



Commission for
Communications Regulation

Guidance Note

Guidance on Completion of Notification Form Relating to a General Authorisation

Document No:	03/102R
Date:	13 March 2006

Document Revision History

Document Version	Date	Nature of Revision
03/102R	13 March 2006	Amendments to pages 4 & 8
03/102	25 July 2003	Original Document

Contents

1	Introduction	2
2	Guidance on completion of specific elements of notification form	4
2.1	SECTION 1 – DETAILS OF NOTIFYING PERSON.....	4
2.2	SECTION 2 – CONTACT DETAILS	6
2.3	SECTION 3 – NETWORK AND SERVICE DESCRIPTION	7
2.4	SECTION 4 – DECLARATION.....	11
	Appendix 1 - Sample entries	12
	Appendix 2 – Public Register examples	16

1 Introduction

This Guidance note should be read in conjunction with the following documents:

- European Communities (Electronic Communications Networks and Services) (Authorisation) Regulations, S.I. No 306 of 2003.
- Doc No 03/81: “General Authorisation - Conditions for the provision of Electronic Communications Networks and Services”.
- Doc No 03/82R – “Notification Form for a General Authorisation”
- Doc No 03/83: “Guidelines relating to General Authorisations”.
- Doc No 03/90: “Exemption of certain electronic communications networks and services under Regulation 4(6) of the European Communities (Electronic Communications Networks and Services)(Authorisation) Regulations 2003 (S.I. No. 306 of 2003)”

Persons intending to provide electronic communications networks and/or services (ECN/ECS) should firstly establish whether the network or service which they intend to provide requires to be notified. To do this they should firstly consider whether the network and/or service they intend to provide falls within the definition of an ECN or ECS as set out in the Framework Regulations (SI No 306 of 2003). For ease of reference, the definitions are shown in Section 3. Consideration should also be given to whether the ECN/ECS is exempted from notification as it may fall within the definition of a class or description of a network or service which ComReg has specified as exempt from the requirement to submit a notification.

If there is any doubt about whether it is necessary to make a notification, full details should be supplied to ComReg for guidance using the e-mail and postal addresses below.

Where networks or services are provided by a number of separate legal entities with common ownership or control (e.g. different subsidiaries or associated companies established to provide distinct services), a separate notification form should be completed by each legal entity. When forwarding notifications, companies should indicate at Section 1.8 the identity of related or connected companies which are also engaged in the provision of networks or services.

Completed notification forms should be forwarded in an envelope clearly marked “**Electronic Communications Notification Form**” and addressed to:-

Commission for Communications Regulation,
Abbey Court,
Irish Life Centre,
Lower Abbey Street,
Dublin 1.

ComReg can also facilitate the electronic submission of notifications. The form may be completed electronically on-line but a signed hard copy of the form must also be forwarded to the address above.

Under the terms of Regulation 4(3) of the Authorisation Regulations, a person is deemed to be authorised to provide an electronic communications network or service upon receipt by ComReg of a correctly completed Notification Form.

Following receipt of a correctly completed Notification Form, ComReg will enter the details in a register. Normally this will be done within two working days of receipt. An acknowledgement in the form of a declaration that the Authorised Person has submitted a notification will be sent by post.

The register will be accessible on ComReg's website and may also be inspected at ComReg's offices. However the information provided in section 2 of the form and other details as indicated will not be made available on the public register. In accordance with Regulation 6(3) of the Authorisation Regulations, members of the public may take copies of or extracts from entries in the register.

If the form is not completed correctly or if questions arise from the information, ComReg will contact the notifying person by e-mail or telephone to obtain clarification. Until clarification is received, details will not be entered in the register.

It should be noted that the submission of a notification form does not remove the requirement for separate applications for numbers and number ranges or for licences for radio based infrastructure. Details of the procedures which apply in these cases will be provided on request.

These Guidelines are not meant to be regarded as a substitute for reviewing the provisions of the applicable legislation or the associated Cpn Reg document. In particular, this document may be amended from time to time and is without prejudice to the interpretation of the rights and duties of Cpn Reg to regulate the market generally.

2 Guidance on completion of specific elements of notification form

2.1 Section 1 – Details of Notifying Person

<p>1.1 Name of notifying person or company <u>Mandatory Field</u></p>	<p>This should be the name of the company, if incorporated, or the natural person. Trading names should not be used. i.e. <i>Mr. A O'Brien</i> or <i>A O'Brien Ltd.</i> are acceptable entries; <i>O'Brien Services</i> is not. Sample entry: A O'Brien Ltd.</p>
<p>1.2 Trading Name(s) if different to 1.1</p>	<p>Enter the trading name or names as used by the enterprise. Note that where ComReg enters details of a trading name, this is without prejudice to whether the requirements of the Companies Acts relating to Business Names have been complied with. Sample entry: O'Brien Services</p>
<p>1.3 Postal Address <u>Mandatory Field</u></p>	<p>Enter the address to which members of the public should direct correspondence. Sample Entry: Unit 4, ABC Business Park, Sligo.</p>
<p>1.4 Telephone Number <u>Mandatory Field</u></p>	<p>This should be the number for use by members of the public or other third parties – if LoCall or Freephone numbers are available, they should be shown. Sample Entry: (071) 911 2345 Note: ComReg will not make telephone numbers of private individuals available to the public</p>
<p>1.5 Web site address</p>	<p>This will provide a link to website of the notifying person from the ComReg website</p>
<p>1.6 Registered Address <u>Mandatory Field (for registered companies)</u></p>	<p>The registered address should always be shown in the case of a company. This address will be used by ComReg for the delivery of statutory notices</p>
<p>1.7 Company Registration Number <u>Mandatory Field (for registered companies)</u></p>	<p>Where the company is not registered at the Irish Companies Registration Office, the number and the company registry should be shown e.g. 123456 (Companies House, London)</p>
<p>1.8 Related or connected companies also providing networks and services</p>	<p>Enter names of companies which also provide ECN/ECS and state nature of connection.</p>

Guidance on Completion of Notification Form Relating to a General Authorisation

Using the sample entry above, the information available on the ComReg website will be shown as follows:

<u>Company Name</u>	A O'Brien Ltd.
<u>Trading Names</u>	O'Brien Services
<u>Postal Address</u>	Unit 4, ABC Business Park, Sligo
<u>Website</u>	
<u>Company Telephone</u>	+353 (0)71 911 2345

As can be seen only the details of 1.1 to 1.5 will be displayed on the public register

2.2 Section 2 – Contact details

The information contained in section 2 is for ComReg's own use. It will not be accessible on the public register. If an operator wishes to nominate additional contact persons, this can be done by extending the table in the notification form and providing contact details for additional persons. However ComReg recommends that a maximum of two persons be nominated for the purpose of Section 2; normally the regulatory officer or other person who will act as general liaison with ComReg and the person who will act as such in their absence.

2.3 Section 3 – Network and Service Description

Guidance for the completion of the individual columns is given below. Appendices 1 and 2 show sample entries and how these will be reflected on the public register on the ComReg web site. The principle which ComReg wishes to apply to the design and completion of the form is to minimise the requirements placed on notifying entities through simplifying reporting requirements while promoting transparency regarding the availability of services and the identity of companies and individuals who are authorised to provide networks and services.

(1) Network	(2) Service	(3) Further Details of Network and/or service	(4) Geographical area where network and/or service is available	(5) Publicly Available? Yes/No	(6) Commencement Date	
					(A) Planned	(B) Actual

- Column 1 Where network is not provided by notifying person, this should be left blank – details may be given in Column 3. Where services only are provided (i.e. over another provider’s network) network details should not be completed.
- Choose only from list of networks as indicated. If entry choices do not accurately reflect network please enter “other” and provide further details in column 3.
- Column 2 Choose only from list of services as indicated. If entry choices do not accurately reflect service please enter “other” and provide further details in column 3.
- Where there are a variety of networks and services provided, the relationship between an individual service and the networks should be clear.
- Column 3 This column should be used to provide further details of the network and/or the service. See Appendix 1 for examples
- Column 4 For each Service/Network, please provide details of the geographical area where it is available. Separate entries will be necessary if different networks/services are provided in different areas
- Column 5 A statement is required as to whether the network or service is made available to members of the public within the geographic area of availability. Entry is “Yes” or “No”

- Column 6A Where networks or services are not currently provided, enter planned date; preferably the calendar month but planned quarter is also acceptable. (The planned date will not be made publicly available – the public register will only state whether the network/service is currently available). There is no requirement to commence the provision of the network or service by the planned date.
- Column 6B Where networks or services have been provided prior to 25 July 2003, actual date is not required - enter “pre-25 July 2003”. Where the commencement date is after 25 July, enter the actual date.

Only the following categories of network and services are to be used for completing Columns 1 and 2. For the time being they are the only categories which can be shown on the public register.

<p>Network –</p> <ul style="list-style-type: none"> • <u>Fixed Telephony Network</u> (e.g. fixed network used primarily for publicly available telephony services) • <u>Mobile Telephony Network</u> (e.g. wireless network used primarily for publicly available mobile telephony services) • <u>Satellite Network</u> (e.g. satellite network used for broadcast transmission, SNG, provision of other electronic communications services) • <u>Broadcast Network</u> (e.g. cable, MMDS, terrestrial FTA, deflector) • <u>Electricity Cable System</u> (only where used for the purpose of transmitting signals) • <u>Other Fixed Network</u> (please specify in Column 3) • <u>Other Wireless Network</u> (please specify in Column 3) • <u>N/A</u> where network elements are not provided by notifying person 	<p>Service –</p> <ul style="list-style-type: none"> • <u>Publicly available telephone services</u> (note this includes telephone services provided by resellers e.g. CPS. Please advise if single billing is being offered) • <u>Other Voice Services</u> (e.g. community repeater service) • <u>Broadcast Services</u> (e.g. provision of transmission services to broadcast content providers established in Ireland or transmitting content to, from or within Ireland) • <u>Data Services</u> (e.g. data transmission services) specify details in Column 3 if necessary) • <u>Internet Access Services</u> (e.g. dial-up or broadband; specify details in Column 3 if necessary) • <u>Other Electronic Communication Service</u> (please specify details in Column 3) • <u>N/A</u> where electronic communications services are not provided by notifying person
---	--

Appendix 1 shows some sample entries and Appendix 2 shows how such entries would appear on the public register. The sample entries are not exhaustive and should not be taken as reflecting the position of any particular operator.

Definitions used in Regulations:

Electronic Communications Network means transmission systems and, where applicable, switching or routing equipment and other resources which permit the conveyance of signals by wire, by radio, by optical or by other electromagnetic means, including satellite networks, fixed (circuit- and packet-switched, including Internet) and mobile terrestrial networks, electricity cable systems, to the extent that they are used for the purpose of transmitting signals, networks used for radio and television broadcasting, and cable television networks, irrespective of the type of information conveyed

Electronic Communications Service means a service normally provided for remuneration which consists wholly or mainly in the conveyance of signals on electronic communications networks, including telecommunications services and transmission services in networks used for broadcasting, but excludes -

- (a) a service providing, or exercising editorial control over, content transmitted using electronic communications networks and services, and
- (b) an information society service, as defined in Article 1 of Directive 98/34/EC, which does not consist wholly or mainly in the conveyance of signals on electronic communications networks;

Provision of an electronic communications network means the establishment, operation, control or making available of such a network

Publicly available telephone service means a service available to the public for originating and receiving national and international calls and access to emergency services through a number or numbers in a national or international telephone numbering plan, and in addition may, where relevant, include one or more of the following services: the provision of operator assistance, directory inquiry services, directories, provision of public pay phones, provision of

service under special terms, provision of special facilities for customers with disabilities or special social needs or the provision of non-geographic services or both;

Public telephone network means an electronic communications network which is used to provide publicly available telephone services; it supports the transfer between network termination points of speech communications, and also other forms for communication, such as facsimile and data;

2.4 Section 4 – Declaration

The declaration must be signed and dated by or on behalf of the notifying person.

In completing this section, the notifying person is declaring that

- (a) The information provided is accurate and complete
- (b) The documents listed have been reviewed
- (c) The notifying person shall comply with any lawful directions of ComReg

As noted earlier completed documents should be forwarded by post to

Commission for Communications Regulation,
“Electronic Communications Notification Form”
Abbey Court,
Irish Life Centre,
Lower Abbey Street,
Dublin 1.

The processing of entering details on the register would be speeded up if notifications were also sent by e-mail to notify@comreg.ie. This would reduce time needed to address any queries should this be necessary. Submission of the information by e-mail is not a substitute however for the submission of a signed copy.

Appendix 1 - Sample entries

	(1) Network	(2) Service	(3) Further Details of Network and/or service	(4) Geographical area where network and/or service is available	(5) Publicly Available? Yes/No	(6) Commencement Date	
						Planned	Actual
Coy. 1	Fixed Telephony Network	(1) Publicly available telephone services (2) Internet Access (3) Other	(1) Local, National and International voice services (2) Dial-up; broadband (3) Provision of access to network facilities by other authorised persons	(1) National coverage (2) National coverage (3) National Coverage	(1) Yes (2) Yes (3) No		All Pre- 25 July 2003
Coy 1	Wireless Network	(1) Publicly available telephone services (2) Internet Access	Wireless Networks operating at a number of frequency bands <u>Services</u> (1) Local, National and International voice services (2) Dial-up; broadband	(1) National coverage (2) National coverage	(1) Yes (2) Yes		All Pre- 25 July 2003
Coy 2	Broadcast Network	N/A	Provision of Cable Television Network	Town 1, Town 2, Town 3, Town 4	Yes		Pre 25 July 2003

Guidance on Completion of Notification Form Relating to a General Authorisation

	(1) Network	(2) Service	(3) Further Details of Network and/or service	(4) Geographical area where network and/or service is available	(5) Publicly Available? Yes/No	(6) Commencement Date	
						Planned	Actual
Coy 2	Broadcast Network	(1) Publicly available telephone service (2) Internet Access	Network – cable television network Services (1) Cable telephone service (2) Cable broadband service	Town 1, Town 4	Yes		Pre 25 July 2003
Coy 2	Broadcast Network	(1) Publicly available telephone service (2) Internet Access	Network – cable television network Services (1) Cable telephone service (2) Cable broadband service	Town 2, Town 3	Yes	Q1, 2004	
Coy 2	Broadcast Network	N/A	Provision of MMDS Television Network (2.6GHz)	General availability in Counties 1,2 and parts of Counties 3 and 4	Yes		Pre 25 July 2003
Coy 3	N/A	Publicly available telephone service	Carrier select/pre-select services provided on public telephone network	National	Yes		Pre 25 July 2003
Coy 4	Wireless Network	(1) Publicly available telephone service (2) Internet Access	Network provided at 3.5 GHz and 5.8GHz Service (2) Broadband access	Specific locations nationally	Yes		Pre 25 July 2003
Coy 5	Broadcast Network	N/A	Provision of UHF Television deflector network	Town 1 and surrounding area	Yes		Pre 25 July 2003

Guidance on Completion of Notification Form Relating to a General Authorisation

	(1) Network	(2) Service	(3) Further Details of Network and/or service	(4) Geographical area where network and/or service is available	(5) Publicly Available? Yes/No	(6) Commencement Date	
						Planned	Actual
Coy 6	Broadcast Network	N/A	Provision of free-to-air UHF Television transmission network	National	Yes		Pre 25 July 2003
Coy 6	Broadcast Network	Broadcast services	Provision of transmission services to third parties	National	No		Pre 25 July 2003
Coy 7	Mobile telephony Network	Publicly available telephone services	Provision of mobile telephone service	National	Yes		Pre 25 July 2003
Coy 8	Satellite network	Other	Provision of uplink facilities to third parties	National	No		Pre 25 July 2003
Coy 9	Satellite network	Broadcast services	Provision of transmission services to third parties	National	Yes		Pre 25 July 2003
Coy 10	Other fixed network	Other	Provision of Dark fibre network Service - Provision of access to network facilities (by other authorised persons	Linking towns 1,2,3,4	No		Pre-25 July 2003
Coy 11	Electricity Cable System	Data services	Provision of data transmission services utilising the electricity transmission network	To be decided	No	Q4, 2004	

Guidance on Completion of Notification Form Relating to a General Authorisation

	(1) Network	(2) Service	(3) Further Details of Network and/or service	(4) Geographical area where network and/or service is available	(5) Publicly Available? Yes/No	(6) Commencement Date	
						Planned	Actual
Coy 12	N/A	Publicly available telephone service	Reseller services	National	Yes		Pre 25 July 2003
Coy 13	Wireless Network	Other Voice services	Community repeater service	Area 1	No		Pre 25 July 2003

Appendix 2 – Public Register examples

<u>Company</u>	<u>Network Type</u>	<u>Service Type</u>	<u>Further Details</u>	<u>Area</u>	<u>Publicly Available</u>	<u>Currently Available</u>
Coy 1	Fixed Telephony Network	Publicly available telephone service	Local, national and international voice services	National coverage	Yes	Yes
Coy 1	Fixed Telephony Network	Internet Access	Dial-up; broadband	National coverage	Yes	Yes
Coy 1	Fixed Telephony Network	Other	Provision of access to network facilities by other authorised persons	National coverage	No	Yes
Coy 1	Wireless Network	Publicly available telephone service	Wireless networks operating at a number of frequency bands <u>Service</u> Local, national and international voice service	National coverage	Yes	Yes
Coy 1	Wireless Network	Internet Access	Wireless networks operating at a number of frequency bands <u>Service</u> Dial-up; broadband	National coverage	Yes	Yes
Coy 2	Broadcast Network	N/A	Provision of cable television network	Town1, Town 2, Town 3, Town 4	Yes	Yes

Guidance on Completion of Notification Form Relating to a General Authorisation

<u>Company</u>	<u>Network Type</u>	<u>Service Type</u>	<u>Further Details</u>	<u>Area</u>	<u>Publicly Available</u>	<u>Currently Available</u>
Coy 2	Broadcast Network	Publicly available telephone service	Network – cable television network Service – cable telephone service	Town 1, Town 4	Yes	Yes
Coy 2	Broadcast Network	Internet Access	Network – cable television network Service – cable broadband service	Town 1, Town 4	Yes	Yes
Coy 2	Broadcast Network	Publicly available telephone service	Network – cable television network Service – cable telephone service	Town 2, Town 3	Yes	
Coy 2	Broadcast Network	Internet Access	Network – cable television network Service – cable broadband service	Town 2, Town 3	Yes	
Coy 2	Broadcast Network	N/A	Provision of MMDS television network (2.6GHz)	General availability in Counties 1 and 2 and parts of Counties 3 and 4	Yes	Yes
Coy 3	N/A	Publicly available telephone service	Carrier select/pre-select services provided on public telephone network	National	Yes	Yes
Coy 4	Wireless Network	Publicly available telephone service	Network – provided at 3.5 GHz and 5.8GHz	Specific locations nationally	Yes	Yes

Guidance on Completion of Notification Form Relating to a General Authorisation

<u>Company</u>	<u>Network Type</u>	<u>Service Type</u>	<u>Further Details</u>	<u>Area</u>	<u>Publicly Available</u>	<u>Currently Available</u>
Coy 4	Wireless Network	Internet Access	Network – provided at 3.5 GHz and 5.8GHz Service – Broadband access	Specific locations nationally	Yes	Yes
Coy 5	Broadcast Network	N/A	Provision of UHF Television deflector network	Town 1 and surrounding area	Yes	Yes
Coy 6	Broadcast Network	N/A	Provision of free-to-air UHF Television transmission network	National	Yes	Yes
Coy 6	Broadcast Network	Broadcast services	Provision of transmission services to third parties	National	Yes	Yes
Coy 7	Mobile Telephony Network	Publicly available telephone service	Provision of mobile telephone services	National	Yes	Yes
Coy 8	Satellite Network	Other	Provision of uplink facilities to third parties	National	Yes	Yes
Coy 9	Satellite Network	Broadcast services	Provision of transmission services to third parties	National	Yes	Yes
Coy 10	Other fixed network	Other	Provision of Dark fibre network <u>Service</u> – Provision of access to network facilities by other authorised persons	Linking towns 1,2,3, and 4	No	Yes

Guidance on Completion of Notification Form Relating to a General Authorisation

<u>Company</u>	<u>Network Type</u>	<u>Service Type</u>	<u>Further Details</u>	<u>Area</u>	<u>Publicly Available</u>	<u>Currently Available</u>
Coy 11	Electricity Cable System	Data Services	Provision of data transmission services utilising the electricity transmission network	To be decided	No	
Coy 12	N/A	Publicly available telephone service	Reseller services	National	Yes	Yes
Coy 13	Wireless Network	Other Voice Services	Community Repeater Service	Area 1	No	Yes