



Commission for
Communications Regulation

ComReg notifies Eircom Limited of a finding of non-compliance

Information Notice

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An Coimisiún um Rialáil Cumarsáide

Commission for Communications Regulation

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ComReg notifies Eircom of a finding of non-compliance with its obligation to meet reasonable requests for the provision of access

On 19 February 2013, the Commission for Communications Regulation (“ComReg”) notified Eircom Limited (“Eircom”) of its finding following an investigation that Eircom has not complied with its obligation to meet reasonable requests from other authorised operators for the provision of access, including associated facilities. This obligation was imposed in ComReg Document No. 10/39, Decision. No D05/10.

In summary, Eircom refused a request by BT for access to “In Building Connection” which BT described as “*eircom..instal[ing]l a small number of cables (copper or fibre as required by the access seeker) between the LLU footprints of the two Access Seekers requesting such.*” ComReg considers that this constitutes a reasonable request for access to an associated facility.

Pursuant to Regulation 19 of the European Communities (Electronic Communications Networks and Services)(Access) Regulations, 2011 Eircom has been given 4 weeks within which to state its views on ComReg’s finding, or to remedy its non-compliance.

Regulation 19 provides that if, at the end of the 4 week period, after considering all representations from Eircom, ComReg is of the opinion that Eircom has not complied, ComReg may, whether or not the non-compliance is continuing, apply to the High Court for such order as may be appropriate.