



Commission for
Communications Regulation

BECS via WEIL

Request for Derogation

Information Notice

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An Coimisiún um Rialáil Cumarsáide
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In accordance with Section 10.3 of ComReg Decision D06/111 Eircom has notified ComReg of its intention to publish various documents in relation to BECS via WEIL on its website (in this document referred to as a "BECS via WEIL Reference Offer").

Section 10.3 of ComReg Decision D06/11 requires that:

“Eircom shall, unless otherwise determined by ComReg, make publicly available and publish on its publicly available website at least two months in advance, or such other period as may be determined by ComReg, any proposed changes to the WBARO and any proposed changes to wholesale prices (including prices for new services and facilities) coming into effect. Eircom shall notify ComReg at least one month in advance of any such publication taking place i.e. three months prior to any changes coming into effect, unless such other period has been determined by ComReg, as described above. Proposed changes to the WBARO including proposed changes to wholesale prices and the application of such prices shall not be implemented without prior notification to ComReg and OAOs and prior approval from ComReg.”

Eircom has requested a derogation from these obligations.

ComReg is of the view that transparency is best served by immediate publication of the BECS via WEIL Reference Offer and has decided that the normal notification periods need not apply in this particular case. This service has been discussed at industry fora and has been sought for over one year. Therefore its introduction will facilitate the opportunity for other licensed operators to interconnect wholesale broadband access (“WBA”) traffic at a lower level in the network. This in turn will improve the ability of competing infrastructure providers to leverage their investments and no purpose would be served by delaying the ability of other operators to do the same. Instead ComReg considers that the proposed amendments to the WBARO should take place on 5 May 2015.

However it is important to note that ComReg has not yet assessed whether the BECS via WEIL Reference Offer is in compliance with Eircom's regulatory obligations. The publication of this Information Notice does not imply that ComReg has formed any view as to Eircom's compliance with such obligations. ComReg reserves its right to intervene at a later stage should it consider it necessary to do so.