



Commission for  
**Communications Regulation**

## Information Notice

### **Output of the SB-WLR Code of Practice review: Provisions not having a legal basis**

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**Contents**

1 Introduction ..... 4

2 SB-WLR Output Review: Existing Provisions without legal basis ..... 7

    2.1 CUSTOMER CONTRACTS ..... 7

    2.2 PRODUCT & PROCESS FEATURES ..... 7

Appendix – Definitions ..... 8

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## 1 Introduction

This document relates to authorised Undertakings and their dealings with customers and with other Undertakings, in the provision of Single Billing via Wholesale Line Rental (SB-WLR) telephony services in Ireland.

This document also makes reference to some non-legally binding publications such as those published by ComReg, which though not binding are relevant and desirable in the provision of SB-WLR by authorised Undertakings

### The Service

SB-WLR enables Other Authorised Operators (OAO) to issue one single bill to customers for Carrier Pre-Selection (CPS) or ‘*all calls*’ and line rental charges. The OAO may offer its own branded telephony service to their SB-WLR customers based on wholesale services provided by Eircom.

Eircom provides wholesale billing details to OAOs who then bill their customers at their own retail rates for calls.

Initially when the customer transfers to a single billing service, the appropriate ancillary services and Customer Premises Equipment rental product elements will also be transferred to its SB-WLR account. In addition the end customer will receive a final bill from Eircom for services that will now be billed for by the OAO. The final bill will contain any credits due to the customer; for example retail charges that may have paid in advance by the customer. Most types of outgoing traffic will be routed to the Carrier Pre-Selection operator’s (CPSO’s) network in line with the CPS all-calls routing rules.

The SB-WLR product consists of four elements:

1. wholesale telephone lines;
2. wholesale ancillary services for analogue lines;
3. wholesale ancillary services for Integrated Services Digital Network (ISDN) and Eircom hi-speed lines and
4. wholesale low value Customer Premises Equipment (CPE) rental

### Background

The SB-WLR product was first introduced by ComReg in 2003 under the Interconnection Regulations. Following this the SB-WLR Code of Practice (CoP) was introduced via ComReg Decision Notice 9/03. In 2006 the Third Party Verification (TPV) portion of the SB-WLR CoP was separated out into a stand alone TPV CoP. In August 2007 ComReg’s Decision on Retail Access, ComReg Document D7/61, ended the continued provisions of the Interconnection Regulations<sup>1</sup> pursuant to Regulation 8 of the Access Regulations<sup>2</sup> and Regulation

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<sup>1</sup> S.I. No. 15 of 1998, European Communities (Interconnection in Telecommunications) Regulations.

<sup>2</sup> S.I. No. 305/2003 European Communities (Electronic Communications Networks and Services)(Access) Regulations 2003

13(b) of the Universal Service Regulations<sup>3</sup>. This Decision did not impose SB-WLR or TPV CoPs as remedies in that market and as such these Codes of Practice are no longer mandated by ComReg.

### **Regulatory Guidance Document**

Following the recent CoP review, ComReg has published a Regulatory Guidance document entitled “*Regulatory Guidance for Undertakings on the Provision of SB-WLR*” (hereafter the “Guidance document”) for Undertakings providing telephony and broadband services through SB-WLR to customers in Ireland. The Guidance document highlights the key legal obligations which operators are required to meet in providing service to customers. The Guidance document is intended to replace the previous SB-WLR CoP.

The Guidance document is of itself intended as a reference for Undertakings, drawing on the legal and regulatory obligations some of which may fall under the remit of ComReg and other agencies, including the Office of the Data Protection Commissioner and the National Consumer Agency.

The previous SB-WLR CoP also dealt with a number of product specific features and required operators to engage in, or desist from, specific activities in relation to the inter-operator processes and end-user communications in the provisioning of telephony and/or broadband service to customers through SB-WLR.

ComReg proposes that while the Regulatory Guidance document will give Undertakings some legal certainty on the key obligations which are enforceable for instance by ComReg and other agencies, there are other provisions while lacking a specific legal basis, but ComReg is of the opinion that such provisions would be of value to industry to improve the customer experience of the SB-WLR product.

### **The Output Document**

This document includes provisions from the original SB-WLR CoP following ComReg’s review of the SB-WLR CoP, but which are not included in ComReg’s Regulatory Guidance document as they are considered not to have any independent legal basis. However, many of these provisions were developed and agreed by industry as part of the original SB-WLR CoP, as industry felt that these provisions had both value and also assisted an Undertaking in the efficient delivery of services. The provisions were also deemed, by ComReg, to be relevant to SB-WLR.

This document solely reflects the output of the review at this point in time and in no way reflects how, or whether, an Undertaking may decide to implement these provisions.

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<sup>3</sup> S.I. No. 308/2003 European Communities (Electronic Communications Networks and Services)(Access) Regulations 2003

A link to the Output document as well as the Guidance document is available on ComReg's website [www.comreg.ie](http://www.comreg.ie)

## **2 SB-WLR Output Review: Existing Provisions without legal basis**

### **2.1 Customer Contracts**

Undertakings are required to conclude a contract in writing with their customers for the provision of services. ComReg recommends that best practice in providing such a contract should include the following:-

- a. Set out clearly both the payment options and the billing frequency.
- b. Undertakings should ensure that all text is written in clear and understandable language.

### **2.2 Product & Process Features**

Where relevant, the impacts of the following on the customer services or categories of service must be communicated to the customer:-

- a. Undertakings must inform their customers clearly whom they are to contact in the event of a query or fault with the service and this should be prominently displayed on the contract and on the bills.

## Appendix – Definitions

**“CPS”** Carrier Pre-Selection is the facility offered to customers which allows the option for certain defined classes of call to be carried by an Operator selected in advance (and having a contract with the customer), without having to dial a routing prefix or follow any different procedure to evoke such routing.

**“Electronic Communications Network”** means the transmission systems and, where applicable, switching or routing equipment and other resources which permit the conveyance of signals by wire, radio, by optical or by other electromagnetic means, including satellite networks, fixed (circuit- and packet switched, including Internet) and mobile terrestrial networks, electricity cable systems, to the extent that they are used for the propose of transmitting signals, networks used for radio and television broadcasting and cable television networks irrespective of the type of information conveyed;

**“Publicly Available Telephone Service (PATS)”** means a service available to the public for originating and receiving national and international calls and access to emergency services through a number or numbers in a national or international telephone numbering plan, and in addition may, where relevant, include one or more of the following services: the provision of Operators assistance, directory inquiry services, directories, provision of public pay phones, provision of service under special terms, provision of special facilities for customers with disabilities or special social needs or the provision of non-geographic services or both.

**“Public Switched Telephone Network (PSTN)”** means the collection of interconnected systems operated by the various telephone companies and administrations around the world.

**“Service Provider”** means an Undertaking that is engaged in providing telephony services to customers in Ireland by means of a public network, with inbound and/or outbound access to and from the PSTN.

**“SB-WLR”** Single Billing Wholesale Line Rental enables another Authorised Operator (OAO) to issue a single bill to CPS ‘all calls’ customers for voice services, the OAO can offer their own branded telephony service to their CPS ‘all calls’ customers based on wholesale services provided by Eircom. Eircom provides wholesale billing details to OAOs who then bill their customers at their retail rates

**“Undertaking(s)”** means a person engaged or intending to engage in the provision of electronic communications networks or services or associated facilities.