



Commission for
Communications Regulation

Response to Notice of Intention

Reservation of Spectrum for the National Broadband Scheme

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1 Foreword

In May 2007 the then Minister for Communications, Marine and Natural Resources announced plans to introduce a National Broadband Scheme¹ (NBS) which is aimed at bringing broadband services to areas of the country where there is no service. In general, such areas are unserved as service providers do not see them as being commercially viable due to the lower and more spatially distributed population levels.

The DCENR, with the assistance of ComReg, has commenced a procurement process to seek a single supplier to provide broadband services under the NBS. Given that the award process is both technology and platform neutral it is not inconceivable that potential NBS bidders could propose wireless platforms in order to reach the unserved areas.

Access to broadband services is of vital importance from both economic and social perspectives and its widespread availability for consumers and businesses alike is central to these aims. ComReg supports the introduction of the NBS and, in this regard, in May 2007 it announced its intention to reserve spectrum specifically for use under the NBS. Having regard to the overall objectives to be achieved under the NBS and noting the responses received, ComReg has further decided to make available additional spectrum in the 3.5GHz band for use by broadband providers through the introduction of 5 new channels, one of which will be reserved for use by the NBS provider in NBS areas should it be required.

ComReg is now signalling this approach to ensure that existing FWALA licensees and potential NBS applicants are aware of this reservation and its plans to release 4 other new channels.

Mike Byrne
Chairperson

¹ See www.dcmnr.gov.ie/nbs for more details on the NBS.

2 Decision

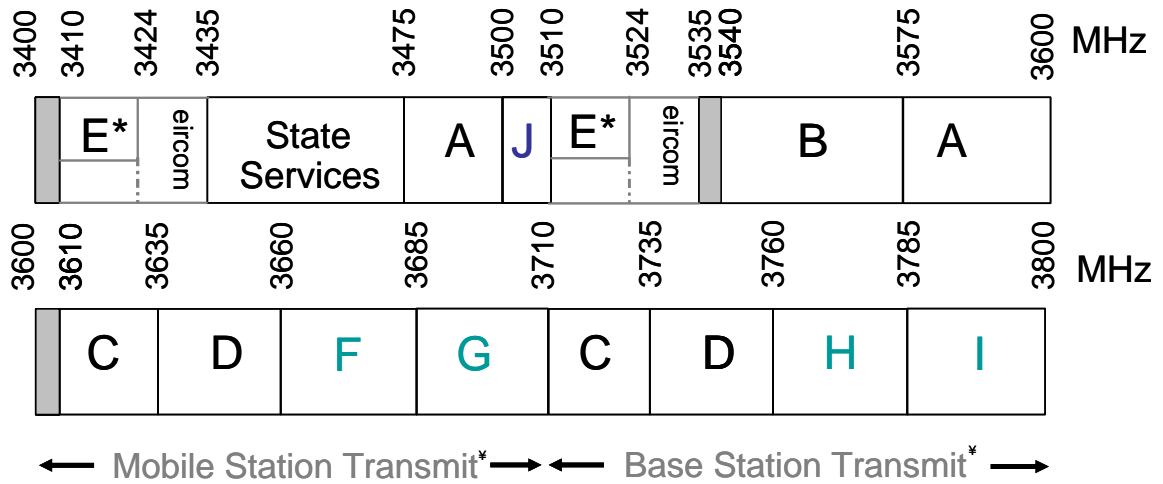
ComReg has clarified a number of misunderstandings arising from its consultation 07/24 and this is provided in Appendix A. Furthermore ComReg has reflected on the various concerns raised by respondents to the Notice of Intention as proposed in document 07/24 “Reservation of Spectrum for the NBS”. In order to ensure widespread availability of broadband for consumers and businesses ComReg is proceeding with the reservation of spectrum and has decided to release five additional channels (channels F,G, H, I and J – see figure 1) for licensing under the existing FWALA scheme. In doing so, channel J will be reserved exclusively for use under NBS, should it be required by the NBS provider. Channel J will be reserved in the NBS areas only from the date of the NBS contract award for a period of up to 18 months. Any reserved spectrum in these areas that the NBS provider does not intend to use will subsequently be made available for application from all interested parties.

This will enable potential candidates for the NBS scheme to submit tender applications, while at the same time meeting the needs of operators seeking additional licensed spectrum in the 3.5 GHz.

In the event that the successful bidder for the NBS scheme does not propose to use 3.5 GHz to provide the requisite broadband services or does not apply for the reserved 3.5 GHz spectrum within 18 months of the award of the NBS scheme tender, ComReg’s reservation of spectrum for NBS purposes shall cease. Channel J is and shall be subject to the existing FWALA scheme which includes a limitation on holders of National FWPMA² licences operating in the 3.5 GHz band from being granted FWALA licences.

ComReg will shortly announce via its website the commencement date for applications for the additional channels F, G, H and I. All applications for additional spectrum in the above non-reserved channels must be submitted in accordance with the Guidelines Document 06/17R and its revisions (see www.comreg.ie).

² FWPMA = Fixed Wireless Point-to-Multipoint Access



* Limited Availability

* Applies to FDD systems only

Fig 1: 3.5 GHz band plan showing channel J reserved which is reserved for the NBS and additional FWALA channels F, G, H and I.

3 Next Steps

The commencement date for receipt of applications for the additional FWALA channels will be announced by ComReg via its website at www.comreg.ie.

4 Comments

If you have any comments in respect of the Decision, please forward them to Ms Tara Kavanagh (tara.kavanagh@comreg.ie) by 5pm on the 10 August 2007 marked: "Reference: Submission re ComReg 07/NN"

Appendix A – Response to Consultation

List of Respondents

There were 5 responses to the Consultation Document 07/24³ and ComReg would like to thank all of the respondents for the time and effort taken in making their responses and for the valuable information provided. All responses received by ComReg will be made available on the ComReg website www.comreg.ie.

Respondents:

- **Alcatel Lucent**
- **High Speed Data Solutions**
- **Irish Broadband**
- **Lastmile Wireless**
- **Westnet**

FWALA and NBS

ComReg would like to clarify the following misunderstandings in relation to issues raised in submissions regarding the notice to reserve spectrum for the NBS as outlined in Document 07/24.

- ComReg does not intend to suspend the FWALA application process at this juncture. All interested parties continue to be eligible to apply for FWALA licences under the existing FWALA guidelines 06/17R. FWALA applications in the NBS areas will only be suspended once the NBS coverage requirements have been finalised.
- Spectrum will be reserved in the NBS areas for the NBS provider (should it require it) from the date of the NBS contract award for a reasonable period. Any reserved spectrum that the NBS provider does not intend to use will be made available for application from all interested parties.
- ComReg does not intend to amend the FWALA guidelines as part of the NBS scheme but reserves the right to do so following the outcome of the ongoing consultation on Geographical Service Areas 07/29.
- ComReg did not include the 10.5 GHz FWALA band in this process as it is considered unsuitable for rural applications, given its propagation characteristics.
- Channel E is only available on a limited basis as indicated by table 1 below and is not available in NBS areas.

³ Reservation of Spectrum for the National Broadband Scheme

Area	Sq. km	Radius km
Greater Dublin Area	178	7.5
Cork County Borough	25	2.8
Limerick County Borough	15	2.1
Waterford County Borough	12	1.9

Table 1: Areas where Channel E is available.

- Operators are free to apply for licences in areas identified as unserved on the DCENR coverage map until the NBS coverage requirements have been determined. ComReg will notify all FWALA licensees when this occurs.
- Following the award of the NBS tender, operators will be free to apply for FWALA licences in NBS areas on channels other than that assigned to the NBS operator in accordance with the FWALA guidelines.
- Operators wishing to submit a proposal for consideration for the NBS tender will not have to apply for FWALA licences in the NBS areas prior to submitting their bid application as the spectrum has already been reserved for that specific purpose. To the extent that potential NBS candidates may have requirements for spectrum in channel J, details may be sought as part of the associated procurement process.