



Notification of non-compliance issued to Eircom Limited with respect to its non-discrimination obligation in the market for terminating segments of leased lines

Information Notice

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Additional Information

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Notification of finding of non-compliance issued to Eircom Limited

1. On 6 August 2013, pursuant to Regulation 19 (1) of the European Communities (Electronic Communications Networks and Services) (Access) Regulations, 2011 (“the Access Regulations”)¹, the Commission for Communications Regulation (“ComReg”) notified Eircom Limited (“Eircom”) of a finding that, in regard to the Wholesale Uncontended Product, Eircom has not complied with its non-discrimination obligation in the market for terminating segments of leased lines as provided for at Section 8.2 ii of Decision D06/08, 2008².
2. Pursuant to Regulation 19 (1) of the Access Regulations, where ComReg makes a finding of non-compliance with obligations under the Access Regulations, ComReg shall notify the person of the finding and may specify a reasonable period for the operator or undertaking to make representations. Eircom has four weeks following the date of issue of the notification of a finding of non-compliance within which to make representations.
3. Regulation 19 of the Access Regulations provides that, following a consideration of Eircom’s representations, ComReg may either amend or revoke the notification if appropriate. Where ComReg is of the opinion that an undertaking has not complied with its obligations, ComReg may apply to the High Court for such an order as may be appropriate by way of compliance with those obligations.

¹ European Communities (Electronic Communications Networks and Services) (Access) Regulations 2011 (S.I. No. 334 of 2011)

² Decision Notice and Decision Instrument - Market Analysis - Leased Line Market Review, Response to Consultation on draft Decision Instrument Final Decision Notice and Decision Instrument (Decision No: D06/08, Document No: 08/103, Date: 22 December 2008).