



Office of the Director of
**Telecommunications
Regulation**

Telecoms Regulator Directs *eircom* on Provision of Information for Local Loop Unbundling

For **immediate** release

3rd April 2001

Etain Doyle, Telecoms Regulator today (3rd April 2001) set out the principles for information provision by *eircom* to other operators wishing to install their equipment in *eircom*'s exchanges for the purposes of Local Loop unbundling. The current process for the provision of information as set out in *eircom*'s Reference Access offer has not proved effective. In order to progress this issue the Director has decided to intervene.

Eircom must meet with reasonable requests for related facilities as specified in the LLU Regulation. The access seekers need information to inform these requests.

According to the Regulator "My aim is to enable sufficient information to be available for both the access provider i.e. *eircom* and access seekers i.e. Other Operators to inform business plans and enter the market with some certainty. I consider that *eircom*'s proposals are currently deficient for this purpose. In light of this I have set out a number of principles which *eircom* must follow in providing information in respect of the space offered for **collocation**. This is key to the implementation of an initial Local Loop Unbundling (LLU) Service."

The Key Principles set out by the Director are:

- *eircom* must provide information to support requests for all forms of collocation covered by the LLU Regulation and cannot refuse collocation requests solely on the grounds that they fall outside a pre-defined bundle of services set out in the **Reference Access Offer**.

- The Director considers that two levels of information must be provided i.e. generic information, which is available to all access seekers the purpose of which is to inform the business plan and specific information, which is a response to a specific request for collocation in a specific exchange. There should also be a distinction between the initial “launch period” and “business as usual”. Eircom must support at least 4 processes set out below.
 1. Generic information provided at launch
 2. Generic information provided after initial launch period
 3. Specific information provided at launch
 4. Specific information provided after initial launch period

- eircom must provide further information: including
 - Geographic area serviced by the exchange
 - A listing of sites where any surveys have been completed to date to show where collocation may be possible
 - A listing of sites where any surveys have shown there to be restrictions on the provision of collocation
 - Exchange plans

- *eircom* must remove linkages made in the Reference Access Offer between contract completion and the provision of information, between forecasting and the provision of information and between eircom’s resources and the provision of information.

A final report on the implementation of Local Loop Unbundling, including pricing will be issued by the end of April 2001.

01/21 Provision of Information – Local Loop Unbundling – Decision Notice D5/01 can be viewed on the ODTR website www.odtr.ie.

ENDS

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Note to Editors:

The Local Loop

The local loop refers to the physical circuit between the customer's premises and the telecommunications operator's local switch. Traditionally it takes the form of a pair of copper wires per normal telephone line.

Local loop unbundling (LLU) is an access service provided between the customer premises and the line side of the access provider's (in the Irish case, *eircom*'s) local switch, also known as the 'last mile'. LLU is attractive to the new entrant because it replaces a large up-front investment cost with a rental cost and provides a relatively low cost and quick means of obtaining access to the *eircom* local network and provides services directly to customers. It is particularly relevant to the provision of broadband services and can be used as a means of delivering added choice to consumers, encouraging growth of the telecommunications market, complementing alternative access infrastructure and providing delivery of new services

There are three means of access to the local loop:

(1) **Physical access: (full unbundled access to the copper pair)**

The access seeker has direct access to the transmission medium and can decide how to use it within its physical limits. The link between the main distribution frame (MDF) and the local switching equipment on the access provider's premises is re-configured to become a link to the new entrant's switch, and the new entrant takes over the operation of the local loop.

(2) **Shared use of the copper line** (Unbundled access to the high frequency spectrum of the local loop for the competitive provision of ADSL systems and services by third parties)

The access provider continues to provide telephony services over a copper pair while an access seeker delivers broadband services using higher frequencies on the same pair. A device known as a 'splitter' separates the two types of traffic. The local loop remains a part of the access provider's network. This is relatively new to European markets.

(3) **High speed bit stream access** (Provision of xDSL services by access provider)

The bitstream offered by the access provider is defined and the access seekers can only use this bitstream. They are not allowed to add other equipment to implement alternative bitstreams. The access provider handles all the physical management of the medium. In other words, the access provider installs a high speed access link to the customer's premises (e.g., by installing its preferred ADSL equipment and configuration in its local access network) and then makes this access link available to third parties, to enable them to provide high speed services to customers.

Collocation – Collocation is defined as the provision of physical space and technical facilities necessary to reasonably accommodate and connect the relevant equipment of an access seeker.

The EU Regulation – Fully Unbundled and Shared Access

The Regulation of the European Parliament and of the Council on unbundled access to the local loop ('the EU Regulation') was adopted on December 5th 2000 and enters into force on 31st December 2000.

The EU Regulation applies to unbundled access to the local loops and related facilities (meaning the facilities associated with the provision of unbundled access to the local loop, notably collocation, cable connections and relevant information technology, access to which is necessary for a beneficiary to provide services on a competitive and fair basis) of notified operators.

Reference Access Offer

Article 3.1 requires *eircom* (as the notified operator) to publish from 31st December 2000, and keep updated, a reference offer for unbundled access to their local loops and related facilities. Charges shall be set on the basis of cost orientation. The Annex to the EU Regulation includes a minimum list of items to be included in such a reference offer, for example, conditions for unbundled access to the local loop, collocation services, information

systems, and supply conditions.

Article 3.2 requires *eircom* to, from 31st December 2000, meet reasonable requests from beneficiaries for unbundled access to their local loops and related facilities under transparent, fair and non discriminatory conditions. Requests shall only be refused on the basis of objective criteria, relating to technical feasibility or the need to maintain network integrity. Where access is refused, a dispute resolution procedure may be invoked.

The EU Regulation also obliges the National Regulatory Authority (NRA), under Article 4, to ensure that charging for unbundled access to the local loop fosters fair and sustainable competition. The NRA also has the power to impose changes on the reference offer, including prices, and also require notified operators to supply information relevant for the implementation of the EU Regulation. Article 4.3 gives the NRA the power to intervene on its own initiative in order to ensure non-discrimination, fair competition, economic efficiency and maximum benefit for users.

The EU Regulation is binding in its entirety and directly applicable in all Member States.