

Office of the Director of
**Telecommunications
Regulation**

The Irish Communications Market Quarterly Review

June 2001

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Oifig an Stiúrthóra Rialála Teileachumarsáide
Office of the Director of Telecommunications Regulation
Abbey Court, Irish Life Centre, Lower Abbey Street, Dublin 1
Telephone +353-1-804 9600 *Fax* +353-1-804 9680 *Web:* www.odtr.ie

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1 FOREWORD BY THE DIRECTOR

This review summarises the developments in the Irish communications sector in the period since our last review on 8 March 2001. The Irish telecommunications sector continues to expand, and now represents 3% of Irish GDP. Total revenues for the fixed, mobile and broadcasting markets have increased by approximately 6% in the quarter December 2000 to March 2001.

Key regulatory developments in the quarter included the completion of the LLU framework and pricing, codes of practice for Cable/MMDS operators and three papers outlining the process on postal regulation.

We include in this review a summary of the results of our survey of 200 major companies based in Ireland. The overall response was positive, with a significant majority considering that their needs are better served and the market more competitive than 12 months ago.

We would like to thank all those operators and organisations who have contributed information and comments for this review and we appreciate their efforts in facilitating the publication of this document. We continue to encourage all operators to complete the questionnaire sent to them on a quarterly basis to ensure as complete a picture as possible of the Irish market can be presented.

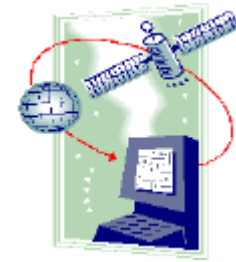
Etain Doyle

Director of Telecommunications Regulation

All figures and statements expressed in this review seek to reflect developments in the Irish market since the ODTR's last quarterly report. While every effort has been made to include the most up to date figures and estimates, we have, in some instances, referred to earlier data.

2 MARKET DEVELOPMENTS

The data in the review is based on returns from licensees for the period 1st January 2001 to 31st March 2001. The report is based on submissions from 48 operators (detailed in Appendix 1).



2.1 OVERVIEW

Key market indicators include:

- Total revenues for fixed, mobile and broadcasting markets have increased to an estimated IR£2.5 billion per annum on an annualised basis, an increase of approximately 6% since the last quarter;¹
- The telecoms sector is now estimated to account for approximately 3% of Irish GDP², an increase of 0.3% since June 2000;
- The new entrants share of the fixed line market now stands at 20%. This figure has doubled in 12 months, although the rate of growth in market share was lower in the last quarter.
- As at the end of March 2001 there were approximately 160,000 business and residential subscriber lines using CPS, a net increase of 10,000 subscribers since the previous quarter.
- In the period up to the end of March 2001 two additional basic licence was awarded, bringing the total number of Basic licences to 34. The number of General licences remains the same at 46.
- 24 of the 46 General licences and 23 of 34 basic licences are operational in the Irish market. During the quarter 3 General licencees ceased operations in the Irish market.
- The Irish mobile penetration rate rose to 73% as at 31st March 2001 an increase of 24% in 12 months.

¹ Source: Figure for Q04 2000 has been revised in light of data subsequently received. Annualised Turnover for Q04 2000 is now estimated at IR£2.33billion, accounting for 2.89% of GDP.

² Figure was calculated using GDP at market price (2000) – ESRI Quarterly Economic Commentary, March 2001.

- There are approximately 635,000 cable/MMDS subscribers in Ireland, while approximately 1 million households are passed
- The total number of employees in the telecoms sector is approximately 17,750.

2.2 BROADBAND SURVEY

The ODTR commissioned Irish Marketing Surveys to examine the attitudes of large corporates to the provision of broadband services in Ireland. The interviews were conducted in May from 200 of the top 1,000 companies. A limited summary of the results is provided below. A full analysis of the survey findings and the full survey results will be published with the next quarterly report.

Consistent with other surveys conducted with SMEs and consumers in recent quarterly reports the corporate users believe their telecommunications needs are well served, are more satisfied with their telecommunications supplier than 12 months ago and believe the market is more competitive than 12 months ago.

When asked if they had been approached by an alternative supplier of broadband services, 70% said they had been approached by a supplier other than their existing one. However, there appears to be less switching of supplier in this market than in others with only 13% saying they had changed supplier for any of their broadband needs in the past 12 months.

The companies surveyed also believed that their broadband requirements would increase in the coming months with 71% indicating they would increase their broadband requirements in the next 12 months. The main services the sample believed they would depend on were ISDN (59%), Leased Lines (55%), Frame Relay (44%) and DSL (29%). The Table below shows the services that companies indicated they would depend on more in the future. The smaller figures for satellite and fixed wireless access may reflect a lower level of availability and less familiarity with the technologies concerned.

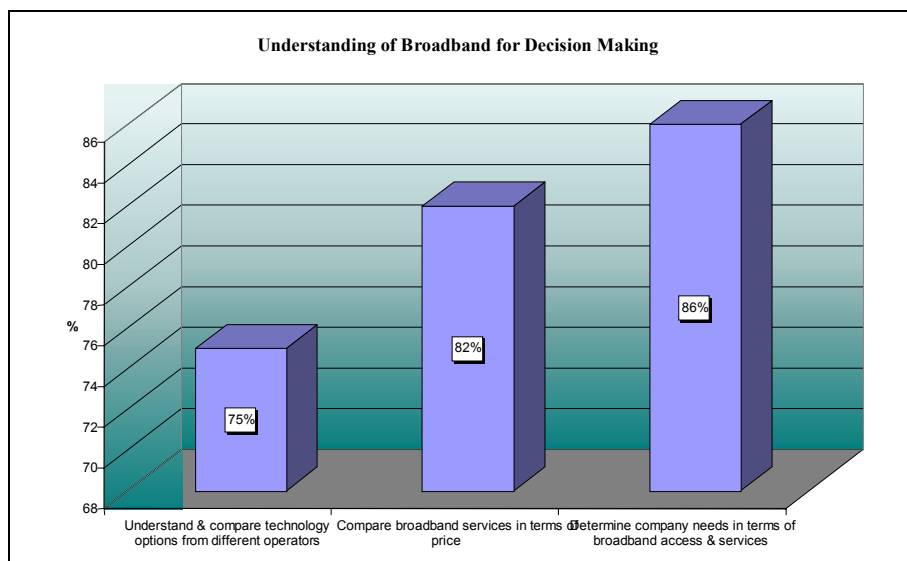
Service	%
ISDN	59
Leased Lines	55
Frame Relay	44
DSL	29

Service	%
ATM	23
Satellite	13
FWA	15
Cable	23

When asked about access to broadband services nation-wide, 34% believed they had difficulty accessing broadband services. Of this 34%, availability of broadband in Dublin was considered to be a problem by 43% but the issue was also considered a problem throughout the rest of the country. When the 34% who had difficulty accessing broadband services were asked if any of these difficulties had impacted investment decisions, 36% believed it impacted the investment decisions of their company in terms of where they decided to locate points of operation.

The corporate market considers itself well informed in relation to comparing broadband technology options, prices and access requirements. This is illustrated in the chart below.

Figure 2.1



The respondents were generally optimistic about the broadband market. Of those surveyed, 51% believed the competitiveness of broadband communications had improved in the past twelve months and 53% believed Ireland was well placed to be an e-commerce hub for Europe.

When asked to agree or disagree with general statements relating to the telecommunications market. Respondents rated their response based on a scale from 1 to 5, where 5 means they strongly agreed and 1 strongly disagreed. The mean scores of answers are as follows:

	Mean Score
My telecommunications needs are well served	3.4
I believe there are savings to be made by changing my telecommunications supplier(s)	3.4
The overall cost of my telecommunications spend has reduced in the past 12 months	3.0
I am more satisfied with my telecommunications supplier(s) than 12 months ago	3.0
I believe the telecommunications market is more competitive than 12 months ago	3.7

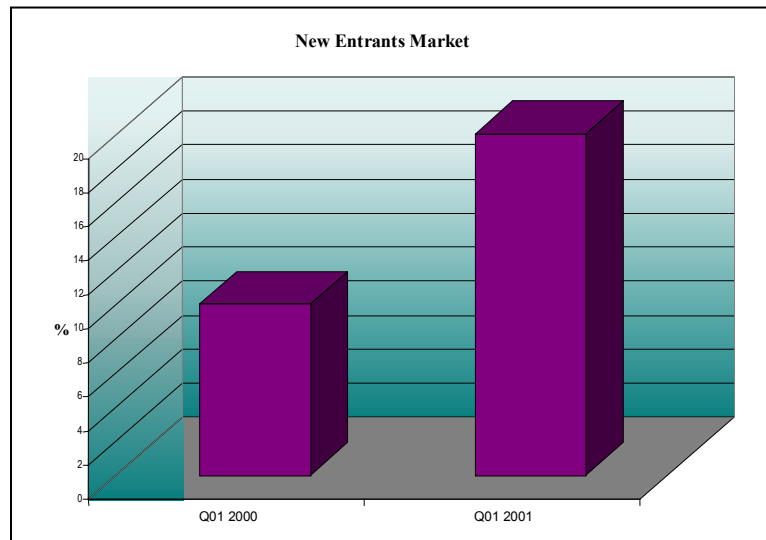
The respondents were taken from the Business and Finance top 1,000 classified by turnover. In the sample, 2 in 3 companies were indigenous Irish companies with the balance foreign owned (mainly US and UK companies). Of those surveyed 50% had a head office in Dublin with 55% having more than one office nation-wide. Of the sample surveyed 75% had in excess of 100 employees.

3 FIXED LINE MARKET

During the quarter ended March 2001 the fixed line market continued to experience growth, with total revenue and traffic increasing during the period. Total fixed line revenue³ for the quarter now stands at over £416 million, which accounts for approximately 67% of total telecommunications revenue.

Figure 3.1

Over the past year the new entrants share of the fixed line market figure has doubled, rising from 10% in March 2000 to 20%⁴ at the end of the March quarter 2001. However, there is some evidence to suggest that the rate of market share gain by new entrants has slowed in the quarter.



Consistent with this growth is the increase in CPS subscribers. The ODTR estimates that as at the end of March 2001 there were over 160,000⁵ business and residential subscriber lines using CPS⁶. This figure has increased by approximately 7% since December 2000. This figure of 160,000 represents the net movements to OLOs and takes account of subscribers subsequently transferring back to *eircom*. Figure 3.2 illustrates the growth in CPS subscribers over the last year.

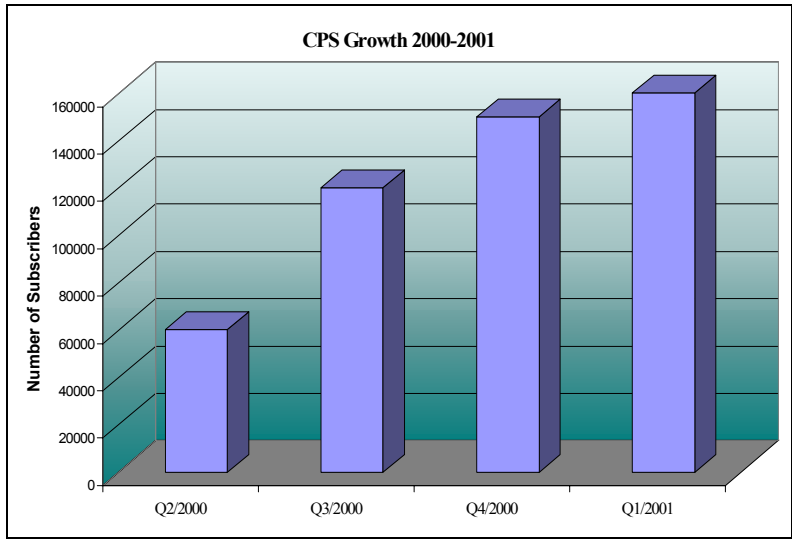
3 This figure includes revenue from retail traffic (local, national, international, to mobiles, internet, payphone and other), internet services, leased lines, switched data services and other services such as directory publications and maintenance of customer equipment. Data based on operator returns.

4 Based on revenue figures supplied by operators as at the end of March 2001.

5 This figure represents the number of subscribers measured in Caller Line Identification (CLIs)

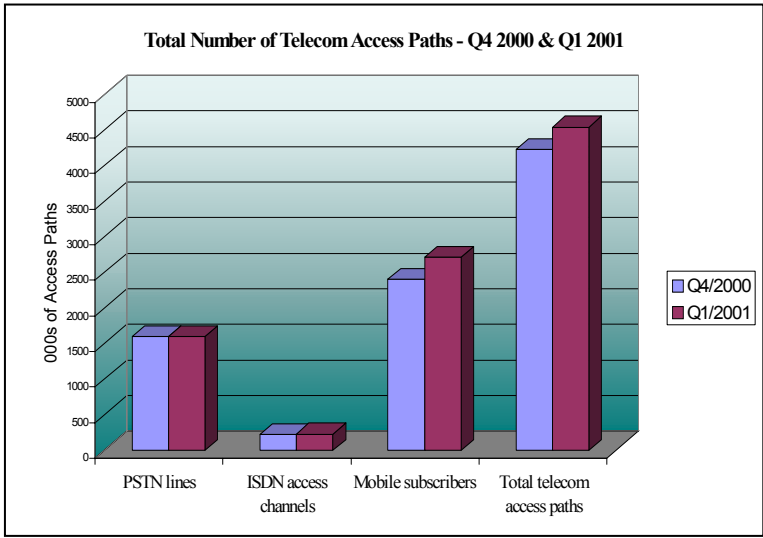
6 Carrier pre selection is a service that enables a subscriber to the fixed network to select a different carrier from the local loop operator for the routing of all or some of its outgoing calls.

Figure 3.2



3.1 TELECOM ACCESS PATHS

Figure 3.3



The total number of telecom access paths has increased during the quarter from 4.221 million to 4.538 million, an increase of almost 8%. However as was seen last quarter the increase is mainly attributable to the increase in mobile subscribers.

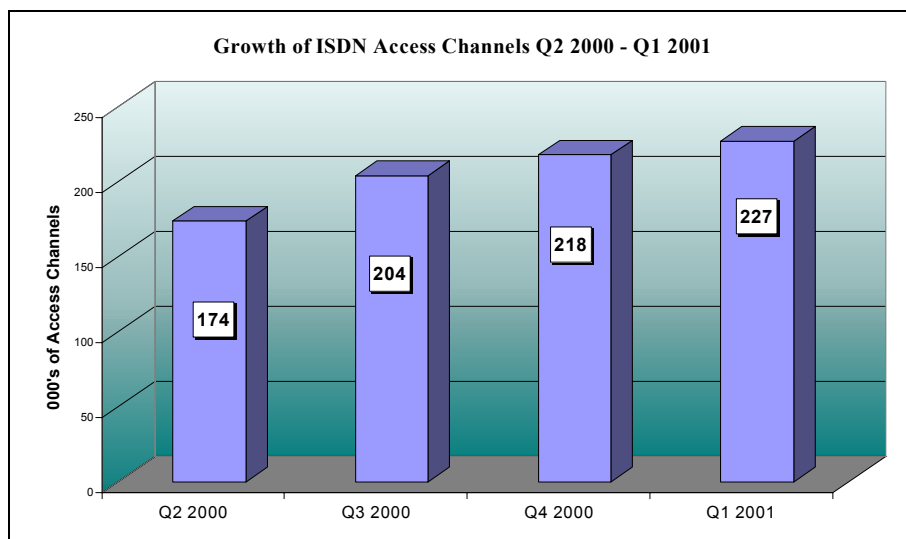
3.1.1 PSTN Lines

The total number of PSTN lines has not increased significantly over the past year. The total was just over 1.59 million lines at the end of March 2001. This figure is split between residential and business lines, with 1.09 million and 0.5 million lines respectively. Approximately 85% of households have a telephone line. This figure has risen marginally since Q1 of 2000.

3.1.2 ISDN Access Channels

The number of ISDN access channels⁷ has increased since December 2000 from approximately 218,000 to approximately 226,000 access channels at the end of March 2001, which represents an increase of approximately 4%. The growth in the number of ISDN access channels has been rising steadily over the past 12 months and has grown approximately 30% since June 2000. The majority of the ISDN access channels are used by businesses. According to a survey commissioned by the ODTR in February 2001, just 4% of households have an ISDN connection.⁸

Figure 3.4



3.1.3 Mobile Subscribers

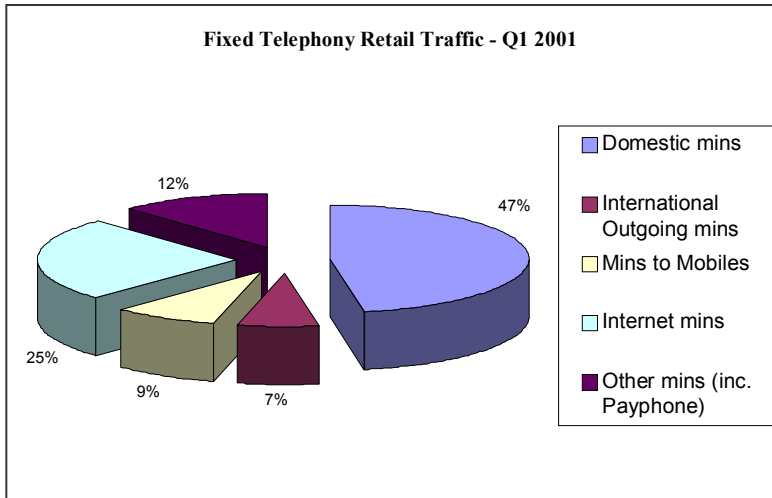
The number of mobile subscribers increased significantly during the quarter to the end of March 2001 to over 2.7 million. This represents an increase of 50% in the last 12 months. Mobile lines account for nearly 59% of the total access paths.

⁷ The figure for total ISDN access channels includes basic rate, fractional rate and primary rate ISDN and is expressed in basic rate equivalents.

⁸ Source: ODTR/IMS Telecommunications Survey, January/February 2001.

3.2 RETAIL TRAFFIC

Figure 3.5



Fixed Telephony Retail traffic measured in minutes has increased during the period by around 7%. Domestic minutes have remained relatively constant, while, all other categories of minutes have increased during the quarter. Other

minutes⁹ and Internet minutes have increased significantly, by 20% and 15% respectively. Internet minutes now account for one quarter of all retail traffic.

3.3 DATA SERVICES

Data Centres, colocation facilities and ASPs comprise part of a new dimension in the developing communications market. Ireland has created an attractive environment for data centre operations. As a result, Ireland has seen an increase in activity in the data centre sector over the last year, with approximately 22 centres¹⁰ in advanced stages of construction or actually open for business. Data centres are crucial for Ireland's development as a hub for e-business in the future.

Broadband connectivity is an essential part of the data centre sector, and the development of international connectivity has been detailed in previous reports. Over the last year, telecom operators have seen the introduction of demand for up to STM4 (640mbt) lines, required to service very large business users, and this high-end demand can be expected to expand as the data centre business grows.

Data transmission by business is fuelling the demand for leased lines and at the end of March 2001, the total number of leased line circuits was approximately 39,000, an increase of 5% since June 2000. Currently, the majority of leased lines are under 2Mbit/s, representing

⁹ Other minutes includes services such as premium rate services, voicemail, operator services, freefone, LoCall and Callsave calls and Payphone minutes.

¹⁰ Source: Irish Independent, 19th April 2001.

approximately 86% of the total number of circuits. The growth in data traffic and the Internet is driving the demand for bandwidth, which in turn is driving the demand for leased lines. Future quarterly reports will include a more detailed analysis on the level and growth of data communications in Ireland.

3.4 REGULATORY DEVELOPMENTS

3.4.1 *eircom's Reference Interconnection Offer (RIO) & Accounting Separation*

A central part of developing and sustaining competition in the market is the ability of new operators to interconnect with eircom's network. *eircom* is required to publish a RIO which sets out the mechanisms that allow operators to connect to each other and the prices that will apply. Under the Interconnection Regulation¹¹, *eircom* is required to publish a RIO that is in compliance with the relevant legislation. The legislation also requires transparency in and access to the accounts of such organisations, which includes "accounting separation". The aim of this is to provide an analysis of costs of parts of the business as if they had operated as separate businesses.

In April the Director announced a number of new decisions relating to eircom's (RIO), in particular the move to Long run incremental costs (LRIC) for the calculation of prices. The decisions can be found in Document No. ODTR 01/24) which can be viewed on the ODTR website at www.odtr.ie¹².

3.4.2 *Local Loop Unbundling*

The framework for the introduction of LLU was completed during the quarter, and prices were set on an interim basis. LLU is a very complex programme, and the focus of ODTR activity was to complete the process as quickly as possible, to simplify and reduce to the essentials the implementation requirements, and to provide for the likely low volume start to LLU.

In a Decision Notice (ODTR Document 01/27) on 30th April 2001, the Director set interim prices for access and directed changes to be made to eircom's Reference Access Offer. The monthly line rental was fixed at €13.53 and connection at €119.73 based on data from eircom,

¹¹ European Communities (Interconnection in Telecommunications) Regulations, 1998 (S.I. No. 15 of 1998)

¹² Source: Report on the Consultation and Decision Notice regarding eircom's Reference Interconnection Offer & Accounting Separation and Publication of Financial Information for Telecommunications Operators. Document No.ODTR 01/24.

benchmarking and other analysis undertaken by the ODTR regarding efficient operator costs. The price is within the range of pricing within other EU countries.

In Decision Notice (ODTR Document 01/27) the Director found that eircom, had not at that time, published a complete service level agreement (SLA) and required eircom to include an interim SLA in its access reference offer (ARO) by the 3rd May 2001. On 18th May 2001 the Director issued her final direction on an appropriate SLA regime for colocation and ULMP/line sharing.

Discussions/testing are now underway for a new bitstream product which eircom proposes to launch in September and which will be available to all on a non-discriminatory basis.

3.4.3 Quality of Delivery Issues

There have been a number of regulatory developments during the first quarter that deal with the quality of delivery of services to consumers. The focus is on seeking to make the operators provide adequately for and implement better standards of service generally.

3.4.4 Itemised Billing

A consultation paper on itemised billing for telephony customers was issued in May. (ODTR Document 01/30)¹³, The Director wishes to take account of the views of interested parties, including users and operators, before defining a minimum level of itemised billing to be provided free to customers who want it. Itemised billing helps users to check and control their purchase of telephony services.

3.4.5 Consumer Complaints

The Director has initiated a consultation on the Codes of Conduct for the handling of Consumer Complaints by Telecommunications Operators (ODTR Document 01/34). Although work has been carried out by a number of operators in this area, the ODTR is aware that services are not yet adequate and that therefore competition on service quality can be improved. Standardised criteria would ensure that consumers are in a position to expect a similar approach to complaint handling across all operators¹⁴.

¹³ Source: Itemised billing by telecommunications operators: Consultation Paper. Document No. ODTR 01/30

¹⁴ Source: Codes of Practice for handling Consumer Complaints by Telecommunications Operators: Consultation Paper. Document No. ODTR 01/34

3.4.6 Directory Information Services

The ODTR is reviewing Directory Information Services with the aim of developing a framework that encourages competition in the supply of directory services and to produce more efficient consumer-friendly services. In particular the ODTR examined the choice and quality of the services currently available, the determination of any existing or potential barriers to entry for telecoms operators, directory providers or consumers of these services and also the provision of these services under the Universal Service Obligation (USO).

Following this public consultation it was announced on 2nd April 2001 that a Consumer Code of Conduct (ODTR Document 01/19), is to be developed to ensure that operators develop adequate customer information and consumer protection procedures with regard to directory information services. It will also address issues regarding the operation and maintenance of the National Directory Database (NDD).

The ODTR convened an industry forum to examine Directory Services and formulate a Code of Conduct. This forum has met on a regular basis and will submit its findings including an agreed Code of Conduct to the Director on 12th June 2001.

4 MOBILE COMMUNICATIONS

Since our last review in March 2001 the mobile penetration rate has continued to increase. The mobile penetration rate is a measure of the percentage of the population who have a mobile phone. The Irish mobile penetration rate has maintained its upward trend, rising from 67% at the start of February 2001 to 73% at the start of April 2001.

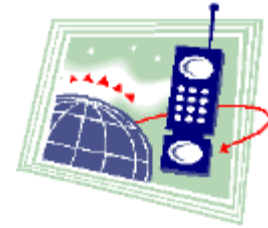


Figure 4.1: Irish Mobile Penetration Rate Q1 2000 – Q1 2001

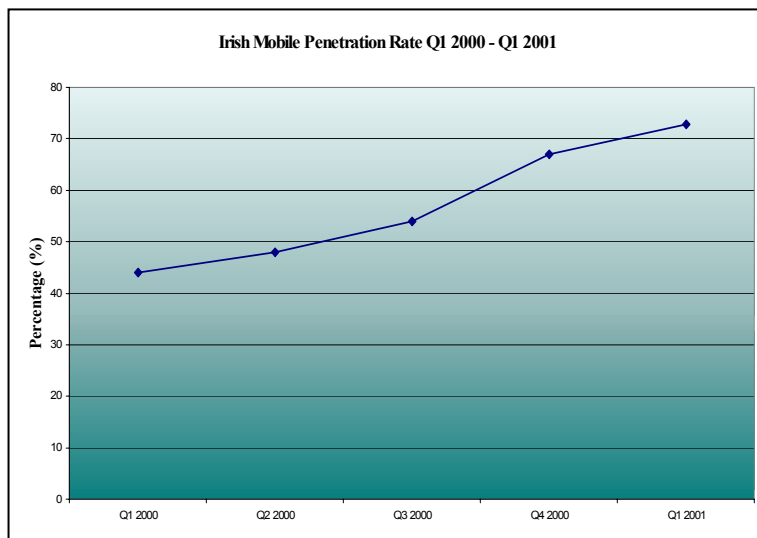


Figure 4.1 illustrates the rise of the Irish mobile penetration rate. Over a 12-month period the penetration rate rose from 44% to 73%. Much of the growth was attributable to the Christmas period.

Source: FT Mobile Communications

Figure 4.2 (overleaf) illustrates the various European penetration rates. At a penetration rate of 78% Luxembourg has the highest mobile penetration rate in Europe.

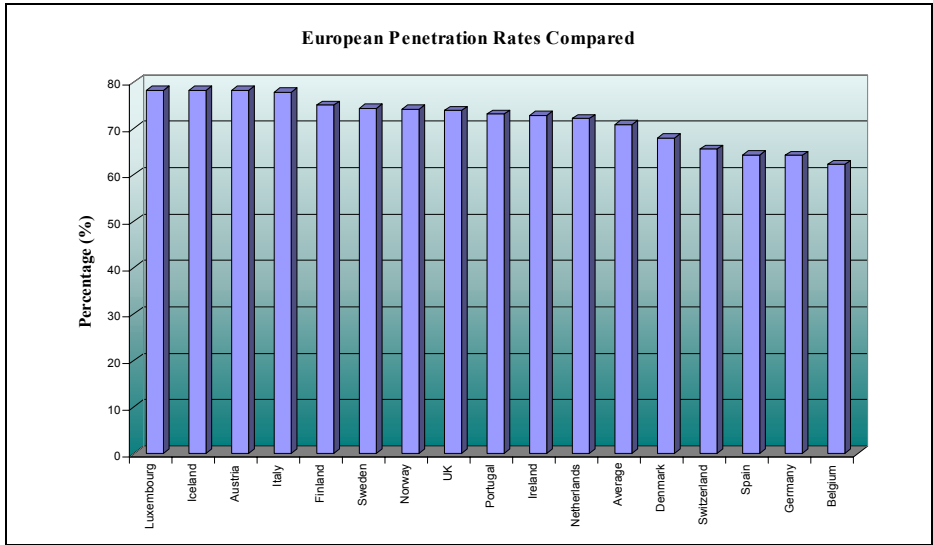
The accuracy of mobile penetration rates has been discussed in the UK media in the last quarter following Vodafone’s announcement that it was reducing its subscriber number following a review of its prepaid subscriber base. The change results in pre-paid subscribers, who are inactive for at least three months, not being considered as active subscribers. The impact of the changes has been reported to reduce the mobile penetration rate in the UK from 70% to 60%¹⁵. The ODTR has written to Irish mobile operators in light of the debate on subscriber numbers. Two operators¹⁶ clarified that for pre-paid subscribers, they wait 6 months following the last “call event¹⁷” before considering the subscriber inactive.

¹⁵ Source: FT MarketWatch, “Vodafone said that 10 percent of its customers did not make or receive chargeable calls in the quarter to March 31st”

¹⁶ Esat Digifone and Meteor.

¹⁷ Voice, WAP call or SMS.

Figure 4.2: European Penetration Rates



Source: FT Mobile Communications and ODTR Estimates

4.1 DATA SERVICES

SMS (short messaging service) has continued its remarkable growth in the mobile market. Since our last review in March there has been a 38% increase in the total number of SMS sent quarter on quarter.

Figure 4.3 Number of SMS sent Q1 2000 – Q1 2001

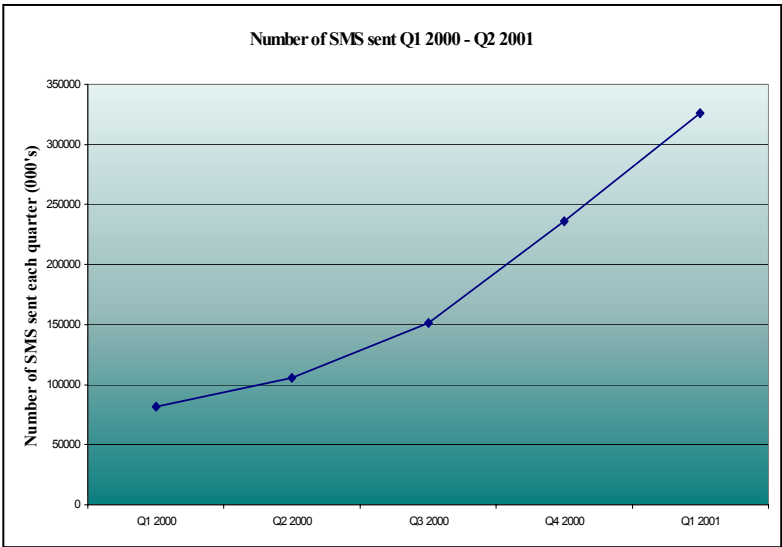


Figure 4.3 illustrates the quarter on quarter growth in SMS. The number of messages sent has increased by 400% between Q1 2000 and Q1 2001

Source: ODTR Quarterly Review Questionnaire

4.2 REGULATORY DEVELOPMENTS

4.2.1 Mobile Number Portability

Mobile number portability could be available in Ireland from mid 2002 and will allow customers to retain their entire number when changing to a new operator. A consultation paper outlining proposals for handling of mobile number portability was issued on the 15th of May 2001.

The proposed new process would allow a customer to take their number to a new mobile operator simply by making a phone call to that operator, with no need to physically visit any particular outlet. The Irish procedure is relatively straightforward in comparison to other European countries where mobile portability has been hindered by the cumbersome procedures needed to implement it.

4.3 COMPETITION

Following the announcement on the 21st of December 2000 that Vodafone is to offer to acquire *eircom's* mobile communications business, Eircell, shareholders at the company's EGM voted in favour of the sale of Eircell to Vodafone. The deal is the largest ever in Irish corporate history.

Several parties have indicated an interest in acquiring the remaining business of *eircom*, which incorporates the fixed line business, the golden pages and some multimedia concerns.

One of the four broadband FWA licensees, Formus, went into liquidation, reducing to three the number of such licensees. The ODTR is considering how to deal with the licence in these circumstances.

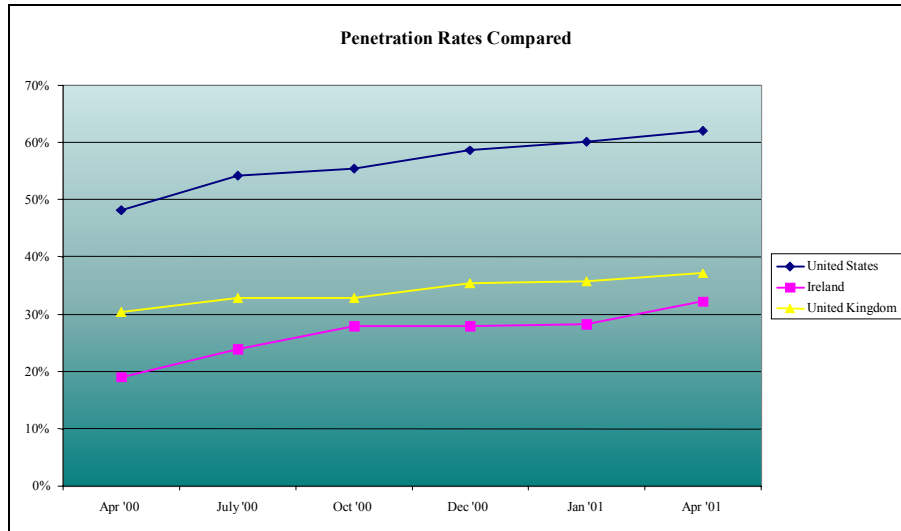
Following the High Court judgement in the Eircell/Meridian competition law case in April and agreement between the parties, the Imagine service is being closed.

5 INTERNET & MULTIMEDIA

Ireland's Internet penetration has been growing steadily in the last year with 32% of the population having home Internet access at the end of April 2001. Having plateaued for a period the Internet universe has now grown to over 1.2 million in the last quarter.



Figure 5.1: Internet Penetration Rates Compared



Source: Nielsen NetRatings

According to Nielsen's Internet figures the average Irish home user spent over 4 hours 20 minutes online in April.

Table 5.1: Average Internet Usage for Ireland, the UK and the US, April 2001

	United States	Ireland	United Kingdom
Number of Sessions per Month	19	9	12
Number of Unique Sites Visited	10	17	19
Time Spent per Site	55:40	14:58	18:46
Time Spent per Month	9:33:13	4:20:49	5:55:08
Time Spent During Surfing Session	30:35	29:07	29:19
Duration of a Page viewed	00:52	00:45	00:43
Active Internet Universe	103,056,022	561,238	11,084,162
Current Internet Universe Estimate	167,479,153	1,207,334	22,056,007

Source: Nielsen NetRatings, April 2001

According to the Quarterly National Household Survey, carried out by the CSO, almost 417,000 households in Ireland (32.4% of all households) have a home computer. This compares with computer ownership by less than 20% of households (228,500) in the middle of 1998. An estimated 262,700 households have a computer connection to the Internet. This represents 20.4% of all households and 63% of all households that have a computer.

As part of a recent survey carried out by IMS for the ODTR, respondents who were not yet online were asked to identify the main obstacles to getting connected. The main obstacles were, not having a PC at home (23%), too expensive (15%) and not interested (38%). If the age profile of those surveyed that are online is examined we see low adoption in the 55+-age bracket but higher representation elsewhere.

Figure 5.2: Age group and Internet access

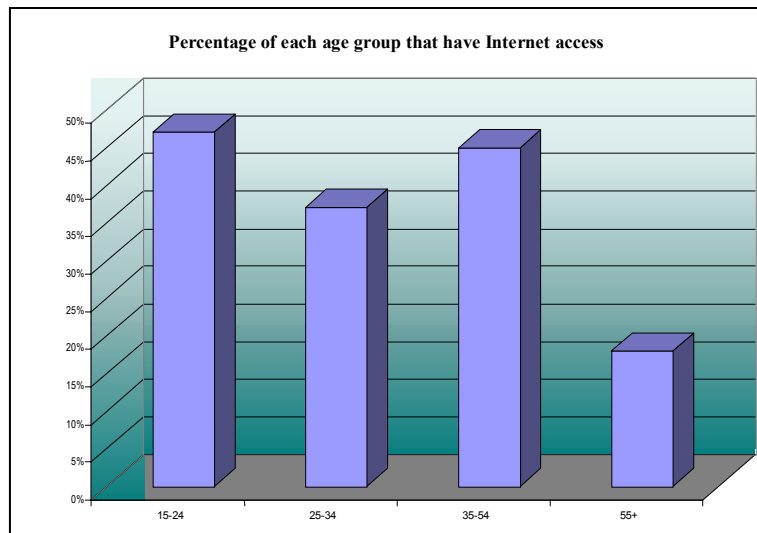


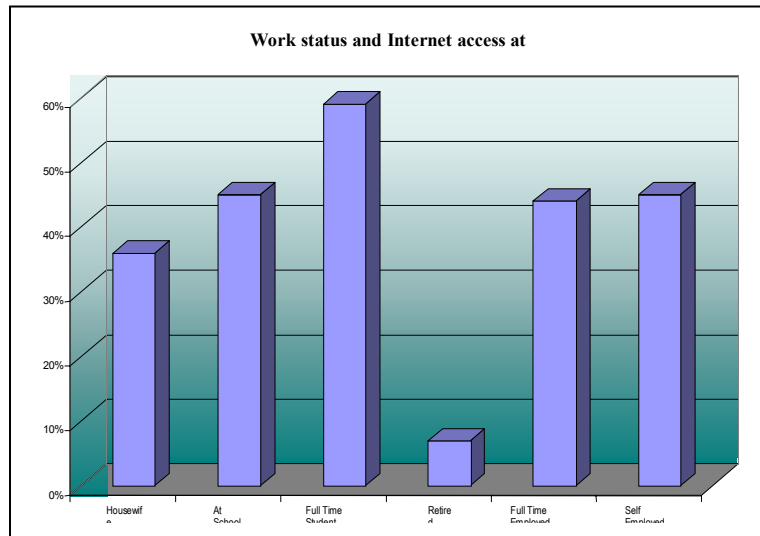
Figure 5.2 illustrates the percentage of each age group who have Internet access at home. 47% of those surveyed in the 15-24 year-age bracket have Internet access at home, while only 18% of those over 55 had access.

Source: IMS Consumer Survey

In terms of work status of those online at home we see a very active Internet representation from full time students, those in employment and at school, however there is a very low representation of those who are retired.

Figure 5.3: Work Status and Internet access

Figure 5.3 illustrates the percentage of people in each work group that have Internet access at home. It can be seen from the graph that 59% of students have Internet access at home, with 45% of the self-employed and those at school having access at home.



Source: IMS Consumer Survey

If we examine the income profile of those online the survey shows low adoption for those with low incomes with only 6% of those earning less than ten thousand a year having Internet access.

Figure 5.4: Household Income and Internet Access

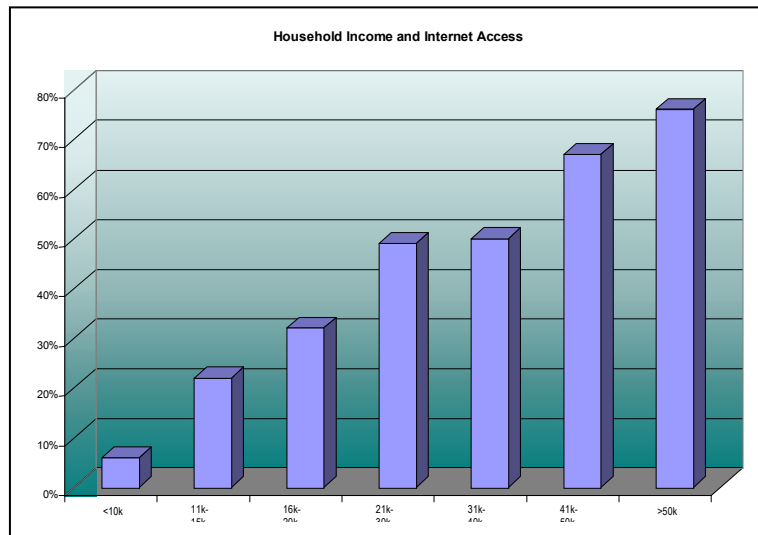


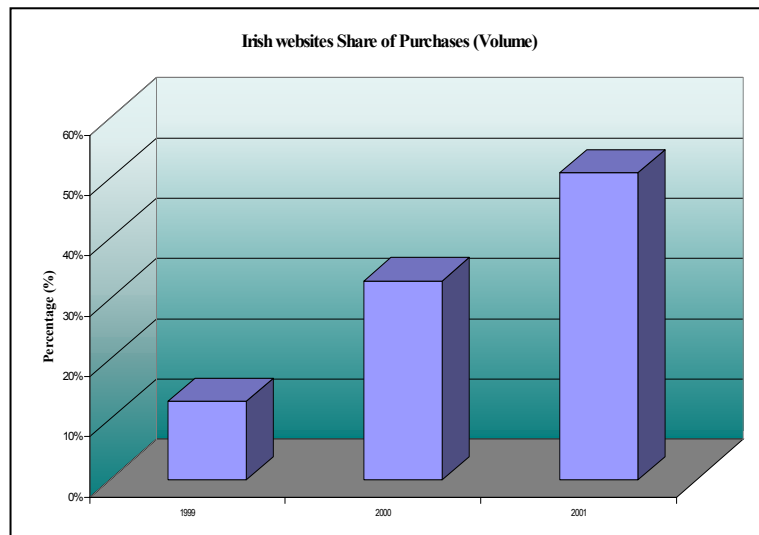
Figure 5.4 illustrates the percentage of people in each income bracket that have Internet access at home. There is a high correlation with Internet access and income. 76% of those with household income greater than fifty thousand pounds have Internet access at home.

Source: IMS Consumer Survey

By comparison only 6% of those with household income less than £10,000 have access at home. At income levels between £11,000 and £15,000 the rate of access is 22%.

The number of Irish adults purchasing goods and services online has trebled over the last year. Research recently conducted by Amárach Consulting has found that almost 150,000 Irish adults had purchased something online in the last three months, up from 50,000 a year ago. It appears likely that much of the increase in Irish-based consumer e-commerce sales is being driven by the success of the Ryanair website.

Figure 5.5: Irish Websites Share of Purchases



Source: Amarach Consulting 2001

The fact that only 12% of small business, on the basis of our SME survey, indicated that they had a leased line underlines the need for further development. Some of this development will be in the Business to Irish Consumer market and the creation of marketing of relevant Internet material for Irish consumers and clearly important to increasing residential usage.

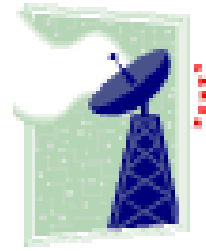
However in line with developments elsewhere and in particular given the structure of the Irish economy, it is likely that B2B will be key driver of Internet expansion.

5.1 REGULATORY DEVELOPMENTS

The ODTR has continued its work on providing regulatory backing for initiatives in this sector. It has issued additional access codes and number ranges for dial up Internet access. The Internet access codes set out in ODTR Document No. 01/12 were designed to provide a range of access pricing from zero rated call charges to zero rated subscription.

6 CABLE & MMDS

As at the end of March 2001, the ODTR estimates that there were approximately 635,000 cable & MMDS subscribers in Ireland, an increase of 3% from June 2000. Approximately 1 million households were passed. Employees in the sector remained constant at 1,200. Total cable & MMDS revenues have increase by approximately 10% since June 2000. The provision of digital cable/MMDS television services began in the fourth quarter of 2000. At the end of December 2000, over 190,000 homes were passed by such services, mainly by MMDS. To date, no Irish based companies have offered digital interactive services.



Internet and telephony services were introduced in the third quarter of 2000. For cable and MMDS users the number of telephony subscribers increased by 67% and internet subscribers have increased by 82% since the previous quarter (from the very low base of Q3 2000).

6.1 REGULATORY DEVELOPMENTS

6.1.1 NTL

An information notice regarding the cable television licence discussions with ntl was issued in March. Ntl has indicated that it will make digital television available by September in its licence areas of Dublin, Galway and Waterford. It has also indicated that the rollout of digital television for September 2001 will be initially done without the complete upgrade of the networks to telecommunications standards as originally envisaged. Ntl indicated that it would provide enhanced resources in terms of capital, infrastructure and staff to underwrite its quality commitments. The implementation of the ntl roll out programme is monitored by the ODTR on an on-going basis.¹⁸

6.1.2 Chorus

Discussions are progressing with Chorus regarding the implementation of its rollout obligations.

¹⁸ Source: Cable Television Licence Discussions with ntl: Information Notice. Document No.ODTR 01/18

6.1.3 Code of Conduct

The objective of the decision notice is to require companies to provide a minimum acceptable service standard and give customers an opportunity to have a clear understanding of the level of service which should be provided and the steps which a licensee should take when problems arise. Customers are, as a result, in a better position to insist on their rights under the relevant supply contract. Issues that must be addressed by the companies include: providing contact details for complaints, acknowledging complaints and keeping customers informed of the progress of the complaint, specifying the procedures which will be followed to resolve complaints and addressing complaints within stated time-scales for different categories of complaint. Operators will also be required to provide detailed statistics on complaint handling which are to be published on a regular basis.¹⁹

6.1.4 Deflector Licensing Scheme

Due to the delay in the launch of Digital Terrestrial Television (DTT), an extension of deflector licences was considered appropriate so that communities are not deprived of access to multichannel services. New regulations²⁰, which provide for the extension of deflector licences were issued in May with the consent of the Minister of Public Enterprise.

6.1.5 Licence Framework for Digital Terrestrial Television

The licence framework for Digital Terrestrial Television was developed following public consultation and full consideration by the ODTR of its obligations under the recent Broadcasting Act 2001 (ODTR Document No. 01/17). The Broadcasting Act, 2001 provides for the establishment and operation of DTT on a national basis and requires the Director to issue a Digital Multiplex Licence and Digital Terrestrial Television (DTT) Licence to the companies designated by the Minister for Arts, Heritage, Gaeltacht and the Islands to receive those licences.²¹

¹⁹ Decision Notice and Response to Consultation. Document No. ODTR 00/22.

²⁰ Wireless Telegraphy (Carrigaline UHF television programme retransmission) (Amendment) Regulations, 2001 (S.I. No 189 of 2001), and Wireless Telegraphy (UHF Television Programme Retransmission) (Amendment) Regulations, 2001 (S.I. No 190 of 2001).

²¹ Licensing Digital Terrestrial Television: Response to the Consultation. Document No. ODTR 01/17

7 RADIO SPECTRUM

In May 2001, the ODTR outlined the responses received to the spectrum management and consultation paper issued in February this year. (ODTR Document No. 01/31).²²



The aim in undertaking the review, the consultation and the activities that will flow from them is to achieve a number of key objectives including:

- Maintaining efficient and effective use of radio spectrum in Ireland;
- Assisting in creating further economic growth and social well-being across Ireland through spectrum use;
- Providing a framework in which Irish consumers can get the best communications services in terms of price, quality and choice;
- Enhancing Ireland's international competitiveness;
- Ensuring consistency with the developing EU and wider international regulatory framework;
- Reducing administrative burden.

The review and consultation have already stimulated constructive dialogue and helpful suggestions regarding the ODTR's approach to radio spectrum management and how this can best meet the needs of the user community and contribute to Ireland's economic success. A draft of the Spectrum Strategy Document is to be published in September 2001.

The pattern of radio use is not static, it is continuously evolving to reflect the many changes that are taking place in the radio environment; particularly in the field of technology. Spectrum allocations must reflect these changes. In light of this, a revised edition of the Table of Frequency allocations was issued in April 2001 (ODTR Document No. 01/23).

²² Source: ODTR Radio Spectrum Management – Planning for the future – Response to the consultation. Document No. ODTR 01/31

8 POSTAL REGULATION

The Office of the Director of Telecommunications Regulation was designated as the independent National Regulatory Authority for the postal sector on the 27th September 2000, when the EU postal directive was transposed into national law. The 'Postal Directive'²³ establishes a harmonised regulatory framework for postal services



throughout the European Union and for securing improvements in the quality of service provided. It also defines a decision-making process regarding further opening of the postal market to competition.

In late April / early May the Director published three Consultation Papers about the key issues that will form the framework for postal regulation in Ireland – Quality Standards, Accounting Procedures and Pricing Policy.

The consultation paper on Quality Standards (ODTR Doc.No 01/28) concerns the target that the Regulator must set An Post for the next day delivery of letters. Statistics have shown that for the last three years An Post has failed to deliver one letter in eight the next day. The target set must reflect what the customers want and what An Post can achieve. While it may not be essential that all mail should be delivered by the next working day, a regular and reliable next day service should be available to those customers who need it. The paper suggests a target of 97%, to be achieved by 2003.

The consultation paper on accounting procedures (ODTR Doc.No. 01/29) concerns accounting separation and examines the direction the Regulator must give to An Post to achieve transparency of accounting and thereby ensure that profits earned from the provision of letter services reserved to An Post are not used to finance unfair competition in competitive parcels and non-postal services. The most important proposal is that An Post should be required to produce separate accounts for the letters and SDS (Parcels) business units to the same standard as if they were provided by separate companies. This is consistent with the trend towards the separation of monopoly and competitive activities in regulated sectors.

²³ Directive 97/67/EC of the European Parliament and of the Council of 15 Dec 1997 on common rules for the development of the internal market of Community postal services and the improvement of the quality of service OJL 15 21.1.1998, p.14.

Another proposal is that the price the parcels business has to pay for the use of the letter network should be consistent with the price which any competitor of SDS who wished to use An Post's Letter network to deliver parcels would be charged.

The consultation paper on pricing policy (ODTR Doc.No. 01/35), deals with the principles that the regulator intends to follow in monitoring the level and structure of An Post's tariffs, particularly for services where prices are not constrained by competition. The approach chosen must provide effective protection for consumers and others against excessive and anti-competitive pricing, while enabling the company to make decisions within an appropriate and stable framework. The underlying intention is that the application of the principles will ensure that the universal service provider is efficient in its operations and that its tariffs are set accordingly.

9 REVIEW OF TELECOMMUNICATIONS TARIFFS

This section compares movements in incumbents' tariffs for a range of telecommunication services since the ODTR's last review in March. It should be noted that competing operators sometimes offer cheaper tariffs and this would also be true in the other countries surveyed. The tariff comparisons, generated from the pricing of a number of baskets of telecom services, rank Ireland's position against a group of key countries in relation to telecom tariffs²⁴.



The baskets, which are constructed by Teligen using an OECD approved methodology, provide a “snapshot” of Ireland's position vis-a-vis other countries at a particular point in time. The baskets of services examined in this review include:

- National PSTN
- International PSTN
- National Leased Lines
- International Leased Lines
- Personal Mobile Basket
- Business Mobile Basket
- Personal Pre-paid Mobile Basket

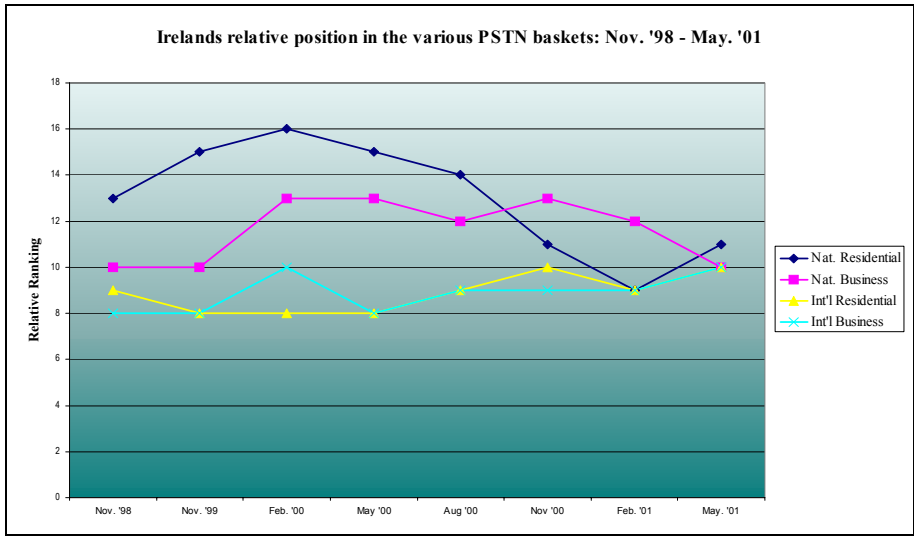
9.1 OVERVIEW

Overall the trend in Ireland's PSTN tariffs during the quarter has been mixed. Both residential baskets have seen Ireland's position slip slightly during the quarter. In the national residential basket Ireland's position fell by two rankings since our last review in March. Since May 2000 Ireland's position in this basket has improved by five places. The international residential basket has seen Ireland drop one position since our last review and drop two places since May 2000.

Results for the business baskets have been more positive with the national business basket gaining two positions. However the international business basket dropped one position since the last quarter. Despite the drop in rankings in three of the baskets during the quarter, Ireland still remains ahead of the OECD average in all the PSTN baskets.

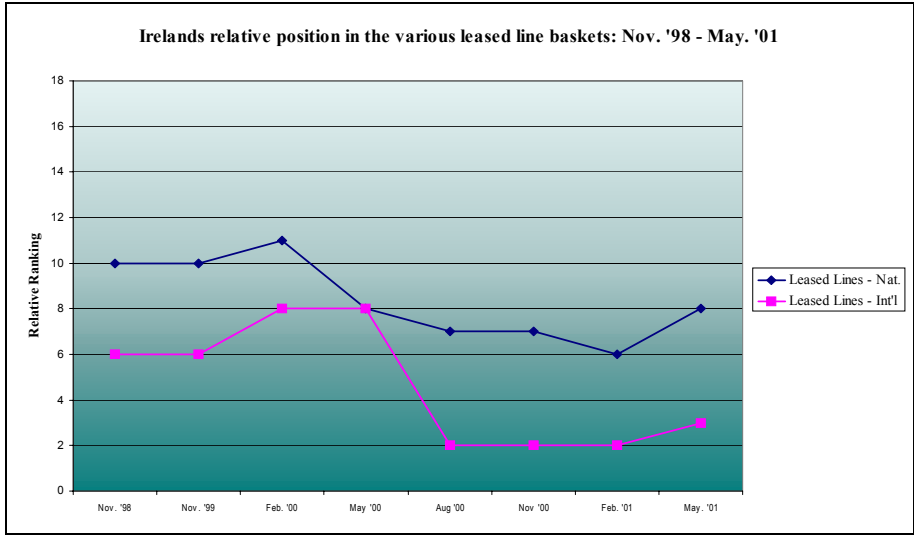
²⁴ For the purpose of our analysis only the EU 15, Iceland, Norway and Switzerland are examined.

Figure 9.1: Ireland’s Relative Position for Various PSTN baskets: Nov. ’98 – May. ’01



Both the National and International leased line basket have seen Ireland’s position decline somewhat during the quarter. Ireland slipped two positions in the national basket, and having remained in second position since August 2000, Ireland dropped one position in the international basket. The drop in Irelands position in both of these baskets is directly related to the significant improvement by Luxembourg during the quarter.

Figure 9.2 Irelands Relative Position in the Leased Line Basket: Nov. ’98 – May. ’01

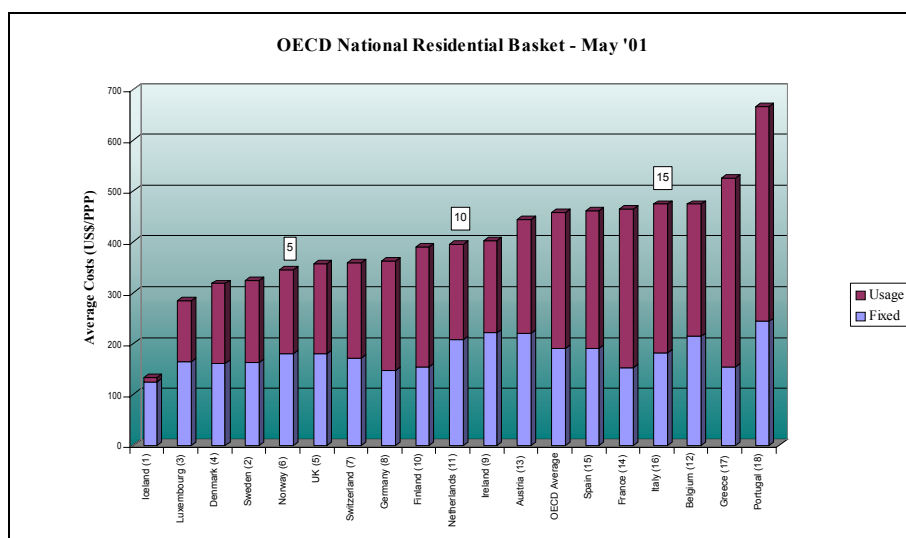


Since the ODTR’s last review in March there has been no movement in Irelands position in the mobile baskets. For the first time an OECD basket for personal pre-paid mobile tariffs has been provided, see figure 9.10.

9.2 NATIONAL RESIDENTIAL BASKET

The “National Residential Basket” examines the average cost of national (including local) calls for the residential sector. Previously in March, Ireland was ranked 9th amongst 18 key countries, and 4 positions ahead of the OECD average. As illustrated in figure 9.3, Ireland now lies in 11th position and two places ahead of the OECD average.

Figure 9.3: OECD National Residential Basket – May 2001

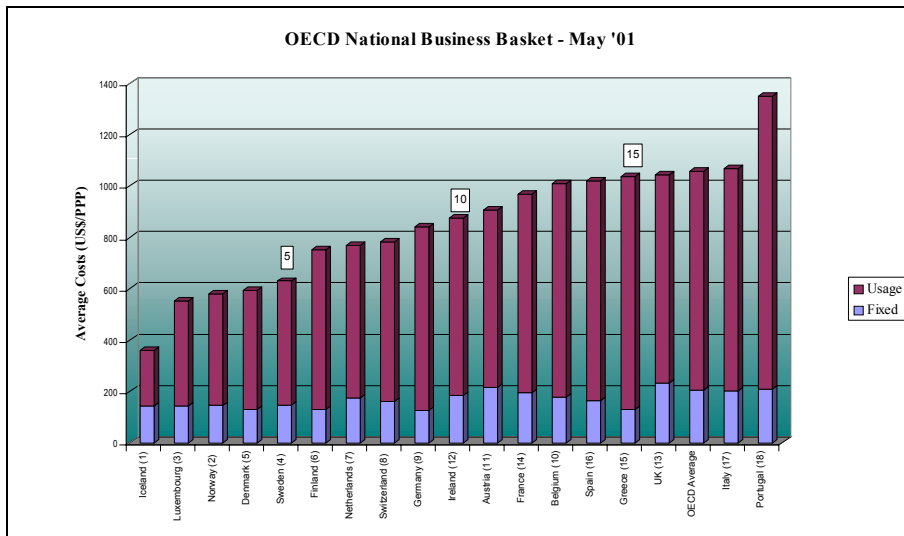


NB: The numbers in brackets represent the countries respective rankings as at March 2001.

9.3 NATIONAL BUSINESS BASKET

The “National Business Basket” examines the average cost of national (incl. local) calls for the business sector. This basket is comprised of a much larger number of calls compared to the residential basket, with a greater proportion at peak times although they are generally of shorter duration. Ireland’s position improved two places in this basket during the quarter. Ireland now lies 6 places ahead of the UK and 7 places ahead of the OECD average in this basket.

Figure 9.4: OECD National Business Basket – May 2001

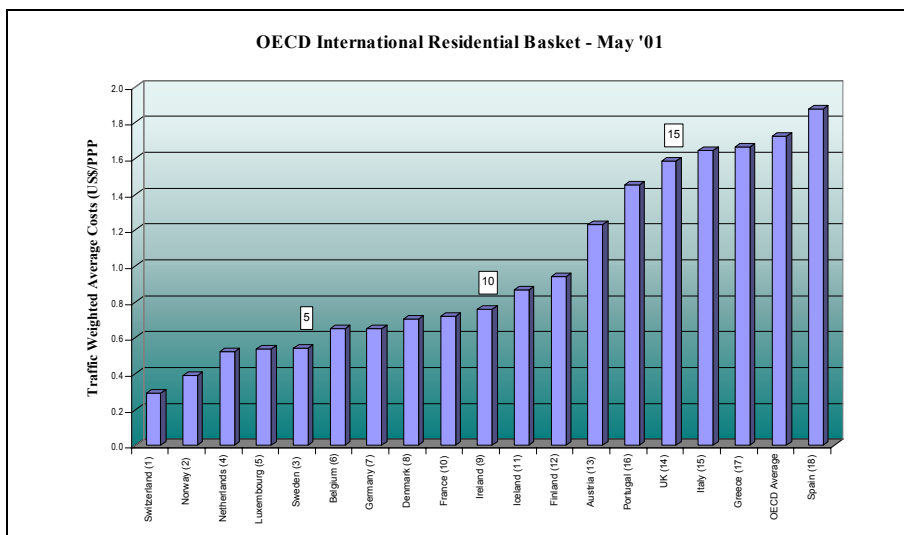


NB: The numbers in brackets represent the countries respective rankings as at March 2001.

9.4 INTERNATIONAL RESIDENTIAL BASKET

The “International Residential Basket” sets out the average cost of international calls for residential users. It can be seen from figure 4.5 that Ireland has dropped one position to 10th place. Since our last review this basket has remained relatively static.

Figure 4.5: OECD International Residential Basket – May 2001

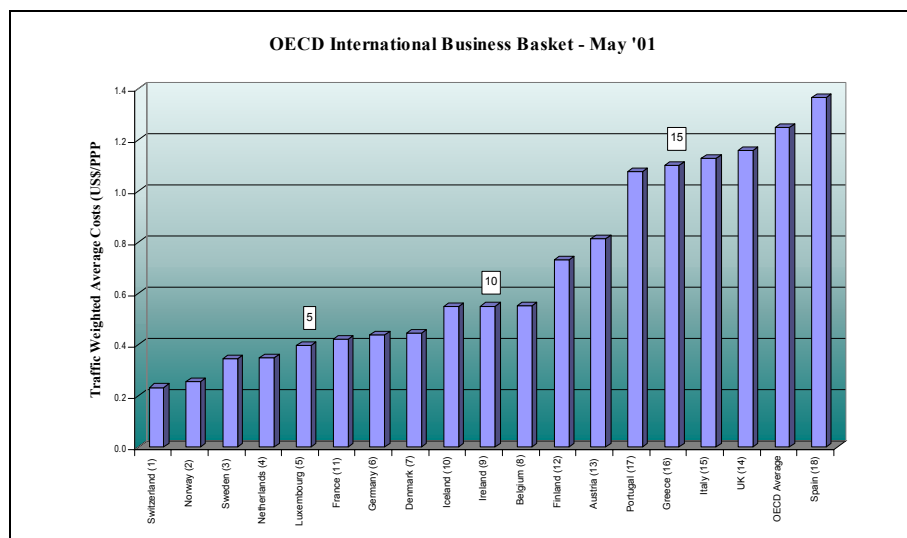


NB: The numbers in brackets represent the countries respective rankings as at March 2001.

9.5 INTERNATIONAL BUSINESS BASKET

Figure 9.6 sets out the average cost of international calls for business users. Like the national baskets, the international baskets have different weights for the business and the residential sectors. The business basket apportions 75% of the calls to peak rates, while the residential basket apportions 25% to peak rates. Ireland has dropped one position to move to 10th place as illustrated by the graph below. The reason for the change in Ireland's position is largely due to a significant improvement in France's position, moving from 11th to 6th place during the quarter. Ireland now lies 8 positions ahead of the OECD average.

Figure 9.6: OECD International Business Basket – May 2001



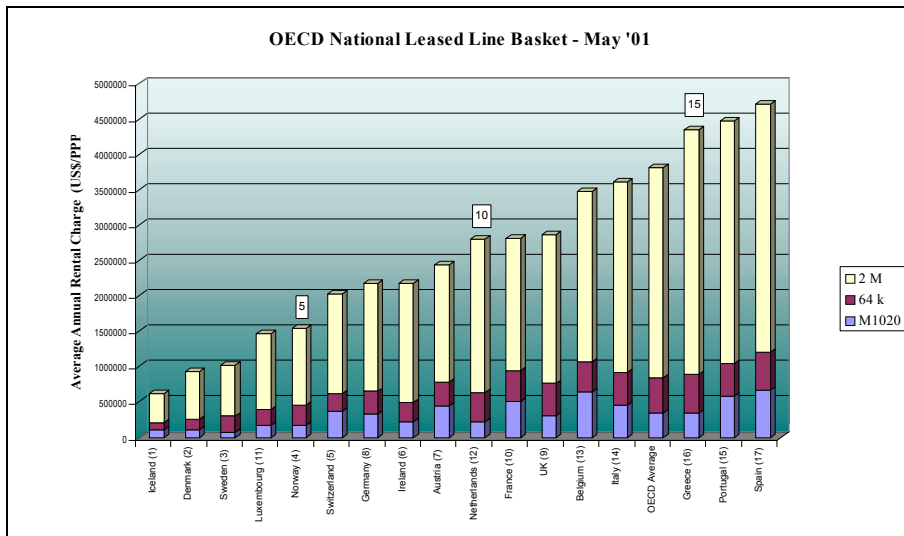
NB: The numbers in brackets represent the countries respective rankings as at March 2001.

9.6 NATIONAL LEASED LINES

Since our last review in March Ireland has dropped two positions in this basket. Ireland now lies in 8th position, 7 places ahead of the OECD average²⁵. Luxembourg improved its position by 7 places to move into 4th place following a widespread review of tariffs by PTT the incumbent operator in Luxembourg.

²⁵ The "National Leased Line Basket" is based on 100 circuits distributed over 6 distances from 2 to 500 km. Results exclude VAT

Figure 9.7: OECD National Leased Line Basket – May 2001

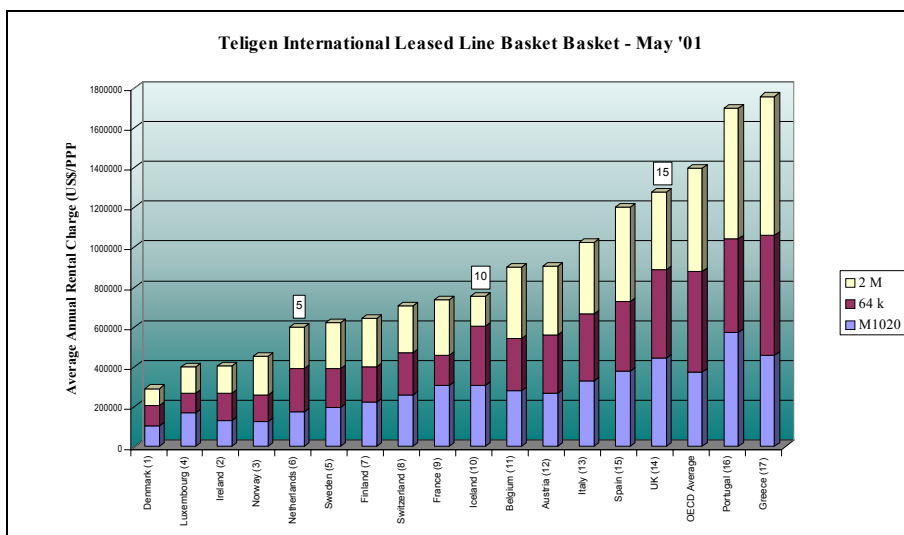


NB: The numbers in brackets represent the countries respective rankings as at March 2001.

9.7 INTERNATIONAL LEASED LINES

Since our last review in March Ireland has lost one position in this basket, due to Luxembourg improving its position from 4th to 2nd place²⁶. Similar to the national leased line basket Luxembourg's improved position is related to a widespread review of tariffs by the incumbent.

Figure 9.8 OECD International Leased Line Basket – May 2001



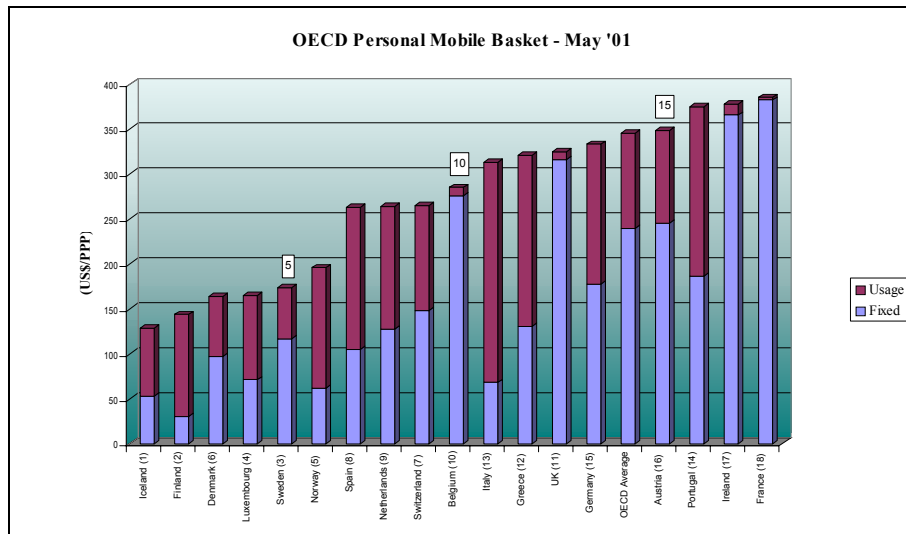
NB: The numbers in brackets represent the countries respective rankings as at March 2001.

²⁶ The prices used for these circuits are derived from the weighted average of half-circuits to all other OECD countries, using the traffic volume weighting method proposed by Teligen.

9.8 PERSONAL MOBILE BASKET – POST-PAID

This basket covers GSM or DCS tariffs²⁷. Both reflect post-paid tariffs available from the incumbent fixed network operators' mobile subsidiary. The "Personal Mobile Basket" sets out the average costs of personal mobile tariffs. Ireland position in this basket has not changed in our last two reviews. In 17th place Ireland now lies 4 places behind the OECD average.

Figure 9.9: OECD Personal Mobile Basket – May 2001



NB: The numbers in brackets represent the countries respective rankings as at March 2001.

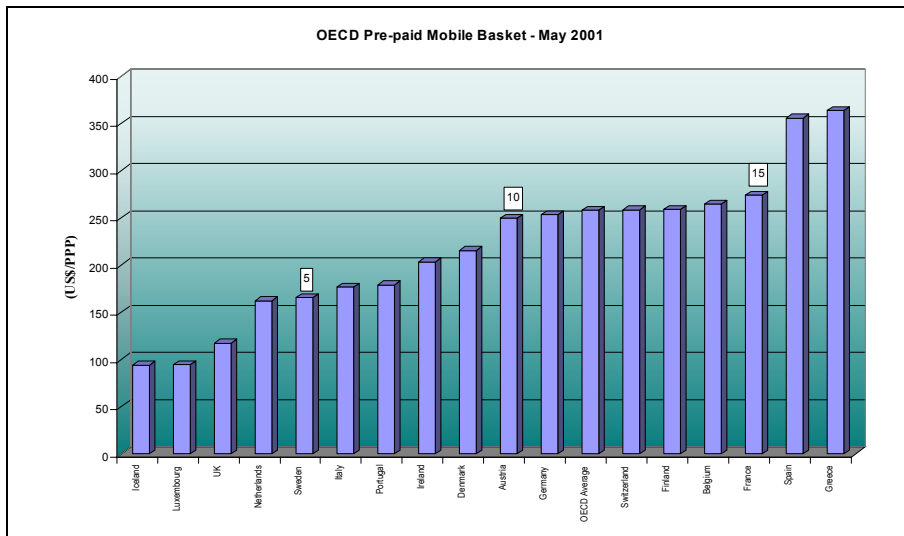
9.9 PERSONAL PRE-PAID BASKET

This basket covers GSM or DCS tariffs²⁸. Both reflect pre-paid tariffs available from the incumbent fixed network operators' mobile subsidiary. It can be seen from figure 9.10 that Ireland lies in 8th position, 4 positions ahead of the OECD average.

²⁷ The OECD Personal Mobile basket has national calls fixed at 200 distributed between local and national (not distance related) and including 10% of calls to other mobiles in the same network. Call duration will be 3 minutes for all types of calls. The charge for each call reflects the actual charge for the duration in question, as defined by the tariff. Call set-up and minimum charges are included. Detailed lists of caveats are set out in our previous quarterly review for March 2001.

²⁸ The OECD Personal Pre-paid baskets has a peak / off-peak relationship of 25% / 75%, the same as the standard personal mobile basket, and as the OECD stipulates. There are no handset charges or other initial fees included, and the cheapest option available is always used. As is the case with all the baskets US\$/PPP is used.

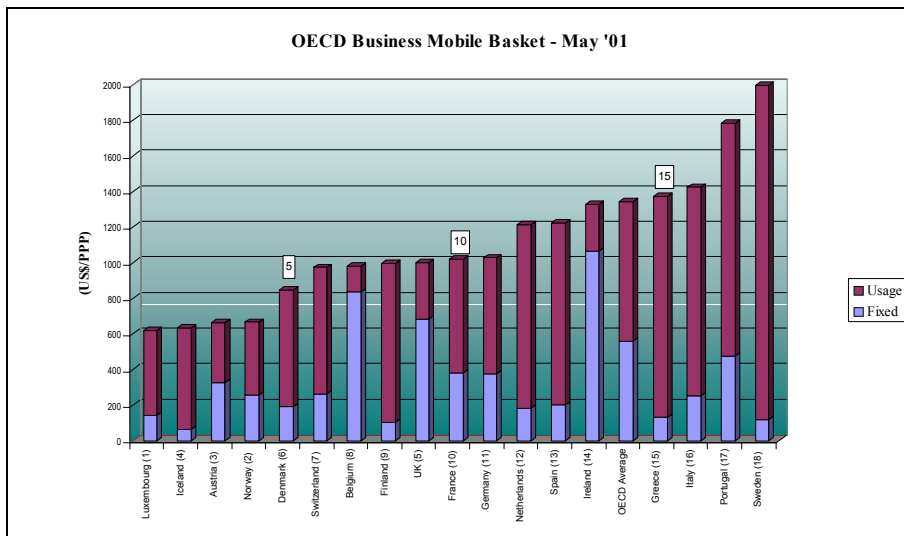
Figure 9.10 OECD Personal Pre-paid Basket – May 2001



9.10 BUSINESS MOBILE BASKET

This basket covers GSM or DCS tariffs. Both reflect post-paid tariffs available from the incumbent fixed network operator’s mobile subsidiary²⁹. The “Business Mobile Basket” sets out the average cost of business mobile tariffs. Like the residential mobile basket Ireland’s position has not changed since our last review in March. In 14th position Ireland lies one position ahead of the OECD average and 5 positions behind the UK.

Figure 9.11: OECD Business Mobile Basket – May 2001



NB: The numbers in brackets represent the countries respective rankings as at March 2001.

²⁹ The number of national calls in the OECD Business Mobile basket is fixed at 1200. The national calls are just distributed between local and national (not distance related), and include 10% of calls to other mobiles in the same network. The international proportion of the basket follows the basic

10 APPENDIX 1 – LIST OF LICENSEES

GENERAL LICENSEES	Operational	Voice Services	Infrastructural Network	Reseller	Other VAS	Responded To QR
AUCS Communications Services (Ireland) Ltd. - formerly known as AT&T Unisource	✓	×	✓	×	VPNs, International Call Centre Solutions.	×
Aurora Telecom Ltd	×	×	×	×	×	✓
Budget Telecommunications Ltd	✓	✓	✓	✓	Indirect Access (National/International/Mobile) Services. Number Translations Services.	✓
Cable & Wireless Services Ltd	✓	✓	✓	×	Customer Premises Equipment Frame Relay & ATM Freephone, Direct & Indirect Voice	✓
Cablelink (Acquired by ntl)	✓	✓	✓	×	Cable TV services	✓
Cable Management Ireland Ltd (Licence surrendered to ODTR as of 24 th Nov 2000)	×	×	×	×	×	×
Carrier 1 AG	×	×	×	×	×	✓
Chorus (trades as Irish Multichannel)	✓	✓	✓	×	Cable TV & Telephony services	✓
Signal Global Telecommunications Ireland Ltd	×	×	×	×	×	×
Colt Telecom	×	×	×	×	×	✓
Concert Global Networks Ltd.	×	×	×	×	×	✓
<i>eircom</i>	✓	✓	✓	×	Global voice, data and internet services provider.	✓

structure of the International PSTN basket, for business and residential usage. The only difference is that all calls have a duration of 3 minutes.

GENERAL LICENSEES	Operational	Voice Services	Infrastructural Network	Reseller	Other VAS	Responded To QR
Eircell	✓	✓	✓	×	Mobile Operator	✓
Esat Telecommunications Ltd	✓	✓	✓	×	Global voice, data and internet services provider	✓
Esat Digifone	✓	✓	✓	×	Mobile Operator	✓
Esat Inland Ltd. (transferred from Post GEM)	✓	×	✓	×	Internet Service Provider	✓
Esat Net	✓	×	✓	×	Internet Service Provider	✓
Formus	×	×	×	×	×	×
GTS Business Services (Ireland) Ltd	✓	✓	✓	✓	Carrier and access services; Internet services; callcards	✓
IDT Europe BV Lts Liability Cooler	×	×	×	×	×	✓
Interoute Ireland Ltd	✓	✓	✓	✓	Residential & Business CPS Carrier Access. Prepaid Accounts and cards.	✓
ITG Group (IRL) Ltd.	✓	×	✓	×	EPOS Equipment Payphones CPS on Voice Land-Line Traffic	✓
IXC Communications Services Europe Ltd.	×	×	×	×	×	×
LCN-Ireland, L.L.C.	×	×	×	×	×	×
LDMI Telecommunications of Ireland (previously known as Vianvi Ltd)	×	×	×	×	×	×
Mastercall International Ltd	×	×	×	×	×	×
WorldCom	✓	✓	✓	×	Int'l frame relay, int'l freefone service into Ireland, Nat. & Int'l VPNs.	✓

GENERAL LICENSEES	Operational	Voice Services	Infrastructural Network	Reseller	Other VAS	Responded To QR
Meridian Communications Ltd. (formerly known as ACCess Telecom)	✓	✓	×	✓	Resale of mobile telephony services	×
NTL (UK) Group, Inc.	✓	×	✓	×	Leased Lines and Broadcasting Transmission Services.	✓
Ocean Communications Ltd	✓	✓	✓	×	Complete voice, data and internet Service provider.	✓
PrimeTEC UK Ltd	×	×	×	×	×	×
Primus Telecommunications Ltd	×	×	×	×	×	×
RSL Communications (Ireland) Ltd	×	×	×	×	×	×
S.M. Communications (T/A Worldlink)	✓	✓	×	✓	Prepaid Services	✓
Smart Telecom	✓	×	×	×	×	✓
Startec Global Communications UK Ltd.	×	×	×	×	×	×
Stentor Communications Ltd	✓	✓	✓	✓	Call centre and VPN solutions Callcards	✓
Suir Nore Relays Ltd (Licence surrendered to ODTR as of 24 th Nov 2000)	×	×	×	×	×	×
Swiftcall Centre	✓	✓	×	✓	Indirect Access & CPS Telephony Internet & Callcard Services Call Centre Services	✓
Tele2 Telecommunications Services Ltd.	×	×	×	×	×	✓
Teleglobe Ireland Ltd	×	×	×	×	×	×

GENERAL LICENSEES	Operational	Voice Services	Infrastructural Network	Reseller	Other VAS	Responded To QR
Torc Telecom	x	x	x	x	x	x
Transaction Network Services Limited	✓	x	x	x	Dial-up access for point of sales.	✓
VarTec Telecom (UK) Ltd.	x	x	x	x	x	✓
Viatel (I) Ltd.	x	x	x	x	x	✓
WTI Ireland Ltd.	x	x	x	x	x	✓
Yac.com Ltd.	x	x	x	x	x	✓

BASIC LICENSEES	Operational	Voice Services	Infrastructural Network	Reseller	Other VAS	Responded To QR
Alord Holdings Ltd (T/a Switchcom)	✓	✓	×	✓	Pre-paid/Post paid residential service.	✓
AT&T Global Network Services Ireland Ltd.	✓	×	✓	×	Dial up and leased line services	✓
Broad Band Communications Ltd.	×	×	×	×	×	✓
Cargo Community Systems Ltd.	✓	×	✓	×	e-commerce solutions	✓
Casey CableVision Ltd.	✓	×	✓	×	Cable TV Limited internet services	×
Conduit Enterprises Ltd	✓	×	✓	×	Nat. & Int'l directory enquiry services	✓
Crossan Cable	×	×	×	×	×	×
Energis (Switz.) AG formerly known as Unisource Carrier Services AG. (Licence surrendered to ODTR)	×	×	×	×	×	✓
EGN B.V.	✓	×	✓	×	relay services for multinationals	✓
Genesis Internet Service Provider Ltd.	×	×	×	×	×	×
Genuity International Inc. (formerly known as GTE Internetworking International Corporation)	×	×	×	×	×	×
Global Crossing Ireland Ltd.	✓	×	✓	×	Carriers' carrier	✓
Global One Communications Ltd.	✓	×	✓	×	ATM Switching	×
GTS Network (Ireland) Limited	×	×	×	×	×	×
Hibercall Ltd.	✓	✓	×	✓	Prepaid & Postpaid Services, Callcards	✓
Indigo	✓	×	✓	×	Internet Service Provider	✓
IXNET UK Ltd.	✓	×	✓	×	Limited service to	×

BASIC LICENSEES	Operational	Voice Services	Infrastructural Network	Reseller	Other VAS	Responded To QR
					banks.	
Lake Communications System	✓	×	✓	×	ISDN, business solutions	×
MediaNet Ireland Ltd	✓	×	✓	×	Internet business solutions	×
Next Telecom	×	×	×	×	×	×
QoS Networks Limited	×	×	×	×	×	×
Reuters Ltd T/A Reuters Connect Services.	✓	×	✓	×	Private wire services.	×
Rillbank Limited	✓	×	×	×	×	✓
Savvis Europe B.V.	✓	×	×	×	×	✓
Sonic Telecom	×	×	×	×	×	✓
Société Internationale de Télécommunications Aéronautiques	✓	×	✓	×	Managed data network access services for the airline industry	×
TCS (Ireland) Ltd.	✓	✓	×	×	Voice Telephony services via the Internet.	✓
Tele Media International Ltd.	×	×	×	×	×	×
Timas Ltd (T/A Galileo Ireland)	✓	×	✓	×	Frame relay service for travel agents	✓
Valuetel Ltd.	✓	✓	×	✓	Re-selling long distance domestic & international services; callcards	✓
Web-Sat Ltd.	✓	×	✓	×	Internet access via satellite; SMG news services.	✓

11 APPENDIX 2 – DOCUMENTS ISSUED, MARCH – MAY 2001

DOCUMENT No.	NAME
Fixed	
01/38	Reference Interconnect Offer – Information Notice
01/37	Local Loop Unbundling – Service Level Agreement – Information Notice
01/34	Codes of Practice for the Handling of Consumer Complaints by Telecommunications Operators – Consultation Paper
01/30	Itemised billing by telecommunications operators – Consultation Paper
01/27	Local Loop Unbundling – Decision Notice D8/01
01/24	Eircom’s Reference Interconnection Offer & Accounting Separation and Publication of Financial Information for Telecommunications Operators – Response to the Consultation & Decision Notice D7/01
01/21	Provision of Information – Local Loop Unbundling – Decision Notice D5/01
01/20	Price Cap on eircom 2000 – Compliance Report
01/19	The Market for Directory Information Services and Products in Ireland – Response to the Consultation
01/16	Report on eircom’s Draft Code of Conduct for Selling Practices
01/15	Implementation of Local Loop Unbundling in Ireland – Status Report
Mobile	
01/36	Implementing Full Mobile Number Portability in Ireland – Consultation Paper
Internet	
01/26	Allocation of additional access codes and number ranges for dial up Internet access – Response to the Consultation
Broadcasting Transmission	
01/22	Codes of Practice by Cable and MMDS operators for handling consumer complaints – Decision Notice D6/01 and Response to the Consultation
01/18	Cable Television Licence Discussions with ntl – Information Notice
01/17	Licensing Digital Terrestrial Television – Response to the Consultation
Statutory Instrument	Wireless Telegraphy (Carrigaline UHF Television Programme Retransmission) (Amendment) Regulations, 2001, S.I. No: 189 of 2001

DOCUMENT No.	NAME
Statutory Instrument	Wireless Telegraphy (UHF Television Programme Retransmission) (Amendment) Regulations, 2001, S.I. No: 190 of 2001
Post	
01/35	Regulation of Postal Services Approach to Monitoring Compliance with Universal Service Tariff Principles – Consultation Paper
01/29	Regulation of Universal Postal Services – Accounting Separation & Costing Methodology Proposed Direction to An Post – Consultation
01/28	Regulation of Postal Services – Quality of Service Standards to be achieved by An Post – Consultation Paper
Radio Spectrum	
01/33	Application Form for a teleport facility licence in the fixed satellite service in spectrum above 3 GHz
01/32	Guidelines for Applications for a teleport facility licence in the fixed satellite service in spectrum above 3 GHz
01/31	ODTR Radio Spectrum Management – Planning for the Future Response to the Consultation
01/25	Review of Licensing of Trunked On-Site and Local Area Business Radio in the 410-430 MHz Frequency Band – Consultation Paper
01/23	Table of Frequency allocations for Ireland – April 2001