



Commission for
Communications Regulation

Information Notice

Partial Private Circuits

Review of Process charges

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Contents

1 Introduction 2

2 Partial Private Circuits Process Charges 3

1 Introduction

Partial Private Circuits (PPCs) are an interconnect product that will allow Other Authorised Operators (OAOs) to provide point to point data services by availing of eircom's network, including its local access network, together with elements of their own infrastructure, to provide a service equivalent of eircom's wholesale leased line product.

The Office of the Director of Telecommunications Regulation (ODTR) mandated in D10/02 that eircom offer proposals for PPCs by the end of August 2002 and that a forum be established to agree the product description and technical and operational aspects necessary for implementation. A target completion date was established of 20 December 2002.

In Direction 3.4.1 of Decision Notice D17/02, ComReg directed eircom to provide to the Commission a fully cost-oriented pricing submission for the PPC product elements of connection, disconnection and recurring charges by 7 February 2003. Eircom were additionally directed that the pricing submission should be computed on the basis of Long Run Incremental Cost and should be consistent with the computation of conveyance rates. In addition, in Direction 3.4.2, ComReg directed eircom to provide to the Commission a fully cost oriented pricing submission, with full cost justification for all other PPC process elements by 14 February 2003. Finally, in Direction 3.5.1 of Decision Notice D17/02, ComReg directed eircom to submit a draft Reference Interconnect Offer Service Schedule for the Wholesale Interconnect PPC product by 14 February 2003. ComReg also directed eircom, in Direction 3.5.2, to offer a Wholesale Interconnect PPC product with associated processes, terms and conditions and prices by 15 February 2003.

Decision Notice D4/03 directed eircom, inter alia, to remedy a breach of previous direction 3.4.1 of D17/02 by resubmitting prices to ComReg by 10 March 2003.

In parallel, on 28 May 2003 in Decision Notice D12/03, ComReg directed a price for Unbundled Metallic Paths (ULMP i.e. the price of a Local Loop) of €14.67 per month, which decision eircom has challenged by way of judicial review. ComReg continues to believe that there must be consistency between the cost oriented prices of Local Loop Unbundling and the cost oriented process of those components of PPCs that utilise the same copper access network.

As was explained in Information Notice 03/77, on 16 July 2003, eircom published in its RIO prices for rental fees for PPCs relating to both End User Links (EULs) and Transport Links (TLs). As D12/03 has been challenged by way of judicial review, the prices for circuits which make use of the copper access network are set as interim, pending resolution of the legal action. This applies to prices for EULs of 2Mbs/s and smaller and for 2Mbs/s TLs.

2 Partial Private Circuits Process Charges

ComReg has now completed its review of the PPC process charges and is now in a position to accept the latest submission by eircom. The charges will be placed into the eircom RIO today.

Paper and Bulk Migration

Since the publication of Decision Notice D4/03, ComReg and eircom have been in discussions with regard to the implementation of Directions 3.1.1 and 3.2.1. Eircom will make a payment to operators, the calculation of which is for a period of seventy-five calendar days, where payment means the difference between the applicable price of a qualifying circuit for that period and the price of the corresponding partial private circuit based on the published price of that circuit on 16 July 2003. The payment will be made to all operators that submit qualifying orders, a qualifying order being:

- In the case of bulk migrations, the order is submitted to eircom for migration onto a transport link which is in service or due for delivery on or before 16 July 2003 and is properly submitted as part of an initial bulk migration request; or,
- In the case of paper migrations, the order is for a qualifying circuit in service on or before 16 July 2003 and is submitted to eircom no later than forty-two calendar days from the date of publication of this Notice.

It is both ComReg's and eircom's understanding that there will be no technical difficulties in agreeing contractual arrangements, since the terms of these contracts have been subject to detailed industry negotiations.