ComReg issued 31 TPBR licences to 11 different operators. All current TBPR licences (listed in Tables 1 and 2 below) will have expired by the end of 2016 and they will not be extended or renewed.
- 5 ComReg is now consulting on a proposal to again re-open the TPBR scheme in accordance with its functions, objectives, powers and duties relating to management of spectrum as mainly set out in the Communications Regulation Act 2002, the Electronic Communities (Electronic Communications Networks) (Framework) Regulations<sup>2</sup>, the Electronic Communities (Electronic Communications Networks) (Authorisation) Regulations 2011<sup>3</sup>, and the Wireless Telegraphy Acts 1926-2009.

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<sup>1</sup> S.I. 646 of 2005

<sup>2</sup> S. I. 333/ 2011

<sup>3</sup> S. I. 335/ 2011

## 2 Proposed Spectrum Arrangements

- 6 In 2010, ComReg made 20 VHF High Band and 34 UHF High Band channels - each of a bandwidth of 12.5 kHz – available for TPBR licences. Each channel was comprised of paired frequencies which could be used in either single frequency or dual frequency mode.

### 2.1 VHF Spectrum

- 7 To date, just five of the 20 VHF channels have been assigned to four different licensees, as indicated in Table 1 below. In the original TPBR licensing period, 2005 - 2010, only four of the 20 VHF channels were ever assigned. Given this low level of demand for VHF Channels, ComReg proposes that it would not continue to reserve 2 x 250 kHz of spectrum in the VHF band for the proposed renewed TPBR scheme. ComReg instead proposes to reduce the number of VHF Channels to a maximum of ten (i.e. 2 x 12.5 kHz of spectrum, or channels TBV-01 to TBV-10, inclusive).

Ch ID	BTX	BRX	Licensee Name	Licence Expiry Date
TBV-01	165.5875	170.3875	BP Multipage	05-01-2016
TBV-02	165.3625	170.1625	BP Multipage	05-01-2016
TBV-03	166.1000	170.9000	RSP	05-01-2016
TBV-04	166.3625	171.1625	DAL Electronics	07-03-2016
TBV-05	166.3875	171.1875	EMR	19-12-2015
TBV-06	166.4125	171.2125		
TBV-07	166.4625	171.2625		
TBV-08	166.4750	171.2750		
TBV-09	166.5375	171.3375		
TBV-10	165.1875	169.9875		

**Table 1: Proposed VHF spectrum assignments**

Q. 1 Do you agree with ComReg’s proposal to reduce the number of VHF channels for TPBR from 20 to 10? Please give reasons for your answer.

### 2.2 UHF Spectrum

- 8 In the UHF band, 26 of the 34 available 2 x 12.5 kHz channels have been assigned to 11 different TPBR licensees, as shown in Table 2 below.

Ch ID	BTX	BRX	Licensee Name	Licence Expiry Date
TBU-01	454.2000	468.2000	BP Multipage	05-01-2016

TBU-02	454.2125	468.2125	BP Multipage	05-01-2016
TBU-03	454.3250	468.3250	RSP	05-01-2016
TBU-04	454.3375	468.3375	RSP	05-01-2016
TBU-05	454.3875	468.3875	Kestrel Comms	05-01-2016
TBU-06	454.4000	468.4000	Kestrel Comms	05-01-2016
TBU-07	454.4500	468.4500	EMR	05-01-2016
TBU-08	454.6750	468.6750	EMR	05-01-2016
TBU-09	454.6875	468.6875	Mongey	09-01-2016
TBU-10	454.9375	468.9375	Mongey	09-01-2016
TBU-11	454.9500	468.9500	Mobile Radio Links	05-01-2016
TBU-12	454.9625	468.9625	Mobile Radio Links	05-01-2016
TBU-13	454.9875	468.9875	DAL Electronics	07-03-2016
TBU-14	457.7750	463.2750	Universal	25-04-2016
TBU-15	457.8000	463.3000	Universal	25-04-2016
TBU-16	457.8125	463.3125	EMR	19-07-2016
TBU-17	457.8875	463.3875	EMR	19-07-2016
TBU-18	457.9000	463.4000		
TBU-19	457.9125	463.4125	EMCA	06-12-2016
TBU-20	457.9250	463.4250		
TBU-21	457.9375	463.4375	Cully Automation	19-12-2015
TBU-22	458.0125	463.5125		
TBU-23	458.0250	463.5250	RSP	19-12-2015
TBU-24	458.0375	463.5375	EMR	19-12-2015
TBU-25	458.0500	463.5500	BP Multipage	20-12-2015
TBU-26	458.0750	463.5750	BP Multipage	20-12-2015
TBU-27	458.0875	463.5875	Cully Automation	04-01-2016
TBU-28	458.1875	463.6875	Mobile Radio Links	21-12-2015
TBU-29	458.2000	463.7000		
TBU-30	458.2125	463.7125		
TBU-31	458.4000	463.9000		

TBU-32	458.4125	463.9125		
TBU-33	458.4250	463.9250	Apex Radio Systems Ltd	27-06-2016
TBU-34	458.4375	463.9375		

**Table 2: UHF spectrum assignments**

9 ComReg has received a number of enquiries from parties interested in such spectrum rights of use and since the TPBR scheme was last closed. ComReg is of the view that additional channels in the UHF band could be made available for new TPBR licences, if demand as indicated should, under a new TPBR scheme, exceed supply. In this regard, a number of additional channels in the UHF band, adjacent to existing channels, have been identified as suitable for TPBR. ComReg has identified 10 additional channels as set out in Table 3 below, that it proposes to assign under its proposed new TPBR licensing scheme, should demand for licences exceed supply.

Ch ID	TX (MHz)	RX (MHz)
Ch. 68	453.8375	460.3375
Ch. 69	453.85	460.35
Ch. 70	453.8625	460.3625
Ch. 71	453.875	460.375
Ch. 72	453.8875	460.3875
Ch. 73	453.9	460.4
Ch. 74	453.9125	460.4215
Ch. 75	453.925	460.425
Ch. 78	453.9625	460.4625
Ch. 80	453.9875	460.4875

**Table 3: Proposed additional UHF channels**

Q. 2 Do you agree with ComReg’s proposal to make an additional 10 UHF channels available for TPBR licensing should demand for spectrum exceed supply?  
Please provide reasons for your answer.

## 3 Award Process

- 10 ComReg proposes that all TPBR licences would continue to be granted pursuant to the Wireless Telegraphy (Third Party Business Radio Licence) Regulations 2005 on a “first come, first served” basis as per Guidelines Document 05/82R2. If the demand for TPBR licences should exceed supply, the guidelines provide for the drawing of lots.
- 11 To facilitate any transition period that a current TPBR licensee may require, between the expiry of an existing 5-year licence and the coming into effect of a new 5-year licence, ComReg proposes that it would accept applications from all interested parties for TPBR licences, for all channels that are currently licensed, one month prior to the licence expiry date (as indicated in Tables 1 and 2 above). ComReg would endeavour, where possible, to assign the same channels to existing TPBR licensees.
- 12 If the demand for channels should exceed supply, then, as in previous awards for this licensing regime, channels will be assigned via the drawing of lots.
- 13 In order to minimise the potential for disruption to the services of the customers of existing TPBR licensees ComReg proposes that in circumstances where it is appropriate and necessary to draw lots, successful incumbent TPBR licensees would be re-assigned its existing channel. This would enable the TPBR licensee to continue to provide services to its existing clients without the requirement to retune to an alternative frequency channel.
- 14 With regard to the currently unassigned TPBR channels, ComReg would not accept applications for licences in these channels prior to November 2015. This would provide interested parties with sufficient time to prepare their licence applications, following the conclusion of this consultation process and the publication of the revised Application form 05/82aR3 and Guidelines document 05/82R3. ComReg would publish the exact application date in the revised Guidelines document.

Q. 3 Do you agree with ComReg’s proposals for the application process for the granting of new TPBR licences? Please provide reasons for your answer.



- 15 The large number of unused TPBR channels in the UHF and VHF bands indicates that the supply of TPBR licences exceeds demand, which in turn suggests that the availability of TPBR licences is not acting as a barrier to entry in the provision of TPBR services, nor is it otherwise restricting competition in the provision of TPBR services. ComReg is therefore of the preliminary view that there is no objective justification for limiting: (a) the number of TPBR licences which can be granted to any one applicant; or (b) the number of channels which can be assigned in any one TPBR licence

Q. 4 Do you agree with ComReg's proposal not to impose a cap on the amount of spectrum/number of licences that can be awarded / granted to any one applicant? Please provide reasons for your answer.

- 16 ComReg proposes to grant 5-year TPBR licences until all available channels have been assigned or until 31 December 2017 - whichever comes first. ComReg further proposes that the TPBR scheme would close at midnight on 31 December 2017. ComReg considers that should ensure that all TPBR licences would terminate within a clearly defined period which would enable ComReg to assess the scheme and consider whether to renew it, in the same or some altered form. This would include proper consideration of any technological developments or regulatory changes that may arise in the interim.

Q. 5 Do you agree with ComReg's proposal to close the TPBR licensing scheme once all the channels are assigned or until 31 December 2017? Please provide reasons for your answer.

## 4 Submitting Comments

- 17 The consultation period will run for period of 4 weeks commencing **1 July 2015** and closing **29 July 2015**.
- 18 Responses must be submitted in written form. If responses are submitted electronically, they must also be unprotected so as to facilitate online publication. In submitting any response, please also set out your reasoning and all supporting information for any views expressed.
- 19 Finally, it is sometimes necessary for respondents to provide confidential information in their submissions. Confidential information must be clearly identified as such. ComReg will publish all of the responses it receives to this consultation, subject to its guidelines on the treatment of confidential information<sup>4</sup>.
- 20 All responses to this consultation should be clearly marked:- **“Submission re: ComReg 15/63”** and sent by post or e-mail to arrive on or before 5pm on **29 July 2015** to:

Licensing Operations  
Commission for Communications Regulation  
Irish Life Centre  
Abbey Street  
Freepost  
Dublin 1  
Ireland

Ph: +353-1-8049600  
Email: Licensing@comreg.ie

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<sup>4</sup> See Document 05/24 at <http://www.comreg.ie/fileupload/publications/ComReg0524.pdf>

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