



Office of the Director of
**Telecommunications
Regulation**

Treatment of discounts in the calculation of settlement rates for Number Translation Codes

Consultation Paper

Document No. ODTR 01/42

6 June 2001

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Table of Contents

1. INTRODUCTION	3
2. LEGISLATIVE BACKGROUND	5
3. TREATMENT OF DISCOUNTS	6
4. CALCULATION OF DISCOUNTS	8
5. NEXT STEPS	9
6. APPENDIX A: RELEVANT DISCOUNT SCHEMES IN EIRCOM'S TELECOMMUNICATIONS SCHEME 2001	10
7. APPENDIX B: RELEVANT DEFINITIONS	16

1. Introduction

The Director of Telecommunications Regulation (“the Director”) is responsible for the regulation of the Irish telecommunications sector in accordance with national and EU legislation. A specific issue of importance to the sector is that of interconnection to services provided over National Translation Codes (NTCs). These services are important as they provide customers and services providers with a mutually beneficial means to, via the telecommunications network, access and promote a wide range of services – including accessing the Internet.

In February 2000, the ODTR published Decision Notice D4/00 on “Interconnect for calls destined for Internet services and Number Translation Codes¹ (“D4/00”).

In the Decision Notice D4/00, the Director outlined her position on the minimum set of retail cost elements associated with eircom’s retail retention for these services. One of the subjects examined was the manner in which eircom’s retail discounts should be treated in terms of their potential to impact on OLO settlement rates. The Director’s position in this regard was set out in Decision 4.8.7 which stated:

Director’s Position: The Director considers that eircom’s retail discounts should not affect the charges for conveyance of calls to internet and other NTCs without appropriate consent and scrutiny. She will consider individual proposals on a case by case basis.

In other words, in calculating settlement rates to OLOs for these services, eircom must pay settlement rates on the basis of gross revenues as opposed to net revenues (where net revenue = gross revenue – discounts). Consequently, settlement rates are calculated through the formula:

Settlement = Gross Revenue – Retention

The use of gross revenue in this formula will result in a higher settlement rate being paid to the OLO than if net revenue was employed (because Net Revenue = Gross Revenue – Discount). However, there may be cases where using a net revenue figure in the above formula would be justified and the Director noted this in Decision Notice D4/00.

The Director now invites interested parties to submit views in relation to the issue of the passthrough of discounts (allow eircom to use a net revenue figure in the above formula) where NTCs are concerned and more specifically seeks views in relation to eircom’s discount schemes involving calls to NTCs.

All comments are welcome, but it would make the task of analysing responses easier if comments reference the relevant question numbers from this document. It would also be useful if respondents, in answering those questions, consider the implications of the proposals on all stakeholders affected by the issues discussed in this paper. Respondents should therefore seek to describe to the ODTR not only the effects on

¹ ODTR Document 00/17; Interconnection for Calls destined for Internet Services and other Number Translation Codes, Decision Notice D4/00.

themselves of the decision taken and the scenarios adopted, but also the effects on other stakeholders.

In the interests of promoting openness and transparency, the Office of the Director of Telecommunications will summarise the comments received in a response on the consultation. Where material that is confidential is included in a response, this should be clearly marked as such and included in an Annex to the response.

Comments on the issues raised in this consultation paper are requested by 5:30pm on July 5th 2001. All responses should be addressed to:

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This consultative document does not constitute legal, commercial or technical advice. The Director is not bound by it. The consultation is without prejudice to the legal position of the Director or her rights and duties to regulate the market generally

2. Legislative Background

The substantive issue under consideration is that of the appropriate access arrangements with respect to the underlying interconnection regime. The issue for consideration and consultation therefore relate largely to the interconnection arrangements, specifically with respect to the treatment of discounts, between eircom, OLOs and/or ISPs that may, or may not also be licensed telecommunications operators.

There is a body of EU and Irish legislation that governs the provision of interconnection in telecommunications. The most relevant pieces of legislation are:

- Directive 97/33/EC of the European Parliament and Council of 30 June 1997 on interconnection in Telecommunications with regard to ensuring universal service and interoperability through application of the principles of Open Network Provision (“ONP”) (the “Interconnection Directive”);
- The European Communities (Interconnection in Telecommunications) Regulations, 1998; S.I. No. 15 of 1998 (the “Interconnection Regulations”) which transpose the Interconnection Directive into Irish law.

The Directive and Regulations place special obligations on an operator who is designated by the Director as having Significant Market Power (“SMP”). Among these are the following:

- The obligation to publish a Reference Interconnection Offer (“RIO”) that is defined as: *an offer to provide an interconnection facility that includes a description of the interconnection offerings setting out the particular components according to market needs and all of the terms and conditions for interconnection to be satisfied by a person wishing to enter into an interconnection agreement*². The Director may, in certain circumstances, direct changes be made to the RIO;
- The obligation, in providing interconnect services, to adhere *inter alia* to the principles of non-discrimination, cost-orientation and transparency as described in the Interconnect Directive and Regulations.

eircom is currently the only operator that has been designated as having SMP in the relevant market and therefore subject to these requirements.

² Paragraph (17) of Regulation 8 of the European Communities (Interconnection in Telecommunications) Regulations, 1998, S.I. No. 15 of 1998.

3. Treatment of Discounts

eircom currently offer 12 discount schemes to customers (callers) which includes/can include NTCs as part of the discount package. At present, only three relevant NTCs³ are included in all/some of these discount schemes, namely, 1850, 1890 and 1891. Full details on all schemes can be reviewed in Section 1, part 8 and 9 of eircom's Telecommunications Scheme 2001 (attached in Appendix A for ease of reference). Definitions of the individual discount schemes can also be viewed in Section 4 of the Telecommunications scheme (attached in Appendix B for ease of reference). The full scheme is also published at <http://www.eircom.ie/About/Activities/pricelist.html>. The Director is asking interested parties to review these discounts schemes on an individual basis and comment as to whether it might be appropriate to calculate settlement rates to interconnecting operators on the basis of net revenues, where these discounts apply. It should be noted that until such time as the Director decides whether or not it is appropriate for eircom to consider discounts in the calculation of any NTC settlement rate, eircom shall, as set out in D4/00, calculate rates on the basis of gross revenue (i.e. not pass through the effect of its discounts on to OLO settlement rates).

As already noted in the introduction to this paper, Decision 4.8.7 of Decision Notice D4/00 did make provision for consideration to be given to the passthrough of discounts on 'a case by case basis'⁴. In that Decision Notice, the Director stated, that amongst other things, the factors that would be taken into account in such a consideration would include,

- the benefits to end users;
- the fact that eircom should not be in a position to diminish the receipts of interconnecting operators and their service providing customers without the latter parties' consent;
- whether the overall effect of retail discounts would be to increase receipts by service providers, and
- the requirement for non-discrimination between operators.

In responding to questions 1-12 below respondents should refer to these principles as well as any other issues you consider appropriate in each case.

Q1. Do You think that eircom should be permitted to passthrough discounts in calculating settlement rates for 1850, 1890 and 1891 calls made under the 'Total Volume' Discount Scheme?⁵ Please give reasons

³ Calls made to national call 0818 service, 0700 personal number service, premium rate numbers, eirpage 08224, the eirpac service are classified as non-discount calls and are not included in any of eircom's discount schemes. In addition 1800 calls are free of charge to the customer (caller) and consequentially, irrelevant.

⁴ As was its position in the past, the ODTR would continue to encourage commercial negotiations where bilateral agreement can be achieved on the issue of the passthrough of discounts, outside the boundaries of this consultation.

⁵ With exception to the discount schemes referred to in questions 5, 6 and 7 discount in relation to 1850 and 1890 are reflected in charges for local calls.

*Q2. Do You think that eircom should be permitted to passthrough discounts in calculating settlement rates for 1850, 1890 and 1891 calls made under the ‘**Business Selection Discount Schemes**’⁶? Please give reasons*

*Q3. Do You think that eircom should be permitted to passthrough discounts in calculating settlement rates for 1850, 1890 and 1891 calls made under the ‘**Multisite**’ Discount Scheme? Please give reasons*

*Q4. Do You think that eircom should be permitted to passthrough discounts in calculating settlement rates for 1850, 1890 and 1891 calls made under the ‘**eircom Multisite**’ Discount Scheme? Please give reasons*

*Q5. Do You think that eircom should be permitted to passthrough discounts in calculating settlement rates for 1850, 1890 and 1891 calls made under the ‘**Circle of Friends**’ Discount Scheme? Please give reasons*

*Q6. Do You think that eircom should be permitted to passthrough discounts in calculating settlement rates for 1850, 1890 and 1891 calls made under the ‘**Business Circle**’ Discount Scheme? Please give reasons*

*Q7. Do You think that eircom should be permitted to passthrough discounts in calculating settlement rates for 1850, 1890 and 1891 calls made under the ‘**Talksaver and Business Saver Calls**’ Discounts Scheme? Please give reasons*

*Q8. Do You think that eircom should be permitted to passthrough discounts in calculating settlement rates for 1850, 1890 and 1891 calls made under the ‘**eircom options 15, 30 & 50**’ Discount Schemes? Please give reasons*

*Q9. Do You think that eircom should be permitted to passthrough discounts in calculating settlement rates for 1850 and 1890 calls made under the ‘**eircom optimiser value, plus & extra**’ Discount Schemes? Please give reasons*

*Q10. Do You think that eircom should be permitted to passthrough discounts in calculating settlement rates for 1850, 1890 and 1891 calls made under the ‘**eircom optimiser levels 1-4**’ Discount Schemes? Please give reasons*

*Q11. Do You think that eircom should be permitted to passthrough discounts in calculating settlement rates for 1850, 1890 and 1891 calls made under the ‘**eircom performance levels 1-3**’ Discount Schemes? Please give reasons*

*Q12. Do You think that eircom should be permitted to passthrough discounts in calculating settlement rates for 1850 and 1890 calls made under the ‘**Multi-Line**’ Discount Scheme? Please give reasons*

⁶ This scheme is no longer provided to new applicants, effective October 24, 2000.

4. Calculation of Discounts

In the event that the ODTR do permit the passthrough of discounts with respect to certain schemes, the office believes the most appropriate means of calculating the discount that should apply to an NTC for all calls, with due respect to time of day (i.e. a day, evening and weekend discount) should be as follows:

$$Dntc_t = \sum_{i=1}^n d_{it} / GR_t$$

Where, $Dntc_t$ is the Discount that should apply, in calculating settlement rates, for all calls to an NTC for time of day t (day, evening and weekend rates)

n is the number of discount schemes for which passthrough is permitted

d_{it} is the discounted revenue (difference between net and gross revenue) for all calls made under discount scheme i for time of day t

and GR_t is Gross Revenue from all calls to an NTC for time of day t

Q13. Do you agree that this is the most appropriate means of calculating the discount that should be passed through on an NTC for all calls to that NTC?

Q14. The ODTR believe that an appropriate period for eircom to review these rates would be on a quarterly basis and that the rates only need to be revised in the event that a material difference is highlighted from one quarter to the next (say a 10% change in the base rate). Do you agree?

5. Next Steps

Following a detailed review of submissions received from all respondents, the Director will issue a Decision Notice outlining her position on the treatment of discount schemes in the calculation of settlement rates for NTCs. In the event that the Director deems it appropriate that some discount schemes should be considered for passthrough in calculating settlement rates to OLOs/Service Providers, she will ask eircom to submit a justification of the calculation of its initial effective discounts to be used in calculating NTC settlement rates, for the approval of the ODTR. These discounts will then be reviewed over a period that the Director deems to be appropriate.

If subsequent to this consultation, new discount schemes are put in place which are relevant to NTCs, the ODTR will draw on the inputs of the respondents to this consultation and any other relevant information to determine whether or not the new scheme/s should be considered for passthrough in the calculation of settlement rates.

6. Appendix A: Relevant Discount Schemes in eircom's Telecommunications Scheme 2001

eircom's Telecommunications Scheme 2001

Part 8.2

Total Volume Discount

Volume discounts on total calls are applied on a monthly basis to the combined total of eligible Total Volume Discount calls as per Part 11.2 of Section 4, as follows:

<input type="checkbox"/>	Monthly Billed Amount in respect of eligible Total Volume Discount calls	Total Volume Discount
<input type="checkbox"/>	Not exceeding £3,000 / (3,809.21)	0% discount
<input type="checkbox"/>	Exceeding £3,000 / (3,809.21) and not exceeding £7,000 / (8,888.17)	0% discount on first £3,000 / (3,809.21) 6% discount on remainder.
<input type="checkbox"/>	Exceeding £7,000 / (8,888.17) and not exceeding £12,000 / (15,236.86)	0% discount on first £3,000 / (3,809.21) 6% discount on next £4,000 / (5,078.95) 9% discount on remainder
<input type="checkbox"/>	Exceeding £12,000 / (15,236.86)	0% discount on first £3,000 / (3,809.21) 6% discount on next £4,000 / (5,078.95) 9% discount on next £5,000 / (6,348.69) 12% discount on remainder

Part 9.4

Business Selections Discount and Business Selections Discount Intercity Routes (With effect from 24th October 2000, no longer provided to new applicants)

Volume discounts on Business Selections Calls are applied on a monthly basis to the combined total of eligible Business Selections calls as per Part 11. 5 of Section 4, as follows:

LEVEL	1	2	3	4	5	6
<input type="checkbox"/>						
Monthly Charge	£10	£30	£75	£150	£250	£450
	(12.70)	(38.09)	(95.23)	(190.46)	(317.43)	(571.38)
	Call Charges – Minimum and Pence per second / (Cents per second)⁽¹⁾					
Local						
Daytime	0.0478	0.0470	0.0462	0.0453	0.0445	0.0445
	(0.0607)	(0.0597)	(0.0587)	(0.0575)	(0.0565)	(0.0565)
Evening & Weekend	0.0119	0.0117	0.0115	0.0113	0.0110	0.0110
	(0.0151)	(0.0149)	(0.0146)	(0.0143)	(0.0140)	(0.0140)
<i>Minimum Charge</i>	7.1862	7.0623	6.9384	6.8145	6.6906	6.6906
	(9.1246)	(8.9673)	(8.8100)	(8.6526)	(8.4953)	(8.4953)
Internet 1891 Access						
Daytime	0.0183	0.0180	0.0177	0.0174	0.0170	0.0170
	(0.0232)	(0.0229)	(0.0225)	(0.0221)	(0.0216)	(0.0216)

Evening & Weekend	0.0091	0.0089	0.0088	0.0086	0.0085	0.0085
	<i>(0.0116)</i>	<i>(0.0113)</i>	<i>(0.0112)</i>	<i>(0.0109)</i>	<i>(0.0108)</i>	<i>(0.0108)</i>
<i>Minimum Charge</i>	7.1862	7.0623	6.9384	6.8145	6.6906	6.6906
	<i>(9.1246)</i>	<i>(8.9673)</i>	<i>(8.8100)</i>	<i>(8.6526)</i>	<i>(8.4953)</i>	<i>(8.4953)</i>

Notes:

1. Calls are charged for on a per second basis subject to a minimum fee on every call.

Business Selections Discount Inter City Routes

(Calls made on the following routes are calls made on Business Selections Discount inter city routes for the purposes of the Business Selections Discount facility. The routes are one way)

Calls Originating from Numbers with STD Code		Terminating at Numbers with STD Code	
01	(Dublin)	021	(Cork)
01	(Dublin)	042	(Dundalk)
01	(Dublin)	051	(Waterford)
01	(Dublin)	056	(Kilkenny)
01	(Dublin)	061	(Limerick)
01	(Dublin)	066	(Tralee)
01	(Dublin)	071	(Sligo)
01	(Dublin)	080123	(Belfast)
01	(Dublin)	091	(Galway)
021	(Cork)	01	(Dublin)
021	(Cork)	061	(Limerick)
021	(Cork)	066	(Tralee)
042	(Dundalk)	01	(Dublin)
051	(Waterford)	01	(Dublin)
056	(Kilkenny)	01	(Dublin)
061	(Limerick)	01	(Dublin)
061	(Limerick)	021	(Cork)
061	(Limerick)	091	(Galway)
066	(Tralee)	01	(Dublin)
066	(Tralee)	021	(Cork)
071	(Sligo)	01	(Dublin)
091	(Galway)	01	(Dublin)
091	(Galway)	061	(Limerick)

Part 9.5

Multi Site Discounts

Part 9.5.1 Multi Site Discount

(With effect from 2nd October 2000, no longer provided to new customers)

Multi Site Volume discounts are applied on a monthly basis to the combined total of eligible Multi Site Discount customer dialled calls from nominated telecommunications lines as per Part 11.6 of Section 4, as follows:

	LEVEL 1	LEVEL 2
<input type="checkbox"/> MONTHLY NETWORK FEE	£750	£750
	<i>(952.30)</i>	<i>(952.30)</i>
<input type="checkbox"/> MONTHLY SITE FEE	£30	£60
	<i>(38.09)</i>	<i>(76.18)</i>
	Call Charges – Minimum and Pence per	

	second / (Cents per second) ⁽¹⁾	
Local		
Daytime	0.0445	0.0445
	(0.0565)	(0.0565)
Evening & Weekend	0.0110	0.0110
	(0.0140)	(0.0140)
<i>Minimum Charge</i>	6.6906	6.6906
	(8.4953)	(8.4953)
1891 Internet Access		
Daytime	0.0170	0.0170
	(0.0216)	(0.0216)
Evening & Weekend	0.0085	0.0085
	(0.0108)	(0.0108)
<i>Minimum Charge</i>	6.6906	6.6906
	(8.4953)	(8.4953)

Notes:

1. Calls are charged for on a per second basis subject to a minimum fee on every call.

Part 9.5.2 eircom multi-site

eircom multi-site volume discounts are applied on a monthly basis to the combined total of eligible multi-site Discount customer dialled calls from nominated telecommunications lines as per Part 11.21 of Section 4, as follows:

	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5
<input type="checkbox"/> MONTHLY NETWORK FEE	£15	£30	£60	£120	£240
	(19.05)	(38.09)	(76.18)	(152.37)	(304.74)

	£5	£7	£9	£11	£14
<input type="checkbox"/> MONTHLY SITE FEE	£5	£7	£9	£11	£14
	(6.35)	(8.89)	(11.43)	(13.97)	(17.78)
	Call Charges – Minimum and Pence per second / (Cents per second)⁽¹⁾				
Local					
Daytime	0.0450	0.0433	0.0416	0.0400	0.0400
	(0.0571)	(0.0550)	(0.0528)	(0.0508)	(0.0508)
Evening & Weekend	0.0105	0.0137	0.0137	0.0137	0.0137
	(0.0174)	(0.0174)	(0.0174)	(0.0174)	(0.0174)
<i>Minimum Charge</i>	3.0000	3.0000	3.0000	2.5000	2.5000
	(3.8092)	(3.8092)	(3.8092)	(3.1743)	(3.1743)
1891 Internet Access					
Daytime	0.0211	0.0211	0.0211	0.0211	0.0211
	(0.0268)	(0.0268)	(0.0268)	(0.0268)	(0.0216)
Evening & Weekend	0.0105	0.0105	0.0105	0.0105	0.0105
	(0.0133)	(0.0133)	(0.0133)	(0.0133)	(0.0133)
<i>Minimum Charge</i>	3.0000	3.0000	3.0000	2.5000	2.5000

	(3.8092)	(3.8092)	(3.8092)	(3.1743)	(3.1743)
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Notes:

1. Calls are charged for on a per second basis subject to a minimum fee on every call.

**Part 9.7
Circle of Friends**

A discount of 10% on the combined total of eligible Circle of Friends calls made in every two month period as per Part 11.8 of Section 4.

**Part 9.8
Business Circles
Monthly Bill:**

A discount of 15% on the combined total of eligible Business Circles calls made in any billing period as per Part 11.14 of Section 4.

**Part 9.9
TalkSaver and Business Savers
Monthly Bill:**

When the combined total of eligible TalkSaver and Business Savers calls exceeds **£25 / (31.74)** the following discounts are applied to the further eligible TalkSaver and Business Savers calls made during the billing period as per Part 11.9 of Section 4, as follows:

Eligible TalkSaver and Business Savers Calls	Discount
Calls to NCRTN and International Bands 1a, 2a, 3a and 7a	6%
Local, CallSave 1850, LoCall 1890, Internet Access 1891	15%
National	
Daytime & Evening	15%
Weekend	0%
Cross Channel and International (excluding Bands 1a 2a, 3a, 7a)	25%

Notes:

1. The combined total of all eligible TalkSaver and Business Savers calls up to a call value of **£25 / (31.74)** does not attract a discount.
2. Eligible TalkSaver and Business Savers calls are aggregated in date and time order.
3. National calls are the combined total of former 'A' and 'B' Trunk calls.
4. NCRTN means national cellular radio telecommunications networks.

Bi Monthly Bill:

When the combined total of eligible TalkSaver and Business Savers calls exceeds **£50 / 63.49)** the following discounts are applied to the further eligible TalkSaver and Business Savers calls made during the billing period as per Part 11.9 of Section 4, as follows:

Eligible TalkSaver and Business Savers Calls	Discount
Calls to NCRTN and International Bands 1a, 2a, 3a and 7a	6%
Local, CallSave 1850, LoCall 1890, Internet Access 1891	15%
National	15%
Daytime & Evening	
Weekend	0%
Cross Channel and International (excluding Bands 1a, 2a, 3a and 7a)	25%

Notes:

1. The combined total of all eligible TalkSaver and Business Savers calls up to a call value of **£50 / (63.49)** does not attract a discount.
2. Eligible TalkSaver and Business Savers calls are aggregated in date and time order.
3. National calls are the combined total of former 'A' and 'B' Trunk calls.
4. NCRTN means national cellular radio telecommunications networks.

Part 9.10
eircom options

Volume discounts on **eircom options** calls are applied on a monthly basis to the combined total of eligible **eircom options** calls as per Part 11.19 of Section 4, as follows:
eircom options 15, eircom options 30 and eircom options 50

LEVEL	eircom options 15	eircom options 30	eircom options 50
□ Monthly Minimum Spend	£8.26	£16.52	£33.05
	(10.49)	(20.98)	(41.96)
Call Charges – Minimum and Pence per second/(Cents per second)⁽¹⁾			
Local			
Daytime	0.0550	0.0550	0.0413
	(0.0698)	(0.0698)	(0.0524)
Evening & Weekend	0.0137	0.0137	0.0137
	(0.0174)	(0.0174)	(0.0174)
Minimum Charge	4.1300	4.1300	4.1300
	(5.2440)	(5.2440)	(5.2440)
1891 Internet Access			
Daytime	0.0211	0.0211	0.0211
	(0.0268)	(0.0268)	(0.0268)
Evening & Weekend	0.0105	0.0105	0.0105
	(0.0133)	(0.0133)	(0.0133)
Minimum Charge	4.1300	4.1300	4.1300
	(5.2440)	(5.2440)	(5.2440)

Notes:

1. Calls are charged for on a per second basis subject to a minimum fee on every call.

Part 9.11
eircom optimiser

Volume discounts on **eircom optimiser** calls are applied on a monthly basis to the combined total of eligible **eircom optimiser** calls as per Part 11.16 of Section 4, as follows:
eircom optimiser value, eircom optimiser plus and eircom optimiser extra

LEVEL	eircom optimiser value	eircom optimiser plus	eircom optimiser extra
□ Monthly Minimum Spend	£10	£20	£50
	(12.70)	(25.39)	(63.49)
Call Charges – Minimum and Pence per second/(Cents per second)⁽¹⁾			
Local			
Daytime	0.0500	0.0500	0.0483
	(0.0635)	(0.0635)	(0.0613)
Evening & Weekend	0.0137	0.0137	0.0137
	(0.0174)	(0.0174)	(0.0174)

<i>Minimum Charge</i>	4.0000	4.0000	3.5000
	(5.0790)	(5.0790)	(4.4441)

Notes:

1. Calls are charged for on a per second basis subject to a minimum fee on every call.

eircom optimiser – LEVELS 1-4

LEVEL	Level 1	Level 2	Level 3	Level 4
□ Monthly Minimum Spend	£100	£250	£700	£1,200
	(126.97)	(317.43)	(888.82)	(1,523.69)
	Call Charges – Minimum and Pence per second / (Cents per second)⁽¹⁾			
Local				
Daytime	0.0483	0.0466	0.0450	0.0433
	(0.0613)	(0.0592)	(0.0571)	(0.0550)
Evening & Weekend	0.0137	0.0137	0.0137	0.0137
	(0.0174)	(0.0174)	(0.0174)	(0.0174)
<i>Minimum Charge</i>	3.5000	3.5000	3.0000	3.0000
	(4.4441)	(4.4441)	(3.8092)	(3.8092)
1891 Internet Access				
Daytime	0.0211	0.0211	0.0211	0.0211
	(0.0268)	(0.0268)	(0.0268)	(0.0268)
Evening & Weekend	0.0105	0.0105	0.0105	0.0105
	(0.0133)	(0.0133)	(0.0133)	(0.0133)
<i>Minimum Charge</i>	3.5000	3.5000	3.0000	3.0000
	(4.4441)	(4.4441)	(3.8092)	(3.8092)

Notes:

1. Calls are charged for on a per second basis subject to a minimum fee on every call.

Part 9.12

eircom performance

Volume discounts on *eircom performance* calls are applied on a monthly basis to the combined total of eligible *eircom performance* calls as per Part 11.17 of Section 4, as follows:

LEVEL	Level 1	Level 2	Level 3
□ Monthly Minimum Spend	£2,000	£3,000	£4,000
	(2,539.00)	(3,809.21)	(5,078.95)
	Call Charges – Minimum and Pence per second / (Cents per second)⁽¹⁾		
Local			
Daytime	0.0416	0.0400	0.0400
	(0.0528)	(0.0508)	(0.0508)
Evening & Weekend	0.0137	0.0137	0.0137
	(0.0174)	(0.0174)	(0.0174)

<i>Minimum Charge</i>	3.0000	2.5000	2.5000
	<i>(3.8092)</i>	<i>(3.1743)</i>	<i>(3.1743)</i>
1891 Internet Access			
Daytime	0.0211	0.0211	0.0211
	<i>(0.0268)</i>	<i>(0.0268)</i>	<i>(0.0268)</i>
Evening & Weekend	0.0105	0.0105	0.0105
	<i>(0.0133)</i>	<i>(0.0133)</i>	<i>(0.0133)</i>
<i>Minimum Charge</i>	3.0000	2.5000	2.5000
	<i>(3.8092)</i>	<i>(3.1743)</i>	<i>(3.1743)</i>

Notes:

1. Calls are charged for on a per second basis subject to a minimum fee on every call.

**Part 9.13
Multi-Line Discount
Connection and monthly rental charge**

Call Charges

	Pence Per Second / (cents per second)⁽¹⁾	Minimum Fee ⁽¹⁾	Price per minute⁽²⁾
Local			
Daytime	0.0355	3.00p	2.13p
	<i>(0.0451)</i>	<i>(3.18c)</i>	<i>(2.71c)</i>
Evening	0.0300	3.00p	1.80p
	<i>(0.0381)</i>	<i>(3.18c)</i>	<i>(2.29c)</i>
Weekend	0.0300	3.00p	1.80p
	<i>(0.0381)</i>	<i>(3.18c)</i>	<i>(2.29c)</i>

Notes:

1. Calls are charged for on a per second basis or part thereof, subject to a minimum fee on every call.
2. The price per minute (subject to a minimum fee as at note 1 above) is rounded up to two decimal places, for information purposes only.
3. NCRTN means national cellular radio telecommunications networks.
4. The Multi-Line Discount International Call Bands are as per Part 9. 6 of Section 1 of this scheme.
5. The standard retail call charges will apply to all categories of calls other than those specified in the table above.
6. Daytime Rate:
The daytime rate applies to calls made at or after 8 a.m. and before 6 p.m. on normal working days from Monday to Friday (inclusive).
Evening Rate:
The evening rate applies to calls made as follows:
(i) at or after 6 p.m. and before 8 a.m. from Monday to Friday (inclusive); and
(ii) on such other times as the company may from time to time announce by advertisement.
Weekend Rate:
The weekend rate applies to calls made as follows:
(i) on Saturday, Sundays and public holidays; and
(ii) on such other times as the company may from time to time announce by advertisement.

7. Appendix B: Relevant Definitions

"LoCall 1890 call" means a telephone call which is made by a telephone customer or caller, in which the connection of the call is effected by automatic switching, which call is connected to the telephone

exchange line of a telephone customer identifiable by a LoCall 1890 number allocated by the company and which call is in part charged to and payable by the telephone customer identified by such LoCall 1890 number and in part charged to and payable by the telephone customer or caller who makes the call and the service whereby such calls may be received shall be known as the "LoCall 1890 service";

"**CallSave 1850 call**" means a telephone call which is made by a telephone customer or caller, in which the connection of the call is effected by automatic switching, which call is connected to the telephone exchange line of a telephone customer identifiable by a CallSave 1850 number allocated by the company and which call is in part charged to and payable by the telephone customer identified by such CallSave 1850 number and in part charged to and payable by the telephone customer or caller who makes the call and the service whereby such calls may be received shall be known as the "CallSave 1850 service".

"**Internet access call**" means a telephone call made from a telephone exchange line to:

- (a) an Internet access point of presence in the same telephone group; or,
- (b) an Internet access point of presence in another telephone group which is regarded by the company as being adjacent to the telephone group of the telephone customer making the Internet access call; or,
- (c) an Internet access point of presence in another telephone group which is not regarded by the company as being adjacent to the telephone group of the telephone customer making the Internet access call provided that
 - (i) the Internet service provider has in excess of 21 Internet access points of presence; or,
 - (ii) more than 80% of the lines in the telephone group from which the Internet access call is made are connected to telephone exchanges which are parented from a telephone exchange in the telephone group where the Internet access point of presence is located.

"Internet access point of presence" means a part of a network of points provided by the company whereby Internet service providers may avail of the facility to provide Internet access service;

"Internet service provider" means an individual or a company

"**non discount calls**" means Chargecard calls, calls to the Eirpac service, calls to other packet switched networks, calls made to Premium Rate Telephone Service, calls to Directory Enquiry Service, calls to Call Management Services, calls made by use of the Virtual Private Network facility, Operator Assisted Calls, Freefone 1800 calls received by the customer, CallSave 1850 calls received by the customer, LoCall 1890 calls received by the customer, non-geographic shortcall calls received by the customer, calls made to the Eirpage 08224 service, calls made to the national call 0818 service and calls made to the 0700 access code;

"eligible **Total Volume Discount** calls" means customer dialled calls made from a telephone exchange line rented by the customer but excluding the non discount calls, calls made to international bands 1a, 2a, 3a and 7a, unrestricted 64Kb calls made by use of the Integrated Services Digital Network facility and calls to national cellular radio telecommunications networks;

"eligible **Business Selections** calls" shall mean customer direct dialled calls made on Business Selections Discount inter city routes and between exchanges in the State and from exchanges in the State to Northern Ireland and from exchanges in the State to exchanges outside the State (excluding the non discount calls, calls made to international bands 2a, 3a and 7a and calls made to Inmarsat, EMSAT and Skyphone mobile telephony systems);

"eligible eircom **multi-site** calls" means customer direct dialled calls (excluding the non discount calls and calls made to Inmarsat, Skyphone and EMSAT mobile telephony systems) made between exchanges in the State (including Northern Ireland) and from exchanges in the State to exchanges outside the State;

"eligible **Circle of Friends** calls" means customer direct dialled calls (excluding the non discount calls, and calls made to Inmarsat, EMSAT and Skyphone mobile telephony systems) made from the telephone customer's residential telephone exchange line to five Circle of Friends nominated numbers;

"eligible **Business Circles** calls" means customer direct dialled calls (excluding the non discount calls and calls made to Inmarsat, EMSAT and Skyphone mobile telephony systems) made from the telephone customer's business telephone exchange line to five Business Circles nominated numbers .

"eligible **TalkSaver and Business Savers** calls" means customer direct dialled calls (excluding the non discount calls and calls made to Inmarsat, EMSAT and Skyphone mobile telephony systems);

"eligible eircom **options** calls" means customer direct dialled calls made between exchanges in the State and from exchanges in the State to Northern Ireland and from exchanges in the State to exchanges outside the State (excluding the non discount calls, calls made to Inmarsat, EMSAT and Skyphone mobile telephony systems and calls made to UK non geographic numbers.);

"eligible eircom **optimiser** calls" means customer direct dialled calls made between exchanges in the State and from exchanges in the State to Northern Ireland and from exchanges in the State to exchanges outside the State (excluding the non discount calls and calls made to Inmarsat, EMSAT and Skyphone mobile telephony systems, ("excluded calls"). In addition to the aforementioned excluded calls and for the purposes of eircom **optimiser value**, eircom **optimiser plus**, eircom **optimiser extra**, eircom **optimiser value world**, eircom **optimiser value world select**, eircom **optimiser plus world**, eircom **optimiser plus world select**, eircom **optimiser extra world** and eircom **optimiser extra world select**, calls made to the 1891 Internet access service shall also constitute excluded calls;

"eligible eircom **performance** calls" means customer direct dialled calls made between exchanges in the State and from exchanges in the State to Northern Ireland and from exchanges in the State to exchanges outside the State (excluding the non discount calls and calls made to Inmarsat, EMSAT and Skyphone mobile telephony systems.);

" eligible **Multi-Line Discount** calls" means customer direct dialled calls (excluding the non discount calls, calls made to the CallSave 1850 service and calls made to the LoCall 1890 service, unrestricted 64Kb calls made by use of the Integrated Services Digital Network facility and calls made to Inmarsat, EMSAT and Skyphone mobile telephony systems) made from Multi-Line Discount lines and made between exchanges in the State (including Northern Ireland) and from exchanges in the State to exchanges outside the State;