



An Coimisiún um
Rialáil Cumarsáide
Commission for
Communications Regulation

Spectrum Lease Determination

Lease of spectrum rights in the 3.6 GHz band from each of Meteor Mobile Communications Limited, Three Ireland (Hutchison) Limited, and Vodafone Ireland Limited to Imagine Communications Ireland Limited.

Information Notice

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Commission for Communications Regulation

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Additional Information

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1: Introduction

1. In October 2017, the Commission for Communications Regulation (“ComReg”) published its response (“Document 17/82”)¹ to the public consultation (“Document 17/47”)² on its draft framework for spectrum leases in Ireland (“Spectrum Lease Framework”). ComReg also updated its spectrum transfer procedures to reflect its decisions on the Spectrum Lease Framework in the RSPP³ and 700 MHz⁴ bands (“Document 14/11R”⁵).
2. While the draft Wireless Telegraphy (Transfer of Spectrum Rights of Use) (Amendment) Regulations have yet to be made, there is no impediment to leasing applications being submitted in advance of the completion of that process.⁶
3. On 29 April 2020, Imagine Communications Ireland Limited (“Imagine”)⁷ submitted to ComReg three separate notifications regarding its proposals to lease spectrum rights in the 3.6 GHz band from each of Meteor Mobile Communications Limited (trading as “eir”) (“Meteor”)⁸, Three Ireland (Hutchison) Limited (trading as “3”) (“3IRL”)⁹ and Vodafone Ireland Limited (trading as Vodafone) (“Vodafone”)¹⁰ (together the “Lease Notifications”).
4. Having considered the Lease Notifications, and in accordance with the procedures set out in Document 14/11R, ComReg published Document 20/30¹¹ which set out:

¹ ComReg Document 17/82 – Spectrum leases in Ireland: Response to Consultation on the framework for spectrum leases in Ireland – published 12 October 2017. <https://www.comreg.ie/publication-download/spectrum-leases-ireland-response-consultation-framework-spectrum-leases-ireland>

² ComReg Document 17/47 – Consultation on Spectrum leasing in Ireland: Consultation on Spectrum leasing in Ireland – published 1 June 2017. <https://www.comreg.ie/publication-download/consultation-spectrum-leasing-ireland>

³ The EU RSPP Decision (Decision No 243/2012/EU) requires EU Member States to allow the transfer or leasing of spectrum rights of use in the 800 MHz, 900 MHz, 1800 MHz, 2100 MHz, 2.6 GHz and 3.6 GHz bands (the “RSPP Bands”).

⁴ Decision (EU) 2017/899 of 17 May 2017 on the use of the 470-790 MHz frequency band in the Union requires EU Member States to allow the transfer or leasing of spectrum rights of use in the 700 MHz (694-790 MHz) band.

⁵ ComReg Document 14/11R – Spectrum Transfer and Lease Framework in Ireland: Procedures and Guidelines, and Notification Form(s) – published 12 October 2017. <https://www.comreg.ie/publication-download/framework-for-spectrum-transfers-and-spectrum-transfer-notification-form>

⁶ See, for example, the Wireless Telegraphy (3.6 GHz Band Licences) Regulations 2016 (S.I. No. 532 of 2016) at <http://www.irishstatutebook.ie/eli/2016/si/532/made/en/print#>

⁷ Imagine Communications Ireland Limited provides fixed wireless electronic communication services.

⁸ Meteor Mobile Communications Limited provides mobile electronic communication services.

⁹ Three Ireland (Hutchison) Limited provides mobile electronic communication services.

¹⁰ Vodafone Ireland Limited provides fixed and mobile electronic communication services.

¹¹ ComReg Document 20/30 – Spectrum Lease Notification: Proposed lease of spectrum rights in the 3.6 GHz band from each of Meteor Mobile Communications Limited, Three Ireland (Hutchison) Limited, and

- by way of background and context, relevant material regarding ComReg's recent Covid-19 Temporary Spectrum Management Measures;
 - the relevant technical details of each lease notification and other relevant material; and
 - the process by which interested parties could make submissions on the proposed leases to Imagine and next steps.
5. The closing date for the submission of responses to ComReg Document 20/30 was the 22 May 2020, and no submissions were received.

1.1 Key elements of the Lease Notifications

6. At a high-level, the Lease Notifications entail Imagine leasing spectrum within defined location¹² as follows:
- 20 MHz of Meteor's 3.6 GHz band spectrum rights at ten locations, 15 MHz at one other location, and 40 MHz at one further location;
 - 20 MHz of 3IRL's 3.6 GHz band spectrum at one location; and
 - 20 MHz of Vodafone's 3.6 GHz band spectrum at three locations, 40 MHz at one further location; and 60 MHz at another further location.
7. Imagine proposed to lease the above 3.6 GHz band spectrum rights for an initial three month period, followed by a further three month period subject to the prior agreement by the relevant parties, and approval by ComReg.
8. ComReg noted in Document 20/30 that the Lease Notifications do not entail any amendments to the licence conditions of Meteor, Three or Vodafone.

Vodafone Ireland Limited to Imagine Communications Ireland Limited – published 8 May 2020.
<https://www.comreg.ie/publication-download/spectrum-lease-notification-proposed-lease-of-spectrum-rights-in-the-3-6-ghz-band-from-each-of-meteor-mobile-communications-limited-three-ireland-hutchison-limited-and-vodafone-ireland-limited-to>

¹² Each location is defined by a 20 km radius around an identified central location.

2: ComReg's determination in respect of the lease notifications

9. Having considered the information provided by the notifying parties, in accordance with Document 14/11R, the Commission has formed the opinion that the result of the leases will not distort competition and has determined that the leases may be put into effect for a period of three months from the 22 June 2020.
10. In accordance with Document 14/11R, the Commission will publish a non-confidential version of its written determination on its website within two months from the date of publication of this Information Notice.