



Commission for
Communications Regulation

Information Notice

Notice of withdrawal of a notified draft measure under Article 7 of Directive 2002/21/EC1 (“the Framework Directive”)

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1 Background

On 20th May 2005, ComReg notified to the European Commission draft measures concerning the wholesale narrowband fixed interconnection markets in Ireland, pursuant to Article 7 of Directive 2002/21/EC.

In the analysis leading to this notification, ComReg identified four wholesale markets for call origination, call transit, call termination to end-users on individual networks and termination of calls to service providers. The market for termination of calls to service providers relates to the wholesale provision of termination services enabling the retail provision of calls to non-geographic numbers, such as premium-rate services and internet service providers.

Although the market for termination of calls to service providers was not included in the EU Commission's Recommendation on Relevant Markets, ComReg identified this market as one which was potentially susceptible to ex-ante regulation. Following an assessment of competition in this market, ComReg's preliminary findings indicated that this market was not effectively competitive and that eircom enjoyed a position of dominance. ComReg proposed that obligations of transparency, non-discrimination and accounting separation should be imposed on eircom, to ensure that eircom could not utilise its dominant position to the detriment of competition in the market.

2 Withdrawal

Following discussions with the European Commission on this market and considering appropriateness of the market defined and the imposition of regulatory obligations, ComReg is now withdrawing the notification of the wholesale market for termination of call to Service Providers. ComReg is nevertheless concerned at the level of competition in this market and will continue to closely monitor developments, and may in the future notify markets to address these developments.

The full text of withdrawal is included in the Annex below and the original notification can be found at: [ComReg publications - Interconnection Markets](#)

ANNEX

Notice of withdrawal of a notified draft measure under Article 7 of Directive 2002/21/EC2 (“the Framework Directive”)

Case IE/2005/0193: Wholesale Market for Termination of Calls to Service Providers

- 1) On 20th May 2005, the EU Commission registered a notification by the Commission for Communications Regulation (“ComReg”) of draft measures concerning the wholesale market for termination of calls to service providers in Ireland, under case number IE/2005/0193, pursuant to Article 7 of Directive 2002/21/EC.
- 2) Along with the wholesale markets for call origination, call transit and call termination to end users on individual networks, ComReg also originally identified a second fixed termination market potentially susceptible to ex-ante regulation. This market related to the wholesale provision of termination services for calls to service providers. Following discussion with the Commission, ComReg is now withdrawing the notification of the wholesale market for termination of call to Service Providers.
- 3) ComReg will monitor developments in this market and may in the future notify markets to address these developments.
- 4) The full text of the original notification can be found at: [ComReg publications - Interconnection Markets](#)

² Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services, OJ L 108, 24.4.2002, p.33.