



An Coimisiún um  
**Rialáil Cumarsáide**  
Commission for  
**Communications Regulation**

## Decision

Access to Non-geographic numbers: Amendments to  
ComReg Decision D02/20

### Decision

**Reference:** ComReg 21/37

**Decision:** D04/21

**Version** Final

**Date:** 13 April 2021

**An Coimisiún um Rialáil Cumarsáide**

**Commission for Communications Regulation**

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## Chapter 1

# Introduction

- 1.1 On 16 January 2020, ComReg published Decision D02/20 entitled Access to Non-geographic numbers: Imposition of price control and transparency obligations ('**ComReg Decision D02/20**').<sup>1</sup> ComReg Decision D02/20 set out ComReg's decision following its review of certain telephone numbers, known as Non-geographic Numbers ('**NGNs**').
- 1.2 Since the publication of ComReg Decision D02/20, ComReg has become aware of five amendments required to ComReg Decision D02/20. ComReg has therefore decided to update ComReg Decision D02/20 and re-publish an amended version on ComReg's website. This Decision Document explains the amendments made to ComReg Decision D02/20. .
- 1.3 This Decision Document is structured as follows:
  - (a) Chapter 2: provides a summary of the main preliminary conclusions.
  - (b) Chapter 3: details the amendments made to ComReg Decision D02/20.
  - (c) Annex 1: provides the amended Fixed Service Providers Decision Instrument.

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<sup>1</sup> Response to Consultation and Decision. Access to Non-geographic numbers: Imposition of price control and transparency obligations. (ComReg Decision No. D02/20, ComReg Document No.20/04R, Date 16 January 2020).

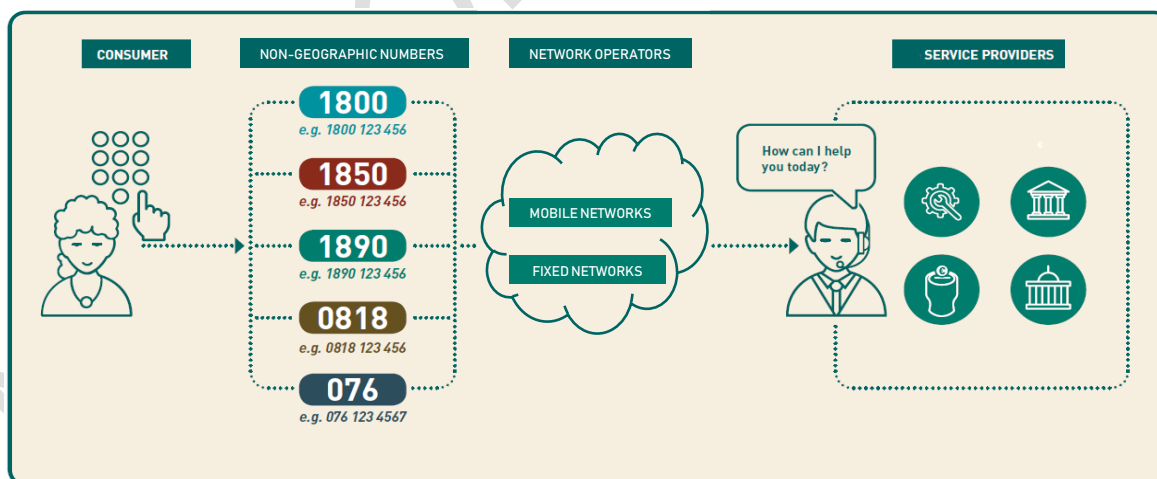
## Chapter 2

# Executive Summary

## 2.1 Background

- 2.1 ComReg is responsible for regulating the electronic communications sector in the State, in accordance with European Union and Irish law. As part of ComReg's functions in relation to access and interconnection to promote efficiency, ensure sustainable competition, and give the maximum benefit to end-users, ComReg has conducted a Consultation on the wholesale charges levied for calls to NGNs.
- 2.2 NGNs are telephone numbers that are not linked to a specific geographic location. This contrasts with Geographic numbers on the fixed network where the number's prefix indicates a particular location. Consumers use these numbers to call Service Providers ('SP') such as businesses, Government agencies or charities to, for example, get information, make a payment or avail of socially important services, such as access to welfare services, or access voice services. Figure 1 below shows a simplified diagram of a call to the different types of NGN.
- 2.3 The five classes of NGNs considered in ComReg's review are those that begin with the prefixes '1800'; '1850'; '1890'; '0818'; and '076'.

Figure 1: Calls NGNs



- 2.4 Economic research and consumer and organisational surveys conducted by or on behalf of ComReg showed a lack of understanding by consumers of NGN pricing, and that SPs were reluctant to use NGNs due to their high cost. This indicated that the NGN platform was not working efficiently or in the best interests of end-users. In particular, the lack of clarity of the prices of NGNs, and the high costs for SPs meant that current access and interconnection arrangements for NGNs were not

allowing effective access and use of services through NGNs to end-users, and instead acted as obstacles to the provision of those services. ComReg found that regulatory intervention was required at both the retail and the wholesale levels of the NGN value chain.

- 2.5 The intervention at the retail level is concerned with the end-user-to-operator aspects of how calls to NGNs are sold<sup>2</sup>. ComReg found that consumers had difficulty understanding the different charges that applied to the different classes of NGN. To address this, ComReg decided in the NGN Decision<sup>3</sup> to limit NGNs from 1 January 2022 to two number ranges – 1800 for Freephone and 0818 for all others (this is referred to as ‘**NGN Consolidation**’<sup>4</sup>) and to cap the charge for 0818 callers at the price of a Geographic number (this is known as the ‘**Geo-linking Condition**’<sup>5</sup>).
- 2.6 On 16 January 2020, ComReg published ComReg Decision D02/20 which set out ComReg’s decision following its consultation on the imposition of price control and transparency obligations for NGNs.
- 2.7 ComReg Decision D02/20 addressed the operator-to-operator (or wholesale) aspects of the provision of NGNs. In ComReg Decision D02/20, ComReg decided to address the identified harm and intervene under its powers contained in Regulation 6 of the Access Regulations<sup>6</sup> (which relates to access and interconnection) and Regulation 23 of the Universal Service Regulations<sup>7</sup> (which relates to end-user access to numbers and services) and to impose wholesale obligations under Regulation 8 of the Access Regulations by way of Regulation 9 (transparency) and 13 (price control) of the Access Regulations.
- 2.8 The wholesale obligations contained in ComReg Decision D02/20 came into effect on 1 May 2020 and ComReg Decision D02/20 identified thirty-one fixed operators and six mobile operators that currently fall within the scope of the decision.

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<sup>2</sup> Calls to 1800 NGNs are free for the caller, the SP pays any call charges. For calls to 1850, 1890, 0818 and 076 the caller pays some or all of the call charges.

<sup>3</sup> ComReg Document No 18/106 (D15/18) - “Review of Non-Geographic Numbers - Response to Consultation 18/65 and Decision”.

<sup>4</sup> This means that the 1850, 1890 and 076 ranges will be withdrawn.

<sup>5</sup> From 1 December 2019, the retail tariff for a call to any of the four ranges 1850, 1890, 0818, and 076 shall not exceed the retail tariff for a call made by the same end-user for a national call made to a Geographic number. The Geo-Linking Condition applies from 1 December 2019 to these four NGNs and once the 1850, 1890, and 076 ranges are withdrawn it will continue to apply to the remaining 0818 range.

<sup>6</sup> European Communities (Electronic Communications Networks and Services) (Access) Regulations 2011 (S.I. No. 334 of 2011), as may be amended from time to time or replaced with equivalent effect. (**‘the Access Regulations’**).

<sup>7</sup> European Communities (Electronic Communications Networks and Services) (Universal Service and Users’ Rights) Regulations 2011 (S.I. No. 337 of 2011), as may be amended from time to time or replaced with equivalent effect. (**‘the Universal Service Regulations’**).

- 2.9 ComReg Decision D02/20 was originally published on 16 January 2020 as ComReg Document No 20/04. However, ComReg became aware of typographical errors relating to the Maximum 1800 FVCO rates set out in the Table at Section 4.4 of the Decision Instrument contained in Annex 10 to ComReg Decision D02/20 (the '**Fixed Service Providers Decision Instrument**'). Therefore, on 16 January 2020, ComReg republished ComReg Decision D02/20 as ComReg Document No 20/04R<sup>8</sup> and informed the thirty-one fixed operators.
- 2.10 Subsequently, ComReg identified five amendments required in the Fixed Service Providers Decision Instrument. The five amendments can be divided into two categories – a typographical amendment (concerning an incorrect date) and four company name amendments.
- 2.11 The typographical amendment relates to an error in the final line of the table in Section 4.4 of the Fixed Service Providers Decision Instrument. Specifically, the reference to "1 January 2023 to 31 December 2024" in the final line shall be corrected to refer to "1 January 2024 to 31 December 2024".
- 2.12 The four company name amendments are summarised in the table below:

	Company name in ComReg Document No 20/04R	Amended company name in ComReg Document No 20/04R1
1	Airspeed Communications Unlimited	Airspeed Communications Limited
2	Equant Network Services International Limited	Orange Business Telecommunications Services Limited
3	Magrathea Telecommunications (Ireland) Limited	Magrathea Telecommunications Limited
4	Telcom Limited	Telcom Group Est 1999 Designated Activity Company

- 2.13 ComReg will publish on its website a consolidated version of ComReg Decision D02/20 (as ComReg Document No 20/04R1) containing the five amendments detailed in this Decision Document. ComReg Document No. 20/04R1 therefore replaces ComReg Document No. 20/04R.

<sup>8</sup> Response to Consultation and Decision. Access to Non-geographic numbers: Imposition of price control and transparency obligations. (Decision No. D02/20, Document No.20/04R, Date 16 January 2020).

- 2.14 As a result of the five amendments, and the republication of ComReg Decision D02/20<sup>9</sup> as a new ComReg document number (ComReg Document No 20/04R1), there is also a change to the document referencing in the definitions section of the Fixed Service Providers Decision Instrument (at Annex 10) and the Mobile Service Providers Decision Instrument (at Annex 9) of the ComReg Decision D02/20. In addition, there is also a correction to Section 4.8 *Undertakings In Scope* of ComReg Decision D02/20, specifically paragraph 4.176 where the thirty-one fixed service providers are also listed.

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<sup>9</sup> ComReg Decision D02/04 was re-published on 16 January 2020 as ComReg Document No 20/04R and subsequently republished as a new ComReg Document No 20/04R1 in parallel to the publication of this Decision Document.

## Chapter 3

# Amendments to ComReg Decision D02/20

- 3.1 Since the publication of ComReg D02/20, ComReg has become aware of a number of typographical errors contained in ComReg Decision D02/20, including the Fixed Service Provider Decision Instrument. Therefore, ComReg has decided to amend the Fixed Service Provider Decision Instrument and paragraph 4.176 of ComReg Decision D02/20 to correct the errors detailed below and to re-publish ComReg Decision D02/20 as a new document number (ComReg Document No 20/04R will be replaced by the new ComReg Document No 20/04R1).
- 3.2 The republication of ComReg Decision D02/20 as a new ComReg document number (i.e. ComReg Document No 20/04R1), also requires a change to the document referencing in the definitions section of the Fixed Service Providers Decision Instrument (at Annex 10) and the Mobile Service Providers Decision Instrument (at Annex 9) of the ComReg Decision D02/20.

## 3.2 Airspeed Communications Limited

- 3.3 ComReg identified Airspeed Communications Unlimited as one of the fixed operators which the Fixed Service Providers Decision Instrument applied to. ComReg has since the date of the decision (dated 16 January 2020) discovered that on 14 February 2019, a form D20 Application to Re-Register a Company Type and Statement of Compliance was lodged at the Companies Registration Office notifying that Airspeed Communications Unlimited Company was re-registering as Airspeed Communications Limited. ComReg was not aware of this at the time of the decision.
- 3.4 On the basis of this information, ComReg concludes that ComReg Decision D02/20, including the Fixed Service Providers Decision Instrument, should refer to Airspeed Communications Limited (rather than Airspeed Communications Unlimited). ComReg wrote to Airspeed Communications Limited and provided them with an opportunity to comment on ComReg's conclusion. Airspeed Communications Limited did not provide any comments.
- 3.5 Therefore, ComReg has decided to amend the Fixed Service Providers Decision Instrument so that it refers to Airspeed Communications Limited. ComReg has also decided that paragraph 4.176 of ComReg Decision D02/20 will also be corrected to refer to Airspeed Communications Limited.



### 3.3 Orange Business Telecommunications Services Limited

- 3.6 ComReg identified Equant Network Services International Limited as one of the fixed operators which the Fixed Service Providers Decision Instrument applied to. Since the publication of ComReg Decision D02/20, ComReg has gathered new information and is now satisfied that Equant Network Systems Limited is the operator which had the ability to originate calls to 1800 and 0818 NGNs. Equant Network Systems Limited has since changed its name to Orange Business Telecommunications Services Limited.<sup>10</sup>
- 3.7 Having considered matters further, ComReg concludes that ComReg Decision D02/20, including the Fixed Service Providers Decision Instrument, should apply to Orange Business Telecommunications Services Limited (rather than Equant Network Services International Limited). ComReg wrote to Orange Business Telecommunications Services Limited and provided them with an opportunity to comment on ComReg's conclusion. Orange Business Telecommunications Services Limited responded to agree with the amendments proposed by ComReg.
- 3.8 Therefore, ComReg has decided to amend the Fixed Service Providers Decision Instrument so that it refers to Orange Business Telecommunications Services Limited. ComReg has also decided that paragraph 4.176 of ComReg Decision D02/20 will also be corrected to refer to Orange Business Telecommunications Services Limited.

### 3.4 Magrathea Telecommunications Limited

- 3.9 ComReg identified Magrathea Telecommunications (Ireland) Limited as one of the fixed operators which the Fixed Service Providers Decision Instrument applied to. Since the publication of ComReg Decision D02/20, ComReg has gathered new information and is now satisfied that Magrathea Telecommunications Limited (rather than Magrathea Telecommunications (Ireland) Limited) is the operator which had the ability to originate calls to 1800 and 0818 NGNs.
- 3.10 Having considered matters further, ComReg concludes that ComReg Decision D02/20, including the Fixed Service Providers Decision Instrument, should apply to Magrathea Telecommunications Limited (rather than Magrathea Telecommunications (Ireland) Limited). ComReg wrote to Magrathea Telecommunications Limited and provided them with an opportunity to comment on

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<sup>10</sup> On 19 March 2020, a Form G1Q – Special Resolution Change the Company Name was lodged at the Companies Registration Office notifying that, subject to the approval of the Registrar of Companies, the name of Equant Network Systems Limited shall be changed to Orange Business Telecommunications Services Limited.

ComReg’s conclusion. Magrathea Telecommunications Limited did not provide any comments.

- 3.11 ComReg has accordingly decided to amend the Fixed Service Providers Decision Instrument so that it refers to Magrathea Telecommunications Limited. ComReg has also decided that paragraph 4.176 of ComReg Decision D02/20 will also be corrected to refer to Magrathea Telecommunications Limited.

### 3.5 Telcom Group Est 1999 Designated Activity Company

- 3.12 ComReg identified Telcom Limited as one of the fixed operators which the Fixed Service Providers Decision Instrument applied to. Since the publication of ComReg Decision D02/20, ComReg has gathered new information and is now satisfied that it should have referred to Telcom Group Est 1999 Designated Activity Company as the operator which has the ability to originate calls to 1800 and 0818 NGNs.
- 3.13 Having considered matters further, ComReg concludes that ComReg Decision D02/20, including the Fixed Service Providers Decision Instrument, should apply to Telcom Group Est 1999 Designated Activity Company (rather Telcom Limited). ComReg wrote to Telcom Group Est 1999 Designated Activity Company and provided them with an opportunity to comment on ComReg’s conclusion. Telcom Group Est 1999 Designated Activity Company did not provide any comments.
- 3.14 Therefore, ComReg has decided to amend the Fixed Service Providers Decision Instrument so that it refers to Telcom Group Est 1999 Designated Activity Company. ComReg has also decided that paragraph 4.176 of ComReg Decision D02/20 will also be corrected to refer to Telcom Group Est 1999 Designated Activity Company.

### 3.6 Table at Section 4.4 of the Fixed Service Providers Decision Instrument

- 3.15 ComReg made a typographical error in the final line of the table in Section 4.4 of the Fixed Service Providers Decision Instrument. Specifically, the reference to “1 January 2023 to 31 December 2024” in the final line shall be corrected to refer to “1 January 2024 to 31 December 2024”.
- 3.16 For the avoidance of doubt, the Table at Section 4.4 will read as follows (including the amendment detailed at paragraph 3.15 above):

Dates	Maximum 1800 FVCO Rate
1 May 2020 to 31 December 2020	0.873 cent/minute

<b>1 January 2021 to 31 December 2021</b>	0.918 cent/minute
<b>1 January 2022 to 31 December 2022</b>	0.961 cent/minute
<b>1 January 2023 to 31 December 2023</b>	1.000 cent/minute
<b>1 January 2024 to 31 December 2024</b>	1.043 cent/minute

### 3.7 Operator exits from the Fixed Voice Call Termination Market

3.17 Since the publication of ComReg Decision D02/20, ComReg received communications confirming that three of the thirty-one fixed operators listed in paragraph 4.176 of ComReg Decision D02/20 and listed in the Relevant Undertakings at Appendix 1 of the Fixed Service Providers Decision Instrument are no longer trading in the fixed voice call termination ('**FVCT**') market (namely, Airspeed Communications Limited, Modeva Networks Unlimited and Finarea SA). If any of these three fixed operators re-enter the FVCT market, they will be subject to the obligations imposed as part of the Fixed Service Providers Decision Instrument.

### 3.8 Implementation of ComReg's Decision

3.18 Annex 1 to this Decision contains the Decision Instrument which amends the Fixed Service Providers Decision Instrument. For the sake of clarity, ComReg will also publish on its website a consolidated version of ComReg Decision D02/20 (as ComReg Document No 04/20R1) containing all the amendments detailed in this decision.

3.19 For the avoidance of doubt, ComReg Document No. 04/20R1 will replace ComReg Document No. 04/20R.

# Annex 1 Amending Decision Instrument

## 1 STATUTORY POWERS GIVING RISE TO THIS DECISION INSTRUMENT

1. This Decision Instrument (“**Decision Instrument**”) is made by the Commission for Communications Regulation (“**ComReg**”) and relates to the regulation of wholesale charges for Non-geographic numbers.
2. This Decision Instrument is made:
  - (i) Pursuant to and having had regard to Sections 10 and 12 of the Communications Regulation Act 2002 (as amended) and Regulation 16 of the Framework Regulations;
  - (ii) Pursuant to Regulation 6(1), 6(2), 6(3) and 6(4) of the Access Regulations;
  - (iii) Pursuant to Regulations 8, 9, 13 and 18 of the Access Regulations;
  - (iv) Pursuant to Regulations 23 and 30 of the Universal Service Regulations;
  - (v) Having had regard to the analysis and reasoning set out in ComReg Document No. 19/46, and having taken account of the Submissions received from interested parties in response thereto following a public consultation pursuant to Regulation 12 of the Framework Regulations;
  - (vi) Having regard to the analysis and reasoning set out in ComReg Decision D02/20.
3. The provisions of ComReg Document No. 18/65, ComReg Document No. 19/46 and ComReg Decision D02/20 shall, where appropriate, be construed consistently with this Decision Instrument.

## PART I - GENERAL PROVISIONS

### 2 DEFINITIONS

4. In this Decision Instrument, unless the context otherwise suggests:
  - (i) “**Access Regulations**” means the European Communities (Electronic Communications Networks and Services) (Access) Regulations 2011 (S.I. No. 334 of 2011);
  - (ii) “**Authorisation Regulations**” means the European Communities (Electronic Communications Networks and Services) (Authorisation) Regulations 2011 (S.I. No. 335 of 2011);
  - (iii) “**Communications Regulation Act 2002 (as amended)**” means the Communications Regulation Act 2002 (No. 20 of 2002), as amended;
  - (iv) “**ComReg**” means the Commission for Communications Regulation, established under Section 6 of the Communications Regulation Act 2002 (as amended);

- (v) **“ComReg Decision D02/20”** means ComReg Document No. 20/04R1, entitled *“Response to Consultation and Decision - Access to Non-Geographic Numbers: Imposition of price control and transparency obligations”*, dated 16 January 2020 and republished on 13 April 2021;
- (vi) **“ComReg Document No. 18/65”** means ComReg Document No. 18/65, entitled *“Response to Consultation - Review of Non-Geographic Numbers”*, dated 11 July 2018;
- (vii) **“ComReg Document No. 19/46”** means ComReg Document No. 19/46, entitled *“Response to Consultation, Further Consultation and Draft Decision: Access to Non-Geographic Numbers: Imposition of price control and transparency obligations”* dated 22 May 2019;
- (viii) **“ComReg Document Number 20/04R”** means ComReg Document No. 20/04R, entitled *“Response to Consultation and Decision - Access to Non-Geographic Numbers: Imposition of price control and transparency obligations”*, dated 16 January 2020 and republished on 16 January 2020;
- (ix) **“Effective Date”** means the date set out in Section 9 of this Decision Instrument;
- (x) **“Fixed Service Providers Decision Instrument”** means the Decision Instrument at Annex 10 to ComReg Decision D02/20;
- (xi) **“Framework Regulations”** means the European Communities (Electronic Communications Networks and Services) (Framework) Regulations 2011 (S.I. No. 333 of 2011), as may be amended from time to time or replaced with equivalent effect;
- (xii) **“Mobile Service Providers Decision Instrument”** means the Decision Instrument at Annex 9 to ComReg Decision D02/20;
- (xiii) **“Relevant Undertaking”** means an Undertaking as listed at Appendix 1 of this Decision Instrument;
- (xiv) **“Undertaking(s)”** shall have the same meaning as under Regulation 2 of the Framework Regulations;
- (xv) **“Universal Service Regulations”** means the European Communities (Electronic Communications Networks and Services) (Universal Service and Users’ Rights) Regulations 2011 (S.I. No. 337 of 2011).

### 3 SCOPE AND APPLICATION

- 5. This Decision Instrument applies to any Relevant Undertaking as listed at Appendix 1 to this Decision Instrument.
- 6. This Decision Instrument is binding on each such Relevant Undertaking in the manner now set out below and each such Relevant Undertaking shall comply with this Decision Instrument to the extent that it applies to that Relevant Undertaking.

7. For the reasons set out in ComReg Decision D04/21, this Decision Instrument, ComReg hereby amends certain provisions of the Mobile Service Providers Decision Instrument and the Fixed Service Providers Decision Instrument as more particularly set out in Section 4 and Section 5 of this Decision Instrument, respectively.

## PART II - AMENDMENTS

### 4 AMENDMENTS TO THE MOBILE SERVICE PROVIDERS DECISION INSTRUMENT

8. The definition of ComReg Decision D02/20 set out in the Mobile Service Providers Decision Instrument which reads “**“ComReg Decision D02/20”** means ComReg Document No. 20/04R, entitled “Response to Consultation and Decision - Access to Non-Geographic Numbers: Imposition of price control and transparency obligations, dated 16 January 2020;” shall be deleted and replaced with the following definition:

**“ComReg Decision D02/20”** means ComReg Document No. 20/04R1, entitled “*Response to Consultation and Decision - Access to Non-Geographic Numbers: Imposition of price control and transparency obligations*”, dated 16 January 2020 and republished on 13 April 2021;”.

### 5 AMENDMENTS TO THE FIXED SERVICE PROVIDERS DECISION INSTRUMENT

9. The definition of ComReg Decision D02/20 set out in the Fixed Service Providers Decision Instrument which reads “**“ComReg Decision D02/20”** means ComReg Document No. 20/04R, entitled “Response to Consultation and Decision - Access to Non-Geographic Numbers: Imposition of price control and transparency obligations, dated 16 January 2020;” shall be deleted and replaced with the following:

**“ComReg Decision D02/20”** means ComReg Document No. 20/04R1, entitled “*Response to Consultation and Decision - Access to Non-Geographic Numbers: Imposition of price control and transparency obligations*”, dated 16 January 2020 and republished on 13 April 2021;”.

10. The text in the final line of the Table at Section 4.4 of the Fixed Service Providers Decision Instrument which reads “1 January 2023 to 31 December 2024” shall be deleted and replaced with the following:

“1 January 2024 to 31 December 2024”.

For the avoidance of doubt, the Table at Section 4.4 shall read as follows:

Dates	Maximum 1800 FVCO Rate
1 May 2020 to 31 December 2020	0.873 cent/minute



1 January 2021 to 31 December 2021	0.918 cent/minute
1 January 2022 to 31 December 2022	0.961 cent/minute
1 January 2023 to 31 December 2023	1.000 cent/minute
1 January 2024 to 31 December 2024	1.043 cent/minute

11. Paragraph A1(i) of Appendix 1 to the Fixed Service Providers Decision Instrument which reads “Airspeed Communications Unlimited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;” shall be deleted and replaced with the following:

*“Airspeed Communications Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;”*

12. Paragraph A1(viii) of Appendix 1 to the Fixed Service Providers Decision Instrument which reads “Equant Network Services International Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;” shall be deleted and replaced with the following:

*“Orange Business Telecommunications Services Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;”.*

13. Paragraph A1(xvii) of Appendix 1 to the Fixed Service Providers Decision Instrument which reads “Magrathea Telecommunications (Ireland) Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;” shall be deleted and replaced with the following:

*“Magrathea Telecommunications Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;”.*

14. Paragraph A1(xxv) of Appendix 1 to the Fixed Service Providers Decision Instrument which reads “Telcom Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns, which for the avoidance of doubt includes Agility Communications Limited;” shall be deleted and replaced with the following:

*“Telcom Group Est 1999 Designated Activity Company and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns, which for the avoidance of doubt includes Agility Communications Limited;”.*

### **PART III – MAINTENANCE OF OBLIGATIONS AND EFFECTIVE DATE**

#### **6 STATUTORY POWERS NOT AFFECTED**

15. Nothing in this Decision Instrument shall operate to limit ComReg in the exercise and performance of its statutory powers or duties conferred on it from time to time under any applicable law (in force prior to or after the Effective Date of this Decision Instrument).

#### **7 MAINTENANCE OF OBLIGATIONS**

16. Unless expressly stated otherwise in this Decision Instrument, all obligations and requirements contained in decision instruments, decision notices and directions made by ComReg applying to each Relevant Undertaking and in force immediately prior to the Effective Date of this Decision Instrument, are continued in force by this Decision Instrument and each Relevant Undertaking shall comply with same.
17. If any section, clause or provision or portion thereof contained in this Decision Instrument is found to be invalid or prohibited by the Constitution, by any other law or judged by a court to be unlawful, void or unenforceable, that section, clause or provision or portion thereof shall, to the extent required, be severed from this Decision Instrument and rendered ineffective as far as possible without modifying the remaining section(s), clause(s) or provision(s) or portion thereof of this Decision Instrument, and shall not in any way affect the validity or enforcement of this Decision Instrument.

#### **8 PUBLICATION OF A CONSOLIDATED VERSION OF COMREG DECISION D02/20**

18. For the reasons set out in ComReg Decision D04/21, ComReg hereby decides to republish ComReg Decision D02/20 to reflect the amendments to the Mobile Service Providers Decision Instrument and the Fixed Service Providers Decision Instrument detailed at Section 4 and Section 5, respectively. For the avoidance of doubt, the republished ComReg Decision D02/20 shall also reflect the amendments to the table at Section 4.4 which were contained in ComReg Document Number 20/04R and published on ComReg’s website on 16 January 2020.



## **9 EFFECTIVE DATE**

19. The Effective Date of this Decision Instrument shall be the date of its publication, it shall remain in force until further notice by ComReg.

**ROBERT MOURIK**

**COMMISSIONER**

**THE COMMISSION FOR COMMUNICATIONS REGULATION**

**THE 13 DAY OF APRIL 2021**

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## APPENDIX 1 – RELEVANT UNDERTAKINGS

### A1. Mobile Service Providers

- (i) Lycamobile Ireland Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (ii) Meteor Mobile Communications Limited, which is the mobile arm of the Eircom Group (which includes Eircom Limited and Eircom Holdings (Ireland) Limited), trading under the business name Eircom Mobile, and for the purpose of this Decision Instrument includes its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns
- (iii) Tesco Mobile Ireland Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (iv) Three Ireland (Hutchison) Limited and its subsidiaries, and any Undertaking which it owns or controls and any undertaking which owns or controls it, and its successors, affiliates and assigns, which for the avoidance of doubt includes Three Ireland Services (Hutchison) Limited;
- (v) Virgin Media Ireland Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (vi) Vodafone Ireland Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns.

### A2. Fixed Service Providers

- (i) Airspeed Communications Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (ii) Blue Face Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (iii) BT Communications Ireland Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (iv) Colt Technology Services Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;

- (v) Conduit Enterprises Limited and its subsidiaries, and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (vi) Dialoga Servicios Interactivos SA and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (vii) Eircom Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (viii) Orange Business Telecommunications Services Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (ix) Finarea SA and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors,
- (x) Goldfish Telecom Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (xi) IFA Telecom and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (xii) Imagine Communications Ireland Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (xiii) Intellicom Ireland Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (xiv) In2com Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (xv) Internet Protocol Telecom Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (xvi) Magnet Networks Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;

- (xvii) Magrathea Telecommunications Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (xviii) Minutebuyer Corporate Services Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (xix) Modeva Networks Unlimited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (xx) Oxygen8 Communications Ireland Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (xxi) Phone Pulse Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (xxii) PlanNet 21 Communications Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns, which for the avoidance of doubt includes 3Play Plus Limited;
- (xxiii) Pure Telecom Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (xxiv) Procom Voice Solutions Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (xxv) Telcom Group Est 1999 Designated Activity Company and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns, which for the avoidance of doubt includes Agility Communications Limited;
- (xxvi) TSFY Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (xxvii) Verizon Ireland Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (xxviii) Viatel Ireland Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;

- (xxix) Virgin Media Ireland Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (xxx) Vodafone Ireland Limited and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns;
- (xxxi) Voxbone SA and its subsidiaries, and any Undertaking which it owns or controls and any Undertaking which owns or controls it, and its successors, affiliates and assigns.

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