



Commission for
Communications Regulation

Guidelines Document

Third Party Business Radio Licences (TPBR)

Guidelines Document

Reference: ComReg
05/82R4

Date: 17/05/2017

An Coimisiún um Rialáil Cumarsáide
Commission for Communications Regulation

1 Dockland Central, Guild Street, Dublin 1, D01 EX40, Ireland

Telephone +353 1 804 9600 Fax +353 1 804 9680 Email info@comreg.ie Web www.comreg.ie

Content

Section	Page
1 Introduction.....	4
2 The Statutory Regulations.....	5
3 The TPBR Licensing Scheme	6
4 Frequency Spectrum for TPBR licensing	9
5 The Application Process	10
5.1 Eligible Applicants	10
5.2 Terms for submission of Application	10
5.3 Assignment Process	10
5.4 Application conditions	11
6 Licence Information	13
6.1 Licence Fees and Duration	13
6.2 Amendment Requests from Licensees	13
6.3 Requests for additional channels from existing Licensees.....	14
6.4 Amendments to Licences.....	14
6.5 Technical Conditions.....	14
6.6 Provision of electronic communications Services.....	14

Annex

Section	Page
Annex: 1 TPBR Available Channels.....	16

1 Introduction

1. The TPBR licensing scheme provides the business radio community with a versatile service offering that can be tailored to meet the short term or longer term needs of individual users as these evolve over time. Unlike traditional business radio licences, the TPBR licence allows licensees to provide business radio services to third parties throughout the country without the need for individual licensing of business radio operations for each specific geographic site or by each third party user. Another benefit of this scheme is that it permits TPBR licences to be transferred to or traded with other entities, subject to prior agreement from ComReg.
2. The Third Party Business Radio (TPBR) was initiated on the 9th of November 2005 and closed on 31 January 2007. In 2010, prior to the expiry of the first TPBR licences, ComReg re-opened the scheme in order to grant new licences, to run for a further five year period. The TPBR licences issued in that release will have expired by the end of 2016.
3. ComReg will again re-open the TPBR licensing scheme for applications from 18 November 2015.
4. This document provides guidance to applicants on the TPBR licensing scheme, outlines the spectrum available for those licences, the application process and provides guidance on the licence conditions. This document should be read in conjunction with ComReg document (05/82aR) which contains the necessary application forms to apply for a TPBR licence(s).
5. This document is without prejudice to the legal position or the rights and duties of ComReg to regulate the market generally.

2 The Statutory Regulations

6. A Wireless Telegraphy (WT) Licence is required under Section 3 of the Wireless Telegraphy Act 1926 to keep and operate apparatus for wireless telegraphy. The specific regulations governing the issue of TPBR licences are contained in the Wireless Telegraphy (Third Party Business Radio Licence) Regulations, 2005 (S.I. 646 of 2005);
7. The applicant should be aware that any TPBR licence granted by ComReg is for the keeping and operating of the apparatus for wireless telegraphy which is specified in the licence. Any licence issued by ComReg does not absolve the licensee from complying with any other statutory obligations (e.g. planning permission);
8. TPBR licensees must also comply with ComReg's General Authorisation scheme governed by the European Communities (Electronic Communications Networks and Services) (Authorisation) Regulations 2003 (SI 306 of 2003).

3 The TPBR Licensing Scheme

9. The TPBR licensing scheme is an initiative by ComReg to put in place a versatile licensing scheme which provides for national licences that can be used for a wide variety of business radio services and includes a facility for permitting the transfer of licences between entities.
10. TPBR licences allow the licensee to provide a variety of business radio services to customers, subject to compliance with the technical conditions of the licence. Where services are made available to third parties, it is not necessary for these third parties to have a separate WT licence. However it is the responsibility of the TPBR licensee to ensure that all equipment (mobile, hand portables and base stations) used by third parties complies with the technical conditions of the TPBR licence and is R&TTE compliant.
11. Spectrum is being made available to the TPBR licensing scheme in a national basis. This is different to the traditional business radio licences where spectrum is generally made available at a specific geographical location.
12. Under the rules of the scheme, licences may be transferred between entities, with the permission of ComReg.
13. Under this release, ComReg will grant TPBR licences until all available channels have been assigned or until 31 December 2017 – whichever comes first, after which the scheme will once again close.
14. Any TPBR licences currently live from the previous TPBR scheme which closed in January 2012, will remain valid for their 5 year term (In accordance with the TPBR Regulations 2005) All of these existing TPBR licences will have expired by the end of 2016.
15. Tables 1 and 2 below show the channels that were licensed in the VHF High and UHF High frequency bands and the applicable licence expiry dates.

Table 1: Licensed Channels in VHF High Frequency Band

Ch ID	BTX	BRX	Licence Expiry Date
TBV-01	165.5875	170.3875	05-01-2016
TBV-02	165.3625	170.1625	05-01-2016
TBV-03	166.1000	170.9000	05-01-2016
TBV-04	166.3625	171.1625	07-03-2016
TBV-05	166.3875	171.1875	19-12-2015

Table 2: Licensed Channels in UHF High Frequency Band

Ch ID	BTX	BRX	Licence Expiry Date
TBU-11	454.2000	468.2000	05-01-2016
TBU-12	454.2125	468.2125	05-01-2016
TBU-13	454.3250	468.3250	05-01-2016
TBU-14	454.3375	468.3375	05-01-2016
TBU-15	454.3875	468.3875	05-01-2016
TBU-16	454.4000	468.4000	05-01-2016
TBU-17	454.4500	468.4500	05-01-2016
TBU-18	454.6750	468.6750	05-01-2016
TBU-19	454.6875	468.6875	09-01-2016
TBU-20	454.9375	468.9375	09-01-2016
TBU-21	454.9500	468.9500	05-01-2016

TBU-22	454.9625	468.9625	05-01-2016
TBU-23	454.9875	468.9875	07-03-2016
TBU-24	457.7750	463.2750	25-04-2016
TBU-25	457.8000	463.3000	25-04-2016
TBU-26	457.8125	463.3125	19-07-2016
TBU-27	457.8875	463.3875	19-07-2016
TBU-29	457.9125	463.4125	06-12-2016
TBU-31	457.9375	463.4375	19-12-2015
TBU-33	458.0250	463.5250	19-12-2015
TBU-34	458.0375	463.5375	19-12-2015
TBU-35	458.0500	463.5500	20-12-2015
TBU-36	458.0750	463.5750	20-12-2015
TBU-37	458.0875	463.5875	04-01-2016
TBU-38	458.1875	463.6875	21-12-2015
TBU-43	458.4250	463.9250	27-06-2016

16. Interested parties may apply for TPBR licences for all channels that are currently assigned, **one month prior to the licence expiry date** (as indicated in Tables 1 and 2 below) however, the new licence will not commence until the current licence has expired.

17. Each TPBR licence will comprise a single paired frequency channel as given in tables 3 and 4 of Annex 1.

4 Frequency Spectrum for TPBR licensing

18. Frequency spectrum from the following bands will be made available for TPBR licensing:

- VHF High Band (156-174 MHz)
- UHF (450-470MHz)

19. 10 VHF High Band and 44 UHF High Band channels of bandwidth 12.5 kHz are being made available. Each channel comprises of paired frequencies, which could be used in either single frequency or dual frequency mode. Base operations are only allowed on the designated base frequency.

20. (See Appendix 1 for full listing of available channels)

21. The frequency spectrum for TPBR licences will be licensed on a national basis although there may be restrictions close to border areas. ComReg will endeavour to minimise the potential for interference between users and services, however no liability shall accrue to ComReg arising from interference. All licensed operators, TPBR and other licensees, are required to cooperate with ComReg in resolving occurrences of interference. More detailed guidance on the TPBR licence conditions is given in section 5.

22. Changes in the frequency spectrum available to TPBR services may arise for a number of reasons, including:

- Changes in spectrum allocations in accordance with the requirements of international treaties or regionally negotiated agreements;
- Changes necessitated by EU legislation;
- Changes in order to meet national requirements;

23. In the interests of the efficient use of the radio spectrum it is the policy of ComReg to review the use of the spectrum on an ongoing basis in order to reflect the changes outlined above and changes in the market place. ComReg would endeavour to provide as much notice as possible in the event that any such changes were required.

5 The Application Process

5.1 Eligible Applicants

24. The TPBR scheme is open to all interested parties from 14 November 2015.
25. Applicants may apply for any of the spectrum being made available however, where the requested spectrum is currently under licence then the new licence will not commence until that licence has expired.

5.2 Terms for submission of Application

26. All applications for a TPBR licence must be made on the appropriate application form (ComReg 05/82aR3) and in accordance with these guidelines.
27. The licence fee for each 2 x 12.5 kHz channel is €1,000 per annum and is payable in advance for the full five-year term of the licence - i.e. the full fee of €5,000 for five years must accompany each licence application. Application fees are non-refundable¹.

Completed applications should be delivered to the following address:

The Commission for Communications Regulation
Licensing Section (Ref: TPBR Licensing Scheme)
1 Dockland Central
Guild Street
Dublin 1
D01 EX40
Ireland

5.3 Assignment Process

28. Using ComReg document 05/82aR3, applicants may apply for multiple channels in a single application. ComReg will stamp the date received on all TPBR applications received and all applications received by ComReg on the same day will be treated equally.
29. The assignment of TPBR channels to applicants is based on a first come first served basis and is as follows:

¹ Unsuccessful applicants will be refunded all monies in full.

30. Where there is one TPBR application for a channel or a number of channels on a particular day, ComReg will assign the requested TPBR channels to this applicant as per their application request, provided there are sufficient TPBR channels available.
31. However, where there are multiple requests for the same channel on the same day, and the TPBR channel is still available, ComReg will draw lots to determine to which applicant the channel will be assigned.
32. In order to minimise the potential for disruption to the services of the customers of existing TPBR licensees, where it is appropriate and necessary to draw lots, successful incumbent TPBR licensees will be re-assigned their existing channel.

5.4 Application conditions

33. By participating in this process, the applicant undertakes to accept the terms of this application document and will abide by the rules of the process. All expenses incurred by applicants or potential applicants shall be borne by themselves exclusively.
34. ComReg reserves the right to alter any of the deadlines or conditions during the licensing process. Although every care has been taken in preparing this document and conducting this process, no representation, warranty or undertaking, expressed or implied, in respect of any error or misstatement is or will be made or given, and no responsibility or liability will be accepted by ComReg or by any of its officers, employees, servants, agents or advisers as to the accuracy or completeness of this document or any other written or oral information made available to any interested party or its advisers concerning this document and any liability howsoever arising (including in respect of this licensing process) is expressly disclaimed. No information contained in this document shall form the basis for any warranty or representation by or term of any contract with ComReg.
35. ComReg makes no representations and warranties in respect of the viability of the market or accuracy of the contents of this application form so that applicants and potential applicants are responsible for their own verification and due diligence. The applicant agrees by accepting any licence which it may be offered that the Licensee is responsible for all costs, liabilities and losses derived from the operation or non-operation of the licence or licensed service for whatever cause.

36. ComReg reserves the right to request an applicant to submit further material and documents in addition to the information already provided within such time and within such format as ComReg may stipulate.
37. ComReg reserves the right to announce the names and details of successful applicants. In this regard, ComReg is considering developing a webpage which will incorporate contact details for the licensees and their licence details.

6 Licence Information

38. A licence granted under the TPBR Regulations allows the licensee to keep and operate radio apparatus in accordance with these regulations.
39. Please refer to the Wireless Telegraphy (Third Party Business Radio Licence) Regulations, 2005 (S.I. 646 of 2005) for conditions attaching to the TPBR licence.
40. ComReg reserves the right not to award licences.

6.1 Licence Fees and Duration

41. Licence fees, applicable to all TPBR licences under this scheme are €5000 per 12.5 kHz paired channel, for a 5 year licence.
42. The fee is payable in full on application.
43. Each paired 12.5 kHz channel will be individually licensed.
44. Licensees will be permitted to transfer individual licences to other entities or to acquire further licences from existing licensees on normal commercial terms, subject to prior approval from ComReg.
45. A Licence shall (unless it has been revoked) be in force for a maximum period of five years from the date on which it comes into operation and shall then expire.

6.2 Amendment Requests from Licensees

46. It is recognised that licensees, from time to time, may wish to request a modification to an existing licence. Requests to transfer a licence (s) must be made in writing using Section 5 of the TPBR application form (ComReg 05/82aR3).

6.3 Requests for additional channels from existing Licensees

47. Existing licensees may make a request for additional TPBR channels by completing section 1 to 4 of the application form and submitting this in writing to ComReg.

6.4 Amendments to Licences

48. In exceptional circumstances and where appropriate, ComReg may need to make modifications to existing licences. In such cases, ComReg will follow the procedures set out in the Authorisation Regulations.

6.5 Technical Conditions

49. The following maximum effective Radiated Power (ERP) limits will apply to TPBR systems:

Base Station equipment: 25 watts (14dBW)

Mobile Station equipment: 25 watts (14dBW)

Handportable equipment: 5 watts (7dBW)

6.6 Provision of electronic communications Services

50. TPBR licensees are permitted to provide electronic communications networks or services subject to compliance with the General Authorisation conditions specified in ComReg document 03/81 and submission of a notification to ComReg for the purposes of compiling a register of such operators.

51. TPBR customers who are providing electronic communications networks or services must also comply with the General Authorisation conditions outlined above.

Provision of Information

52. Every year, licensees are required to provide information on the locations of all base stations and contact details for queries in relation to these base stations, by resubmitting section 2C of the application form (see ComReg 05/82aR).

Annex: 1 TPBR Available Channels

Channel ID	BTX	BRX
TBV-01	165.5875	170.3875
TBV-02	165.3625	170.1625
TBV-03	166.1000	170.9000
TBV-04	166.3625	171.1625
TBV-05	166.3875	171.1875
TBV-06	166.4125	171.2125
TBV-07	166.4625	171.2625
TBV-08	166.4750	171.2750
TBV-09	166.5375	171.3375
TBV-10	165.1875	169.9875

Table 3: Channels Available in the VHF High Frequency Band

Channel ID	BTX	BRX	Note
TBU-01	453.8375	460.3375	Additional 10 Channels assigned to the TPBR scheme
TBU-02	453.85	460.35	
TBU-03	453.8625	460.3625	
TBU-04	453.875	460.375	
TBU-05	453.8875	460.3875	
TBU-06	453.9	460.4	
TBU-07	453.9125	460.4215	
TBU-08	453.925	460.425	
TBU-09	453.9625	460.4625	
TBU-10	453.9875	460.4875	
TBU-11	454.2000	468.2000	Previous 34 TPBR Channels assigned to the TPBR scheme
TBU-12	454.2125	468.2125	
TBU-13	454.3250	468.3250	
TBU-14	454.3375	468.3375	

TBU-15	454.3875	468.3875
TBU-16	454.4000	468.4000
TBU-17	454.4500	468.4500
TBU-18	454.6750	468.6750
TBU-19	454.6875	468.6875
TBU-20	454.9375	468.9375
TBU-21	454.9500	468.9500
TBU-22	454.9625	468.9625
TBU-23	454.9875	468.9875
TBU-24	457.7750	463.2750
TBU-25	457.8000	463.3000
TBU-26	457.8125	463.3125
TBU-27	457.8875	463.3875
TBU-28	457.9000	463.4000
TBU-29	457.9125	463.4125
TBU-30	457.9250	463.4250
TBU-31	457.9375	463.4375
TBU-32	458.0125	463.5125
TBU-33	458.0250	463.5250
TBU-34	458.0375	463.5375
TBU-35	458.0500	463.5500
TBU-36	458.0750	463.5750
TBU-37	458.0875	463.5875
TBU-38	458.1875	463.6875
TBU-39	458.2000	463.7000
TBU-40	458.2125	463.7125
TBU-41	458.4000	463.9000
TBU-42	458.4125	463.9125
TBU-43	458.4250	463.9250
TBU-44	458.4375	463.9375

Table 4: Channels Available in the UHF High Frequency Band