



Commission for
Communications Regulation

Information Notice

Complaint from BT in relation to Wholesale Ethernet services from Eircom

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Following a complaint from BT Ireland ('BT') to the Commission for Communications Regulation ('ComReg') in March 2007 in relation to an alleged failure by Eircom Ltd ('Eircom') to provide a wholesale offering of the Eircom National Ethernet Product ComReg initiated an investigation.

In respect of the specific complaint from BT, ComReg has considered both parties' submissions and based on this information ComReg does not feel there is sufficient grounds to progress this complaint and does not intend to take this complaint forward.

However, based on ComReg's analysis of the Eircom National Ethernet Product, and in consideration of Decision Notice D7/05 – Market Analysis: Retail Leased Lines and Wholesale Terminating and Trunk Segments of Leased Lines (National), ComReg notes that the access segment of the Eircom National Ethernet Product clearly falls within the market definition for wholesale trunk and terminating segments of leased lines.

As such, ComReg considers the access segment of the Eircom National Ethernet product to be subject to the obligations identified in Annex C – Decision Notice D7/05 – Market Analysis: Retail Leased Lines and Wholesale Terminating and Trunk Segments of Leased Lines (National).

In accordance with the above, ComReg notes that any requests for an equivalent wholesale offering of the access segment of the Eircom National Ethernet Product will be subject to Eircom's obligations as outlined in Decision Notice D7/05.