



Commission for
Communications Regulation

Information Notice

Notification of non-compliance issued to Eircom Limited (“Eircom”) for a breach of its access and non-discrimination obligations regarding access to poles

Information Notice

Reference: 16/91

Version: Final

Date: 14 October 2016

Additional Information

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| Document No: | 16/91 |
| Date: | 14 October 2016 |

1. On 14 October 2016, the Commission for Communications Regulation ('ComReg') notified Eircom Limited ('Eircom') of a finding that Eircom was in breach of its access and non-discrimination obligations under ComReg Decision D05/10¹ (sections 8.1, 9.1, 9.2(ii), 14 and 15.1) as amended and further specified by ComReg Decision D03/13² regarding access to poles.
2. Pursuant to Regulation 19(1) of the European Communities (Electronic Communications Networks and Services) (Access) Regulations 2011 ('the Access Regulations')³, ComReg has notified Eircom of its finding of non-compliance and given Eircom four weeks from the date of issue of that notification to state its views.
3. Regulation 19 of the Access Regulations provides that, where, at the end of the period specified under Regulation 19(1) (see paragraph 2 above), ComReg is of the opinion that an undertaking has not complied with its obligations, ComReg may, whether or not the non-compliance is continuing, apply to the High Court for such order as may be appropriate. Regulation 19 also provides that ComReg may amend or revoke any notification under this regulation.

¹ Market Review Wholesale (Physical) Network Infrastructure Access (Market 4), Document No. 10/39, Decision No.D05/10, dated 20 May 2010 ('D05/10').

² Response to Consultation and Final Decision, Remedies for Next Generation Access Markets, Decision No. D03/13, Document No. 13/11, dated 31 January 2013 ('D03/13').

³ European Communities (Electronic Communications Networks and Services) (Access) Regulations 2011 (S.I. No. 334 of 2011).