



An Coimisiún um
Rialáil Cumarsáide
Commission for
Communications Regulation

Information Notice

Sub-Duct Self Install Direction and Appeal

Information Notice

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Commission for Communications Regulation

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Additional Information

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1. On 18 November 2018 ComReg published Decision D10/18 which regulates Eircom in respect of Wholesale local access provided at a fixed location ('WLA') and Wholesale central access provided at a fixed location for mass-market products ('WCA'). Decision D10/18 requires Eircom among others to provide certain forms of access to its network, including access to its Civil Engineering Infrastructure (ducts and poles), in order to promote effective competition for the benefit of end-users.
2. On 8 July 2021, ComReg issued a Direction to Eircom (ComReg 21/60) specifying the requirements that Eircom must comply with in terms of providing access to its Ducts. In particular, the Direction specifies requirements regarding the provision of a Sub Duct Self Install Product. Subsequent to correspondence with Eircom, the Direction was re-issued and re-published as ComReg 21/60R on 8 October 2021.
3. On 5 November 2021 Eircom appealed the Direction to the High Court further to Regulation 4 of the European Communities (Electronic Communications Networks and Services) (Framework) Regulations 2011. Eircom subsequently lodged an application to have the proceedings entered into the Commercial List of the High Court, which application will be heard on 17 January 2022.
4. Eircom's appeal does not of itself affect the operation of the Direction or prevent action being taken to implement or enforce it. ComReg intends to oppose the appeal and will seek to have the appeal determined as promptly as possible.