



Commission for
Communications Regulation

Information Notice

Complaint from Eircom in relation to Code for Tariff Presentation

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Following a complaint from Eircom Limited (*Eircom*) to the Commission for Communications Regulation ('ComReg') in July 2007 in relation to an alleged breach by NTL Communications Limited ('NTL') of section 3.1 of the Code for Tariff Presentation ComReg initiated an investigation.

The complaint related to a direct mail shot sent by NTL the main substance of which was a comparative pricing and statement of potential savings which might be achieved by changing telecoms service providers. In a footnote to the letter sent to consumers the basis for the calculation of potential savings overstated Eircom's then line rental charge. The complaint was in relation to this overstatement.

All pricing comparisons (and stated savings) in the main body of the letter and the marketing leaflet were correct and based on the use of the correct line rental rate. In addition the Eircom line rental rate was stated correctly on an accompanying direct marketing insert. Although the rates information, as published in the footnote, was incorrect, the potential savings which were the substance of the communication were stated correctly and therefore ComReg believes no consumer will have been misled by this error.

In respect of the specific complaint from Eircom ComReg has considered both parties submissions and based on consideration of this information ComReg did not find a breach of the Code for Tariff Presentation by NTL.

However, it has warned the operator concerned to be more vigilant and will closely monitor any allegations of this type and take further actions as appropriate.