



FOI Unit,
Elm House,
Earlsvale Road,
Cavan

November 18th 2008

Re: Broadband FOI request

Dear Sir/Madam,

I would like to request information under the Freedom of Information Act in relation to plans to rollout out broadband services in County Roscommon and include the towns of Boyle and Castlerea in the Metropolitan Area Network.

More specifically I am looking for the following information:

- All documentation, correspondence and communications during 2008 within the Department of Communications in relation to the inclusion of Boyle and Castlerea in Phase 2 of the Metropolitan Area Network roll out,
- All documentation, correspondence and communications during 2008 between the Department of Communications, Roscommon County Council and the BMW Assembly in relation to the inclusion of Boyle and Castlerea in Phase 2 of the Metropolitan Area Network roll out.
- All documentation, correspondence and communications during 2008 between the Department of Communications and TDs, Senators and public representatives in County Roscommon in relation to the inclusion of Boyle and Castlerea in Phase 2 of the Metropolitan Area Network roll out.

I enclose the €15 fee as required under the Act. Should you have any queries regarding this information request, please contact me at 087-2357147.

Please address all correspondence to Maresa Fagan, 112 Sli An Choiste, Monksland, Athlone, Co. Roscommon. I can also be contacted by e-mail at maresa@roscommonherald.com.

Yours sincerely,

Maresa Fagan
Roscommon Herald



Department of Communications, Energy and Natural Resources
Roinn Cumarsáide, Fuinnimh agus Acmhainní Nádúrtha

26/11/2008

Ms Maresa Fagan
Roscommon Herald,
112 Sli An Choiste,
Monksland,
Athlone,
Roscommon,

FOI Request Reference: FOI/2008/58

Dear Ms. Fagan,

I refer to your FOI request under Section 7 of the Freedom of Information Acts, 1997 and 2003, received in this office on 20/11/2008 in relation to plans to rollout out broadband services in County Roscommon. The application was received along with the associated fee.

The officer handling your request will be Ms Joanne McCormack, Communications Development Division, Department of Communications, Energy and Natural Resources, 016782151

You can expect to receive your decision by the 18/12/2008.

If you have not received a decision by that time, you are automatically entitled to appeal to the Department for a review of the matter. This review proceeds on the legal basis that the initial request is considered to be refused once the specified time for responding to it has expired. A request for a review should be addressed to the undersigned at the address shown.

Please note the Department of Communications, Energy and Natural Resources has a policy of posting a summary of non-personal requests and decisions on the Departments website for reference purposes.

Yours sincerely,

Seána McGearty

FOI Unit
Department of Communications, Energy and Natural Resources
Elm House,
Earlsvale Rd
Cavan

Phone: 01 6782902



An Roinn Cumarsáide,
Fuinnimh agus Acmhainní Nádurtha
Baile Átha Cliath 2.

16/12/2008

Department of Communications,
Energy and Natural Resources,
Dublin 2.

Ms Maresa Fagan
Roscommon Herald,
112 Sli An Choiste,
Monksland,
Athlone,
Roscommon,
Ireland

FOI Request Reference: FOI/2008/58

Dear Ms Fagan,

I refer to the request you have made under the Freedom of Information Acts, 1997 and 2003, concerning Requesting records plans to rollout out broadband services in County Roscommon.

I have made a final decision to Part-Grant your request and I attach all relevant information with this letter. If you have any queries regarding this correspondence you can contact me by telephone or email at the number/address below. A schedule of the records covered by your request is also attached

Two documents were refused under Section 20 of the Acts the text of which is enclosed for your information.

I wish to advise you that, if for any reason you are not satisfied with the outcome of your request, you are entitled to seek a review by appealing the decision. To appeal, you need to write to the FOI Unit, Department of Communications, Energy and Natural Resources, Elm House, Earlsvale Rd, Cavan, Co Cavan. You must make your appeal within 4 weeks of the date of this letter, but the making of a late appeal may be permitted in certain circumstances. The review will involve a complete reconsideration of the matter by a more senior member of the staff of this Department.

Please note that an application fee for an appeal is currently €75.00 and a reduced fee of €25.00 applies if you are covered by a Medical Card.

If claiming a reduced application fee, the request must also be accompanied by

- The Medical Card registration number
- The name of the issuing Health Board
- Your consent to the verification of these details with that Health Board.

Payment should be made by way of bank draft, money postal order, or personal cheque made payable to "Department of Communications, Energy and Natural Resources".

On receipt of the fee, you will be advised of when you can expect a decision on your appeal, and the contact details of the person handling the appeal.

Yours sincerely,

Joanne McCormack
Communications (Development) Division
Department of Communications, Energy and Natural Resources
29-31 Adelaide Road
Dublin 2

Phone: 016782151

Email: joanne.mccormack@dcentr.ie

Requesting records plans to rollout out broadband services in County Roscommon

Record No.	Brief Description & Date of Record	File Ref.	No. of Pages	Relevant facts	Findings/ conclusions (Public Interest Considerations, (If applicable))	Grant/refuse/ part-grant	Basis of Refusal: Section of Act	Record edited/Identify deletions
1	21/02/08 email from Press Office to Communications Development Division re Roscommon Herald Article	MAN 2/3/17	1		Content already in the public domain	Grant		
2	02/08 Ltr to Co. Manager, Roscommon County Council re Regional Broadband Programme	MAN 2/2/3/17	1			Grant		
3	02/08 Progress report for the BMW 2000-2006 Operational Programme	Fin 2/3/3	1-5			Grant		
4	19/06/08 Draft submission note and draft evaluation report on the need for additional MANs	MAN 2/6/14 Reprioritisation of MANs	1			Refuse	Refused under Section 20 Deliberative Process	
5	12/08/08 Claim from Roscommon Co Co for cost of MANs Project to date	Fin 3/3/6 Roscommon Phase 2 Financial Management MAN 2/6/14 Reprioritisation of MANs	1-16			Grant		
6	07/08 Draft submission on draft evaluation report on the requirement for additional MANs – never submitted	MAN 2/6/14 Reprioritisation of MANs	1-3			Refuse	Refused under Section 20 Deliberative Process	
7	10/03/08 Representation reply to John O'Rourke, A/Director of Services, Roscommon County Council	Admin/Representations /2008	1-2			Grant		

[1997.] *Freedom of Information Act, 1997.* [No. 13.]

“decision of the Government” includes the noting or approving by Pr.III S.19 the Government of a record submitted to them;

“record” includes a preliminary or other draft of the whole or part of the material contained in the record;

“Government” includes a committee of the Government, that is to say, a committee appointed by the Government whose membership consists of—

- (a) members of the Government, or
- (b) one or more members of the Government together with either or both of the following:
 - (i) one or more Ministers of State,
 - (ii) the Attorney General.

20.—(1) A head may refuse to grant a request under *section 7*— Deliberations of public bodies.

- (a) if the record concerned contains matter relating to the deliberative processes of the public body concerned (including opinions, advice, recommendations, and the results of consultations, considered by the body, the head of the body, or a member of the body or of the staff of the body for the purpose of those processes), and
- (b) the granting of the request would, in the opinion of the head, be contrary to the public interest,

and, without prejudice to the generality of *paragraph (b)*, the head shall, in determining whether to grant or refuse to grant the request, consider whether the grant thereof would be contrary to the public interest by reason of the fact that the requester concerned would thereby become aware of a significant decision that the body proposes to make.

(2) *Subsection (1)* does not apply to a record if and in so far as it contains—

- (a) matter used, or intended to be used, by a public body for the purpose of making decisions, determinations or recommendations referred to in *section 16*,
- (b) factual (including statistical) information and analyses thereof,
- (c) the reasons for the making of a decision by a public body,
- (d) a report of an investigation or analysis of the performance, efficiency or effectiveness of a public body in relation to the functions generally or a particular function of the body,
- (e) a report, study or analysis of a scientific or technical expert relating to the subject of his or her expertise or a report containing opinions or advice of such an expert and not being a report used or commissioned for the purposes of a decision of a public body made pursuant to any enactment or scheme.

S.15

consultations, considered by the body, the head of the body, or a member of the body or of the staff of the body for the purpose of those processes).

(1A) (a) Notwithstanding subsection (1), a head shall refuse to grant a request under section 7 in respect of a record in relation to which a Secretary General of a Department of State has issued a certificate in writing stating that the record contains matter relating to the deliberative processes of a Department of State.

(b) Where a certificate under paragraph (a) is in force and the Secretary General of the Department of State concerned is satisfied that the deliberative processes concerned have ended, he or she shall, by certificate in writing, revoke the certificate and, thereupon, paragraph (a) shall cease to apply.

(c) A certificate under this subsection shall be final and, accordingly, an application for a review under section 14 or 34 in relation to a decision under paragraph (a) shall not lie.

(d) A Secretary General of a Department of State shall, in each year after the year 2003, furnish to the Commissioner a report in writing specifying the number of certificates issued by him or her in the preceding year under paragraph (a) and the number of certificates so issued under paragraph (b)."

(b) in subsection (2), by substituting the following paragraph for paragraph (b):

"(b) factual information,"

and

(c) by inserting the following subsection after subsection (2):

"(3) Subsection (1) does not apply in relation to a case in which, in the opinion of the head concerned, the public interest would, on balance, be better served by granting than by refusing to grant the request."

Amendment of
section 21
(functions and
negotiations of
public bodies) of
Principal Act.

16.—Section 21 of the Principal Act is amended in subsection (1)—

(a) in paragraph (a), by substituting "conducted by or on behalf of a public body" for "conducted by or on behalf of the public body concerned", and

(b) in paragraph (b), by substituting "the performance by a public body of any of its functions" for "the performance by the body of any of its functions",

and the said subsection (1) (other than paragraph (c)), as so amended, is set out in the Table to this section.

S.15

consultations, considered by the body, the head of the body, or a member of the body or of the staff of the body for the purpose of those processes).

(1A) (a) Notwithstanding subsection (1), a head shall refuse to grant a request under section 7 in respect of a record in relation to which a Secretary General of a Department of State has issued a certificate in writing stating that the record contains matter relating to the deliberative processes of a Department of State.

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"(b) factual information,"

and

(c) by inserting the following subsection after subsection (2):

"(3) Subsection (1) does not apply in relation to a case in which, in the opinion of the head concerned, the public interest would, on balance, be better served by granting than by refusing to grant the request."

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and the said subsection (1) (other than paragraph (c)), as so amended, is set out in the Table to this section.

①

Joanne McCormack

From: Suzanne Duke
Sent: 21 February 2008 10:32
To: Minister Ryan; Brid McGrath; Peter O'Neill; Kenneth Spratt; Joanne McCormack
Subject: Roscommon Herald - Mans article



Roscommon Herald

February 20, 2008

Review of MAN fibre optic broadband scheme due

A REVIEW of the first phase of the broadband roll out of Metropolitan Area Networks (MANs), which will indicate whether towns, such as Boyle and Castlerea, will be included in the second phase of the scheme, is due to be published in the coming weeks.

The review was due to be published in January, however, Minister for Communications, Energy and Natural Resources Eamon Ryan indicated in the Dail recently that it was being finalised and would now be published in the coming weeks.

Business interests in Boyle and Castlerea have expressed concern in recent months over the possibility that the planned MANs projects for the towns may not now go ahead.

To date MANs have been put in place in 27 cities and towns, including Roscommon, in the first phase of the scheme.

Athlone and Carrick-on-Shannon. The government planned to roll out a further 90 MANs throughout the country in the second phase of the Metropolitan Area Network Programme.

A question mark, however, remains over whether smaller towns, such as Boyle and Castlerea, will now be included in phase two, as initially planned. The government indicated that the roll out of the second phase would depend on the outcome of a value for money report on the first phase of the scheme.

In reply to a recent parliamentary question by Fine Gael TD Denis Naughten on the issue, Minister Ryan confirmed that a 'Value for Money and Policy Review' of Phase 1 was being finalised and would be published in the coming weeks.

"A Value for Money and Policy Review (VFMPR) of Phase 1 of the MANs Programme is being finalised and is due to be published in the coming weeks. Both the VFMPR and the policy paper on Next Generation Broadband will guide the development of policy in this important area," Minister Ryan stated.

The Minister also advised that an expert International Advisory Forum on Next Generation Broadband will meet next week to critically evaluate policy issues, options and recommendations contained in the draft policy paper on Next Generation Broadband Networks.

"I have established an expert International Advisory Forum on Next Generation Broadband that will meet on 26 and 27 February 2008 to critically evaluate policy issues, options and recommendations contained in the draft paper," the Minister said.

"Where appropriate, the draft paper will be amended to reflect the Forum's views. Thereafter I will quickly publish the paper for public consultation," he added.

February 2008

Mr John Tiernan
County Manager
Roscommon County Council
Courthouse
Roscommon

Regional Broadband Programme – Castlerea and Boyle

Dear Mr Tiernan,

Thank you for your letter of the 16th November 2007 concerning the Metropolitan Area Networks (MANs) Programme.

Phase II of the MANs programme targeted towns for investment which did not then have broadband available, including both Boyle and Castlerea.

There have been a number of key developments since the investment decision to proceed with Phase II was made. Firstly, the Department is close to publishing a Value for Money and Policy Review of Phase I of the MANs Programme. In addition, my Department is developing a Next Generation Broadband Policy Paper which will review current communications infrastructure policy and will provide options on the optimum future role for Government in the electronic communications sector.

I anticipate that both these papers will be published in the second quarter of this year. I feel it is prudent to postpone any further investment decisions until I have had time to consider the recommendations of both reports. I appreciate that that you and your officials have undertaken a considerable amount of work on the projects to date and that the detailed designs for both towns are now close to completion. I understand that you are in touch with my officials and Magnum Opus, the Department's programme managers, in relation to the contractual and funding implications that have arisen.

Yours sincerely,

Eamonn Ryan T.D.
Minister for Communications, Energy and Natural Resources

Feb '08

**Progress Reports for
Border, Midlands and Western Regional Operational
Programme – 2000 - 2006
Monitoring Committee**

1. Introduction

Under this measure, support from public funds is being provided primarily to overcome identified gaps in electronic communications infrastructure and to ensure that the benefits of the emerging new digital economy are evenly spread across the Region.

Private Sector Projects

The first round of projects under the measure, which comprised investment in private sector infrastructure, is now complete. The impact of these projects in the Border, Midlands and Western Region has been that ESB Telecom has installed its new national fibre backbone network, and there has been extensive rollout of DSL (digital subscriber line) Services by Eircom and BT Ireland.

Metropolitan Area Networks

The Government has been addressing the infrastructure deficit in the regions on a number of fronts.

In partnership with local and regional authorities, the Government is continuing to fund the construction of high-speed, open-access Metropolitan Area Networks (MANs) in towns and cities nationwide. Twenty towns were initially selected for the construction of Metropolitan Area Networks (MANs) in partnership with the local and regional authorities. Twelve of these towns, Galway, Athlone, Mullingar, Portlaoise, Tullamore, Roscommon, Ballina, Kiltimagh, Letterkenny, Carrick-on-Shannon, Manorhamilton and Bunbeg have been completed. A further seven MANs in towns in Sligo, Dundalk, Drogheda, Cavan Town, Monaghan town, Carrickmacross and Kingscourt are also completed. All are now managed by eNet. E-Net, a Limerick-based company was awarded the 15-year services concession contract to manage, maintain, market and operate the MANs on behalf of the State.

A further 26 towns with a population of 1,500+ were selected for infrastructure investment under the next phase. The design and procurements stage of the programme progressed in all regions during 2006. During the first half of 2007 construction of networks in Galway and Longford were completed and the regions of Donegal, the North East (Monaghan, Cavan and Louth) and Mayo were completed during quarter four 2007. Construction is continuing in Offaly and is expected to be completed by the end of quarter three of 2008. The remaining regions of Roscommon and the Midlands (Laois & Westmeath) are progressing the design and procurement phase of the project and construction is not expected to commence until 2008. The Department of Communications, Energy and Natural Resources commenced a Value for Money and Policy review of Phase I of the MANs programme last year. This report is almost complete and will be published in the coming weeks.

The Department has also prepared a draft policy paper on Next Generation Broadband Networks, which will review current communications infrastructure policy and will

provide options on the optimum future role for Government in facilitating the roll out of high speed broadband networks, which will be published for public consultation shortly.

In these circumstances, the Minister decided that it would be prudent to delay the signing of the contracts for the construction of any new networks, including those in Roscommon & Midlands until he has an opportunity to consider and assess the implications of the value for money report and the outcome of the consultation on the Next Generation Broadband policy paper.

Meanwhile those projects already completed are being managed by an "Interim Management services Entity" to allow service providers early access to the networks to provide services to end users. A permanent MSE is expected to be in place by July 2008.

MANs in Donegal, Galway, Longford and Mayo are now fully complete.

County and Group Broadband Scheme

The Group Broadband Scheme (GBS) was launched in 2004. This scheme offered smaller towns and rural communities the chance to come together with service providers and obtain broadband connectivity for their areas.

There were two calls for proposals under the GBS. 86 projects were approved in the BMW Region. Grant aid of €3.44 million was committed. A total of 80 Group Broadband schemes have been completed and launched to date in the BMW, covering all counties in the region.

National Broadband Scheme

The GBS is being superseded by a new National Broadband Scheme (NBS). The National Broadband Scheme aims to deliver broadband services to consumers and businesses located within those parts of the country that have no form of broadband available at the moment. It is estimated that about 10% of the country remains without such service. When the scheme is fully rolled out it will ensure that all reasonable requests for broadband in these National Broadband Scheme target areas are met.

The procurement process for the NBS was launched on the 2 May 2007 with single national tender. After the first round, four candidates: BT Ireland Consortium, Eircom Ltd, IFA and Motorola Consortium and 3G Ireland were invited to proceed to the next stage of the procurement process. Following the withdrawal of the IFA/Motorola Consortium as a candidate the remaining three candidates have now commenced "Competitive Dialogue" and are developing their proposed solutions to meet the requirements for the delivery of broadband to the unserved areas of the country. The award of the NBS contract is anticipated in Quarter 2 of 2008, with rollout of the services due to begin as soon as possible thereafter. This timeline is subject to negotiations with candidates during the competitive dialogue phase of the procurement process.

It is intended that the broadband service delivered under the NBS will be broadly comparable to the products enjoyed in the majority of currently served areas, now and in the future. This refers to both price and product specifications, which will have to evolve during the contract period to reflect trends in the broadband market.

2. Expenditure

Estimated eligible expenditure of approximately €10.01 million was incurred to the end of December 2007. Expenditure on the MANs has accelerated during 2007 as projects reach the construction stage. It had previously been anticipated that the target of €92.1m would be reached by quarter three of 2007. However due to delays in the commencement of the construction of some regions the target will not be reached in 2007. A shortfall in expenditure of approximately €3.3m is expected at the end of 2007 and this has been previously reported to the Managing Authority.

Expenditure Report for period to 31 December 2007

	Total CSF	EU Funds	National Public
Expenditure 2000-2006	75.65	30.42	45.23
Expenditure Jan-Dec 2007	10.01	5.005	5.005
Total expenditure to 31.12.07	85.66	35.425	50.235
Total expenditure % of revised forecast 2000-2006	93%	76.93%	109.10%

3. Performance Indicators

Class	Indicator	Base-line	Final Target	Out-turn to Dec 2007
Output				
1	Additional kilometres of fibre pairs installed	0	1,000	1,007
2	Additional kilometres of open access telecommunications ducting installed	0	400	407
3	Number of additional exchanges provisioned for DSL related services	0	12	12
4	Number of community broadband services grant aided	0	75	80
Result				
1	Additional households with 256 Kbps downstream and 128 Kbps upstream broadband available (access on demand) <i>Of which; Households in rural areas</i> <i>Households in Rapid II areas</i>	0 0 0	78,000 65,000 29,000	78,000 65,000 29,000
2	Additional businesses with 512 Kbps downstream and 128 Kbps upstream broadband available (access on demand) <i>Of which; Businesses in rural areas</i> <i>Businesses in Rapid II areas</i>	0 0 0	12,000 9,000 4,000	12,000 9,000 4,000

Class	Indicator	Base-line	Final Target	Out-turn to Dec 2007
3	Additional public administration and educational establishments with 512 Kbps downstream and 128 Kbps upstream broadband available (access on demand)	0	1,800	1,800
	<i>Of which: Public Buildings in rural areas</i>	0	1,500	1,500
	<i>Public Buildings in Rapid II areas</i>	0	600	600
4	Additional businesses with >2Mbps fibre based services available (access on demand)	0	5,700	5,768
	<i>Of which: Businesses in rural areas</i>	0	4,350	4,602
	<i>Businesses in Rapid II areas</i>	0	2,450	2,274
5	Additional public administration and educational establishments with >2Mbps fibre based services available (access on demand)	0	800	869
	<i>Of which: Public Buildings in rural areas</i>	0	640	690
	<i>Public Buildings in Rapid II areas</i>	0	350	349
Impact				
1	Number of subscribers to broadband	1,000	202,000	317,440

The number of subscribers has increased from 279,200 reported in the previous report to 317,400 at the end of October 2007.

Additional businesses and public administrations with > 2 Mbps fibre based services have also increased due to the completion of the Donegal, Mayo and North East Networks.

At the end of the Operational Programme all performance indicators have been met or exceeded.

4. North-South Co-operation

Investment in communications infrastructures with North-South elements was allowed for in both Calls for Proposals.

5. Information and Publicity Requirements

All Local Authorities involved in Phase 2 of the MANs programme have been advised to ensure that all literature, websites, launch material, media releases etc comply with NDP and ERDF publicity requirements.

6. Future prospects

Expenditure is currently behind target and it is expected that there will be a shortfall in expenditure of approximately €3.3m at the end of 2007.

An outstanding issue relating to the netting of MSE receipts may also affect our final target figure. The Regional Assembly is currently pursuing the issue with the Commission.

7. Annexes

Please annex additional information, for example project approvals, etc., by county, sub-region (NUTS III), where available.

NUTs 111 Region	Total DCENR Investment €m	Total Investment by Town €m	Project Name	MAN		
Midlands	7.7	1.67	Midlands	Edenderry		
		2.49	Longford	Longford		
		1.5	Shannon	Banagher		
		2.04		Birr		
Border	20.44	1.96	North East	Ardee		
		1.3		Bailieborough		
		2.49		Castleblaney		
		1.41		Clones		
		1.63		Cootehill		
		2.36	Donegal	Ballybofey/Stranorlar		
		1.61		Ballyshannon		
		2.16		Buncrana		
		1.26		Bundoran		
		1.31		Carndonagh		
		2.95		Donegal Town		
		West	14.31	1.47	Galway	Athenry
				3.39		Ballinasloe
1.82				Clifden		
1.18				Gort		
1.97				Loughrea		
1.85	Mayo			Ballinrobe		
1.03				Knock Airport		
1.6		Claremorris				
Total	42.45	42.45		60 MANs		
*Hub under NSS						

All Gateways with the exception of Dublin and Shannon and Derry were included in a Phase I of the MANs Programme. This Phase also provided MANs in 5 of the 9 Hubs.



Joanne McCormack

From: Susan Conroy [susan.conroy@magnumopus.ie]
Sent: 12 August 2008 14:56
To: Eamonn Hawe
Cc: Joanne McCormack; financial
Subject: Claim Approved - Roscommon
Attachments: 000289-DOC-2008-08-12-MO091-(ROSCOMMON Claim 1 Cover Letter)-1.00.pdf

Hi Eamonn,

I can confirm that Claim 1 in Roscommon (their only claim) has been approved for €76,743.

This claim includes an invoice for Fingleton & White which is 100% approved for Network Design (€60k). Other costs included are LA Direct Costs and one invoice for ground investigation/trial holes.

Kind regards
Susan.

Magnum Opus Limited,
73 Lower Leeson St.,
Dublin 2,
Ireland.

Direct Line: +353 1 611 4513
Facsimile: +353 1 611 4069

email: susan.conroy@magnumopus.ie
Web: <http://www.magnumopus.ie/>

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