



Commission for  
**Communications Regulation**

# Application form for a Short-term Electronic Communications Services Licence

Application Form

**Date:** 21/09/2022

**Reference:** ComReg 22/78b

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# 1 Notes for Applicants

1. The granting by the Commission for Communications Regulation (“ComReg”) of a Short-Term Electronic Communications Services Licence (“Licence”) is governed by the Wireless Telegraphy (Short-Term Electronic Communications Services Licences) Regulations 2022, S.I. No. [ ] of 2022 (the “Regulations”).<sup>1</sup> In particular, the Regulations detail the form and duration of, and the restrictions and conditions subject to which, Licences are granted by ComReg.
2. Persons applying for a Licence (“Applicants”) are also referred to ComReg Document 22/78 (the “Response to Consultation and Decision on Short-term rights of use in the 700 MHz and 2.1 GHz Bands”) for background on the licensing framework under the Regulations and for interpretation of the defined terms used herein.
3. In line with Regulation 4 of the Regulations, this application form (“Application Form”) sets out the information required from Applicants in an application for a Licence (“Application”).
4. As the Regulations have yet to be made by ComReg with the consent of the Minister for Environment, Climate and Communications in accordance with section 37 of the Communications Regulation Act 2002 (No. 20 of 2002), ComReg’s ability to grant any Licence is subject to same.
5. A Licence allows the Licensee to keep and have possession of, install, maintain, work and use Apparatus for terrestrial systems capable of providing electronic communications services in the 700 MHz Duplex and 2.1 GHz Band, in the part(s) of those bands to which the Licence relates for the duration of the Licence.
6. A licence is a “non-exclusive” Licence and all Apparatus licensed under a Licence are required to comply with, among other things, the conditions of the Licence and the relevant European Commission (“EC”) Decisions for the 700 MHz Duplex and 2.1 GHz Band, including Decision (EU) 2016/687<sup>2</sup> and Decision 2012/688/EC (as amended)<sup>3</sup>.
7. In order for an Application to be valid, the Applicant must properly and satisfactorily complete and submit all sections of the Application Form. In that regard, the Applicant **MUST**:

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<sup>1</sup> As currently set out in draft form in Annex 3 to ComReg Document 22/78.

<sup>2</sup> Commission Implementing Decision of 28 April 2016 on the harmonisation of the 694-790 MHz frequency band for terrestrial systems capable of providing wireless broadband electronic communications services and for flexible national use in the Union, (2016/687/EU).

(<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016D0687&from=EN>)

<sup>3</sup> Commission Implementing Decision of 5 November 2012 on the harmonisation of the frequency bands 1 920-1 980 MHz and 2 110-2 170 MHz for terrestrial systems capable of providing electronic communications services in the Union, (2012/688/EU) as amended by (EU) 2020/667.

(<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32012D0688&from=EN>)

- Provide full Applicant Details as per Part 1;
  - Provide, in a separate document attached to the completed Application Form, details in relation to the factors identified in Regulation 4(2) of the Regulations, using the headings as set out in Part 2 below;
  - Provide details of the Apparatus which the Applicant seeks to be authorised to keep and have possession of, in Microsoft Excel format, using the headings set out in Part 3;
  - Provide a list of the locations at which the Applicant seeks and is sufficiently ready to be authorised to keep and have possession of the Apparatus, in Microsoft Excel in the format as detailed in Part 4 below;
  - Make payment of the relevant Licence fee in accordance with Regulation 8 of the Regulations and to the bank account identified in Part 5 below; and
  - Sign the Application Declaration Form (Part 6).
8. Completed Application Forms and accompanying documents (including Excel files and a separate document as required under Part 2 below) must be submitted to [licensing@comreg.ie](mailto:licensing@comreg.ie) and the payment of the relevant Licence fee to ComReg's account in Part 5.

# 2 Application Form

## Part 1: Applicant Details

<b>Full Name of the company, firm or person in whose name the Licence is sought</b>	
<b>Trading name</b> (If different from above)	
<b>Company Registration Number</b> (If limited company)	
<b>Registered Business address</b>	
<b>Contact name</b>	
<b>Contact phone number</b>	
<b>Contact e-mail for general matters relating to the Licence</b>  <b>Contact e-mail to which the Licence can be sent (if different from above)</b>	

## Part 2: Information in relation to the matters identified in the Regulations

To the extent not already provided in its supporting information to ComReg Document 22/63<sup>4</sup>, please provide details in relation to the following matters in accordance with Regulation 4(2) of the Regulations, in a separate document, under the following headings:

### 1. Potential for consumer disruption:

- (a) the potential for consumer disruption and the location of same per spectrum band should Short-Term spectrum rights not be provided for;
- (b) the potential to use this spectrum band over the duration of the Short-Term licensing framework;
- (c) the percentage of total network voice and data traffic currently carried by each of the spectrum bands being applied for;
- (d) the potential or actual work ongoing to reconfigure existing networks, should Short-Term spectrum rights not be provided in the spectrum bands; and
- (e) any other factors that the Applicant considers relevant to the appropriateness of it being issued a Short-Term licence.

ComReg reserves the right to seek clarifications and/or further information from the Applicant and to specify the timeframe within which such clarifications and/or further information must be provided and ComReg would highlight Regulation 4(3) of the Regulations in this regard.

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<sup>4</sup> [ComReg Document 22/63](#), Information Notice - “*The potential issue of short-term rights in the 2.1 GHz band and possibly in other spectrum bands included in the Multi Band Spectrum Award*”, published 22 July 2022. Available at <https://www.comreg.ie/publications/>.

### Part 3: Schedule of Apparatus

Please provide details of the Apparatus which the Applicant seeks to be authorised to keep and have possession of, in Microsoft Excel format, under the following headings:

Band	Equipment Index Reference	Terrestrial System	Equipment Description	Manufacturer	Model
<i>[700 MHz Duplex, 2.1 GHZ as appropriate]</i>					

## Part 4: Apparatus Location and Details

Please provide details of the locations of the Apparatus which the Applicant seeks to be authorised to keep and have possession of, in Microsoft Excel format, under the following headings:

Band	Site Identity	Eastings	Northings	Equipment Index Reference	Maximum EIRP
<i>[700 MHz Duplex, 2.1 GHz, as appropriate]</i>					

## Part 5: Spectrum Blocks applied for and in the case of Eir whether 2.1 GHz liberalisation is applied for

Please indicate the number of Spectrum Blocks in each band which the Applicant seeks to obtain spectrum rights of use and in the case of Eir whether it is applying for a liberalised Use licence for the 2.1 GHz Band<sup>5</sup>. If an application is being made for a smaller number of frequency blocks than held in the Applicant's current licence please indicate the frequency ranges being applied for.

700 MHz Duplex	
Please indicate the number of Spectrum Blocks being applied for	
If applying for fewer Spectrum Blocks than in the Applicant's current licence please provide the frequency ranges of the Spectrum blocks being applied for	

2.1 GHz Band	
Please indicate the number of Spectrum Blocks being applied for	
If applying for fewer Spectrum Blocks than in the Applicant's current licence please provide the frequency ranges of the Spectrum blocks being applied for	

2.1 GHz Liberalisation (Eir Only)	Yes/No
Please indicate whether application is being made for a Short- Term Electronic Communications Services Licence	

<sup>5</sup> The maximum permitted number of Spectrum Blocks is the maximum number of Spectrum Blocks currently held by the Applicant.

## Part 6: Payment of Licence fee

In accordance with Regulation 8 of the Regulations, the fee for a Short-term ECS Licence is as set out below:

- a) For the 700 MHz Duplex the fee is €401,000 per Spectrum Block for a Licence commencing on 2 October 2022 and expiring on 1 January 2023; and
- b) For the 2.1 GHz Band the fee is €179,739.13 per Spectrum Block for a Licence commencing on 16 October 2022 and expiring on 1 January 2023<sup>6</sup>.
- c) For the 2.1 GHz Band in relation to Eir (i.e. the Existing Licensee holding an Existing 2.1 GHz Band Licence which expires after 15 October 2022) no fee applies to the grant of a Short-Term Electronic Communications Services Licence to allow the use of Liberalised Apparatus in respect of its Existing 2.1 GHz Band Licence.

Please provide separate payment of the Licence fee to ComReg's nominated bank account, citing clearly in the narrative the name of the Applicant.

Transfers to ComReg's account should be made to:

Bank:	Bank of Ireland, 2 College Green, Dublin 2, Ireland.
Account Number:	96614639
Sort Code:	90-00-17
BIC Code:	BOFIIIE2D
IBAN No:	IE96 BOFI 9000 1796 6146 39

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<sup>6</sup> In line with Regulation 8(3), this fee has been adjusted on a pro-rata daily basis as the duration of Spectrum Blocks in the 2.1 GHz band is less than 3 months.

## Part 7: Application Declaration Form

### **Declaration by Applicant**

I hereby certify that the information provided in this Application is, to the best of my knowledge, true and complete and I accept that the provision of incorrect or misleading information, or mis-declarations in this form, may render this Application, and any Licence granted on foot of this Application, null and void.

In accordance with the Wireless Telegraphy Act of 1926, as amended, I accept responsibility for the installation and maintenance of the Apparatus.

I accept that the grant of a Licence does not confer any right of ownership of the frequency spectrum to which the Licence relates, and agree to abide by all conditions of the Licence and any direction made by the Commission for Communications Regulation (ComReg) from time to time.

I confirm that the Applicant is fully aware that the Licences are being made available solely to accommodate the claimed likelihood of consumer disruption arising from the expiry of rights of use in the 700 MHz Duplex and 2.1 GHz Band, that all Licences granted or renewed under the Regulations will expire on or before 1 April 2023 and that the longer term questions of assignment of spectrum rights of use in the 700 MHz Duplex and liberalisation of rights of use in the 2.1 GHz Band and assignment of new rights of use in that band will be determined through such an award process as ComReg shall determine to be appropriate. I further confirm that the Applicant identified herein will take full account of this in making any investment or marketing decisions and will not seek to argue that any such decisions made as a result of the grant of a Licence give it any expectation of favourable treatment with regards to access to long-term liberalised rights of use in those bands.

I accept that ComReg may publish and/or make available information relating to Licences and certain information relating to this Application may be contained in such publications.

I confirm that no change will be made in any of the foregoing without the prior approval of ComReg.

I certify that I am duly authorised by \_\_\_\_\_ to make  
(Applicant name)

this declaration and to sign on behalf of \_\_\_\_\_.  
(Applicant name)

Signature: \_\_\_\_\_

Name in Capital Letters Only: \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_