



Office of the Director of  
**Telecommunications  
Regulation**

**Dispute Resolution Determination**

# **DISPUTE RESOLUTION DETERMINATION No. 06/02 Summary**

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## Summary of final determination of the Office of the Director of Telecommunications Regulation (ODTR) regarding a complaint by Esat (Esat Telecommunications & Ocean Communications) against *eircom* in relation to the provision of Bi-Directional CSI links.

In December 2001 Esat submitted a complaint concerning ‘eircom’s refusal to provide Bi-Directional CSI links’.

In its complaint Esat claim that the provision of Bi-directional CSI links (and in fact ISI links) would make the interconnection between Esat and eircom more cost effective.

In response to the above claim eircom stated that the current regime allows for traffic to be carried in both directions and that the risks and rewards of planning are proportionate and equitable. eircom also claim that efficiency gained using the proposed scheme for bi-directional links is minimal.

In arriving at this determination, the Case Officer in accordance with the Dispute Resolution procedures has considered the comments received from both parties to the dispute.

From the eircom submission to this dispute the Case Officer is of the understanding that the current regime for CSI interconnect carries traffic in both directions via two groups of bi-directional interconnect links. The Case Officer is also of the understanding that a given interconnect link only conveys the operator ‘owned’ traffic from one operator. The Esat proposed regime would allow for an interconnect link to carry traffic from both operators, i.e. ‘owned’ traffic from both operators, on the same interconnect link, and thus, utilise the efficiency gain of such a scheme.

The Case Officer did not find compelling evidence arising from this dispute sufficient to assert that the current regime for CSI and ISI interconnect is in the best interest of the Irish market. However, the Case Officer has been convinced that the possible problems associated with bi-directional interconnect links carrying owned traffic from both operators require further discussion in order for a practical solution to be found (i.e. solutions to under/over forecasting and a formula for the calculation of rental payments).

The Case Officer considers that the provision of bi-directional CSI and ISI links on a permanent basis would benefit the market as a whole by increasing transmission efficiency. eircom is directed to enter talks with the industry via a working group under the auspices of the O&M forum on bi-directional CSI and ISI links, addressing

- A bi-lateral forecasting process
- A formula for rental payments
- Billing capabilities and processes
- Any other practical issues involved with the development of the product

and to develop a product within a six month period from the date of this decision. If agreed by industry, this six month period may be extended. The ODTR will chair the meetings for this group. It should be noted that eircom will be obliged to offer bi-directional links in the manner proposed only where eircom currently has capacity in place to the relevant operator or where eircom adds capacity in the future.

This decision has been notified to the parties who have a right of appeal.