



Commission for
Communications Regulation

Notification of finding of non-compliance issued to Eircom Limited with obligations in the market for retail narrowband access in Decision D07/61, pursuant to Regulation 19(1) of the Access Regulations

Information Notice

Reference: ComReg 14/91

Version: Final

Date: 1 September 2014

1. On 29 August 2014, pursuant to Regulation 19 (1) of the European Communities (Electronic Communications Networks and Services) (Access) Regulations, 2011 (“the Access Regulations”)¹, the Commission for Communications Regulation (“ComReg”) notified Eircom Limited (“Eircom”) of a finding that, with regard to its processes for Single Billing Wholesale Line Rental (“SB-WLR”), Eircom has not complied with its access obligation in the market for retail fixed narrowband access (“the Market”) as provided for at Section 6.1 and of Decision D07/61, 2007².
2. The matter relates to Eircom’s rejection of wholesale SB-WLR orders from Other Authorised Operators where Eircom Retail Virtual Private Network (“Eircom Retail VPN”) services exist.
3. ComReg found that the SB-WLR orders were reasonable requests for access to wholesale products. Under Eircom’s access obligation in the Market, reasonable requests for access to wholesale products must be accepted irrespective of the existence of Eircom Retail VPN services.
4. Eircom has been notified of Comreg’s findings and has until 5pm on 1 October 2014, to make representations in response.

¹ European Communities (Electronic Communications Networks and Services) (Access) Regulations 2011 (S.I. No. 334 of 2011)

² Decision Notice and Decision Instrument - Designation of SMP and SMP Obligations: Market Analysis: Retail Fixed Narrowband Access Markets (Decision No: D07/61, Document No: 07/61, Date: 24 August 2007).