



Commission for
Communications Regulation

Information Notice

Implementation of EU Roaming Regulation by Irish Mobile Companies

5th wave of Irish and EU aggregated roaming data

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Contents

1 Background 2
2 Key Points 4
3 Data Analysis 5
4 EU Regulatory Requirements 2007-2011 11
5 Legal Basis 13

1 Background

The first Regulation on International Roaming Services was published on 29 June 2007 - (EC) No 717/2007 roaming on public and mobile telephone networks within the Community¹. This Regulation primarily capped charges for wholesale and retail voice calls (made and received) while roaming in the EU and also introduced pricing transparency measures to benefit consumers who roam in the EU. In addition to this, the Minister for Communications, Energy and Natural Resources made Regulations in December 2007 designating ComReg as the National Regulatory authority for the purpose of the Regulations S.I. 792 of 2007 - Communications (Mobile Telephone Roaming) Regulations 2007². In May 2008, the European Commission launched a public consultation on the functioning of the 2007 Roaming Regulation, the Regulation was extended in duration and scope and the amending Roaming Regulation (EC) No 544/2009³ was published on 29 June 2009. In light of these amendments, the Irish Roaming Regulations were also amended by S.I. No 156 of 2010⁴ Communications (Mobile Telephone Roaming) (Amendment) Regulations 2010.

This is the fifth Information Notice published by ComReg and it covers the data collection period 1 April 2009 – 31 December 2009, however, the analysis also includes data from Q1 2009 for comparison purposes. The collection of data for monitoring purposes by National Regulatory Authorities (NRAs) is a requirement of the Roaming Regulation. Individual NRAs are required "*to monitor developments in wholesale and retail charges*" for voice calls, SMS and data charges. The Body of European Regulators for Electronic Communications (BEREC), formerly The European Regulators Group (ERG), coordinates the regular data collection exercise from all NRAs. This Information Notice provides an overview of roaming pricing including voice calls made and received, rest of world calls, pricing for SMS, data charges and surcharges for billed calls.

¹ http://eur-lex.europa.eu/LexUriServ/site/en/oj/2007/l_171/l_17120070629en00320040.pdf

² <http://www.attorneygeneral.ie/esi/2007/B25821.pdf>

³ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:167:0012:0023:EN:PDF>

⁴ <http://www.attorneygeneral.ie/esi/2010/B27538.pdf>

BEREC's fifth report on International roaming was published at end of April 2010⁵.

The monitoring of developments in wholesale and retail pricing is in preparation for the European Commission's reviews of the roaming Regulation required by 30 June 2010 and 30 June 2011 respectively. This data collection exercise coincides with other work streams in this area coordinated by BEREC to assist the Commission with its review of the Regulation in June 2011. The information gathered thus far indicates a high level of compliance with the applicable Roaming Regulations. At a retail level, all consumers have access to the "Eurotariff" and, since 1 July 2009, consumers also have access to a "Euro SMS" tariff, with regulated maximum rates.

⁵ http://erg.eu.int/doc/berec/bor_10_20_international_roam_report.pdf

2 Key points

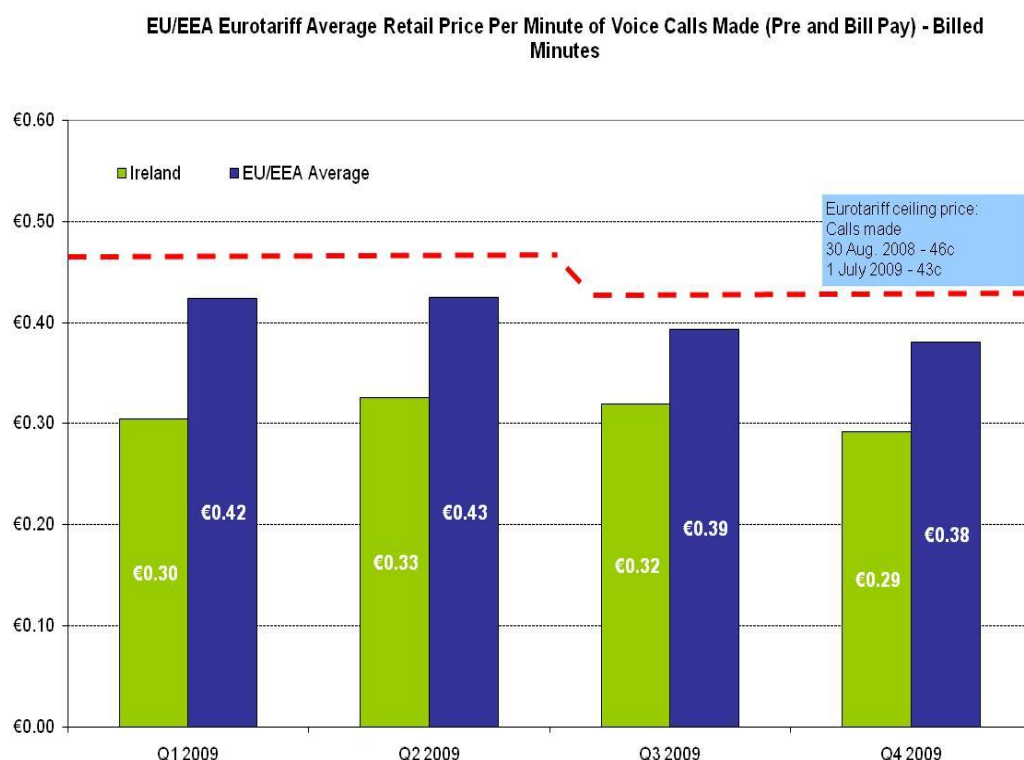
A comprehensive set of data was requested by all NRAs from national mobile operators.

The follow key points relate to the data collected for the period 1 April 2009 to 31 December 2009;

- Irish retail roaming prices for calls made and received continue to indicate compliance with the regulatory price ceilings.
- Ireland's "Eurotariff" price per calls made and received and price for the rest of the world (calls made while outside the EU/EEA) has been lower than the EU/EEA average over the reported periods.
- The retail "Eurotariff" price for sending a text message has decreased and is now at the regulated cap of 0.11 cents.
- While Ireland's retail non-group roaming data prices have tended to be above the EU/EEA average in the past, prices have declined to below the EU/EEA average since Q2 2009.
- Volumes of retail roaming data traffic have grown strongly over the reported periods. Between Q4 2008 and Q4 2009, volumes had grown by 52%.
- Ireland's aggregate wholesale price per megabit of roaming data among non-group companies has fallen significantly, in line with the regulated price cap of one euro.
- The effect of the regulation on bill unitisation has meant that the level of surcharge for Irish billed prices for retail "Eurotariff" calls made has fallen from 39% in Q1 2009 to 16% in Q4 2009. A surcharge currently applies as Irish mobile operators have chosen to include the option to apply a minimum set-up charge. (The surcharge for Irish retail "Eurotariff" prices for calls received is now zero; a reflection of per second billing for these calls by operators).

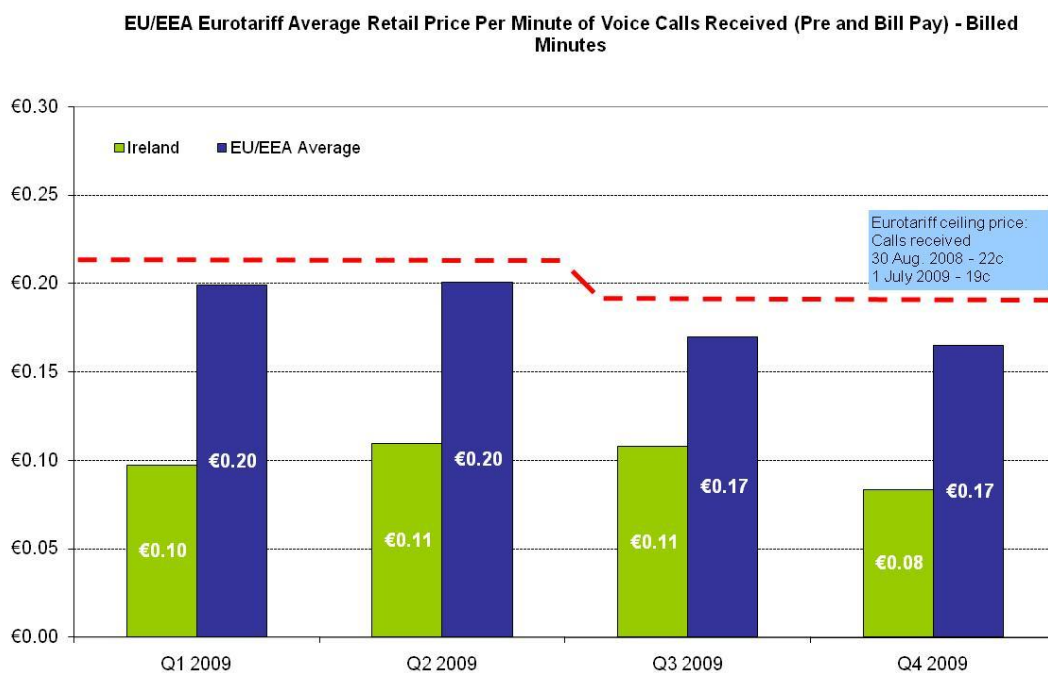
3 Data Analysis

Figure 1 - Note all prices quoted are Excluding VAT



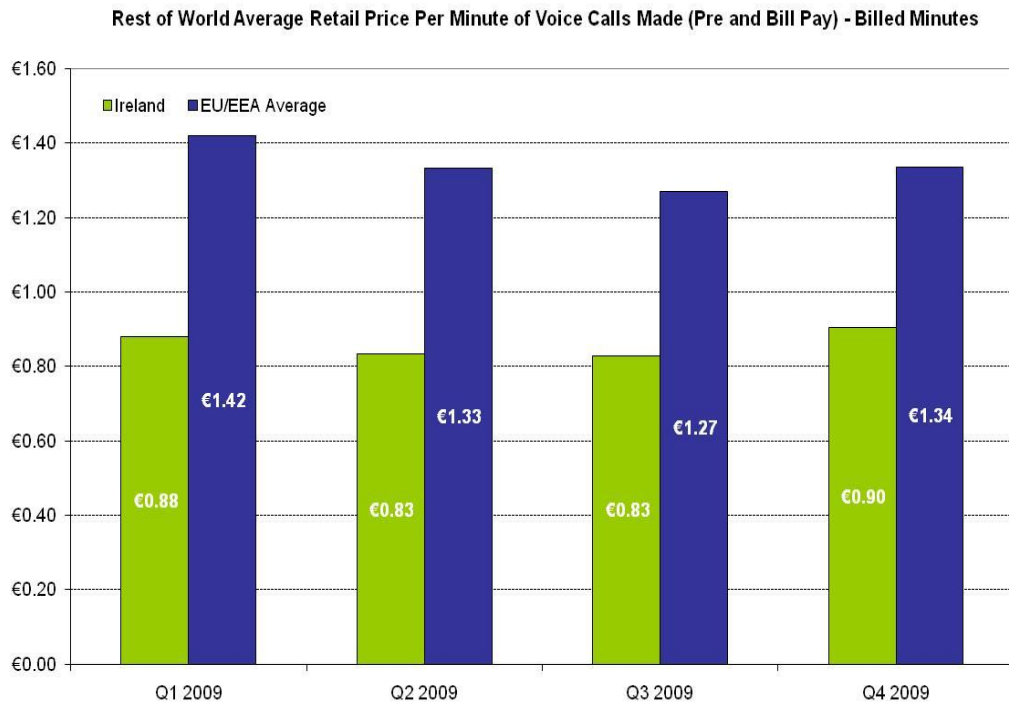
Ireland's "Eurotariff" for calls made remained below the regulated tariff in 2009. These prices were also below the EU/EEA average.

Figure 2



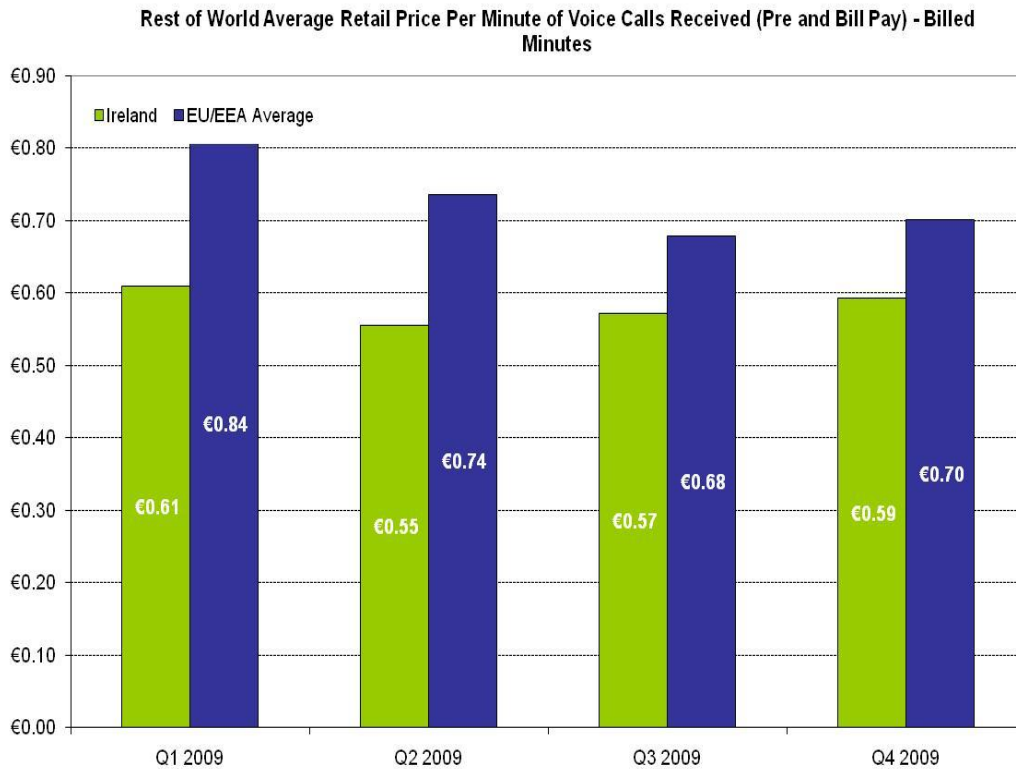
Ireland's "Eurotariff" for calls received is substantially below the regulated tariff and the EU/EEA price, falling to 8cents per minute in Q4 2009. This is likely to be, in part, for a number of operators, a reflection of the introduction of the obligation to implement per second billing. .

Figure 3



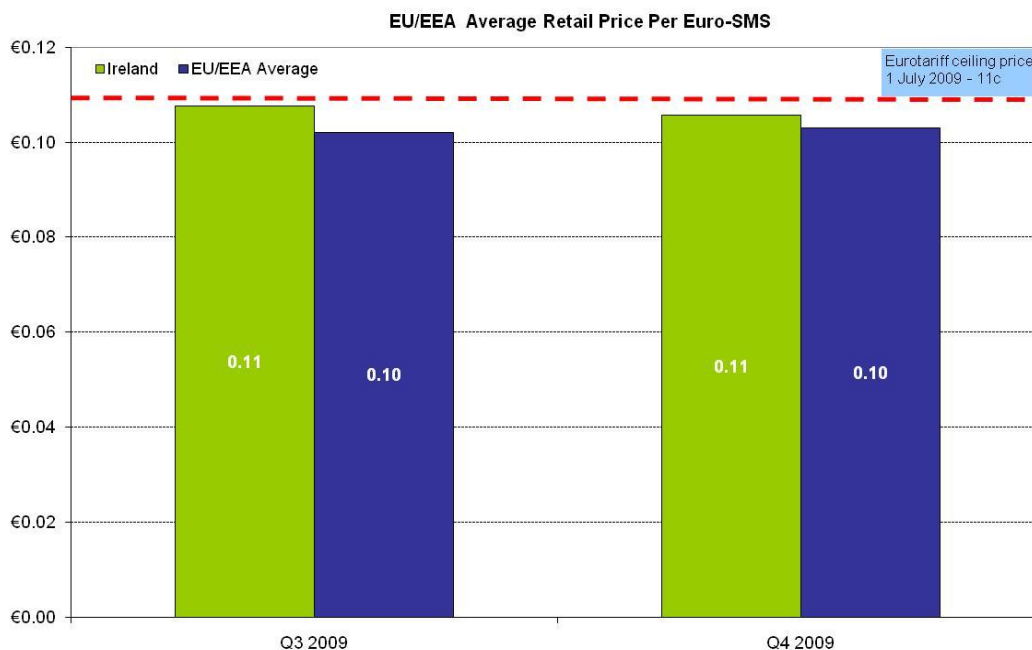
Ireland's average price for making calls outside the EU/EEA is cheaper than the EU/EEA average. Ireland's price averaged around 86 cents in 2009.

Figure 4



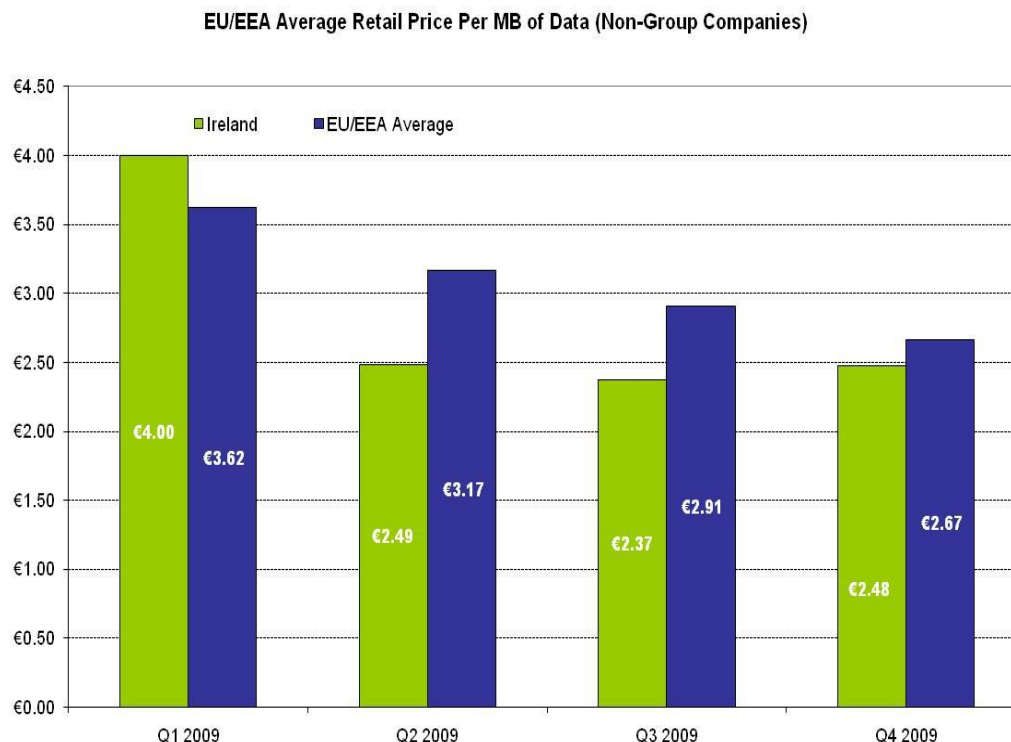
As per calls made, the average price in Ireland for receiving a call from outside of the EU/EEA is cheaper than the EU/EEA average, averaging 58 cents in 2009.

Figure 5



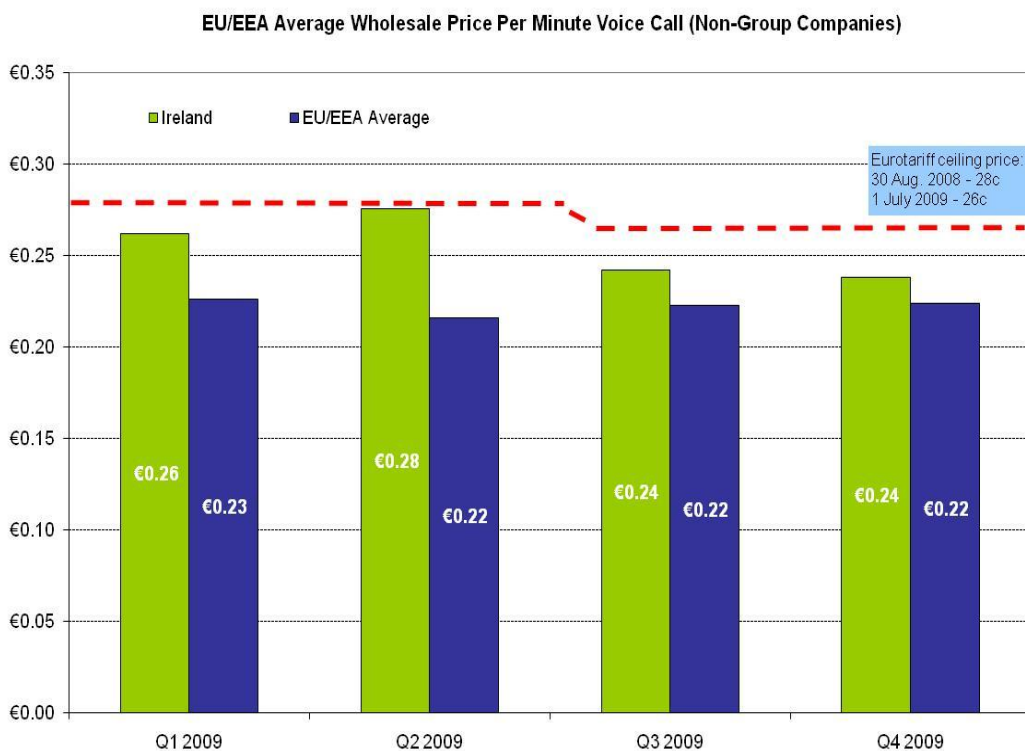
Ireland's average price for sending a "Euro tariff" text message was below the regulated cap of 11 cents in Q3 and Q4 2009. This cap was introduced in Q3 2009.

Figure 6



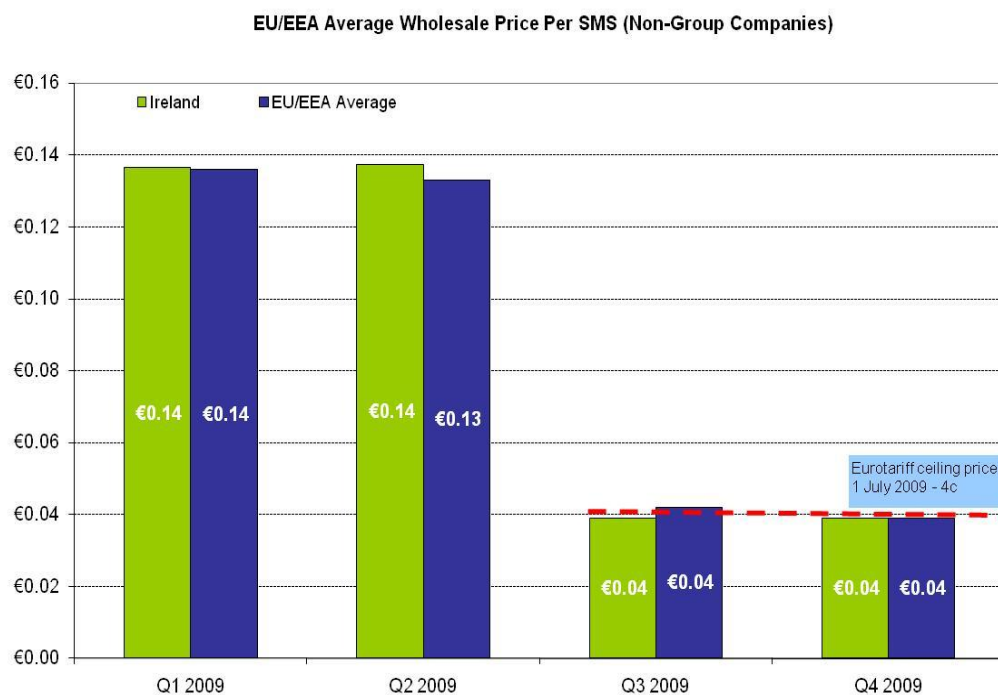
Ireland's retail roaming price per MB of data has varied over the reported periods reflecting customer movements to bundled tariffs. Although Ireland's non-group prices have tended to be above the EU/EEA average in the past, since Q2 2009 Ireland's prices have been below the EU/EEA average. Note: Non-group traffic means traffic between entities that are not within the same group (where such entities are fully-owned or majority-owned by the group).

Figure 7



Although Ireland's wholesale price per call made has been at or below the regulated cap in 2009, prices remained above the EU/EEA average prices over the reported periods.

Figure 8



Ireland's wholesale price per SMS has been of similar levels to the EU/EEA average over the reported periods. A regulated cap of 4 cents introduced as of July 2009 has led to substantial fall in these prices across the EU/EEA countries.

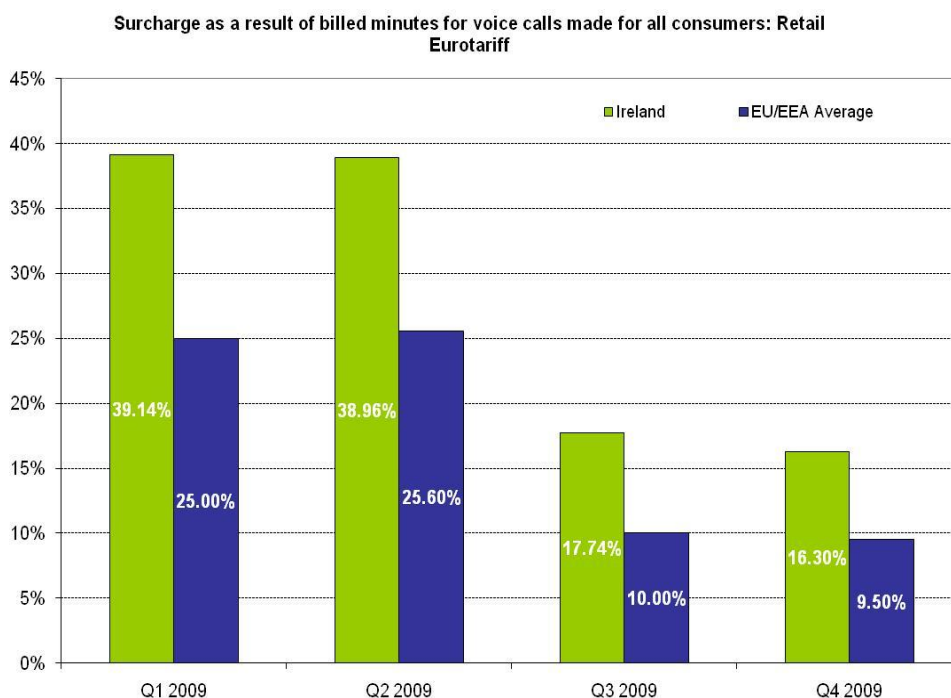
Figure 9

Implementation of EU Roaming Regulation by Irish Mobile Companies



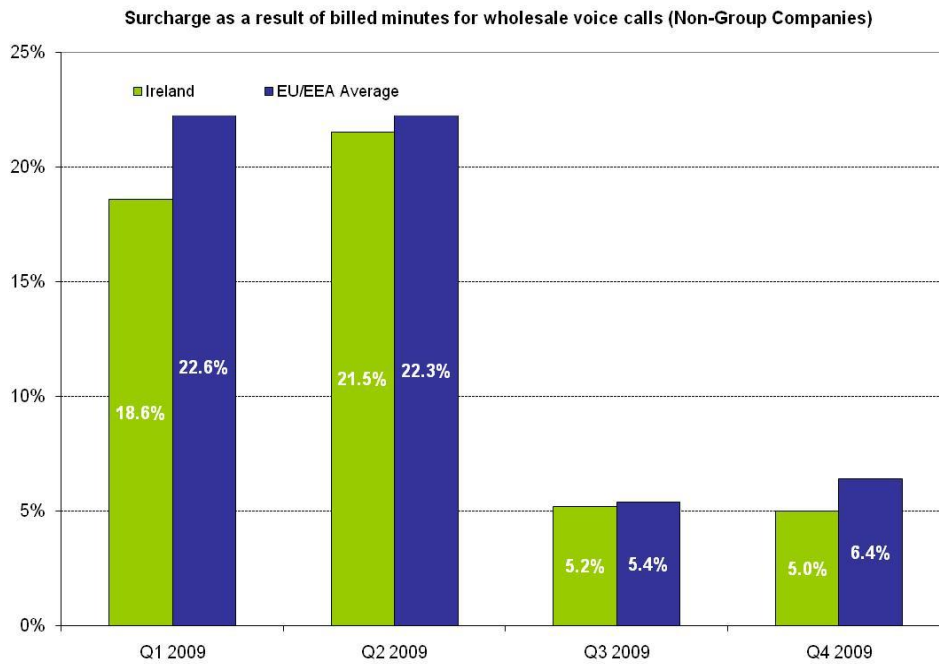
At a wholesale level, the average price per MB of roaming data by Irish mobile operators was well above the EU/EEA average in both Q1 and Q2 2009. However, following the introduction of a regulated price cap in July 2009, prices have declined significantly.

Figure 10



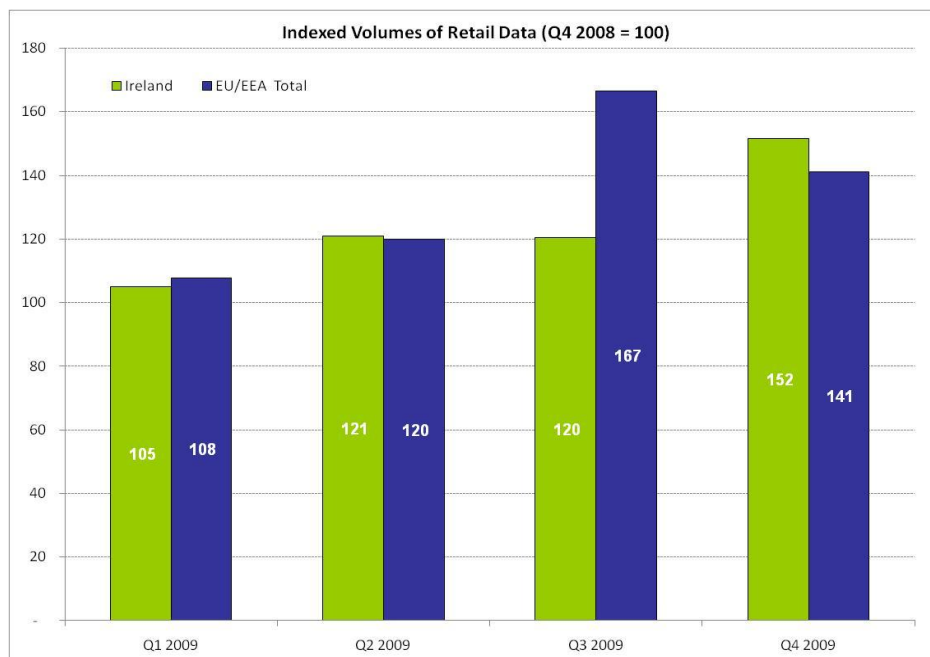
This chart shows the retail price percentage deviation arising from operator billing on a per minute basis as opposed to the price which would be incurred if billed on a per second basis (actual usage). While the Irish percentage deviation for calls made is above the EU/EEA average it has declined significantly between Q1 and Q4 2009. This is a reflection of the introduction of billing unitisation regulation.

Figure 11



This chart is similar as figure 10 but reflects pricing disparities at a wholesale level. For Ireland, the surcharge was below the EU/EEA average over the reported periods.

Figure 12



The volume of retail data on Irish mobile networks has been growing substantially over the reported periods. In the year to Q4 2009, data volumes had increased by 52% compared to the EU/EEA average of 41%.

4 EU Regulatory Requirements 2007 - 2011

Note: All prices are quoted excluding VAT

| Requirements by all mobile operators | 30 Aug 2007 | 30 Aug 2008 | 1 July 2009 | 1 July 2010 | 1 July 2011 |
|--|---|-------------|--|--|---|
| "Eurotariff" retail limit for voice calls made | 0.49 | 0.46 | 0.43 | 0.39 | 0.35 |
| | | | Per second billing applies with the option to apply a 30 second minimum charge for calls made. | | |
| "Eurotariff" retail limit for voice calls received | 0.24 | 0.22 | 0.19 | 0.15 | 0.11 |
| | | | Calls received are charged on a per second basis. | | |
| Wholesale limit for voice calls made | 0.30 | 0.28 | 0.26 | 0.22 | 0.18 |
| Pricing transparency | Mobile operators to send a free SMS to their consumers with pricing details for making and receiving a call when roaming in the EU. | | From 1 July 2009 the free pricing transparency SMS will include pricing details for SMS, MMS and Data. The SMS will also include information on how to receive more detailed pricing information and information on the European emergency number 112. | | |
| "Eurotariff" SMS retail price limit | N/A | N/A | 0.11 | 0.11 | 0.11 |
| "Eurotariff" SMS wholesale price limit | N/A | N/A | 0.04 | 0.04 | 0.04 |
| Wholesale data price limit (per megabyte) | N/A | N/A | €1.00 | 0.80 | 0.50 |
| Data bill shock measures | N/A | N/A | N/A | <p>1 March 2010 Ability for consumers to opt in to €50.00 (ex VAT) data roaming limit.</p> | <p>From 1 July 2010 Automatic opt in for all consumers to €50.00 (ex VAT) data roaming limit. Consumers can choose an alternative limit or no limit.</p> |
| | | | | Consumers will receive a warning message when they are near to reaching their roaming limit set for their account. Customers cannot use any more data when their limit has been reached unless they contact their provider | |
| Voicemail | N/A | N/A | N/A | No charge to consumer to receive a voicemail message. | |

5 Legal Basis

Article 7 of the Roaming Regulation (EC) NO 717/2007 requires NRAs to monitor developments in charges and to report to the European Commission every six months. Article 7(2) of the Regulation requires NRAs to make up-to-date information on the application of the Regulation publicly available. This Information Notice is published for this purpose.

As a Regulation of the European Parliament and the Council of the European Union, the requirements are directly applicable. In addition, the Minister for Communications, Energy and Natural Resources made Regulations in December 2007 designating ComReg as the National Regulatory Authority for the purpose of the Regulation.