



Commission for
Communications Regulation



ANNUAL REPORT 2010



Encouraging
innovation

Promoting
competition

Protecting
consumers

Mission Statement

ComReg's mission is to promote competition, foster innovation, and provide appropriate protection, for the benefit of all users of communications services.

Presented to the Minister for Communications, Energy and Natural Resources in accordance with Section 32 of the Communications Regulation Act, 2002.

About ComReg

Commissioners	4
Executive Management Team	4
Organisational structure and Roles	5
Chairperson's Review	8

The Communications Sector at a glance	11
Competition	16
Consumers	19
Innovation and Spectrum Management	23
Radio Spectrum Licensing	31
Numbering, Naming and Addressing	33
Postal Regulation	35
International Affairs	39
Corporate Affairs	41
Financial Statements	44
Appendix 1: List of documents published by ComReg during the year	66

Commissioners



Alex Chisholm
Chairperson



Mike Byrne
Commissioner



John Doherty
Commissioner

Executive Management Team



George Merrigan
Director
Market Framework Division



Donal Leavy
Director
Wholesale Division



Shay O'Malley
Director
Retail & Consumer Services Division



Yvonne White
Director
Corporate Services Division



Patrick Kenny
Senior Economic Advisor



Paolo Palmigiano
General Counsel

ComReg is the statutory body responsible for the regulation of the electronic communications (telecommunications, radio communications and broadcasting), postal and premium rate services. ComReg is the national regulatory authority for these sectors in accordance with EU and Irish Law. In addition we manage the radio frequency spectrum and the national numbering resource among other responsibilities.

The Commission for Communications Regulation (ComReg) was established on December 1, 2002. ComReg is currently led by three Commissioners, John Doherty, Mike Byrne and Alex Chisholm (Chairperson). ComReg operates as a collegiate body, with decisions being taken collectively by the Commissioners. We see this as important in fulfilling the spirit of the Communications Regulation Act 2002, which established the Commission. ComReg consists of four Divisions supported by a General Counsel and a Senior Economic Advisor. The structure is based on cross-functional teams operating in a multi-disciplinary environment.

ComReg is responsible for promoting competition, protecting consumers and for encouraging innovation. We deal in complex issues of law, economics and technology, and aim to ensure that our decisions are clearly explained.

Our objectives are set out in line with both primary and secondary legislation and this legislative framework continues to evolve. In 2007, ComReg's responsibilities and powers, as well as available enforcement measures, were augmented by the Communications Regulation (Amendment) Act 2007. In particular, ComReg was granted Competition Act powers in relation to electronic communications

and services. In June 2009, the Minister for Communications, Energy and Natural Resources published legislation to transfer responsibility for the regulation of premium rate services to ComReg and the Act was signed on 16 March 2010. Following a period of preparation, ComReg commenced regulation of this area in July 2010.

Our telecommunications networks and services remit now includes:

- Traditional telephone systems;
- Mobile networks providing voice and data services;
- Radio communications, including fixed wireless, providing a variety of services;
- Traditional television and radio transmission;
- Cable Television;
- MMDS and deflector operations providing TV services;
- Test and Trial licence schemes;
- Licensing Framework for Satellite Services in Ireland;
- Premium Rate Services.

ComReg enables competition in the communications sector by facilitating market entry through a general authorisation to provide networks and services, and by regulating access to networks so as to develop effective choice for businesses and residential consumers. In a rapidly evolving sector, both in technological and commercial terms, ComReg provides the framework for the introduction of a range of new services including, for example, Next Generation Networks, 3G services Fixed Wireless Access Local Area (FWALA) and a Test and Trial Licence Scheme.

Under Section 10 and Section 12 of the Communications Regulation Act 2002, ComReg has a range of functions and objectives in relation to the provision of electronic communications networks, electronic communications services and post.

These include:

- Ensuring compliance with obligations;
- Promoting competition;
- Contributing to the development of the internal market;
- Promoting the interests of users within the European Community;
- Ensuring the efficient management and use of the radio frequency spectrum and numbers from the national numbering scheme;
- Promoting the development of the postal sector and, in particular, the availability of a universal service.

The focus of regulation for the postal service in the partly-liberalised market has been the maintenance of the Universal Service Obligation (USO) and in ensuring that An Post's prices are geared to cost. ComReg is also responsible for overseeing improvements in quality of service by setting targets for the delivery of mail and monitoring the quality of service performance against the targets set, in accordance with European standards.

Our activities focus on business and residential communications users and operators. This Annual Report covers our key activities from July 2009 to the end of June 2010 and is structured to deal with ComReg's activities in relation to all of the areas set out above.

Key contact details:

The Commissioners' Office

Commissioner Alex Chisholm (Chairperson)

Commissioner Mike Byrne

Commissioner John Doherty

Marie Cussen

Executive Assistant to the Commission

Tel: 01 8049689

Colette Andrews

Assistant to the Commission

Tel: 01 8049644

The ComReg Divisions and their Directors are:

Market Framework - Director: George Merrigan

Market Framework is responsible for managing the radio spectrum. It also oversees the general authorisation regime for the electronic communications sector in Ireland and monitors compliance with general authorisation conditions. Furthermore, it is responsible for the regulation of the Postal Sector. Market Framework manages radio spectrum and issues approximately 16,000 Wireless Telegraphy licences to various companies and individuals. In addition, Market Framework administers Ireland's National Numbering Plan, as well as providing the framework for new regulatory requirements for both fixed and wireless markets.

Contact: Sinéad Devey,
Divisional Assistant at 01 8049621

Wholesale Division - Director: Donal Leavy

The Wholesale Division handles all issues concerning the regulation of the wholesale telecommunications market including such matters as interconnection, dispute resolution, unbundling the local loop and the pricing of regulated wholesale products. This Division also has a role in relation to broadband deployment and next generation networks. Wholesale has responsibility for telecoms compliance. This Division also has responsibility for the regulatory financial aspects of the telecoms sector.

Contact: Claire Kelly,
Divisional Assistant at 01 8049710

Retail and Consumer Services Division – Director: Shay O'Malley

The Retail and Consumer Services Division handles policy in relation to consumers' interaction directly with sellers of services. This includes areas such as the universal service provision of telecoms access, consumer rights and some elements of retail pricing. It is also responsible for ComReg's interaction with EU institutions, including the Body of European Regulators of Electronic Communications. Retail and

Consumer Services is responsible for the monitoring of the quality of service and price control of the Emergency Call Answering Service (ECAS). From July 12 2010, this Division has been responsible for the regulation of premium rate services.

Contact: Michelle Townshend,
Divisional Assistant at 01 8049654

Corporate Services Division – Director: Yvonne White

This Division develops and implements leading-edge corporate affairs and communications strategies designed to enhance organisational performance and effectiveness. It is responsible for the human resources, finance, information systems, freedom of information, public relations, and general facilities management functions and strategic management for the organisation.

Contact: Sharon Ward,
Divisional Assistant at 01 8049720

General Counsel: Paolo Palmigiano

The General Counsel advises on all major legal matters and on the legal implications of communications policies in Ireland and the EU.

Contact: Colette Andrews,
Assistant to the Commission at 01 8049644

Senior Economic Advisor: Patrick Kenny

The Senior Economic Advisor is responsible for providing economic advice to the Commission.

Contact: Colette Andrews,
Assistant to the Commission at 01 8049644



Alex Chisholm Chairperson

The period of this report has been a very challenging and demanding one for the electronic communications sector as businesses and consumers weathered the effects of the recession. Growth in Ireland's population and housing stock has slowed. Emigration has increased, while immigration has fallen and the number of people unemployed exceeded 13%. Nonetheless, Ireland's electronic communications sector will play a crucial role in our journey to economic recovery and we, at ComReg, continue to play our part in enabling growth.

It has been an eventful year. Demand for broadband and mobile services has continued to increase over the last year, demonstrating the popularity of these technologies with Irish consumers and businesses. In addition, the importance of cable as an alternative provider of fixed telephony, broadband and television continued to grow.

There has been continued consolidation in the sector as Imagine acquired Clearwire Ireland and Ripplecom took over Ice Broadband. There has also been a high level of innovation in the market as a number of operators launched new and improved services to consumers and businesses, including Imagine's new WiMax offer, Eircom's 'Next Generation' broadband service, BT's 'etherflow' and more advanced cable broadband offerings.



Broadband

Broadband take-up has continued to buck the recessionary trend and by the end of the year there were over 1.5 million subscribers using broadband technologies in Ireland. Ireland's broadband take-up grew by 16.9% during the year to June 2010 and the strongest take-up was seen in mobile broadband technologies with 40% growth. Cable technologies grew strongly by 39.3%. The Digital Subscriber Line (DSL) platform also grew and now represents 48% of all broadband subscriptions.

ComReg has been working with other stakeholders in Government and industry to further develop and enhance Next Generation Broadband. Through its regulatory approach, ComReg has supported cross-platform competition, investment and innovation. The National Broadband Scheme, developed by the Department of Communications, Energy and Natural Resources, and operated by Hutchison 3G Ireland, is delivering broadband services to up to 234,000 homes.



Mobile

By the end of June of this financial year, there were over 5 million mobile phone subscribers, giving Ireland a mobile penetration rate of 115%. Average Revenue Per User (ARPU) has fallen by €4.56 to €34.74. It is also clear that consumers are being more careful when it comes to spending on mobile phone services, as average monthly spend has fallen from €40.68 to €36.20. There is now more choice and competition in the mobile market, with five mobile phone networks and three mobile virtual network operators offering services to consumers.



Consumer activities

Protecting and informing consumers is one of the cornerstones of ComReg's legislative mandate. Informed consumers are a key element in driving

competition in the electronic communications and postal sectors. ComReg provides a wide range of information to consumers to protect their rights and ensure they have the fullest possible information prior to choosing a communications service provider.

In March 2010, ComReg unveiled a new business information portal on its consumer website www.askcomreg.ie with the specific purpose of providing information about electronic communications services to small businesses and small office/home office consumers.

With regard to specific consumer protection activities in the period under review, in December 2009, ComReg notified Eircom of its opinion that it had not complied with its obligation to achieve, and fully comply with, specified quality of service performance targets in respect of its provision of the universal service for the period 1 July 2008 to 30 June 2009.

In parallel, ComReg and Eircom engaged in a dialogue, resulting in an approach with respect to the provision of universal service in the State that is both forward-looking and comprehensive in scope. Eircom established a Quality of Service Performance Improvement Programme (USO) for the annual performance periods 2010/2011 and 2011/2012, with associated annual performance bonds (to the amount of €10m). In addition, Eircom has estimated that it will make an annual investment of over €30m in 2010/2011 and 2011/2012. In June 2010, ComReg designated Eircom as the Universal Service Provider for a period of two years, until the end of June 2012.



Spectrum and Innovation

Managing and developing Ireland's radio spectrum for the benefit of Irish business and society is one of ComReg's key tasks. In December 2009, ComReg published its proposals for liberalisation of the 900 MHz and 1800 MHz GSM bands. It is expected that this spectrum will be auctioned in 2011.

In this context, ComReg also conducted a review of the future availability of digital dividend spectrum

in the UHF band and it is clear from the responses received to this consultation that this resource is highly valued from both a social and a financial perspective.

During the year ComReg issued 25 Test and Trial licences to a range of diverse organisations to facilitate the testing of a wide range of technologies. In particular, ComReg facilitated Ericsson by permitting it to conduct the first real life test of Long Term Evolution (LTE) or 4th generation mobile phone technology in Ireland. This testing proved the capability of this technology as a provider of high-speed broadband services which can support high-bandwidth services such as high-definition TV.



Postal

As the regulator of the postal sector, ComReg continued its preparation for the full liberalisation of the postal market in 2011. A central element of this market opening is to ensure that all business and residential consumers, wherever they live in the State, have access to a guaranteed range of letter and parcel services at affordable prices. ComReg will also continue to engage with An Post to ensure it achieves a next-day delivery standard of 94% for single piece priority mail. While An Post has made progress towards this target, it has not yet achieved it.



Corporate

In July 2010, ComReg published its most recent Strategy Statement for the next two years. It sets out our strategy for the electronic communications sector and for our organisation. We continue to strive to be a centre of excellence and are cognisant at all times of the need for sound stewardship in relation to the limited resources available to us. We have also implemented a wide range of initiatives to improve efficiency and effectiveness within the organisation over the last number of years. During the period of this report ComReg has reduced its administrative costs by approximately 20% by continuing to reduce

costs and overheads, and by developing smarter ways to do business, facilitated by technology

Looking ahead, ComReg will fulfil its new responsibilities for premium-rate services, new statutory provisions for the postal market, and new functions and powers following on from the transposition of the revised European Regulatory Framework. ComReg operates in a changing policy and legislative context for what remains a highly dynamic market. ComReg will work with all of its stakeholders in order to strengthen competition within the sectors it regulates so that consumers are the ultimate beneficiaries of greater choice, higher quality services and keen prices. We will continue to use all the powers available to us to the benefit of users of communication services, which are fundamental to how we live and work.

Overview

- As the Irish economy continued to experience major recession, the Irish communications market saw a continued fall in overall revenues as consumers sought to reduce their household bills and businesses cut costs. The electronic communications sector generated an estimated €3.9bn in revenue on an annualised basis to the end of June 2010, a fall of 5.7% since June 2009. At the end of the period the fixed line sector (including broadband) made up 51% of this market, while mobile revenues accounted for 44%. The broadcasting market made up the remaining share of 5%.
- The mobile penetration rate was at 115% by the end of June 2010.
- According to Central Statistics Office data, Ireland's Gross National Product at the end of Q2 2010 was approximately €134.6 billion. Based on Q1 data submitted to ComReg, the revenues reported by operators in the Irish communications sector represented approximately 2.8% of total GNP. This proportion has grown over the last two years, indicating that while overall GNP has shrunk, the communications sector has remained relatively healthy.
- The market continued to see some consolidation in 2010. Notable examples in the period include Digiweb's acquisition of Smart Telecom and Ripplecom's acquisition of fixed wireless provider Ice Broadband. Two new operators, Postfone and Just Mobile, also entered the mobile market as Mobile Virtual Network Operators (MVNO) in the summer of 2010.
- There was a continued strong focus by both policy makers and industry players on the future needs of consumers with regard to broadband and next-generation access networks. An industry federation group (TIF) produced a report on Next Generation Access, in which it arrived at an estimated cost of between €1bn and €2.5bn for a national Fibre to the Home network. Eircom announced a €20m (FTTH) trial in 2011 to approximately 10,000 homes and businesses, delivering theoretical speeds of up to 150Mb. UPC continued to upgrade its cable network in Ireland via its Fibre Power initiative, using DOCSIS 3.0 to deliver speeds in excess of 100Mb per second, while DSL and fibre providers such as Eircom, Vodafone and Magnet offered a range of high-speed services. Consumer appetite for mobile data continued to grow very strongly, particularly with the introduction of new smartphones.
- Broadband penetration continued to grow, although the rate of increase slowed. By June 2010 there were over 1.5 million broadband connections up from 1.3 million in June 2009, a growth rate of 16.9%. Corresponding growth in the year to June 2009 was 23.7%. Mobile broadband comprised around 33% of total broadband subscriptions compared with 28%, 12 months previously.
- Adoption of digital TV services continued to grow strongly and by June 2010 around 69% of all households with a TV had a digital service over cable or satellite TV networks. The launch of a Digital Terrestrial Television service by RTE in October 2010, coupled with strong marketing by TV providers such as Sky and UPC, will help drive increased digital TV penetration in the next 12 months.

Number of Operators

Under the authorisations process, operators in Ireland notify ComReg of their intention to provide networks or services to third parties. By June 2010, 468 such notifications were registered by ComReg.

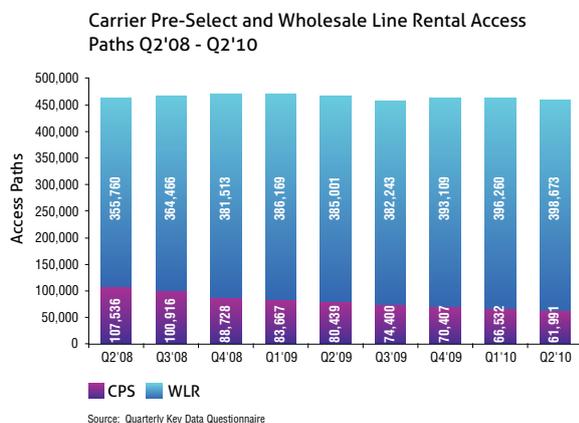
Fixed Market Share

Based on operator data submitted via the Quarterly Report questionnaire, Other Authorised Operators (OAOs) accounted for 33% of the total fixed line market in terms of revenue by June 2010.¹

Fixed CPS and WLR

Indirect access to fixed line networks for call services can be provided through Carrier Pre Selection (CPS), where the call services are provided by an operator using the incumbent operator's network. The customer pays line rental to the latter. Through Wholesale Line Rental (WLR) an operator can provide single billing to the consumer for both their fixed line rental and fixed calls. By the end of June 2010, WLR accounted for 86.5% of lines provided via indirect access, up from 83% at the end of June 2009, and there were 461,664 indirect access paths, down slightly since June 2009. According to a residential survey² commissioned by ComReg in December 2009-January 2010, the average bi-monthly spend on fixed line telephony was €79.47, down from €96.07 12 months previously.

Figure 1.1: Indirect Access: CPS and WLR



1 Based on a combined share of interconnect, retail narrowband, leased lines & managed data, broadband and other fixed revenue streams.
 2 Millward Brown Lansdowne survey available at http://www.comreg.ie/_fileupload/publications/ComReg1022.pdf

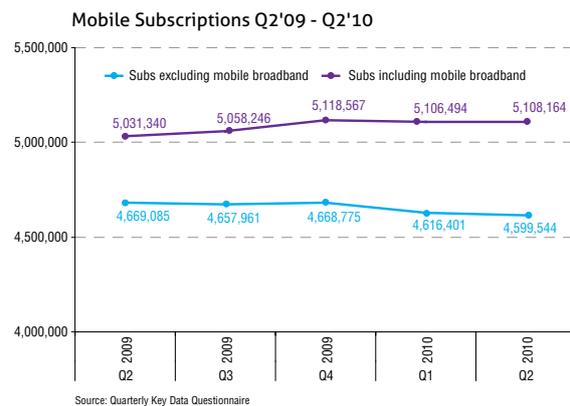
Fixed Telecom Access Paths

There were 1.91 million direct and indirect PSTN and ISDN access paths in the Irish market in Q2 2010, a small decline since June 2009. Indirect access using Wholesale Line rental or CPS accounts for 24.1% of all access paths in the fixed market. The number of unbundled access paths was 22,042 by the end of June 2010.

Mobile

At the end of June 2010 there were just over 5 million subscriptions to mobile communications services in Ireland, which translates to a penetration rate of 115%. The EU average for the same period was 126%.

Figure 1.2: Mobile Penetration Rate, 2009-2010



Growth in volumes of text messaging, while still high, slowed during this period. In the last quarter to the end of June 2010, the average Irish mobile subscriber sent an average of 198 messages per month compared with an average of 194 messages per month in Q2 2009.

Average Minutes of Use per mobile subscriber in Ireland increased however from 232 minutes per month in June 2009 to 249 minutes per month by June 2010. This figure excludes usage of data services such as text messaging.

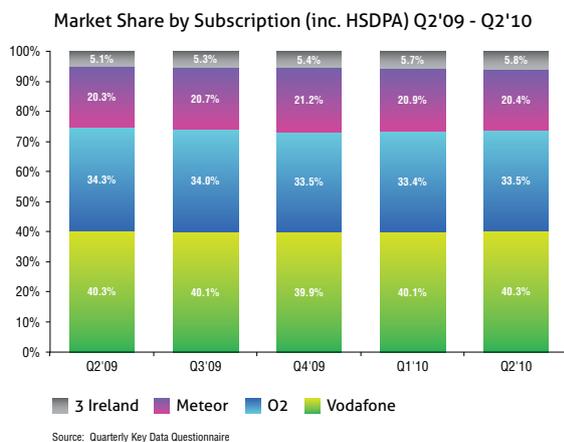
The Yankee Group estimates that in Ireland Average Revenue Per User (ARPU) was €34.74 in June 2010,

down from €39.30 in June 2009. ComReg also carried out residential surveys during the course of the year and findings show that the average monthly spend on mobile services by residential consumers was around €36.20, down from €40.68 in 2009³

Mobile Market Share

Meteor Ireland and 3 Ireland increased their market shares of subscriptions (including mobile broadband subscriptions) to 20.4% and 5.8% by the end of June 2010. Vodafone Ireland and O2 continued to retain the largest share of the mobile market. It should also be noted that while Tesco Mobile and Eircom Mobile entered the market in 2007, their market shares are not included for this period. 346,260 mobile numbers were ported between operators in the 12 months to June 2010.

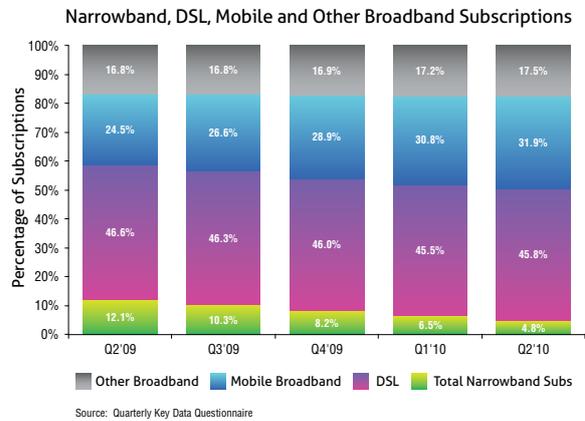
Figure 1.3: Mobile Subscriptions Market Share, 2007-2009



Internet

The number of narrowband internet users (as a proportion of the total number of internet users in Ireland) continued to decline as users migrated from dial-up services to broadband services such as ADSL. Narrowband subscribers, both flat-rate and pay-as-you-go (metered) services, made up only 4.8% of the total internet market by June 2010, compared with 12.1% in the previous 12 months.

Figure 1.4: Narrowband and Broadband Internet subscriptions, 2009-2010



Broadband

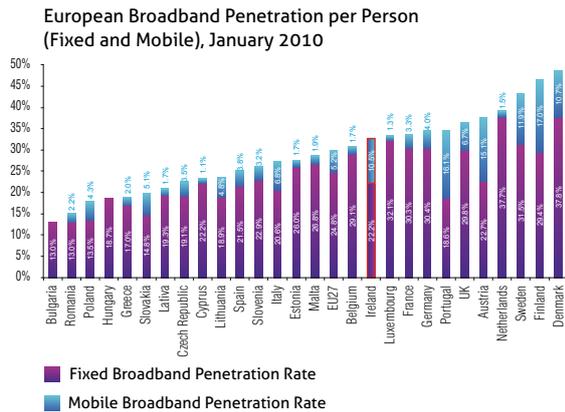
By the end of June 2010, more than 1.5 million internet subscribers were using broadband technologies. Digital Subscriber Lines (DSL) still account for the bulk of these subscriptions with almost 730,000 subscriptions via this technology at the end of the period. However alternative broadband platforms (particularly cable and mobile broadband) grew strongly over the last twelve months, and by the end of the period cable subscriptions totalled nearly 174,000. There were over 508,000 mobile broadband subscribers by the end of June 2010. In total, wireless and/or mobile broadband represented around 40% of the total broadband market in Ireland. DSL represented around 48% of all broadband subscriptions. Comparative data benchmarking Irish broadband penetration against OECD countries is included below. In addition to broadband subscriptions noted above, there are an estimated 1,115 WiFi hotspots in Ireland providing nomadic broadband access nationwide, particularly to laptop and smartphone users.

3 Millward Brown IMS survey available at http://www.comreg.ie/_fileupload/publications/ComReg1022.pdf

Figure 1.5: Broadband subscriptions and growth rates by platform

Platform	Q2 10 Subs	Quarterly Growth Q110-Q210	Year-on-Year Growth Q209- Q210
DSL	729,892	+0.8%	+6.1%
Cable	173,146	+5.9%	+39.3%
FWA	96,759	-4.7%	-16.1%
Other	9,932	+1.6%	+17.1%
Sub-Total	1,009,729	+1.1%	+7.7%
Mobile Broadband	508,620	+3.8%	+40.4%
Total	1,518,349	+2.1%	+16.9%

Figure 1.6: Broadband Penetration in the EU – January 2010

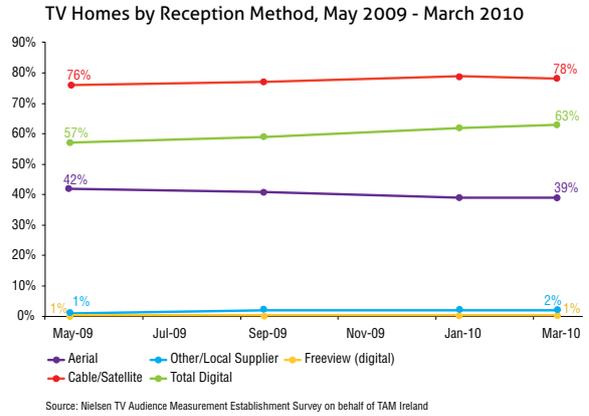


Broadcasting

By the end of June 2010 over 1.2m households received their TV services via a cable or satellite TV provider in Ireland⁴. There is continued migration from analogue to digital TV, with digital households representing approximately 69% of all households with a television.

⁴ This figure counts households with more than 1 TV multiple times so there may be some overstatement with regard to cable and satellite TV penetration in Ireland.

Figure 1.7: TV homes by reception method, 2008-2010

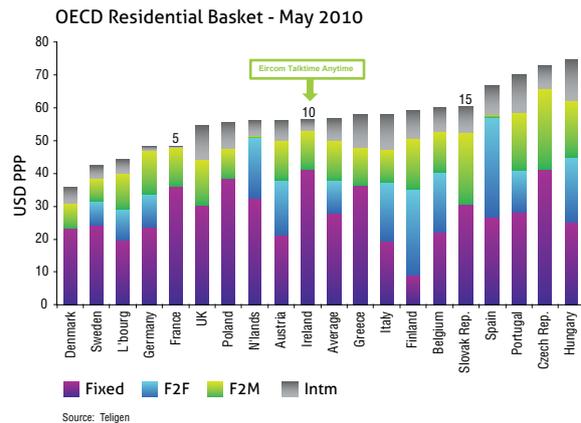


Tariffs

Ireland's PSTN and mobile tariffs remained relatively constant in this period as measured by a set of OECD-approved price baskets.

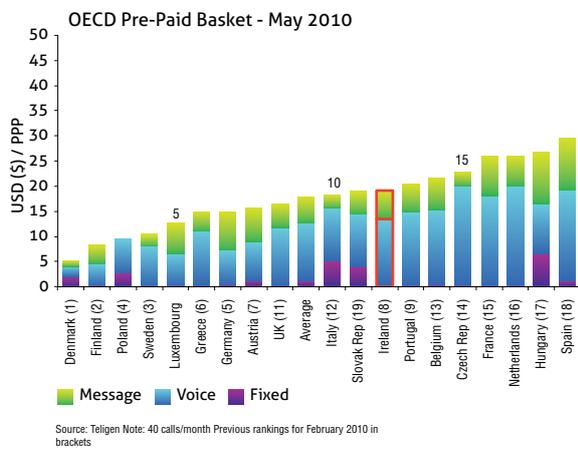
In May 2010 Ireland was ranked at 10th position, which was 1 place behind the EU average in terms of price for a basket of residential calls and line rental.

Figure 1.8: PSTN Residential Basket, May 2010



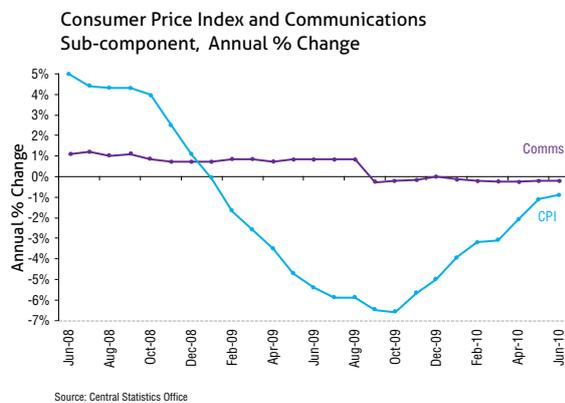
ComReg also collects comparative tariff data on a number of mobile baskets, including low, medium and high-user post-paid baskets and a prepaid basket. As more than two-thirds of mobile subscriptions in Ireland are prepaid, this basket is presented below for comparative analysis of mobile tariffs across the EU. In May 2010 Ireland was ranked in 12th position in this basket, two places higher than the EU average.

Figure 1.9: Mobile Prepaid Basket



In overall terms, telecoms prices have been declining over the last few years. Overall communication costs (i.e. post and telecoms) decreased by 0.2% in the year to June 2010. This compares to a 0.9% increase for the year to June 2009.

Figure 1.10: Communications Price Index relative to Total Price Index in Ireland



Competition

Broadband and Next Generation Networks

Broadband penetration continued to increase during the year, although at lower rates than in the previous year. This was at least in part due to the difficult economic climate. Fixed broadband – including DSL, Cable, fixed wireless and satellite – increased in total by 75,000 subscribers or by 8%. The corresponding increase up to June 2009 was approximately 100,000 or 12%. Of particular note in the year was the share of the cable sector of net new adds, accounting for 22% of the increase compared with the previous year when it accounted for 13%.

Average broadband speeds are estimated to have increased during the year. In June 2009, 4.9 % of all broadband subscriptions were above 10Mbps. By June 2010, 11% of all broadband subscriptions were above 10Mbps, and a portion of these subscriptions were above 30Mbps.

Overall broadband penetration (excluding mobile), as a percentage of population, increased from 20.9 % in June 2009 to 22.6 % in June 2010. If mobile broadband is included, Ireland’s penetration rate increased from 29.4% to 34.0% between June 2009 and June 2010. The total number of broadband subscribers increased from 1,298,337 to 1,518,349 over the period.

Figure 1.11: Household Broadband Penetration Rates

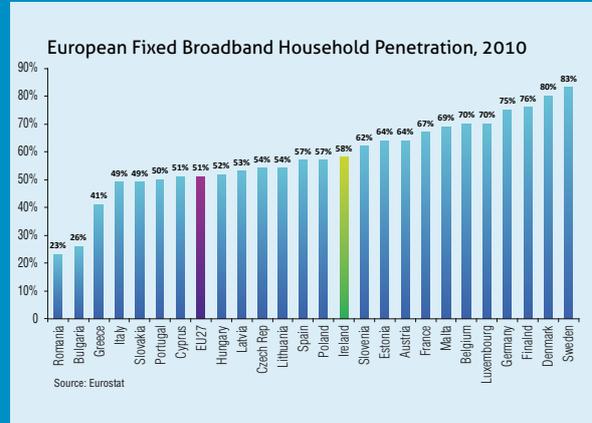
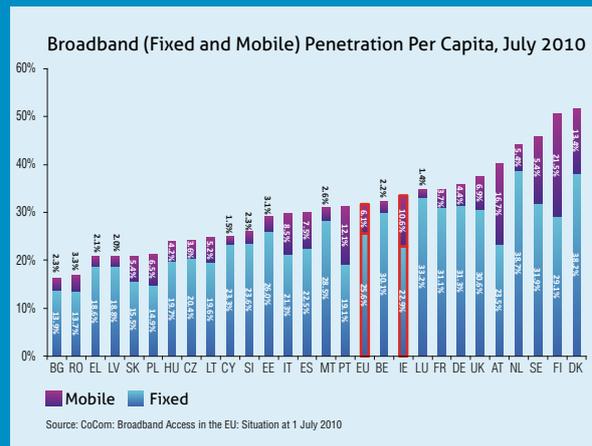


Figure 1.12: EU 27 Penetration



Market Structure

In June 2010, broadband provided over copper loops using DSL accounted for 48.1% of total broadband (including mobile), compared to 53.0% in June 2009. Together, mobile broadband and fixed wireless accounted for 39.9% of the total broadband market as of June 2010. Eircom’s share of the DSL retail market was 68% in June 2010, down from 69.3 % in June 2009.

Availability

Following the conclusion of a competitive tendering process, the contract to implement and operate the National Broadband Scheme (NBS) was entered into with Hutchison 3G Ireland (3) in December 2008.

The NBS aims to deliver broadband to certain target areas in Ireland in which broadband services were deemed to be insufficient. Under the contract, 3 are required to provide services to all premises in the NBS area who seek a service. In order to facilitate competition in the area, 3 are also required to provide wholesale access to any other authorised operator who wishes to serve premises in the NBS area.

Under the terms of the NBS contract, 3 was required to have provided coverage in all 1,028 Electoral Divisions by the end of October 2010.

Next Generation Access

Eircom completed its roll out of its upgraded core NGN network which significantly increased capacity over its core network. This allowed Eircom to offer new services including a new Bitstream Managed Backhaul product for its wholesale customers which was launched in March 2010. This product allowed OAOs greater flexibility in managing their retail product characteristics. This development also allowed Eircom to offer a new NGN Ethernet backhaul for its wholesale customers in August 2010. This product allows for significantly cheaper prices on a per megabit basis for OAOs and ultimately for business users.

In June 2010, Eircom announced details on an NGN access network trial to run to 10,000 homes in Sandyford, Co Dublin and Wexford town. The trial is due to commence in Summer 2011 using a combination of Fibre to the Home (FTTH) and Fibre to the Cabinet (FTTC) technologies. FTTH implies a rollout of fibre optic cable from a local exchange to an end users home or premises and can typically deliver download speeds of up to 100mb/s. FTTC means the roll out of fibre optic cable from a local exchange to a street side cabinet with existing copper cable

being used for the final link to the end user. Typically such configurations can support download speeds of around 25mb/s to 30 mb/s.

ComReg published its discussion document (ComReg Document 09/56) "Next Generation Broadband in Ireland" in July 2009 which aimed to provide perspectives on the range of policy, technical and regulatory issues which can support a timely and efficient move towards the increased availability of next generation broadband services in the market.

ComReg also issued a decision in relation to Wholesale Physical Network Infrastructure Access (ComReg Document 10/39) in May 2010. In this document ComReg decided that wholesale physical access would be defined to include fibre optic cable as well as copper, and indicated that next generation access should be subject to regulation. However it established that the form of this regulation would be different to that prevailing for copper loops. The precise details of many aspects of NGA regulation are to be consulted upon at a later date.

In addition, in September 2010, the European Commission issued a Recommendation on the regulation of next generation access networks.

Wholesale Markets

Wholesale Unbundled Access (Local Loop Unbundling)

Local Loop Unbundling (LLU) is the process whereby an alternative operator rents a local loop (the copper cable that connects a premises or home to a local exchange) from Eircom and using their own equipment provides broadband or voice services to customers. Significant interest in LLU was evident during the year. In particular, Vodafone's decision to procure wholesale broadband from BT, which in turn based its wholesale service on LLU, provided a stimulus to take up which became apparent towards the end of 2010. These developments were on foot of price reductions mandated by ComReg.

Line Share

LLU Line share is the process whereby an alternative operator rents the high capacity frequencies only in a local loop in order to provide broadband.

A determination in this regard by ComReg that the monthly rental price be set at €0.77 was issued in August 2009 (ComReg Document 09/66). The decision was appealed by Eircom, but settled in January 2010. The price of €0.77 per month remained in place.

Full Unbundling

Full unbundling is also referred to as Unbundled Local Metallic Path (ULMP). Processes have been in place for this service since 2007. Services such as number portability are fully integrated, while migration paths from other wholesale services are in situ. ComReg oversaw a number of refinements and improvements during the year, particularly with respect to lines which failed immediately, or soon after unbundling. An important advance was to provide alternative operators with access to Eircom's address database which considerably simplified and improved the accuracy of the ordering process.

ComReg consulted on principles to underpin the price of ULMP in ComReg Document 08/56. A response to consultation was issued in May 2009 and proposed a price of €12.18 per month. A final decision was issued on February 2010, which mandated a price of €12.41 per month.

Wholesale Broadband

This product, also known as bitstream, allows alternative operators to rent broadband capacity from Eircom. This is provided using DSL technology, usually over copper local loops (the copper cables that connect an exchange to a home or premises). Under this option, Eircom provides the broadband equipment (known as a DSLAM), access to the end-user over the Local Loop and also usually some element of backhaul. While important, bitstream suffers from the disadvantage that it is difficult for an operator to configure it to be able to offer differentiated products and services.

During the year Eircom was in a position to upgrade the speeds on its key wholesale broadband portfolio. Of particular note was the launch in March 2010 of a new Bitstream Managed Backhaul product which allowed Other Alternative Operators greater flexibility in configuring the technical aspects of their retail propositions.

Leased Lines

A leased line is a service which provides dedicated point to point connectivity between two locations. In the wholesale market retail leased lines are mirrored by Eircom's wholesale leased line product and by Partial Private Circuits (PPC). A PPC is a partial circuit which an alternative operator can use to supplement its own infrastructure in order to reach locations where its own network does not extend. In addition during the period in question, Eircom launched a variety of new Ethernet based partial circuits, culminating in the launch in August 2010 of its NGN Ethernet service. These services provide capacity at prices significantly below legacy technologies and are targeted at other telecommunications operators, and ultimately business end users.

Universal Service

Designation

In June 2010, following a public consultation, Eircom was re-designated as the Universal Service Provider (USP) for a period of two years, until 30 June 2012, in accordance with the European Communities (Electronic Communications Networks and Services) (Universal Service and Users' Rights) Regulations.

Quality of Service

In December 2009, ComReg notified Eircom of its opinion that Eircom had not complied with its obligation to achieve, and fully comply with, specified quality of service performance targets in respect of its provision of the universal service for the annual performance period 2008/2009.

In parallel, ComReg and Eircom engaged in a dialogue resulting, in June 2010, in an approach with respect to the provision of universal service. Eircom established a Quality of Service Performance Improvement Programme (USO), with associated annual performance targets and bonds. In addition, Eircom estimated that it would make an annual investment of over €30m in 2010/2011 and 2011/2012.

ComReg considered that, given Eircom's commitments in relation to the above programme and associated investment, this new approach provided an opportunity to make significant further improvement in quality of service metrics, and that it would not take enforcement action against Eircom for its non-compliance. ComReg has, however, reserved its right to take enforcement action in respect of any non-compliance by Eircom in future periods.

Costing and Financing

The European Communities (Electronic Communications Networks and Services) (Universal Service and Users' Rights) Regulations 2003, ("the Regulations"), provide that the USP may submit a request for funding for the net costs of meeting a USO. In June 2010, the USP withdrew its applications

for funding of the net costs involved in meeting universal service obligations for 2006/2007 and 2007/2008.

Consumer Engagement

Understanding consumer preferences and empowering consumers to express these preferences is fundamental to ensuring that the market delivers for consumers. ComReg seeks to understand the needs of consumer segments such as businesses, individual consumers, people with disabilities and vulnerable consumers. We aim to continue to identify and understand Irish electronic communications consumers requirements by closely monitoring developments through our ConsumerLine; our award-winning websites; www.callcosts.ie and www.askcomreg.ie; our Consumer Outreach programme; the ComReg Consumer Advisory Panel; the Forum on Electronic Communications Services for People with Disabilities; relevant surveys and inputs from consumer organisations with which we liaise closely.

Outreach Programme

ComReg's Consumer Team continued its outreach programme during this period by hosting consumer stands at both the Ideal Homes Exhibition in October 2009 and the BT Young Scientist Exhibition in January 2010. Throughout 2010, as part of our ongoing efforts to reach out to consumers, we liaised with a number of County Librarians to establish how ComReg could work collaboratively with the existing library network.

During 2010, ComReg updated three Consumer Guides, as follows;

- Mobile Roaming
- Guide to phone and broadband contracts and switching
- Voice Over Internet Protocol.

Consumer Contacts

ComReg continues to provide a quality complaints handling service to consumers. During the period July 2009 to June 2010, 18,689 issues were received, of

which 27% were complaints about services provided by operators. 88% of all issues were resolved within 10 days. The main issues raised related to billing and contractual issues.

Tariff Transparency and Quality of Service

As competition intensifies and economic circumstances demand that consumers are increasingly cost-conscious and seeking value for money, ComReg recognises that consumers must be appropriately informed, empowered and protected. ComReg's strategy is to work with industry to ensure that relevant quality information is available to consumers in a comparable, structured and easily-comprehensible format.

ComReg continues to operate and enhance its website www.callcosts.ie to allow consumers to compare the packages on the market and to confirm which package offers best value (in terms of price, features, services, etc) for their specific usage. ComReg also continues to ensure that consumers are aware of the availability and benefits of alternative services by enhancing the independent information on our website www.askcomreg.ie. The statistics for the period July 2009 to June 2010 for visits to each of these websites are as follows:

- www.callcosts.ie - 98,000
- www.askcomreg.ie - 164,000

ComReg continues to monitor tariff transparency obligations on operators and has processed a number of complaints relating to claims made by operators in relation to the price of their packages in comparison to other operators (i.e. complaints with respect to competitive comparisons).

With regard to the specific needs of the business customer, in March 2010 ComReg launched a new business information portal on our consumer website (www.askcomreg.ie/business), supported by a dedicated website for small business and small office/home office consumers.

Quality Standard for the Handling of Customer Service Complaints

ComReg launched a voluntary quality standard for the handling of customer service complaints. We want to ensure that all consumers have certainty in the customer services being offered by service providers and have the capacity to factor this into their decision-making with respect to the selection of a service provider and switching. While recognising that improvements in customer service complaints handling are principally a consideration for service providers, ComReg considers that the most appropriate way to encourage improvements is through the introduction of a voluntary quality standard for the handling of customer service complaints.

ComReg Forum for People with Disabilities

ComReg continues its work on the Forum on Electronic Communications Services for People with Disabilities, established by ComReg to further its statutory objective to promote the interests of consumers with particular needs.

In April 2010, the Forum developed, and conducted, the largest survey of people with disabilities conducted in Ireland in relation to the accessibility of electronic communications services. The results of this survey will inform both the future work of ComReg's Forum and ComReg's planned consultation with respect to measures to ensure equal access and choice for consumers with disabilities, in accordance with Article 23 of the Universal Service Directive, when transposed.

Contractual Issues

Electronic Billing

ComReg recognises the desire of many providers of electronic communications services to move their customers to e-billing and understands the potential benefits accruing from increased take-up of e-billing (including cost and environmental benefits). We also recognise the desire by some consumers of electronic communications services to

move to e-billing. However, we are of the view that any move to e-billing should take full account of, and safeguard, the legitimate preferences and interests of consumers and comply fully with licence and other applicable legal requirements.

In November 2010, ComReg commenced a public consultation process on the issue of e-billing, so as to provide an opportunity for all stakeholders to state their views on this issue.

Regulation 17 Compliance

In June 2010, ComReg completed an investigation into operators compliance with Regulation 17 of the Universal Service Regulations and identified a number of areas for improvement. ComReg required each operator to make any necessary contract change, in accordance with the regulation. We will continue to monitor contracts for compliance with the relevant regulations and will publish further updates, as appropriate.

Premium Rate Services

In July 2010, the Government enacted legislation that provides for the transfer of the regulation of premium rate services (PRS) to ComReg. The total market value of the PRS sector in Ireland is approximately €72 million. In July 2010, following a public consultation, ComReg published its decision on the scope of PRS regulation and regulations setting out these decisions and the conditions attaching to PRS licences.

Emergency Call Answering Service

In February 2009, the Minister for Communications, Energy and Natural Resources entered into a contract with BT Ireland to provide the Emergency Call Answering Service (ECAS) operation in Ireland. BT Ireland commenced live operations of the ECAS in July 2010 and, in October 2010, formally replaced Eircom as the ECAS provider.

ComReg is statutorily responsible for monitoring, and reporting to the Minister for Communications, Energy and Natural Resources on the quality of service of the

ECAS provider and for reviewing the call handling fee that the ECAS provider may charge.

ComReg is currently developing a new consumer website (www.112.ie) to assist in promoting awareness of the 112 European emergency number to Irish consumers and to promote the proper use of the national emergency call answering service. It is proposed to launch this website in 2011.

Roaming Regulation

In June 2010, ComReg published a Report on the implementation of the Roaming Regulation by Irish mobile operators. The following key findings, relating to the data collected for the period 1 April 2009 to 31 December 2009, were reported:

- Irish retail roaming prices for calls made and received continue to indicate compliance with the regulatory price ceilings;
- Ireland's "Eurotariff" price per calls made and received, and price for the rest of the world (calls made while outside the EU/EEA), has been lower than the EU/EEA average over the reported periods;
- The retail "Eurotariff" price for sending a text message has decreased and is now at the regulated cap of 0.11 cents;
- While Ireland's retail non-group roaming data prices have tended to be above the EU/EEA average in the past, prices have declined to below the EU/EEA average since Q2 2009;
- Volumes of retail roaming data traffic have grown strongly over the reported periods. Between Q4 2008 and Q4 2009, volumes had grown by 52%;
- Ireland's aggregate wholesale price per megabit of roaming data among non-group companies has fallen significantly, in line with the regulated price cap of one euro;
- The effect of the regulation on bill unitisation has meant that the level of surcharge for Irish billed prices for retail "Eurotariff" calls made has fallen from 39% in Q1 2009 to 16% in Q4 2009.

Irish mobile operators have advised ComReg that they have implemented the appropriate transparency requirements, including the data roaming cut-off limit, the wholesale charge and retail caps for SMS messages and calls made and received.

The radio frequency spectrum is a unique, finite, natural resource from which many aspects of society derive benefit. These benefits are accrued by a range of private, commercial, consumer, defence, security, scientific and public safety applications which utilise the spectrum resource.

The pace of global development in wireless technologies and services increases demands on the spectrum resource and the associated regulatory framework and, particularly as the trend in communications is towards mobility, these demands continue to increase. During the coming years we expect to see new and innovative spectrum deployments in many areas including the establishment of new licensing regimes for new and legacy services, liberalisation of the GSM frequency bands and release of part of the Digital Dividend (the 800 MHz band) to the benefit of all end users.

ComReg is responsible for ensuring the efficient management and use of this key resource, including the promotion of competition. To carry out its legislative functions in this context, we focus on a number of areas including spectrum compliance, licensing, projects on release and development of new areas of spectrum that together cover the entire ambit of spectrum management.

The following provides some brief examples of the areas in which we have been active during the past year.

Spectrum Development Programme

Ireland's geographic position on the western edge of Europe and its low population density provides a key natural advantage, namely, a relative abundance of unused spectrum. Coupled with ComReg's Test and Trial licensing programme - Test and Trial Ireland - this natural advantage allows entrepreneurs, researchers and developers to test or trial wireless technologies in a wide variety of frequency bands, including parts of the mobile and broadcasting bands.

During the year, ComReg issued 25 Test and Trial licences to various licensees, including universities, research centres, telecommunication manufacturers and telecommunication service providers. A wide variety of technologies were tested under this licensing programme. In June 2010, ComReg facilitated Ericsson in conducting the first tests of the Time Division - Long Term Evolution (TD-LTE) next generation mobile technology in Ireland. These tests demonstrated the capability of TD-LTE to provide high speed broadband services which can be used to support services such as high definition TV, video conferencing and many others.

Trial licences facilitate the commercial trialling of new services that can garner consumer feedback before committing to a launch. During this year a variety of wireless technologies availed of the Test and Trial Ireland facility including mobile and broadcasting services, the advanced electricity Smart Metering project and the Smart Bay project.

The www.testandtrial.ie website is dedicated to promoting Ireland as an ideal location for the testing and trialling of new radio spectrum products and services. It contains information on the benefits of the programme to users as well as a list of previous users. Interested parties may apply directly to ComReg for a licence, or request further information via the info@testandtrial.ie e-mail address.

GSM Liberalisation

In July 2008 ComReg published its first consultation on the liberalisation process for the 900 MHz and 1800 MHz GSM bands (ComReg Document 08/57). This consultation document set out ComReg's proposed policies on the future of the spectrum bands used to provide GSM mobile services and sought views from interested parties on their future use. A response to this first consultation and a second consultation were published simultaneously in March 2009 which dealt with a number of new issues raised in the first consultation (ComReg Document 09/14). To assist in this, and in light of the importance of this consultation process, and the number and complex nature of the issues involved, ComReg provided an opportunity for respondents to clarify views as already submitted in writing in the form of bilateral meetings held in mid 2009 (ComReg Document 09/73).

Two events have principally influenced the timing of this consultation. The first is the approaching expiry of the existing GSM licences, in 2011 and 2015, and the desire to provide stakeholders with visibility of the market after those licences expire. The second event is the European Commission Decision on harmonization of these bands, which will facilitate widespread deployment of third generation (3G) services in these bands (or "liberalisation"). ComReg is of the view that liberalised 900 MHz spectrum can benefit both operators and consumers. First, it should enable operators to provide more electronic communications services to consumers than is the case under existing GSM licences, and it should enable operators to develop innovative services. In particular, it is likely that mobile broadband services (similar to those provided by 3G licensees at 2100 MHz) will be provided in the 900 MHz band. Mobile broadband services are the fastest growing segment in Ireland's broadband market: in Q2 2010 there were over 508,000 mobile broadband subscribers which accounted for over 33% of all broadband subscriptions in Ireland. A second foreseen benefit is the increased operating efficiencies and lower costs associated with 900 MHz spectrum, as it requires

fewer base stations than would be required if one used higher frequency spectrum. Providing more electronic communications services at lower costs should mean that the spectrum is being used more efficiently.

In this reporting period ComReg published its third consultation in December 2009 (ComReg Document 09/99) in which ComReg presented its proposals on the way forward as well as the auction design, applicable spectrum fees and licence conditions/commitments. It is fair to say that this issue is particularly contentious and under the constant threat of litigation, hence ComReg's carefully considered and measured approach to dealing with this issue.

The evolution of this process will be reported on in the next period.

Release of the band 2300 – 2400 MHz

Following on from its consultation published in June 2009, ComReg published its response to that consultation in October 2009 (ComReg Document 09/76). While this band is not currently harmonised in Europe, ComReg is of the view, following expressions of interest, that there are benefits to be gained by both Irish consumers and service providers by making this spectrum band available.

The response to consultation presented ComReg's position on channel bandwidth sizes, the use of an auction mechanism to release the spectrum, the use of a benchmarking methodology to establish the minimum price to be paid, as well how ComReg intend to address the legacy services that are currently licensed in this band.

As stated by a number of respondents, ComReg agreed that the work within the European Standardisation body, ETSI, needs to be finalised before the band is released to ensure that maximum possible harmonisation is available. ComReg hosted a briefing session in March 2010 (ComReg Document

10/30) to keep industry apprised of developments in this area and following intensive engagement in ETSI, the technical harmonisation, from a regulatory viewpoint, was completed in mid 2010. ComReg intends to follow up with a second consultation to finalise a number of outstanding issues and then proceed with an auction for this band. This work will be reported on in the next period.

Review of the 2.6 GHz band

The band 2500 – 2690 MHz (the 2.6 GHz band) is currently used for Multipoint Microwave Distribution Systems (MMDS), licensed under the Programme Services Distribution Regulations (S.I. No. 529 of 2003) (the "2003 Regulations") in accordance with the Wireless Telegraphy Act 1926. The 2003 Regulations provide for possible licence extensions of up to 5 years following a review of the licences, which could only take place after 14 April 2010.

In light of its obligations under the 2003 Regulations, towards the end of this reporting period ComReg published a call for inputs and views on the range of potential uses of, and future licensing options for the 2500 MHz to 2690 MHz spectrum band in Ireland - (Doc 10/38).

Subject to the outcome of the 2.6 GHz licence review, there is potential that all or part of the band licensed for MMDS may, or may not, become available for other possible uses prior to 2019, though, of course, renewal of MMDS licences, if granted, could also be for a period shorter than 5 years.

The outcome of this project will be reported on in the next reporting period.

Fixed Link Bands

In providing transmission capacity, radio instead of cable is often the preferred solution where constraints such as cost, local topography (e.g. mountainous terrain, paths across water) and the need for access to remote rural regions are fundamental considerations. In such scenarios fixed

radio systems have a key role to play in bringing mobile and broadband communications to SMEs and consumers. They provide the operator with the ability to roll-out a network rapidly and the capability to install transmission paths as and when required.

In the year under review ComReg has experienced a threefold increase in the demand for Point-to-Point and Point-to-Multipoint Fixed Links. While the demand for spectrum by the mobile services is placing considerable pressure on those frequency bands below 3 GHz used by the fixed services, the main demand for spectrum by the fixed service is in bands above 3 GHz.

In line with ComReg's principles that spectrum pricing should be based on bandwidth used and location of equipment, to encourage the use of more bandwidth efficient technologies and the use of alternative platforms in congested bands/areas, we introduced a new fee structure for Point-to-Point and Point-to-Multipoint Radio Link licences in line with a new online application facility for all Radio Links Licences.

In addition, in the year under review, ComReg added (ComReg Document 09/87) the facility to allow equipment which utilises Adaptive Modulation to be deployed in all terrestrial microwave fixed link bands. The use of Adaptive Coding and Modulation (ACM) provides many benefits to stakeholders in spectrum, as it provides a means of increasing data throughput and capacity over a microwave radio link, without increasing power or the occupied bandwidth, thus making greater use of the spectrum. There are also cost and environmental benefits, as the increase in data capacity avoids the need to deploy additional radio transmitters and receivers, thus minimising power consumption.

Fixed Wireless Access

Traditionally the most difficult component of a telecommunications network to build and generally the most expensive to maintain has been the local access network. Most of the local loop connections in place today use cable and copper pairs.

Fixed Wireless Access (FWA), is a means of delivering access to the public switched telephone network by means of radio rather than conventional wire line connections. FWA can be used to replicate the existing wire line local loop or to provide direct access to broadband data networks such as the Internet, or both. FWA thus has the potential to enhance competition in the market by providing alternative access networks to the existing local loop and to provide broadband access in areas where alternative platforms such as digital subscriber line (DSL), cable or fibre might not be feasible.

In the year under review, and following expression of demand, ComReg released two additional frequency channels in the 10.5 GHz band totalling 86 MHz of spectrum and launched the competition for this spectrum in December 2009 (ComReg Document 09/93). In the next reporting period ComReg intends to deal with the addition of mobility to the 3.6 GHz band, a European Commission requirement that needs careful consideration to facilitate flexible access to broadband services while also ensuring that existing users do not suffer interference.

Mobile Satellite Service (MSS) with Complementary Ground Component (CGC)

Since 2005, ComReg has actively contributed to the European Commission (EC) work on Mobile Satellite Service (MSS) with Complementary Ground Component (CGC). The main elements of an MSS with CGC network are: a fixed satellite gateway (consisting of a number of earth stations), the MSS Satellite, the CGC network (which is connected to the fixed IP network via the satellite gateway and may be connected into a roaming partner's mobile network or have a direct connection to the fixed IP network) and the user terminals. User terminals may typically be either handsets or other user terminals (such as mobile terminals built into vehicles). The CGC element not only overcomes the impact of shadowing of the satellite signal by buildings, geographical features and other clutter, using ground-based transmitters to fill in the shadow areas

but also provides for increased network capacity and subsequent decrease in latency in traffic hotspots. Thus the overall quality of service is improved. The near blanket coverage of the MSS signal also allows for the rapid deployment of temporary CGCs to disaster areas and emergency situations both within coverage blackspots and in areas where the normal communications networks have failed.

Resulting from the work undertaken in the EC in 2007, the European Commission issued EC Decision 2007/98/EC9 and the Communications Committee's (CoCom) Authorisation sub-committee developed a selection process for provision of a pan-European MSS with CGC service that would provide mobile communications and multimedia services within its footprint. Applications from interested parties were announced in the Official Journal of the EU 2008/C 201/03, issued in August 2008. Four expressions of interest were received and two MSS operators, Solaris and Inmarsat, were eventually selected; each is authorised to use 2x15 MHz of spectrum for delivery of a MSS with CGC on a pan-European basis.

To facilitate the licensing of these services in Ireland ComReg deemed it appropriate to hold a consultation on how these services should be regulated on a permanent basis in Ireland, and in December 2009 published a consultation (ComReg Document 09/96) dealing with, among other issues, spectrum and technical issues, the proposed licensing framework and international issues that need resolution.

The finalisation of this work will be reported on in the next period.

New Short Range Devices

Short Range Devices (SRDs) are radio transmitters which provide unidirectional or bi-directional communication and which, in general, have low capability of causing interference to other radio equipment. In Ireland, such devices are generally permitted to operate on a non-interference, non-protected basis. On 22 December 2009 ComReg

announced the licence exemption of a number of applications in the following categories (ComReg Document 02/71R4):

- Non-specific SRDs;
- Tracking, tracing and data acquisition applications;
- Radio microphones and assistive hearing applications;
- Wireless applications in healthcare;
- Ultra-Wideband applications.

This action removes the requirement for these mass market devices from requiring individual licences, thereby facilitating their widespread deployment and utility.

Update of the National Radio Frequency Plan

ComReg is obliged by law to publish a National Radio Frequency Plan detailing the radio frequency allocations in Ireland, and the publication is seen as a vital source of information for consumers, licensees, manufacturers and operators.

A number of changes in the use of the radio spectrum have occurred on a national and international level and following the publication of a completely new and updated version in November 2008, ComReg published a further update in December 2009 (ComReg Documents 09/90 and 09/100). These documents reflect the latest national and European legislation, as well as the change of status of a limited number of spectrum bands. This latest update reflects all changes up to late 2009 and details the use of the different frequency bands, together with the uses of those bands in Europe.

Programme Making & Special Events

Programme making and Special Events (PMSE) is a grouping of services that support content production and distribution of live and recorded entertainment, sporting and cultural events including

Wireless Cameras and Wireless Microphones/In-Ear Monitor Systems. Spectrum for PMSE services is typically assigned on a temporary basis for wireless transmission of camera, microphone and private mobile radio signals over short distances.

As ComReg intends, over the coming years, to make available spectrum in the TV band (470-862 MHz) and in the 2.3 GHz band typically used by PMSE for use by new electronic communications services, PMSE use will be impacted. In April 2010 ComReg published a consultation, with the aim of identifying alternative spectrum which could be made available for PMSE in the future, acknowledging at the same time that, the Irish market of itself has limited scale to justify equipment manufacturers making bespoke equipment. In the consultation, we took into account equipment availability in neighbouring and other European markets, as well as examining the current allocations of spectrum for PMSE in Ireland and elsewhere in Europe (ComReg Document 10/37).

The finalisation of this work will be reported on in the next period.

Spectrum Compliance

It is the responsibility of ComReg to ensure that Ireland's finite radio spectrum is utilised in the most efficient way possible. The spectrum is regulated through licence conditions and regulations and in cases where no licence is applicable, through technical conditions imposed on the manufacturer of radio equipment.

ComReg ensures that all users of the radio spectrum adhere to the relevant licence conditions or regulations so as to prevent interference to other radio users. When interference does occur, we are responsible for investigating the matter on behalf of the licensee.

During the period July 2009 – June 2010, 85 radio interference complaints were received, 4 of which involved serious interference to Air Traffic Control or Emergency Services. Periodic inspections of radio

equipment in use in the State are also undertaken to ensure that the radio spectrum is fit for use by all users.

ComReg is also responsible for taking action against unlicensed broadcasters under the Wireless Telegraphy Act, 1926 and the Broadcasting & Wireless Telegraphy Act, 1988. Such action includes the execution of search warrants on premises suspected to contain unlicensed broadcast equipment and the prosecution of those accused of relevant offences. ComReg undertakes joint operations in conjunction with its Northern Ireland counterpart, Ofcom, with regard to cross-border unlicensed broadcasters.

ComReg also takes similar action against the suppliers of illegal radio equipment, particularly those supplying equipment that can cause interference to other services. This may be design, or by products not complying to European standards and regulations.

The R&TTE (Radio & Telecommunications Terminal) Directive, and the EMC (Electromagnetic Compatibility) Directive, which both ensure that all electronic and radio equipment that is put on the market in Ireland complies with the relevant EU standards and bears the CE mark also fall within ComReg's remit. We have brought a number of investigations to a satisfactory conclusion in this area during the year.

Progress has been made in the areas of inter-agency co-operation and proactive market surveillance. ComReg has developed co-operation with industry and other responsible regulatory authorities throughout the EU. We have also participated in market surveillance campaigns at national and EU levels aimed at analysing products on the market and enforcing compliance. With regard to the enforcement of compliance in this area, we continue to further develop our relationship with other law enforcement authorities within Ireland, particularly Customs and An Garda Síochana.

ComReg is undertaking the roll-out of a Remote Monitoring Network to monitor radio spectrum throughout Ireland. At present, ComReg has six Remote Monitoring Stations operational in major urban centres throughout the country. It is intended to expand this number and upgrade existing stations in the coming year.

ComReg also takes an active role in the area of spectrum compliance at European level, currently holding the vice-chair of the CEPT RA1 Regulatory Affairs (Enforcement) working group. We attend other working groups including the CEPT FM22 Frequency Management (Monitoring) working group, the Administrative Co-operation Working Group (ADCO for R&TTE) which is a forum for co-operation and exchange of information between national market surveillance authorities, and the Telecommunication Conformity Assessment and Market Surveillance Committee (TCAM), representing Irish Interests.

Programme of Measurement of Non-Ionizing Radiation Emissions

The use of radio technology has played, and will continue to play, a significant role in the development of the Irish economy. The benefits and convenience of mobile communications and other wireless technologies for business and consumers alike are well recognised by the public.

Non-ionizing radiation (NIR) emissions from transmitter sites are also a matter of interest to the public. The Department of the Environment, Heritage and Local Government is responsible for the health effects of NIR, while ComReg requires as a condition of wireless transmission licences that operators of transmitting stations ensure that their installations comply with the NIR emission limits specified in the latest guidelines published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP). ICNIRP is a body of independent scientific experts which works with the World Health Organisation to develop the guidelines.

ComReg carries out annual audits of compliance by operators with the ICNIRP emission limits. Each annual audit involves surveying a sample number of sites and transmitter types (broadcast, mobile telephony, wireless broadband etc.) countrywide.

Results of the 84 site surveys conducted during this reporting period (July 2009 – June 2010) were summarised and published in four quarterly interim reports (ComReg Documents 09/82, 10/07, 10/36 and 10/57). Copies of the individual site survey reports were made available on the ComReg website as well as via www.siteviewer.ie, an on-line facility provided by ComReg, which allows the public to view details of GSM and 3G mobile telephony base stations throughout Ireland.

At all of the sites surveyed during this reporting period, measurements of NIR emissions were found to be significantly below the ICNIRP guideline limits.

Digital Broadcasting

ComReg is aware of the critical importance of managing the radio spectrum efficiently and providing access to spectrum so that consumers, industry and the economy can benefit from the convergence and digitalisation of electronic communications services and networks.

The transition from analogue to digital broadcasting in Ireland has the potential to free up significant amounts of valuable spectrum in the Ultra High Frequency (UHF) band which can be used, as a digital dividend, to provide additional and upgraded broadcasting services, such as High Definition television, as well as other electronic communications services. In the course of the reporting year ComReg continued its work in relation to spectrum planning for digital television and digital radio, including international coordination of the required radio frequencies.

Broadcast Mobile TV

In the period June 2008 to March 2010, ComReg consulted on proposals in relation to the licensing of

spectrum rights of use for 8 MHz of UHF spectrum in the five urban areas of Cork, Dublin, Galway, Limerick and Waterford, either on a service and technology neutral basis or for a broadcast mobile television (Mobile TV) service. Early in the process, ComReg settled that it would make available a licence for spectrum rights of use for a broadcast Mobile TV service, and that a comparative process would be used to award the rights of use.

In the course of this reporting period, we invited views on key aspects of the proposed comparative evaluation process, in particular on the evaluation of applicants' potential commitment in relation to proposals regarding the provision of wholesale Mobile TV services. Specifically, ComReg sought views on proposals in relation to wholesale access to common programme material, differentiation, information and recourse to negotiation and dispute resolution procedures.

In the next reporting period ComReg intends to provide an update on these matters, taking into account other related developments including the availability of spectrum in the UHF band.

Digital Dividend

ComReg initiated its review of the future availability of digital dividend spectrum in the UHF band and its potential uses at its annual conference in October 2008, published a consultation paper on digital dividend in Ireland in March 2009 (ComReg Document 09/15) and a response to consultation (ComReg Document 09/81) in October 2009. There appears to be strong evidence that Ireland's digital dividend spectrum will be greatly valued from both a social and economic viewpoint.

The issue of the "mixed approach" of spectrum allocation in the UHF band, which would involve spectrum in the UHF band being assigned for both broadcasting and non-broadcasting services, rather than for one use only, was one of the most widely responded to consultation issues. In the main, the mixed approach received considerable support and this was buttressed by a variety of well reasoned

arguments. The concept of a “digital dividend” sub-band in the range 790 to 862 MHz (the 800 MHz band) which would be used for non-broadcasting purposes was well supported.

There were contrasting views in relation to the issue of additional digital dividend spectrum sub-band(s). Some respondents considered that additional digital dividend spectrum would provide further benefits. Others cautioned that Ireland should await developments at a European level before making a decision in relation to any further sub-band for digital dividend and should bear in mind any potential negative impact on the quality of broadcasting networks.

Respondents were generally positive towards the concept of service and technology neutrality in relation to the future potential award process for Ireland’s digital dividend spectrum.

At the European level, during the reporting period Commissioner Mike Byrne was leading a project under the auspices of the Radio Spectrum Policy Group to provide strategic advice to the European Commission on developing a roadmap for implementation of the digital dividend on a Europe-wide basis with the aim of optimising the benefits of the dividend for European consumers and industry. Membership of the project team is open to representatives from all EU Member States.

To use radio equipment in Ireland, an authorisation from ComReg is required. This authorisation may take the form of either a licence or a licence exemption. A licence may be issued under the Wireless Telegraphy Act 1926, or under the Broadcasting Authority Act 1960, as amended (in the case of the RTÉ Authority), or under a Radio and Television Act, 1988 (in the case of the Broadcasting Authority of Ireland) or under the Broadcasting (Amendment) Act 2007 for Digital Broadcasting.

ComReg processes all such licence requests and ensures that licences are maintained in a manner which both maximises the efficient use of available spectrum, and ensures that a quality service is available to all licensees. As of June 30, 2010, the total number of live radio licences on our database was 16,793, representing a 2.6% increase on the previous year. This increase suggests that individuals, businesses and electronic communications providers, even in these difficult economic times, are maintaining their use of radio technology. This is particularly true for certain radio licence types such as radio links and FWALA. In excess of 3,000 applications, both for new licences or changes to existing systems, are received and processed annually.

During the year in review, ComReg continued to improve the service it offers to its licensees through web enhancements. In December 2009, an on-line application facility for Radio Link Licence applications was introduced which greatly improves applications turnaround times. It is planned to expand this facility to other licence types over the coming months. In addition, ComReg is currently working on the development of a paperless option whereby licences will be certified and made available in digital format.

Amateur Station Licensing

All pre-existing annual licences have now been transitioned to Lifetime licences under new regulations introduced in 2009. In the last 12 months 1,407 Amateur Radio Lifetime Licences have been issued, which incorporate both the issue of Lifetime licences for pre-existing licensees in addition to new applications and amendment requests.

FWALA

Due to the continued demand for spectrum from Fixed Wireless Access Local Area (FWALA) operators in 2009, ComReg made an additional 118 MHz of spectrum available for licensing in the 3.4 – 3.8 GHz band and an additional 28 – 56 MHz of spectrum in the 10.5 GHz band. A total of 101 new and amended licences were issued in the period.

Aircraft Radio

All Aircraft licences have been now been transitioned to Lifetime licences under new regulations that were introduced in mid-2009. A total of 1,280 Aircraft Station Licences were issued in the period. This figure incorporates the transition of existing licences, together with new licence applications and amendment requests.

Business Radio

Business Radio licences are issued to companies where a private mobile communications system is required e.g. where companies require radios for direct two-way communications between a base and mobile personnel. Such systems would typically be used by taxi companies and transport companies, as well as by government, State organisations and the emergency services. During the year, 199 new or amended licences were issued compared to 269 in 2008-2009, the decrease reflecting the growing preference for GSM and 3G services in this area.

Radio Links

Where a dedicated radio transmission path is required between fixed locations, a radio link licence is required. Many telecommunications operators

use microwave radio to link their mobile phone transmission sites together.

On December 1st 2009 new Radio Link Licence Regulations were introduced. The new regulations introduced administrative incentive pricing for radio links which is based on the bandwidth used and location of equipment. The objective is to encourage the use of more bandwidth efficient technologies and the use of alternative platforms in congested bands/ areas.

During the reporting period, 3,076 new/amended radio link licences were issued compared to 1,491 in the previous period. The substantial increase (106.3%) was due to continued network expansion and roll-out of the 2G and 3G networks by the network operators. Demand for radio links from the wireless broadband operators also increased over the period.

Satellite

Satellites are used for numerous purposes including television broadcasts, meteorology, surveying and telecommunications. Satellite networks provide a flexible alternative to land-based fixed line and fixed radio link networks. Three categories of satellite earth stations require licences in Ireland: Large Earth Stations (LES), Transportable Earth Station (TES) and Very Small

Aperture Terminals (VSAT). In the year under review, 58 new licences were issued, compared to 21 the previous year. Despite the satellite licence exemption regulations that ComReg has introduced over the last number of years there is still a considerable demand for licensable satellite technology in Ireland mostly driven by larger corporations using VSAT services for international connectivity.

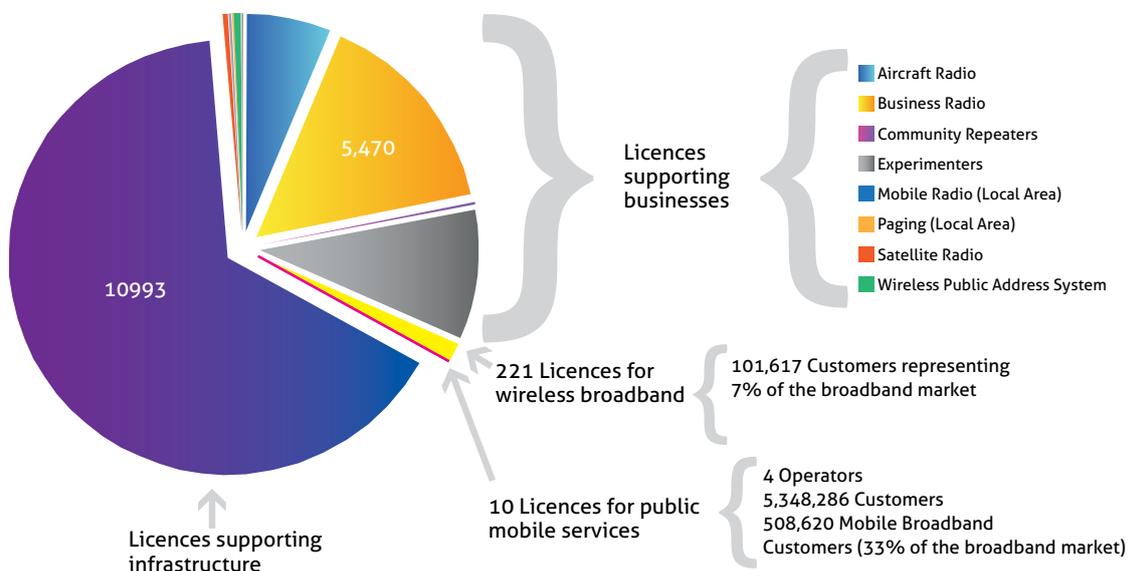
Temporary Business Radio

ComReg was active in issuing temporary licences for various sporting and musical events throughout the year e.g. the Irish Open Golf in Baltray, the Oxegen 2009 festival, National Special Olympic games in Limerick in June 2010. For each of these events licences were required for satellite systems for broadcasting and news gathering purposes as well as wireless cameras and microphones.

Ongoing Issuing of Radio Licences

The following chart outlines the number of active licences managed by ComReg and the different types of radio licences issued in proportion to each other.

ComReg has 16,793 active licences of which 6,314 new licences were issued in this reporting period.



ComReg manages all telephone numbering resources using a clear and transparent strategy, in accordance with its obligations under legislation. This ensures the provision and maintenance of suitable numbering ranges for all current or emerging purposes and their assignment to operators and users according to their needs. It is a key requirement for ComReg to ensure that no numbering resource approaches exhaustion and this means constant auditing of free and used resources, with early preparations being made for number changes or for number range expansion when necessary – typically up to three years in advance of the expected exhaustion date. Recently completed number changes have ensured that adequate capacity is currently available in all areas. ComReg also works to ensure that new telephone numbers become operational promptly on all national and international networks.

Apart from well-known geographic and mobile numbers, ComReg also manages a wide range of non-geographic numbers (e.g. Freephone, Shared Cost and Premium Rate numbers), all telephony short codes, all network routing numbers and codes, and codes for harmonized European services. The latter currently include 118 directory enquiry numbers, 116 harmonised services of social value and the 112 emergency access code.

ComReg also regulates the '.ie' internet domain and it provides support to the Department of Communications, Energy and Natural Resources (DCENR) in respect of the operation of the '.eu' domain.

Harmonised Services of Social Value

As a step towards harmonisation of numbering resources across the European Community, the European Commission initiated the opening of a series of "Harmonised Services of Social Value". The harmonised services involved in this make use of the same 116XXX number range in each Member State, thus making it easy for travellers to access the same type of service wherever they are in the Community (so long as some service provider has actually elected to offer the service in the country concerned). The basic concept is that the same 6-digit telephone number commencing with '116' should be reserved for the same socially important service in each of the Member States, with the European Commission providing the coordinated approach. To date, the following 116XXX numbers have been introduced:

- 116000 – Hotline for missing children
- 116006 – Helpline for victims of crime
- 116111 – Child helplines
- 116117 – Non-emergency medical on-call service
- 116123 – Emotional support helplines.

The 116000 number is available for use by any suitable organisation and although ComReg has extensively advertised its availability which generated some interest, no application for the code has been received. Of the remaining four numbers, three have been taken up, 116006 by the Crime Victims Helpline, 116111 by Childline and 116123 by the Samaritans. ComReg reports on the progress of these services from time to time to the European Commission's Communications Committee (COCOM). The latest information on available 116 services can be found at www.comreg.ie/116.

Regulation of '.ie' Domain Names

ComReg is responsible for regulating the registration of all '.ie' internet domain names, in accordance with the Communications Regulation (Amendment) Act 2007. That means prescribing the form and manner in which most aspects of registration are carried out and it also includes appointment of the authority that is authorised to register '.ie' domain names. The '.ie' domain is currently administered by a body called the "IE Domain Registry Limited" (IEDR).

Having completed an initial in-depth study of IEDR and its operations and carried out a public consultation on the proposed regulatory framework, ComReg has worked closely with IEDR to implement the necessary measures for its formal appointment as the registration authority. Good progress has been made with formal reseller agreements and quarterly reporting implemented in early 2010. The elements that remain outstanding include the implementation of an effective and independent third party data escrow agreement that will secure a copy of all relevant registry data to ensure continuity of registration services in the event of registry failure⁵, and the establishment of a Policy Advisory Committee to provide stakeholder input to the registry's policy development process.

5 ComReg is working closely with the Department of Communications, Energy and Natural Resources (DCENR) in this regard

Regulatory Framework

ComReg is the national regulatory authority for the postal sector in Ireland. During the year under review ComReg's statutory objective was to promote the development of the postal sector and, in particular, the availability of a Universal Postal Service within, to and from the State, at an affordable price, for the benefit of all users.

In meeting this objective, ComReg focused on ensuring the provision of high quality customer centred postal services, guaranteeing for both letters and parcels daily collections and deliveries, not less than five days a week, to every address in the country, while securing the freedom to provide competitive services in this sector through the gradual liberalisation of the postal market.

Specific functions of ComReg, under the Postal Regulations, include issuing directions to An Post - the designated Universal Service Provider (USP) - regarding the accounting procedures to be adopted in the preparation of its regulatory accounts and monitoring compliance with Tariff Principles. Functions also include setting quality of service standards for An Post, monitoring performance against this standard, and ensuring that An Post complies with its obligations to provide universal service (density of access points, daily collections and deliveries).

Opening of Postal Markets to Competition

The road to a competitive postal market in Europe began almost 17 years ago with the publication of the European Commission's Green Paper on postal services, about the same time as the Swedish Government decided to open its postal markets to competition. In 1997 the European Council and Parliament adopted the first Postal Directive (97/67/EC) which required Member States to open to competition their markets for postal items weighing more than 350g, or costing more than five times the price of a standard letter. In 2002 the second

Postal Directive (2002/39/EC) reduced this weight limit to 100g from 2003, and 50g from 2006, with corresponding reductions in the price limits. Outbound International Mail was also opened to competition from 2003. The third Postal Directive adopted in February 2008 requires that "Member States shall not grant or maintain in force exclusive or special rights for the establishment and provision of postal services" after 31 December 2010. Postal Service provision throughout Europe has now reached a critical juncture.

A key feature of the European Postal Directives is the obligation on Member States to ensure that everyone (businesses and private consumers) wherever they live in the state has access to a guaranteed range of letter and parcel services at affordable prices. This is very important for a country such as Ireland where more than 40% of the population live outside urban areas. Postal services play an important role in integrating businesses and consumers based in such areas into the national and indeed global economy, providing access to goods and services that otherwise would only be available to the urban population. According to the Postal Directive, national regulatory authorities (NRAs) such as ComReg have the particular task of "establishing monitoring and regulatory procedures to ensure the provision of the universal service".

To assist NRAs in this task the European Commission recently published a report on "The Role of Regulators in a More Competitive Postal Market" by WiK Consult.

Elimination of Existing Restrictions on the Provision of Postal Services

To provide transparency and to inform Irish stakeholders regarding preparations for Full Market Opening, ComReg held a public briefing on 13 February, 2009 where a representative of the European Commission presented summaries of its work. (ComReg Documents CP55a, CP55b, and CP55c refer). The briefing was well attended by consumers, postal service providers and industry representatives.

Additionally on 19 March, 2009, ComReg hosted a virtual "Symposium on Consumer Benefits from Postal Liberalisation" which focused on the measures needed to ensure that all consumers benefit from the opening of postal markets to competition at the end of 2010. The summary report of the contributions to the discussion and the views expressed during the Symposium was published on 22 May, 2009 on the ComReg website (ComReg Document CP60). Finally as noted above WiK Consult presented a summary of its report on "The Role of Regulators in a More Competitive Postal Market" at a briefing by ComReg on 5 November 2009 to inform stakeholders.

Delivery of Mail Originating Abroad

From the outset of assuming responsibility for the regulation of postal services ComReg has been concerned about the losses being incurred by An Post in delivering mail in Ireland that originates abroad, and in particular other Member States of the European Union (ComReg Document 03/40). ComReg was particularly pleased therefore that towards the end of the calendar year 2009 An Post was able to announce a range of measures that would bring it into compliance with the Terminal Dues principles, as set out in Regulation 10 of the European Communities (Postal Services) Regulations, 2002 (S.I. No. 616/2002). These require that "terminal dues shall be fixed in relation to the costs of processing and delivery incoming cross-border mail".

An Post introduced three new Access Services, each of which offers the same prices and terms and conditions as are available under the corresponding service offered to its domestic customers. These services will cater for operators who are unwilling, or unable, to enter into bilateral or multilateral agreements that respect the regulatory principles. The three Access Services are:

- Standard service (based on the early presentation pre 3pm service)
- Pre-sorted service (152 selections)
- Early Presentation auto sort service

The new services are also available to any domestic operator who wishes to insert mail into the An Post network with its own postage paid indicated.

Quality of Service

The availability of an efficient, high quality postal service on a par with the best in Europe is a key objective for a modern competitive economy such as Ireland's. Therefore, the quality of service afforded to mail is of particular concern to ComReg. One of the fundamental objectives of the European Postal Directives is to secure improvements in Quality of Service and ComReg is obliged by law to set a Quality of Service target for An Post.

As part of its remit, on 1st June 2004 ComReg directed An Post to achieve a next-day delivery standard of 94% for single piece priority mail delivered within the State. ComReg monitors An Post's performance against that 94% standard, on an ongoing basis, in accordance with international measurement standards, and ComReg publishes quarterly and annual performance reports.

IPSOS mrbi is contracted by ComReg to measure An Post's quality of service for single piece priority mail (the ordinary day-to-day correspondence posted by individuals and businesses, big and small). During the year under review, ComReg published IPSOS mrbi's Annual Report for 2009 (ComReg Document 10/24) and the performance result for the first quarter of 2010 (ComReg Document 10/40).

The 2009 annual report shows that:

- Overall **84%** of single piece priority mail – i.e. standard correspondence - was delivered within one working day throughout the State. This represents a **5%** improvement in service quality performance over 2008, but remains short of the **94%** target set for An Post;
- The performance of Dublin mail flows achieved notable improvements during 2009 and now compares favourably with the similar provincial mail flows. Performance of mail posted from

'Dublin County to Anywhere' now stands at **84%**, compared to **77%** in 2008;

- 98.3% of all mail was delivered within 3 working days. However, performance remains short of the **99.5%** target set for An Post.

ComReg acknowledges the improvements in next day delivery rates, which have resulted in noticeable recent improvements, especially during 2009. ComReg has also been assured that these recent improvements will be maintained and improved upon. However, as An Post had not achieved the 94% next-day delivery standard ComReg formally notified An Post on 8 July 2009 that it had not achieved the 94% standard and that it had until 31 December 2010 to do so.

Business and Residential Surveys

ComReg published the findings of its 2009 Postal Service Business Survey (Doc 09/95a) and Residential Survey (Doc 09/95b), together with a summary (Doc 09/95) in December 2009.

The key findings from the Business Survey, based on telephone interviews conducted with a sample of 1,000 businesses, show:

- There was a noticeable decrease in weekly mail volumes sent by businesses across all types of mail in 2009. The economic downturn

was perceived by 3 in 4 businesses as the principal reason for the decrease, followed by substitution by electronic communications;

- Of the three in four businesses that suggested improvements to the postal service, cheaper, more reliable and faster postal services are considered to be the main improvements which would impact positively on businesses;
- Usage of alternative service providers by businesses has increased considerably since 2008 with one in three (35%) now using the services of both An Post and other service providers. However among those who use An Post only, just 6% claim to have been contacted by another service provider within the last year;
- An Post remains the preferred supplier for standard and large letters with other service providers gaining an increasing share of the packets and parcels market;
- 70% of businesses surveyed expressed satisfaction with the overall postal service provided in Ireland. However, almost one in three business respondents experienced at least one incidence of dissatisfaction with an aspect of the postal service in the last 12 months and of those who formally complained, just 23% were happy with the handling of their complaint;
- Among the lower satisfaction scores expressed with regard to An Post were confidence with 'letters being delivered within one working

An Post -National Next Day (D+1)

	Performance of Mail - Full Year Comparisons						
	2003	2004	2005	2006	2007	2008	2009
Anywhere to Anywhere	71%	72%	73%	72%	77%	79%	84%
Anywhere to Local (Delivery within county of posting)	75%	75%	76%	75%	78%	79%	85%
Anywhere to Dublin County	71%	73%	73%	72%	77%	75%	83%
Dublin County to Anywhere	70%	69%	73%	70%	77%	77%	84%
Dublin County to Dublin County (Local)	72%	75%	76%	73%	78%	76%	84%
Outside Dublin County to Anywhere	73%	73%	73%	75%	77%	80%	84%
Outside Dublin County to Local (Delivery within county of posting)	78%	76%	76%	77%	79%	83%	85%
Outside Dublin County to Dublin County	68%	70%	68%	70%	75%	74%	81%

day' of posting and 'recovery actions if things go wrong', while for other service providers 'overall cost' received the lowest satisfaction rating.

The key findings from the Residential Survey, based on a structured questionnaire to a nationally representative sample of 1,024 adults aged 18-74, show:

- There was a decrease in the number of mail items delivered to each home address in 2009. The average number for 2009 stands at 8.47 items per week compared to 9.40 in 2008;
- Households posted just under 8 standard letters per month on average in 2009, which is slightly less than in 2008;
- 60% of respondents believe that reduced prices, improvements in access, reliability, security and service quality are the key factors that would increase their usage of the postal services;
- Satisfaction levels in 2009 were generally good, although lower satisfaction scores were recorded for 'letters being delivered within one working day of posting' and 'recovery actions if things go wrong';
- One in eight respondents experienced an incidence of dissatisfaction with the postal service in the past 12 months, but of those dissatisfied, only one in three made a formal complaint;
- Internet usage is increasing, with almost half of all respondents having shopped online in the past 12 months. The survey found that those shopping online are heavier users of the postal service;
- The survey also shows a 14% increase in those viewing transactional mail online (now 41% of all respondents), this being more likely for those with home internet access and a 12% increase, up to 39%, for those who have switched some of their transactional mail to being delivered online.

Postal Service Providers

Unlike some other countries where it is necessary to secure a licence to provide services in direct competition with the designated universal service provider, under the current regulatory framework it is possible to establish a competing service in Ireland (outside of the area currently reserved to An Post) with little or no formality. Since 1 January, 2004, only those postal service providers (other than An Post) with a relevant annual turnover of more than €500,000 for postal services, exclusive of VAT, are required to apply for a "postal service authorisation" and to put in place simple complaint and redress procedures designed to protect consumers. Currently there are 29 postal service providers authorised by ComReg. Our website www.comreg.ie carries the register of authorised providers of postal services and the services each operator currently provides.

Body of European Regulators for Electronic Communications

In order to facilitate closer co-operation between European Telecoms regulators, the Body of European Regulators for Electronic Communications (BEREC) and the Office were established by the Regulation (EC) No. 1211/2009 of the European Parliament and of the Council of 25 November 2009. BEREC is comprised of a Board of Regulators consisting of Heads of 27 national regulatory authorities (NRAs). The EU Commission, EFTA States (Switzerland, Norway, Iceland and Liechtenstein and three EU candidate States (Turkey, Croatia and the Former Yugoslav Republic of Macedonia) participate as observers to the Board of Regulators. BEREC is the successor of European Regulators Group with an enhanced role in the new regulatory framework. The ERG was formally disbanded by the Commission at the beginning of June 2010.

BEREC replaces the European Regulators Group (ERG), the group through which National Regulatory Authorities (NRAs) exchange expertise and best practice and give opinions on the functioning of the telecoms market in the EU.

BEREC is made up of a Board composed of the heads of the 27 NRAs and is assisted by an Office. The Office is a Community Body managed by a Management Committee in which all NRAs and the Commission are represented. ComReg is an active participant in BEREC's work programme.

Both BEREC and its predecessor, the ERG, provide a formal structure for European regulators and the European Commission to interact, discuss and develop the common application of the regulatory framework for electronic communications networks and services. As an advisory body to the European Commission, it provides the mechanism for reflection and debate and, with the adoption of its recommendations, acts as the driver for common approaches to regulatory intervention.

Unlike the ERG, BEREC also acts as an advisor to the European Parliament and Council, and can proactively

offer its expert opinion to all three institutions. John Doherty, ComReg Commissioner, was elected as the chair of BEREC at its inaugural meeting in January 2010.

The Independent Regulators Group

The Independent Regulators Group (IRG) provides national regulatory authorities with the opportunity to meet solely with other regulatory authorities to discuss implementation issues. The forum has proved useful as a debating ground on the application of the regulatory framework and as an information exchange. John Doherty, ComReg Commissioner, was selected as Chair of IRG for 2010.

During 2009/2010, the work of the IRG continued to be dominated by the review of the revised Regulatory Framework. This was subsequently adopted by the European Commission in November 2009, and must be transposed into national legislation by May 2011. During the period July 2009 to June 2010, the ERG, and subsequently BEREC, adopted a number of documents that both enhanced the clarity of regulatory approach and sought to determine agreed future regulatory action. Among the major outputs were:

Next Generation Networks

Both the ERG and BEREC have invested and continue to invest heavily in examining issues surrounding NGNs. As a basic principle, European regulators are committed to encouraging investments in NGNs while ensuring that the conditions for competition are maintained. BEREC issued its first formal Opinion on the draft Commission Recommendation on NGA. BEREC also published a Common Statement on future charging mechanisms for NGA.

ERG-RSPG Cooperation

In 2008, ERG and the Radio Spectrum Policy Committee (RSPG) agreed to work closer together on issues of common responsibility. In June 2010 a report on market definitions in the case of spectrum was issued.

The Roaming Regulation came into force at the end of June 2007. ERG provided guidelines for mobile operators on implementation of the Regulation at the time. These guidelines were updated to take account of the revision to the Regulation which came into force on 1 July, 2009. The ERG, and subsequently BEREC, co-ordinate the monitoring (carried out by NRAs) of compliance with the requirements of the Regulation and published two snapshots of European MTRs in July 2009 and January 2010.

The Communications Committee

Established as an advisory committee to the European Commission, the Communications Committee is intended as a forum where Member States can interact with the Commission, discuss and advise on the situation and the development of regulatory activities regarding electronic communications, networks and services. Along with representatives of the Department of Communications, Energy and Natural Resources, ComReg participates as part of the Irish delegation.

Review of Regulatory Framework

As noted above, the revised Regulatory Framework was adopted by the European Commission in late 2009, and must be transposed into national legislation by May 2011. ComReg provides technical advice to the Department of Communications, Energy and Natural Resources regarding this transposition.

The Corporate Services Division supports and informs the overall business by developing and implementing leading-edge strategies designed to foster and enable excellent performance. Our objectives are to develop a shared understanding of business objectives, to ensure that strategic management practices and systems support our business strategies, and to position ComReg to deliver an excellent service by capable and committed people. The Corporate Services area includes the following functions: Finance and Governance, Human Resources, Training and Facilities; Information; Communications; and Strategy.

Organisational Structure

The Minister for Communications, Marine and Natural Resources announced the establishment of ComReg on December 2002. On 1 February 2010, Alex Chisholm was appointed Chairperson of the Commission, with John Doherty having served as Chairperson from 1 December 2008 and Mike Byrne previous to that. The Commission is comprised of these three Commissioners. The Commission, with the Management Policy Committee (MPC), is responsible for the strategic and operational management of the organisation.

ComReg depends on the efforts of all of our people (including lawyers, economists and administrative specialists) to deliver on our mission and meet our regulatory objectives.

Strategic Planning Process

ComReg published its Strategy Statement for the electronic communications sector for the period 2008-2010, as required under the Communications Regulation Act and this Annual Report shows progress in relation to objectives outlined in that document. The Strategy Statement (ComReg Document 10/47) for the period 2010-2012 has been published, following an extensive consultation process, in July 2010 and is also available at www.comreg.ie.

The strategy sets out ComReg's plan for the successful delivery of identified key priorities and is underpinned by ComReg's Annual Action Plan which sets out detailed timeframes. These actions are reflected in individual key result areas which are the basis for our performance management process.

Progress in relation to our regulatory projects is actively managed by the Management Policy Committee and the Commissioners.

People Management

With recruitment freezes, effective pay cuts, and limitations on our ability to promote and reward individuals, maximising potential and the capacity of our people and processes continues to be a key concern. We recognise that talent management is a key element in our continued success and that excellent performance can only be achieved through ongoing investment in, and commitment to, our people. We are, therefore, pleased that our policies and systems are validated and recognised externally, through the achievement of re-accreditation with the Fás Excellence through People (Gold Standard) and Engineers Ireland in 2010 and our work with the Association of Chartered Certified Accountants. We also were recipients of awards for outstanding achievement in two categories of the Irish Institute of Training and Development (IITD) national awards in 2010, including recognition for one of our HR colleagues in the Learner of The Year category, Sharon Ward. These accreditations and awards acknowledge the high standards of professionalism

and training and development which ComReg provides for its staff members.

We continue to support individuals to acquire third and fourth level qualifications, to develop their management and professional skills, and to be exposed to leading thinking, including a customised regulatory leadership programme that we have developed which is open to all Irish regulatory bodies.

In 2009-2010 a full review of HR policies and procedures was undertaken to ensure that we remain legally compliant and have appropriate arrangements in place to deal with new developments internally and externally.

The full integration of the individuals who had worked in Regtel previously was a particular focus of our work in this period, including negotiating contracts, developing induction and mentoring solutions, communication, accommodation and information technology issues.

In managing the resources available to us, we are always aware of sustainability issues, and this year we have invested significant efforts in reducing our lighting bills in particular through the introduction of more energy-efficient solutions

Communications

Our Communications Unit, which is part of the Corporate Services Division, manages communication on behalf of ComReg with various stakeholders, including the media and the public, including managing the content of our website. We are responsible for the publication of the Annual Report and ComReg's Newsletter, responding to media queries and publishing all documents on behalf of ComReg including press releases, factsheets, consultation papers and responses.

Information Technology

ComReg's information technology function supports the organisation at an operational level; providing tactical mobilisation of IT and information systems and, deploying strategic IT initiatives. ComReg has continued to invest in high quality software and has developed a number of systems to assist its workforce.

The Information Technology function also serves to act as a valuable business enabler for ComReg, enhancing the stakeholder experience. This is achieved through the provision and enhancement of on-line services and tools and back-office systems and services. ComReg has a number of websites dedicated to providing users with a number of ComReg specific services, for example, radio licence applications. We strive to ensure that all services provided are available in an online format.

ComReg continued to enhance its online presence and improve user experience during this period. We provide independent, comparative, consumer-friendly information on alternative services, features and prices on our website www.callcosts.ie. More recently, we have launched a new business information section on our consumer website (www.askcomreg.ie/business), which has a dedicated helpdesk for small business and small office/home office consumers.

Our eGovernment Strategy was completed in June 2010. In addition, a number of key strategic projects were progressed this year to enhance customer service including developing elicencing arrangements, a new personal locator beacon register, making www.testandtrial.ie available in more languages and reviewing accessibility of our websites by the National Council of the Blind of Ireland.

A particular emphasis was placed on facilitating new functions which are due to come under our remit shortly, including premium rate services, in strengthening security and in preparing for contingencies.

We have also actively contributed to the work of the new Economic Regulators' Group, including workstreams on training and development, audit and customer care, and leading on the information technology work.

Corporate Governance

It is the objective of the Commission to ensure compliance with best practice in Corporate Governance.

The Audit Committee operates under formal terms of reference and met four times during the year. ComReg outsources its internal audit function and during the year the internal auditor carried out four audits (including a review of internal financial controls).

It is ComReg's policy to comply with the Code of Practice for the Governance of State Bodies and it has reported on its compliance with relevant sections of the Code either in this Annual Report or separately by way of a letter to the Minister for Communications, Energy and Natural Resources.

ComReg is also accountable to a number of Dáil committees, including the Committee on Economic Regulatory Affairs, the Communications, Energy and Natural Resources Committee and the European Scrutiny Committee.

We continued to supplement our value for money framework over the period under review, including developing a new purchase order system internally to provide more transparency in relation to budgets and procurement, and continuously reviewing and amending policies and procedures in relation to expenditure. During the year additional procedures were put in place with a view to further enabling the organisation to make the necessary choices regarding resource allocation to support business objectives, focus on good stewardship and proactively managing risk.

Green Initiatives

ComReg has introduced many green initiatives e.g. recycling bins, switch to water dispensers rather than use of bottled water, promotion of use of public transport by staff under the tax-saver scheme.

Very significant energy saving measures were introduced by ComReg into its offices over the past year, including the installation of sensory-activated lights in offices and other general locations, and timers on heating water. The Building Energy Rating (BER) certificate for ComReg's offices at end-2010 shows a very significant improvement in results (20% improvement and upgrade by category) over that calculated at the end of the previous year. ComReg also achieved similar savings in its energy bill. ComReg has engaged with the Sustainable Energy Authority of Ireland (SEAI) towards further initiatives and development in this area.

Financial Statements for the year ended 30 June 2010

44

Contents

Report of the Chairperson	45
Statement of Commission's Responsibilities	47
Statement on Internal Financial Control	48
Report of the Comptroller and Auditor General	49
Statement of Accounting Policies	51-52
Income and Expenditure Account	53
Appropriation Account	54
Statement of Total Recognised Gains and Losses	55
Balance Sheet	56
Cashflow Statement	57
Notes to the Financial Statements	58-65

I have pleasure in submitting the annual report and audited financial statements for the Commission for Communications Regulation for the year ended 30 June 2010.

Principal Activities

The Commission for Communications Regulation was established on 1 December 2002. The functions of the Commission are specified in the Communications Regulation Act, 2002, and the Communications Regulation (Amendment) Act, 2008. These functions relate to the regulation and licensing of the electronic communications industry (including radio and broadcasting transmission), the regulation of postal services and the regulation of the .ie domain name. The Commission is funded wholly by income received from the electronic communications and postal industries.

Income

Levies are raised on certain providers of electronic communications and postal services which are used to fund the cost of regulation.

The Commission is also responsible for the management of the radio spectrum and issues and renews a large number of Wireless Telegraphy licences to various operators, public bodies, private companies and individuals. These licences generate most of the Commission's income. Certain licences also include a requirement to pay for the right to use radio spectrum.

Financial Results

Details of the financial results of the Commission are set out in the Financial Statements and the notes supporting the Financial Statements.

Auditor and Accounts

Under the Communications Regulation Act, 2002, the Commission shall keep in such form as may be approved by the Minister for Communications, Energy and Natural Resources, with the consent of the Minister for Finance, all proper and usual accounts of all moneys received or expended by it. The Commission shall submit accounts in respect of each year to the Comptroller and Auditor General. Within 42 days of the accounts being audited, the Commission is required to present to the Minister for Communications, Energy and Natural Resources a copy of such accounts, together with the audit report of the Comptroller and Auditor General.

Corporate Governance

The Commission is committed to maintaining the highest standards of corporate governance. The Code of Practice for the Governance of State Bodies published by the Department of Finance is the foundation on which our corporate governance policies are based.

Section 33 of the Communications Regulation Act, 2002, requires the Commission to adopt, with the approval of the Minister for Communications, Energy and Natural Resources and the Minister for Finance, a code of financial management and to arrange for its publication following such approval. In addition the Commission is required to review periodically its code of financial management and revise and republish the code as appropriate. There is also a requirement on the Commission to comment in the annual report on adherence to the code.

Our code of financial management (which is based on the Code of Practice for the Governance of State Bodies published by the Department of Finance) has been approved by the Minister for Communications, Energy and Natural Resources and the Minister for Finance. The code is published on our website, and it is the policy of the Commission to ensure compliance with the code.

Going Concern

The Commissioners, after making enquiries, believe that the Commission has adequate resources to continue in operation for the foreseeable future and that it is appropriate to adopt the going concern basis in preparing the financial statements.

Prompt Payment of Accounts

The Commission acknowledges its responsibility for ensuring compliance, in all material respects, with the provisions of the European Communities (Late Payments in Commercial Transactions) Regulations, 2002 ("the Regulations"). Procedures have been put in place to identify the dates upon which invoices fall due for payment and to ensure that payments are made by such dates. Such procedures provide reasonable assurance against material non-compliance with the Regulations. The payment policy during the year under review was to comply with the requirements of the Regulations.

Alex Chisholm

Chairperson

Commission for Communications Regulation

7 December 2010

Section 32 of the Communications Regulation Act, 2002, requires the Commission to keep in such form as may be approved by the Minister for Communications, Energy and Natural Resources, with the consent of the Minister for Finance, all proper and usual accounts of moneys received or expended by it, including an income and expenditure account and a balance sheet, distinguishing between:

- a) its functions relating to electronic communications and
- b) its functions relating to postal matters.

In preparing financial statements, the Commission is required to:

- select suitable accounting policies and then apply them consistently;
- make judgements and estimates that are reasonable and prudent;
- follow applicable accounting standards, subject to any material departures disclosed and explained in the financial statements;
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the Commission for Communications Regulation will continue in operation.

The Commission is responsible for keeping proper books of account which disclose with reasonable accuracy at any time the financial position of the Commission and which enable the Commission to ensure that financial statements comply with the requirements of the Act. The Commission is also responsible for safeguarding the assets of the Commission and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

Alex Chisholm
Chairperson

Commission for Communications Regulation
7 December 2010

Statement on Internal Financial Control for the year ended 30 June 2010

48

Responsibility for Internal Financial Control

On behalf of the Commission for Communications Regulation, I acknowledge the Commission's responsibility for ensuring that an effective system of internal financial control is maintained and operated.

The system can provide only reasonable and not absolute assurance that assets are safeguarded, transactions are authorised and properly recorded, and material errors or irregularities either are prevented or would be detected in a timely period.

Key Control Procedures

The Commission has taken steps to ensure an appropriate control environment by:

- clearly defining management responsibilities;
- establishing formal procedures for reporting significant control failures and ensuring appropriate corrective action.

The Commission has established processes to identify, evaluate and manage business risks by:

- identifying the nature, extent and financial implication of risks facing the body, including the extent and categories which it regards as acceptable;
- assessing the likelihood of identified risks occurring;
- assessing the body's ability to manage and mitigate the risks that do occur;
- assessing the costs of operating particular controls relative to the benefit obtained.

The system of internal financial control is based on a framework of regular management information, administrative procedures, including segregation of duties, and a system of delegation and accountability.

In particular it includes:

- a comprehensive budgeting system with an annual budget which is reviewed and agreed by the Commission;
- regular reviews by the Commission of periodic and annual financial reports which indicate

- financial performance against forecasts;
- setting targets to measure financial and other performance;
- clearly defined capital investment control guidelines;
- formal project management disciplines.

The Commission has an internal audit function, which operates in accordance with the Framework Code of Best Practice set out in the Code of Practice for the Governance of State Bodies. The work of internal audit is informed by analysis of the risk to which the Commission is exposed, and annual internal audit plans are based on this analysis. The analysis of risk is reviewed by the Audit Committee, and the internal audit plans are approved by the Audit Committee and the Commission. At least annually, the internal auditor provides the Audit Committee and the Commission with a report of internal audit activity. The report includes the internal auditor's opinion on the adequacy and effectiveness of the system of internal financial control.

The Commission's monitoring and review of the effectiveness of the system of internal financial control is informed by the work of the internal auditor, the Audit Committee, which oversees the work of the internal auditor, the executive managers within the Commission who have responsibility for the development and maintenance of the financial control framework, and comments made by the Comptroller and Auditor General in his management letter or other reports.

Annual Review of Controls

I confirm that a review of the effectiveness of the system of internal financial control took place for the year ended 30 June 2010.

Alex Chisholm
Chairperson

Commission for Communications Regulation
7 December 2010

I have audited the financial statements of the Commission for Communications Regulation for the year ended 30 June 2010 under the Communications Regulation Act, 2002.

The financial statements, which have been prepared under the accounting policies set out therein, comprise the Statement of Accounting Policies, the Income and Expenditure Account, the Appropriation Account, the Statement of Total Recognised Gains and Losses, the Balance Sheet, the Cashflow Statement and the related notes.

Respective Responsibilities of the Commission and the Comptroller and Auditor General

The Commission is responsible for preparing the financial statements in accordance with the Communications Regulation Act, 2002, and for ensuring the regularity of transactions. The Commission prepares the financial statements in accordance with Generally Accepted Accounting Practice in Ireland. The accounting responsibilities of the Members of the Commission are set out in the Statement of the Commission's Responsibilities.

My responsibility is to audit the financial statements in accordance with relevant legal and regulatory requirements and International Standards on Auditing (UK and Ireland).

I report my opinion as to whether the financial statements give a true and fair view, in accordance with Generally Accepted Accounting Practice in Ireland. I also report whether in my opinion proper books of account have been kept. In addition, I state whether the financial statements are in agreement with the books of account.

I report any material instance where moneys have not been applied for the purposes intended or where the transactions do not conform to the authorities governing them.

I also report if I have not obtained all of the information and explanations necessary for the purposes of my audit.

I review whether the Statement on Internal Financial Control reflects the Commission's compliance with the Code of Practice for the Governance of State Bodies and report any material instance where it does not do so, or if the statement is misleading or inconsistent with other information of which I am aware from my audit of the financial statements. I am not required to consider whether the Statement on Internal Financial Control covers all financial risks and controls, or to form an opinion on the effectiveness of the risk and control procedures.

I read other information contained in the Annual Report and consider whether it is consistent with the audited financial statements. I consider the implications for my report if I become aware of any apparent misstatements or material inconsistencies with the financial statements.

Basis of Audit Opinion

In the exercise of my function as Comptroller and Auditor General, I conducted my audit of the financial statements in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board and by reference to the special considerations which attach to State bodies in relation to their management and operation. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures and regularity of the financial transactions included in the financial statements. It also includes an assessment of the significant estimates and judgements made in the preparation of the financial statements, and of whether the accounting policies are appropriate to the Commission's circumstances, consistently applied and adequately disclosed.

I planned and performed my audit so as to obtain all of the information and explanations that I considered necessary in order to provide me with sufficient evidence to give reasonable assurance

that the financial statements are free from material misstatement, whether caused by fraud or other irregularity or error. In forming my opinion, I also evaluated the overall adequacy of the presentation of information in the financial statements.

Opinion

In my opinion, the financial statements give a true and fair view, in accordance with Generally Accepted Accounting Practice in Ireland, of the state of the Commission's affairs at 30 June 2010 and of its income and expenditure for the year then ended.

In my opinion, proper books of account have been kept by the Commission. The financial statements are in agreement with the books of account..

John Buckley
Comptroller and Auditor General
28 December 2010

1. Accounting convention

The financial statements for the Commission, which are in the form approved by the Minister for Communications, Energy and Natural Resources with the consent of the Minister for Finance, are prepared on an accruals basis, except as stated below, under the historical cost convention and in accordance with Generally Accepted Accounting Practice. Financial reporting standards recommended by the recognised accountancy bodies are adopted as they become applicable. The unit of currency in which the financial statements are denominated is the euro.

2. Income recognition

Income from the Electronic Communications administration levy is brought to account over the period to which it relates, and any excess over the relevant administration costs, including provisions, is refunded.

Income from the Postal administration levy is brought to account over the period to which it relates, and any excess over the relevant administration costs, including provisions, is refunded.

Radio, MMDS and Deflector licence income is brought to account over the period to which the licence relates.

Spectrum Income represents fee income paid to the Commission for the right to use radio spectrum. This income is brought to account in the period when it falls due. In the year to 30 June 2010, the income derived from 3G radio spectrum.

Other Income is brought to account over the period to which it relates.

3. Appropriation of operating surplus

The distribution of the surplus arising in the year is set out in an Appropriation Account. Under the Communications Regulation Act, 2002, the Minister for Communications, Energy and Natural Resources may direct the Commission to pay into the Exchequer such sum as he or she may specify being a sum that represents the amount by which the aggregate sum received by the Commission in each financial year exceeds the aggregate costs incurred on administration in that year. Such sums are treated as a contribution from the retained surplus generated from operations.

4. Fixed assets and depreciation

The Commission adopts a minimum capitalisation threshold of €1,000. Fixed assets are stated at cost less accumulated depreciation. Depreciation is calculated in order to write off the cost of fixed assets on a straight-line basis over their estimated useful lives at the following rates:

Technical equipment	-15%
Computer equipment	-33 1/3%
Fixtures, fittings & office equipment	-15%
Motor vehicle	-20%

5. Capital reserve

The capital reserve represents the unamortised amount of income used to purchase fixed assets.

6. Foreign currencies

Transactions denominated in foreign currencies relating to revenues and costs are translated into euro at the rates of exchange ruling on the dates on which the transactions occurred.

Monetary assets and liabilities denominated in foreign currencies are translated into euro at the rates of exchange ruling at the Balance Sheet date.

7. Pensions

The Commission is staffed by Commissioners and directly recruited employees. A defined-benefit pension scheme is in place for Commissioners and employees of the Commission. The scheme is funded by contributions from Commissioners, employees and the Commission, which are transferred to a separate trustee administered fund.

The Commission has adopted FRS 17 Retirement Benefits. Pension scheme assets are measured at fair value. Pension scheme liabilities are measured on an actuarial basis using the projected units method. An excess of scheme liabilities over scheme assets is presented on the Balance Sheet as a liability.

The pension charge in the Income and Expenditure account comprises the current service cost plus the difference between the expected return on scheme assets and the interest cost of scheme liabilities.

Actuarial gains and losses arising from changes in actuarial assumptions and from experience surpluses and deficits are recognised in the Statement of Total Recognised Gains and Losses for the year in which they occur.

8. Taxation

The Commission is not liable for Corporation Tax. Income raised by the Commission is not subject to VAT. Provision is made for taxation on deposit interest received.

9. Allocation of costs

The Commission is required under Section 32 of the Communications Regulation Act, 2002, to distinguish between its functions relating to electronic communications and its functions relating to postal matters. Revenues and expenses directly related to each function are identified separately in the accounts. Shared overhead costs are allocated to each function in proportion to the staff numbers engaged in each function.

Income and Expenditure Account For the year ended 30 June 2010

Commission for Communications Regulation
Annual Report 2010

53

				Year to 30 June	Year to 30 June	
		2010	2010	2010	2010	2009
		Electronic Communications		Post		
Notes		Levy	Other	Levy	Total	Total
		€'000	€'000	€'000	€'000	€'000
INCOME						
Levy		9,381		1,345	10,726	11,508
Licensing Fees	1		27,608		27,608	27,282
Spectrum Income	1		10,100		10,100	10,100
Other Income	1		388		388	1,742
GROSS INCOME		9,381	38,096	1,345	48,822	50,632
Transfer from/(to) Capital Reserve	9		160		160	257
NET INCOME		9,381	38,256	1,345	48,982	50,889
EXPENDITURE						
Staff Costs	2	5,808	3,697	491	9,996	10,079
Pension Costs	14(b)	554	352	47	953	1,192
Technical Advice	3	2,942	1,163	522	4,627	4,044
Legal Expenses		394	1,812	68	2,274	2,352
Advertising		40	68	0	108	90
Administrative Expenses	4	1,334	885	128	2,347	2,950
Auditors' Remuneration		15	12	1	28	28
Premises and Related Expenses		751	572	60	1,383	1,322
Depreciation	5	355	263	28	646	668
Loss on Sale of Vehicle			9		9	0
Subscriptions to International Organisations	12	488			488	496
		12,681	8,833	1,345	22,859	23,221
OPERATING SURPLUS / (DEFICIT)		(3,300)	29,423	-	26,123	27,668

The Statement of Accounting Policies and Notes 1 to 19 form an integral part of these Financial Statements.

Alex Chisholm
Chairperson
Commission for Communications Regulation

Appropriation Account for the year ended 30 June 2010

54

		Year to 30 June	Year to 30 June
		2010	2009
		Total	Total
		€'000	€'000
OPERATING SURPLUS		26,123	27,668
Less: Appropriations			
Payable to Central Fund	10	(25,441)	(24,865)
Additional contribution to Pension fund	10	-	(2,500)
Pension Reserve adjustment	10	(682)	(303)
SURPLUS CARRIED FORWARD		0	0

The Statement of Accounting Policies and Notes 1 to 19 form an integral part of these Financial Statements.

Alex Chisholm
Chairperson
Commission for Communications Regulation

Statement Of Total Recognised Gains And Losses For the year ended 30 June 2010

Commission for Communications Regulation
Annual Report 2010

55

		Year to 30 June	Year to 30 June
		2010	2009
		Total	Total
		€'000	€'000
SURPLUS		0	0
Actual return less expected return on scheme assets	14(ciii)	1,783	(3,222)
Experience gains / (losses) on pension scheme liabilities	14(f)	3,070	(810)
Changes in assumptions underlying the present value of pension scheme liabilities	14(cii)	(3,204)	2,516
Transfers in for prior service	14(ciii)	37	522
Total Recognised (Losses)/Gains relating to the Financial Year		1,686	(994)

The cumulative gain recognised from actuarial gains and losses arising in the last five years amounts to €328,000.

Movement in Pension Reserve			
Balance at 1 July		(2,433)	(4,242)
Total Recognised (Gain)/Loss in the year		1,686	(994)
Additional contribution to Pension fund	10	-	2,500
Pension Reserve adjustment	10	682	303
Balance at 30 June		(65)	(2,433)

The Statement of Accounting Policies and Notes 1 to 19 form an integral part of these Financial Statements.

Alex Chisholm
Chairperson
Commission for Communications Regulation

Balance Sheet as at 30 June 2010

		30 June	30 June
		2010	2009
		€'000	€'000
	Notes		
FIXED ASSETS			
Tangible Assets	5	1,682	1,842
CURRENT ASSETS			
Debtors	6	8,565	8,634
Short-Term Investments	7	63,489	63,576
Cash at Bank and in hand and Short-Term Deposits		3,502	3,498
		75,556	75,708
CREDITORS (Amounts falling due within one year)			
Creditors	8	(75,556)	(75,708)
NET CURRENT ASSETS		0	0
TOTAL ASSETS LESS CURRENT LIABILITIES		1,682	1,842
NET ASSETS EXCLUDING PENSION LIABILITY		1,682	1,842
Pension Liability	14(ci)	(65)	(2,433)
NET LIABILITIES INCLUDING PENSION LIABILITY		1,617	(591)
REPRESENTED BY			
Capital Reserves	9	1,682	1,842
Pension Reserve		(65)	(2,433)
RESERVES INCLUDING PENSION LIABILITY		1,617	(591)

The Statement of Accounting Policies and Notes 1 to 19 form an integral part of these Financial Statements.

Alex Chisholm
Chairperson
Commission for Communications Regulation

Cashflow Statement

For the year ended 30 June 2010

Commission for Communications Regulation
Annual Report 2010

57

		Year to 30 June	Year to 30 June
		2010	2009
	Notes	€'000	€'000
RECONCILIATION OF OPERATING SURPLUS TO NET CASH INFLOW FROM OPERATING ACTIVITIES			
Operating Surplus (before Appropriations)		26,123	27,668
Difference between pension charge and contributions		(682)	(2,803)
Depreciation		646	668
Loss in Sale of Asset		9	
Bank interest		(388)	(1,422)
Capital reserve transfer		(160)	(257)
Decrease / in Debtors		69	3,282
Increase in Creditors (excluding Central Fund)		906	653
NET CASH INFLOW FROM OPERATING ACTIVITIES		26,523	27,789
CASHFLOW STATEMENT			
Net cash inflow from operating activities		26,523	27,789
Return on Investments			
- Bank and other interest received		388	1,422
Capital expenditure		(508)	(411)
Receipt from sale of asset		13	-
Payment to Central Fund	10	(26,499)	(16,303)
Management of Liquid Resources			
- Decrease/(Increase) in Short-Term Deposits		19	(1,497)
- Decrease/(Increase) in Short-Term Investments		87	(11,105)
INCREASE / (DECREASE) IN CASH BALANCES		23	(105)
RECONCILIATION OF NET CASHFLOW TO MOVEMENT IN NET FUNDS			
Increase / (Decrease) in cash in the period		23	(105)
(Decrease) / Increase in Short-Term Deposits		(19)	1,497
(Decrease) / Increase in Short-Term Investments		(87)	11,105
Change in Net Funds		(83)	12,497
Opening Net Funds		67,074	54,577
Closing Net Funds		66,991	67,074

The Statement of Accounting Policies and Notes 1 to 19 form an integral part of these Financial Statements.

Alex Chisholm
Chairperson
Commission for Communications Regulation

Notes to the Financial Statements

For the year ended 30 June 2010

58

				Year to 30 June	Year to 30 June
				2010	2009
		2010	2010	2010	2010
		Electronic Communications		Post	
		Levy	Other	Levy	Total
		€'000	€'000	€'000	€'000

1. LICENSING FEES					
2G & 3G Radio Licensing Fees	-	15,431	-	15,431	14,640
Other Radio Licensing Fees	-	12,078	-	12,078	12,489
MMDS & Deflector Licensing	-	99	-	99	153
	-	27,608	-	27,608	27,282
Spectrum Income					
3G Spectrum Income	-	10,100	-	10,100	10,100
Other Income					
Bank Interest		388		388	1,422
Sundry		-		-	320
		388		388	1,742

2. STAFF COSTS					
Employee costs during the year:					
Wages and Salaries#	5,298	3,372	448	9,118	9,194
Social Welfare Costs	510	325	43	878	885
	5,808	3,697	491	9,996	10,079
The average number of staff employed by the Commission during the year, analysed by category, was as follows:	65	47	5	117	119

#The Commission operates a performance related remuneration scheme (which was originally established by the ODTR). Of the total Wages and Salaries costs, €748,000 (or 8%) of the total represents payments to staff in accordance with the provisions of the performance related remuneration scheme and the terms of their contracts of employment. Details of the remuneration of Commissioners are shown below.

	Salary	Allowance	Other Remun- eration	Total
	€'000	€'000	€'000	€'000
Alex Chisholm* – Chairperson	176	7	1	184
Mike Byrne – Commissioner	176	-	1	177
John Doherty* – Commissioner	176	11	1	188

* An allowance of 10% of salary is payable to the Chairperson. Alex Chisholm was appointed Chairperson on 1 February 2010. John Doherty was Chairperson in the period from 1 December 2008 to 31 January 2010. Other Remuneration represents the cost of medical insurance paid by ComReg. The Commissioners' pension entitlements do not extend beyond the standard entitlements in the ComReg Superannuation Scheme (which is based on the Model Superannuation Scheme for civil servants) and Commissioners are not eligible for performance related pay.

Notes to the Financial Statements

For the year ended 30 June 2010

Commission for Communications Regulation
Annual Report 2010

59

	30 June	30 June
	2010	2009
	€'000	€'000

3. TECHNICAL ADVICE

Professional & Technical Advice	3,128	2,540
Contact Management	492	488
Market Research	372	365
Quality of Service Monitoring	365	349
Staff Training and Professional Development	270	302
	4,627	4,044

4. ADMINISTRATIVE EXPENSES

Equipment and IT Maintenance	648	659
Subscriptions to Databases/Research Reports	455	557
Travel and Subsistence	361	354
Conferences/Meetings	281	429
Postal and Telecommunications	127	150
Stationery	105	146
Publishing and Promotion	63	209
Recruitment	10	116
Light, Heat and Cleaning	99	96
Insurance	27	54
Other Administrative Costs	171	180
	2,347	2,950

5. TANGIBLE ASSETS

	Technical Equipment	Computer Equipment	Fixtures, Fittings & Office Equipment	Motor Vehicle	Total
	€'000	€'000	€'000	€'000	€'000
Cost					
At 30 June 2009	725	2,749	2,366	96	5,936
Additions	86	297	30	95	508
Disposals				(60)	(60)
At 30 June 2010	811	3,046	2,396	131	6,384
Accumulated Depreciation					
At 30 June 2009	460	2,304	1,296	34	4,094
Disposals				(38)	(38)
Charge for period	68	283	278	17	646
At 30 June 2010	528	2,587	1,574	13	4,702
Net Book Value					
30 June 2010	283	459	822	118	1,682
30 June 2009	265	445	1,070	62	1,842

Notes to the Financial Statements

For the year ended 30 June 2010

60

	30 June	30 June
	2010	2009
	€'000	€'000

6. Debtors

Due within one year:

Electronic Communications administration levy	367	906
Postal administration levy	41	36
Radio Licence Income	7,331	6,948
Accrued Income	111	80
Pre-payments & Recoverable expenses	715	664
	8,565	8,634

Recoverable expenses includes the sum of €200,000 in respect of costs incurred by ComReg as a result of its involvement in the National Postcode Project in 2005/6. The total costs incurred by ComReg in respect of this project amounted to €479,000, of which €279,000 was recovered through the Postal Levy. ComReg is in consultation with the Department of Communications, Energy and Natural Resources regarding recovery of the remaining €200,000.

7. Short Term Investments

Short Term Investments	63,489	63,576
	63,489	63,576

Short Term Investments comprise Exchequer Notes purchased from the National Treasury Management Agency Limited.

Notes to the Financial Statements

For the year ended 30 June 2010

Commission for Communications Regulation
Annual Report 2010

61

	30 June	30 June
	2010	2009
	€'000	€'000

8. Creditors

Amounts falling due within one year

Trade Creditors	967	1,259
Other Creditors	7,790	7,438
PAYE / PRSI	0	6
Value-added tax	61	65
Accruals	2,012	1,659
Deferred income (see analysis below)	18,719	17,997
Payroll	701	920
Payable to Central Fund (see Note 10)	45,306	46,364
	75,556	75,708
Analysis of Deferred Income		
Radio Licence Income	17,709	17,519
Other	1,010	478
	18,719	17,997

Where licences are renewed for a period which extends beyond the end of the financial year, a proportion of that income is deferred to meet expenditure in the following year.

9. CAPITAL RESERVES

Opening Balance	1,842	2,099
Transfer (to) / from Income and Expenditure Account:		
Net Additions to fixed assets	448	411
Amortisation in line with fixed asset depreciation	(608)	(668)
Net Amount from Income and Expenditure Account	(160)	(257)
	1,682	1,842

Notes to the Financial Statements

For the year ended 30 June 2010

62

10. APPROPRIATION OF SURPLUS

No final determination of the amount distributable to the Central Fund has yet been made for the year to 30 June 2010. Any final determination is not expected to be greater than €25,441,000. During the year to 30 June 2010 €26,499,000 was paid to the Central Fund, €21,499,000 in respect of the year to 30 June 2008 and a further payment of €5m was advanced from cashflow. The adjustment to the pension reserve in the year represents the difference between unappropriated pension contributions and pension charges.

11. PREMISES AND ACCOMMODATION

The Commission occupies premises at Abbey Court, Irish Life Mall, Lower Abbey Street, Dublin 1. The premises are rented from the Office of Public Works.

12. MEMBERSHIP OF INTERNATIONAL TELECOMMUNICATIONS ORGANISATIONS

Certain payments to International Telecommunications Organisations are met by the Department of Communications, Energy and Natural Resources out of the proceeds of the Administrative Levy. The charge to the Income and Expenditure Account includes €488,000 for that purpose.

13. COMMISSIONERS AND STAFF – DISCLOSURE OF INTERESTS

The Commissioners and staff complied with the requirements of Section 25 (Disclosure of Interests) of the Communications Regulation Act, 2002. There were no transactions in the year in relation to the Commission's activities in which the Commissioners had any interest.

14. PENSIONS

a) Description of Scheme

The Commission for Communications Regulation is a national regulatory authority established under the Communications Regulation Act, 2002. Sections 26 and 27 of the Act provide that the Commission shall make schemes for granting of superannuation benefits to and in respect of Commissioners and staff members, subject to Ministerial approval.

A funded defined-benefit scheme is being operated for the Commissioners and employees of the Commission.

For the purposes of reporting in accordance with Financial Reporting Standard 17 – Retirement Benefits (FRS 17), an update of the actuarial review was completed as at 30 June 2010.

	30 June	30 June
	2010	2009
	€'000	€'000
b) Pension Costs		
Current service cost	1,413	1,480
Interest cost	1,117	1,017
Expected return on Scheme Assets	(1,142)	(916)
Past service cost		
Less: Employees' Contributions	(435)	(389)
Total	953	1,192

Notes to the Financial Statements

For the year ended 30 June 2010

Commission for Communications Regulation
Annual Report 2010

63

14. PENSIONS (continued)		30 June	30 June
		2010	2009
		€'000	€'000
ci)	Net Pension Liability		
	Made up of:		
	Present Value of Funded obligations	19,864	17,260
	Fair value of Scheme Assets	(19,799)	(14,827)
	Net Liability (Asset)	65	2,433
cii)	Present Value of Scheme Obligations at beginning of year	17,260	16,523
	Current Service Cost	1,413	1,480
	Interest Cost	1,117	1,017
	Actuarial (Gain)/Loss	134	(1,706)
	Benefits Paid	(14)	0
	Premiums Paid	(46)	(54)
	Present Value of Scheme Obligations at end of year	19,864	17,260
ciii)	Change in Scheme Assets		
	Fair Value of Scheme Assets at beginning of year	14,827	12,281
	Expected return on Scheme Assets	1,142	916
	Actuarial Gain/(Loss)	1,783	(3,222)
	Employer Contributions	1,635	3,995
	Members' Contributions	435	389
	Transfers in for prior service	37	522
	Benefits paid from Scheme	(14)	0
	Premiums paid	(46)	(54)
	Fair Value of Scheme Assets at end of year	19,799	14,827
	The current practice of increasing pensions in line with inflation is included in the measurement of the defined benefit obligation.		
	The fair value of Scheme Assets takes account of additional contributions to the fund in the years 2008 and 2009.		

Notes to the Financial Statements

For the year ended 30 June 2010

64

14.	PENSIONS (continued)	30 June	30 June
		2010	2009
d)	Scheme Asset Composition		
	The scheme assets at the year end were composed of:		
	Equities	75.7%	75.8%
	Bonds	22.2%	20.7%
	Property	2.1%	3.5%
	Other	0.0%	0.00%
		100.0%	100.0%
	Actual return less expected return on scheme assets		
	Actual Return	2,925	(2,306)
	Less: Expected Return	(1,142)	(916)
		1,783	(3,222)
	To develop the expected long-term rate of return on assets assumption, the Commission considered the current level of expected returns on risk-free investments (primarily government bonds), the historical level of the risk premium associated with the other asset classes in which the portfolio is invested and the expectations for future returns of each asset class. The expected return for each asset class was then weighted based on the target asset allocation to develop the expected long-term rate of return on assets assumption for the portfolio. This resulted in the selection of the 6.68% assumption as at 30 June 2010 and 6.94% assumption as at 30 June 2009.		
	Weighted average assumptions used to determine benefit obligations		
	Discount Rate	5.35%	6.00%
	Rate of compensation increase	4.00%	4.00%
	Weighted average assumptions used to determine pension expense		
	Discount Rate	6.00%	5.75%
	Expected long-term return on scheme assets	6.68%	7.21%
e)	Financial & Demographic Assumptions		
	The Financial Assumptions used for FRS 17 purposes were:		
	Discount rate	5.35%	6.00%
	Salary increases	4.00%	4.00%
	Pension increases	3.50%	3.50%
	Inflation increases	2.00%	2.00%
	The Demographic Assumptions used were as follows		
		2010	2009
	Mortality Pre-Retirement*	PMA92/PFA92(c=2030)-1	PMA92/PFA92(c=2030)
	Mortality Post-Retirement*	PMA92/PFA92(c=2030)-1	PMA92/PFA92(c=2030)
	Retirements	It is assumed that all members who joined prior to 1 April 2004 retire at age 60 and all other members retire at 65	It is assumed that all members retire at age 60
	Ill Health Retirement	No allowance	No allowance
	Early Retirement	No allowance	No allowance
	Withdrawals	No allowance	No allowance
	Percentage married	It is assumed that 90% of Males and 75% of Females are married.	It is assumed that 90% of Males and 75% of Females are married.
	Age Difference between spouses	A male is assumed to be 3 years older than his spouse	A male is assumed to be 3 years older than his spouse
	*PMA92/PFA92 are both published mortality tables prepared for the Actuarial Profession in the U.K. by the Continuous Mortality Investigation Bureau. The mortality assumptions chosen are based on standard tables reflecting typical pensioner mortality and they allow for increasing life expectancy over time.		

Notes to the Financial Statements

For the year ended 30 June 2010

Commission for Communications Regulation
Annual Report 2010

65

14	PENSIONS (continued)	30 June	30 June	30 June	30 June	30 June
		2010	2009	2008	2007	2006
		€'000	€'000	€'000	€'000	€'000
f)	History of defined benefit obligations, assets and experience gains and losses					
	Defined benefit obligations	19,864	17,260	16,523	14,007	11,077
	Fair value of Scheme Assets	(19,799)	(14,827)	(12,281)	(10,580)	(6,717)
	Deficit (Surplus) for funded Scheme	65	2,433	4,242	3,427	4,360
	Experience (gains) / losses on Scheme Liabilities					
	amount	(3,070)	810	99	1,880	(716)
	percentage of Scheme Liabilities	(15.5%)	4.7%	0.6%	13.4%	(6.5%)
g)	Prior Pensionable Service					
	The assets and liabilities of the pension scheme relate to retirement benefits arising from service with the Commission and service with other public bodies prior to joining the Commission. The Commission is entitled to seek to recover the cost of funding the prior service from other public bodies under the terms of its membership of the Civil Service Transfer Network.					
	For service transferred by members prior to 30 June 2010, the total value of such payments received in the year to 30 June 2010 was € 37,000.					
	Payments in respect of transferred in service are shown in the Statement of Total Recognised Gains and Losses.					
h)	Funding of Pensions					
	The Commission expects to contribute €1.6m to its pension scheme in 2011.					
15.	CONTINGENT LIABILITIES					
	There were no contingent liabilities at 30 June 2010.					
16.	RELATED PARTY TRANSACTIONS					
	As part of the ordinary course of business, the Commission has had transactions with other government departments and other state bodies.					
17.	REGULATION OF PREMIUM RATE SERVICES					
	The enactment in March 2010 of the Communications Regulation (Premium Rate Services and Electronic Communications Infrastructure) Act 2010 transferred (with effect from 12 July 2010) the responsibility for the regulation of premium rate services (PRS) in Ireland from the Regulator of Premium Rate Telecommunications Services Ltd (Regtel) to the Commission for Communications Regulation. In the year to 30 June 2010, expenditure totalling €231,000 in respect of PRS activities was included under 'Electronic Communications Other'.					
18.	PENSION LEVY					
	An amount of €624,000 deducted from salaries in respect of the Pension Levy was paid to the Department of Communications, Energy and Natural Resources in the year ended 30 June 2010.					
19.	APPROVAL OF FINANCIAL STATEMENTS					
	These financial statements were approved by Alex Chisholm, Chairperson, for the Commission for Communications Regulation, on 7 December 2010.					

Appendix 1: List of documents published by ComReg during the year

66

09/53	Extension of April 2009 Direction requiring Eircom to refrain from launching proposed 1MB and 3MB Family free calls to Meteor TalkTime bundles	09/61	2009 Programme of Measurement of Non-Ionising Radiation Emissions - Second Interim Report
09/54	Notification to An Post on Quality of Service	09/62	Further Input to Consultation Document No. 09/39 on Local Loop Unbundling (LLU) and Sub Loop Unbundling (SLU) Monthly Rental Charges
09/55	Meeting regarding interim Eircom charge for the provision of Emergency Call Answering Service (ECAS)	09/63	Response to Consultation 08/44 - Award of available UHF spectrum in the urban areas of Cork, Dublin, Galway, Limerick and Waterford
09/56	Discussion Document - Next Generation Broadband in Ireland	09/64	Information Notice - Decision to close investigation into Bitstream Authentication
PR090709	ComReg publishes discussion document on Next Generation Broadband	09/65	Response to Consultation Document 09/11 and Final Decision - Review of the Regulatory Asset Lives of Eircom Limited
09/57	Information Notice: Adjustment to the Eircom charge for the provision of Emergency Call Answering Service (ECAS) for the interim period	09/66	Response to Consultation 08/106 and Decision: Rental Price for Shared Access to the Unbundled Local Loop
09/53s	Submissions to Consultation - Extension of April 2009 Direction requiring Eircom to refrain from launching proposed 1MB and 3MB Family free calls to meteor TalkTime bundles	09/66a	Report prepared for Eircom by Indecon International Consultants and London Economics in response to ComReg's Line Share consultation - March 2009
09/58	Determination in the dispute between BT Ireland and Eircom Limited in relation to an alleged failure by Eircom to provide Wholesale Leased Line terminating segments based on uncontended Ethernet access	09/66b	Report prepared for ComReg by Tera Consultants - Assessment whether a Ramsey-pricing methodology can be implemented for setting the Local Loop Unbundling ('LLU') Line Share ('LS') price in Ireland - August 2009
09/59	Invitation to Tender: Non-ionising Radiation Site Surveys 2009 - 2010	09/67	Information Notice - Implementation of EU Roaming Regulation by Irish Mobile Companies
02/71R3	Permitted Short Range Devices in Ireland	09/66s(a)	Submissions to Consultation 08/106 (Smart Telecom) - Price of Shared Access to the Unbundled Local Loop
09/60	ComReg Residential ICT Services Survey Q2, 2009	09/68	ComReg's response to the European Commission's Consultation of the 10th of July 2009: Transforming the digital dividend opportunity into
PR230709	ComReg issues Q2 survey findings of residential customer attitudes to communications and information technology		

	social benefits and economic growth in Europe	09/76	Response to Consultation: Release of Spectrum in the 2300 - 2400 MHz Band
09/63s	Submissions to Consultation 08/44: Award of available UHF spectrum in the urban areas of Cork, Dublin, Galway, Limerick and Waterford	PR061009	ComReg publishes response to consultation on the release of spectrum for next generation wireless broadband
09/69	Quality of Postal Service Monitor - Interim Report Q2 2009	09/77	Response to Consultation and Decision - Intra Migration Premium Charge
PR030909	ComReg reports on An Post quality of service performance between April and June 2009	09/77s	Submissions to Consultation - Intra Migration Premium Charge
09/70	Decision that Eircom has remedied the notified breach in respect of discrimination in Access to Universal Account Numbers (UANs)	09/76s	Submissions to Consultation: Release of Spectrum in the 2300 - 2400 MHz Band
09/71a	Quarterly Key Data Report - Explanatory Memorandum	09/78	Provision of Universal Service by Eircom - Performance Data - Q2 2009 and Annual
09/71	Quarterly Key Data Report	09/79	Information Notice - Obligation on Eircom not to unreasonably bundle pursuant to ComReg Decision D07/61 - Settlement of Legal Proceedings
PR100909	ComRegs market report highlights challenging conditions in the communications market		
(SI369of2009)	Wireless Telegraphy (Radiodetermination, Air Traffic and Maritime Services) Regulations, 2009	CP63	Shaping Ireland's Future: Communications for the Smart Economy - Agenda
(SI370of2009)	Wireless Telegraphy (Radio Link Licence) Regulations 2009	CP63a	Shaping Ireland's Future: Communications for the Smart Economy - Presentation by Barry O'Sullivan
09/72	ComReg Submission to the Department of the Taoiseach - Innovation Taskforce	CP63b	Shaping Ireland's Future: Communications for the Smart Economy - Presentation by Torbjorn Nilsson
09/73	Liberalising the future use of the 900 MHz and 1800 MHz Spectrum bands - Publication of the non-confidential minutes of bilateral meetings	CP63c	Shaping Ireland's Future: Communications for the Smart Economy - Presentation by Dr. Chris Horn
09/74	Information Notice - Closure of Sync Checker Investigation		
09/75	Consultation - Accounting Separation and Cost Accounting Review - Draft accounting direction to Eircom Limited	CP63d	Shaping Ireland's Future: Communications for the Smart Economy - Presentation by Mike Fitzgerald

CP63e	Shaping Ireland's Future: Communications for the Smart Economy - Presentation by Dr. Robert Atkinson	PR191109	ComReg issues thirty nine new licences for the provision of broadband services
09/80	Consultation - General Authorisation: Proposal to attach conditions in relation to the provision of Consumer References by Authorised Persons supplying Electronic Communications Services at a fixed location	09/88	Information Notice - Next Generation Broadband in Ireland
09/81	Response to Consultation: Digital Dividend in Ireland	PR241109	ComReg report shows strong support for Next Generation Broadband in Ireland
PR201009	ComReg publishes report on Digital Dividend Consultation	09/88s	Next Generation Broadband in Ireland: Submissions Received from Respondents
09/82	2009 Programme of Measurement of Non-Ionising Radiation Emissions: Third Interim Report	09/89	Guidelines to Applications for Radio Link Licences
CP64	Presentation by Commissioner Mike Byrne to IBEC's Telecommunications and Internet Federation - 16 October, 2009	09/89a	Application Form for Radio Link Licences
09/83	Information Notice: Revised Fee Structure for Radio Link Licences	09/90	Information Notice: Call for Input on Industry Trends for ComReg Strategy Statement
09/84	Report: Residential and Business Internet Connectivity - Irish and European experience	(SI445of2009)	S.I. 445 of 2009 Wireless Telegraphy (UHF Television Programme Retransmission) Regulations, 2009
PR301009	ComReg research report analyses internet connectivity in Ireland	09/91	Quality of Postal Service Monitor - Interim Report Q3 2009
09/85	Consultation: Dispute Resolution Procedures - Framework Regulations	PR081209	ComReg reports on An Post Quality of Service performance between July and September 2009
CP65a	Speech by Commissioner Alex Chisholm at presentation by WIK Consult, 5 November 2009	09/92	ComReg Business ICT Services Survey Wave 2, 2009
CP65b	The Role of Regulators in a More Competitive Postal Market - Presentation by WIK Consult at ComReg, 5 November 2009	PR091209	Survey reveals over half of businesses reduced communications spend in 2009
09/86	Consultation - Leased Line Markets: Review of Urban Centres	09/93	The Release of Channels F and G in the 10.5 GHz band for FWALA licensing
09/87	Use of Adaptive Coding and Modulation in Terrestrial Fixed Link Bands	PR141209	ComReg Releases Additional Spectrum for Broadband Services at 10.5 GHz
		09/94	Information Notice - An Post's compliance with obligations in respect of inbound cross-border mail

09/95	Information Notice - 2009 Postal Market Business and Residential Surveys	CP66	Using Radio Spectrum for Innovation and Leveraging the Smart Economy - Presentation by Commissioner Mike Byrne to IADT Conference 16th December 2009
09/95a	2009 Postal Market Business Survey		
09/95b	2009 Postal Market Residential Survey	10/02	Extension of Response Period for Doc 09/99
09/96	Consultation on Mobile Satellite Service (MSS) with Complementary Ground Component (CGC)	10/03	Clarification on the calculation of the Reserve Price and Spectrum Usage Fees proposed in ComReg Consultation Document 09/99
09/97	Provision of Universal Service by Eircom - Performance Data Q3 2009		
09/98	Hutchison 3 G Ireland-Tesco Mobile Ireland Dispute - Final Determination	09/81s	Submissions to Consultation - Digital Dividend in Ireland
09/99s	Liberalising the Future use of the 900 MHz and 1800 MHz Spectrum bands & Spectrum Release Options	10/04	Information Notice - ComReg notifies Hutchison 3G Ireland Limited of a finding of non-compliance
09/99c	Liberalisation of spectrum in the 900MHz and 1800MHz bands	10/05	Information Notice: Addition to Table 1 of ComReg Decision No. 01/06
09/99	Liberalising the Future Use of the 900 MHz and 1800 MHz Spectrum Bands	10/06	Decision reducing the monthly rental price for Line Share - Settlement of Legal Proceedings
PR211209	ComReg publishes latest proposals on future use of 900 MHz mobile radio spectrum	10/07	2009 Programme of Measurement of Non-Ionising Radiation Emissions - Fourth Interim Report
02/71R4	Permitted Short Range Devices in Ireland	10/08	Invitation to Tender - Quality Standard for Customer Service Complaints Handling
09/100	Information Notice - Revised Amendments to ComReg Document 08/90 Radio Frequency Plan for Ireland	10/09	Information Notice: Meeting of authorised operators who provide access to premium rate services
08/90R1	Radio Frequency Plan for Ireland	PR090210	ComReg urges public to be aware of the phone number 112 for emergency services in the EU
09/101	Quarterly Key Data Report		
09/101a	Quarterly Key Data Memorandum	10/10	Response to Consultations & Final Decision: Local Loop Unbundling (LLU) and Sub-Loop Unbundling (SLU) Maximum Monthly Rental Charges
PR221209	ComReg Quarterly Report for Q3 2009		
10/01	Consultation and Draft Direction - Further specification of the obligation not to unreasonably bundle pursuant to D07/61	10/11	Information Notice - ComReg briefing on the future of the 2.3 GHz band
		10/12	Response to Consultation 09/86 and Final Decision: Leased Line Markets Review of Urban Centres

10/13	Meteor Mobile Communications non confidential 3G licence commitments	10/19a	Quarterly Key Data Report Memorandum Q4 2009
10/14	Reduction of Call Origination and Call Termination rates by Eircom	10/20	Information Notice - Provision of Universal Service by Eircom - Performance Data - Q4 2009 (1 October 2009 to 31 December 2009)
10/15	Information Notice on GSM Spectrum Liberalisation Q&A Webpage	PR190310	ComReg issues Quarterly Market Report for Q4 2009
09/65s	Submissions to Consultation Document 09/11 - Review of the Regulatory Asset Lives of Eircom Limited	10/12a	Submissions to Consultation 09/86 - Leased Line Markets: Review of Urban Centres
09/66s	Submissions to Consultation 08/106 - Price of Shared Access to the Unbundled Local Loop	10/22	ComReg Residential ICT Services Survey Q4 2009
08/105a	Indecon Report on Intra Migration Premium	PR240310	ComReg consumer survey shows that consumers are spending more time on the internet but spending less money on fixed & mobile phone services
PR030310	ComReg launches initiative for small businesses	10/23	Information Notice - ComReg notifies Hutchison 3G Ireland Limited of an opinion of non-compliance
10/10a	Consultation Submissions to ComReg Consultation Document 09/39	10/24	Republic Of Ireland Quality Of Postal Service Monitor - 2009 Report
10/10b	Consultation Submissions to ComReg Consultation Document 09/62	PR250310	ComReg reports on An Post's quality of service performance for 2009
10/16a	Spectrum Liberalisation in the 900MHz and 1800MHz bands - 900MHz : Auction Rules and Implementation Appendix 5	10/21R	Submissions to Consultation 09/99 - Liberalising the Future Use of the 900 MHz and 1800 MHz Spectrum Bands
10/17	Spectrum Liberalisation in the 900MHz and 1800MHz bands - 900MHz Auction Rules and Implementation : Pre-Qualification Questionnaire	10/25	Information Notice - Addition and Amendment to Table 1 of ComReg Decision No. 01/06
10/16	Spectrum Liberalisation in the 900MHz and 1800MHz bands - 900MHz : Auction Rules and Implementation	10/18R	Response to Consultation Document No. 09/85 - Dispute Resolution Procedures: Framework Regulations
10/18	Response to Consultation and Decision Notice: Dispute Resolution Procedures - Framework Regulations	10/26	Information Notice - Mobile TV Wireless Telegraphy Licence Award
10/19	Quarterly Key Data Report Q4 2009	CP68	Why we need a European Radio Spectrum Policy - A Presentation by Commissioner Mike Byrne to the IIR Telecoms Regulation Forum, London, March 2010

10/27	Consultation - Scope of Premium Rate Services Regulation	10/35	Consultation - The Provision of Telephony Services under Universal Service Obligations
10/28	Response to Consultation 09/80 and Decision: Amendment to General Authorisation - New General Authorisation conditions in relation to the provision of Consumer References by Operators.	PR220410	ComReg consults on the provision of universal service for telephone services in Ireland
03/81R2	General Authorisation - Conditions for the provision of Electronic Communications Networks and Services	10/35a	Summary of Consultation 10/35 - The Provision of Telephony Services under Universal Service Obligations
10/29	Information Notice - Fixed Wireless Access Local Area Licensing: End date of the FWALA licensing scheme in the 3.6 GHz band	10/36	2010 Programme of Measurement of Non-Ionising Radiation Emissions - First Interim Report
10/30	Information Notice - Notes from 2.3 GHz Briefing held on 1 March, 2010	10/37	Consultation - Future Spectrum Availability for Programme Making & Special Events
10/31	Consultation - Draft Strategy Statement 2010 – 2012	PR210410	ComReg Business Survey shows no increase in telecoms costs for majority of Businesses
10/31a	Annex 1 to Consultation 10/31: Draft Strategy Statement 2010 – 2012	10/38	Information Notice - Call for input on potential uses and licensing options of the 2.6 GHz spectrum band
10/31b	Annex 2 to Consultation 10/31: Draft Strategy Statement 2010 – 2012	10/39	Response to Consultation - Market Review: Wholesale (Physical) Network Infrastructure Access (Market 4), Further Response to ComReg Document No. 08/104, Response to ComReg Document No. 09/42 and Decision (the "Decision Document")
10/31c	Annex 3 to Consultation 10/31: Draft Strategy Statement 2010 – 2012	10/40	Quality of Postal Service Monitor Interim Report Q1
PR160410	ComReg consults on its draft Strategy Statement for 2010-2012	PR030610	ComReg issues results of An Post Quality of Service Survey for Q1 2010
CP69	Presentation by Alex Chisholm, Chairperson at the Commission for Communications Regulation, to the TIF Council Meeting - 16 April 2010	PR040610	ComReg facilitates next generation mobile broadband testing in Ireland
10/32	Extension of Consultation Response period of ComReg 10/27 (Scope of Premium Rate Services Regulation)	CP67	Cognitive Radio - An Opportunity for Ireland: Agenda
10/33	ComReg Business ICT Services Survey H1 2010	10/41	Information Notice - Provision of Universal Service by Eircom - Performance Data – Q1 2010
10/34	ComReg contract investigation relating to compliance with Regulation 17 of the Universal Service Regulations	10/42	Information Notice - Implementation of EU Roaming Regulation by Irish Mobile Operators

PR110610	Consumers to benefit further from reduced mobile roaming rates while abroad
10/43	Quarterly Report Q1 2010
10/43a	Quarterly Key Data Report Memorandum Q1 2010
10/44	Invitation to Tender: Non-ionising radiation site surveys 2010 - 2013
S.I. No. 290 of 2010	
SI 290 of 2010 (Exemption of 406 MHz Personal Locator Beacons) Order 2010	
AR0708	Statutory Annual Report and Accounts for 2007 to 2008
AR0708a	Tuarascáil agus Cuntais Bhliantúla ón gCoimisiún um Rialáil Cumarsáide 2007-2008
PR170610	ComReg Quarterly Report for Q1 2010
10/45	Information Notice - Provision of Universal Service by Eircom - Quality of Service
10/46	DECISION NOTICE (AND DECISION INSTRUMENT) - Response to Consultation-The Provision of Telephony Services under Universal Service Obligations
PR300610	ComReg re-designates Eircom as USO provider from 2010 to 2012





Commission for
Communications Regulation

**Commission for
Communications Regulation**

Block DEF,
Abbey Court,
Irish Life Centre,
Lower Abbey Street,
Dublin 1.

Tel: +353 1 8049600

Fax: +353 1 8049680