



Commission for
Communications Regulation

Interim Report

Wholesale Compliance Interim Report 2011

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1 Introduction

This document provides statistics on the compliance and enforcement function undertaken by the Commission for Communications Regulation's ("ComReg") Wholesale Compliance team during the interim period 1 July 2010 to 30 June 2011. The Wholesale Compliance team is responsible for compliance action in respect of the obligations of communications network operators and service providers.

This document is an interim report and should be read in conjunction with the Wholesale Compliance Annual Report 2010 (ComReg Document number 11/12). A full Wholesale Compliance Annual Report 2011 will be published in early 2012.

ComReg is the statutory body responsible for the regulation of the electronic communications¹ and postal sectors in Ireland. In accordance with Irish and EU legislation, ComReg's responsibilities include setting regulatory policy and the monitoring and enforcement of regulatory obligations.

Within the telecommunications sector, ComReg's Wholesale Compliance team is responsible for monitoring and enforcing compliance with any regulatory obligations and also handling formal disputes between communications providers.

The mechanism by which a communications provider should submit a complaint to Wholesale Compliance is detailed at Appendix A. The mechanism by which Consumers should submit a complaint to ComReg is detailed at <http://www.askcomreg.ie>.

2 Recent Compliance and Enforcement Action

In the period 1 July 2010 to 30 June 2011, the Wholesale Compliance team has opened a total of 55 new investigations and closed 73. The detail of the number of investigations opened and closed each month in the period can be seen in Figure 1 below:

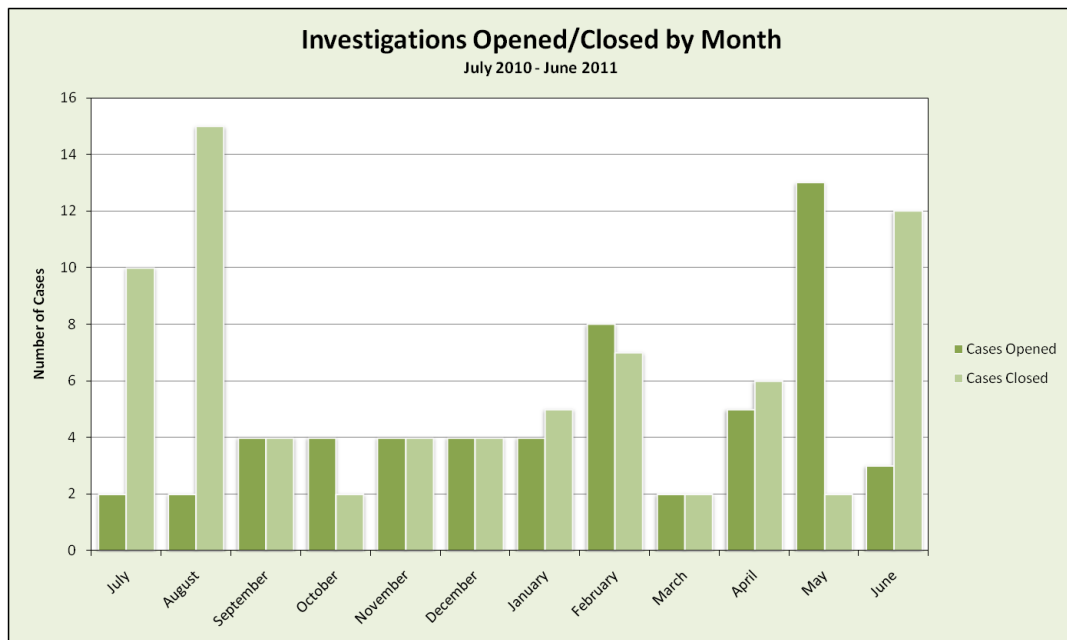


Figure 1: Wholesale Compliance Investigations Opened/Closed by Month

¹ The electronic communications sector includes Telecommunications, Radiocommunications and Broadcasting Transmissions.

The average number of open investigations for the period 1 July 2010 to 30 June 2011 was 19. The total number of open investigations per month is shown in Figure 2 below.

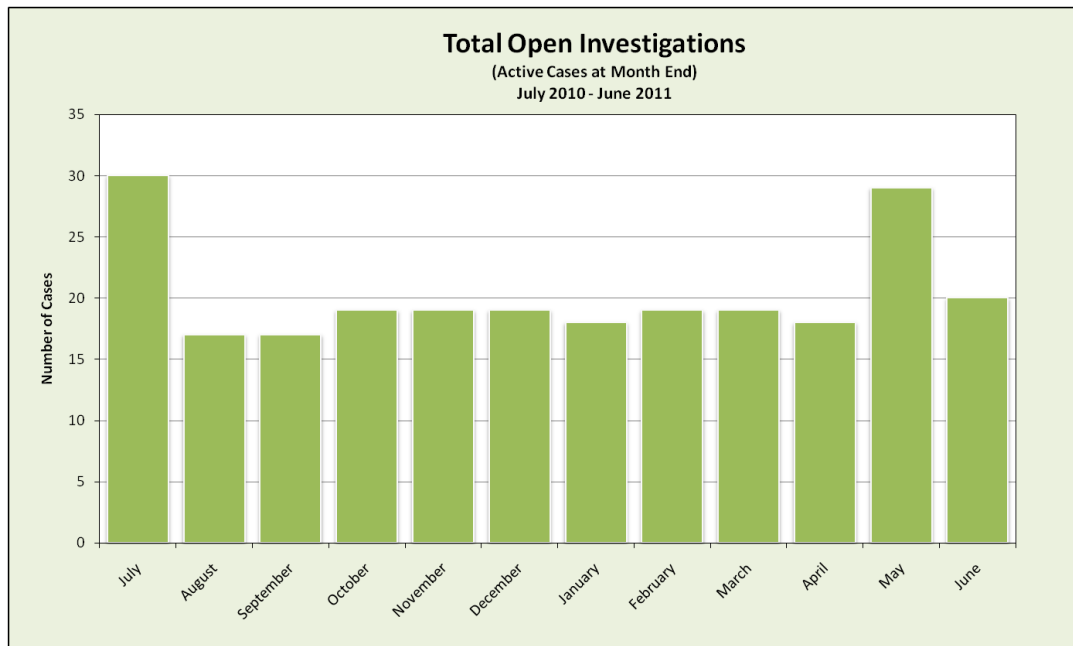


Figure 2: Wholesale Compliance Total Open Investigations

Of the 55 investigations initiated by the Wholesale Compliance team since 1 July 2010, 36 were completed and closed before the end of June 2011. In the same period the Wholesale Compliance team closed 37 investigations that had been opened prior to July 2010. In total, Wholesale Compliance concluded 73 investigations in the period.

Summary reports for many of the closed cases, together with reports for a number of cases closed prior to 2010 are available at:

http://www.comreg.ie/telecoms/closed_cases.561.1042.html². Investigations which are closed will have associated summary reports published on this link unless there are operational reasons for withholding the report for individual cases.

The durations of the closed investigations is shown in Figure 3 and 4 below.

² The Closed Case summaries are not directly linked to the cases in the Wholesale Compliance Annual Report 2010. However, Closed Case summaries for some of the case closures noted in this report are available at the link shown.

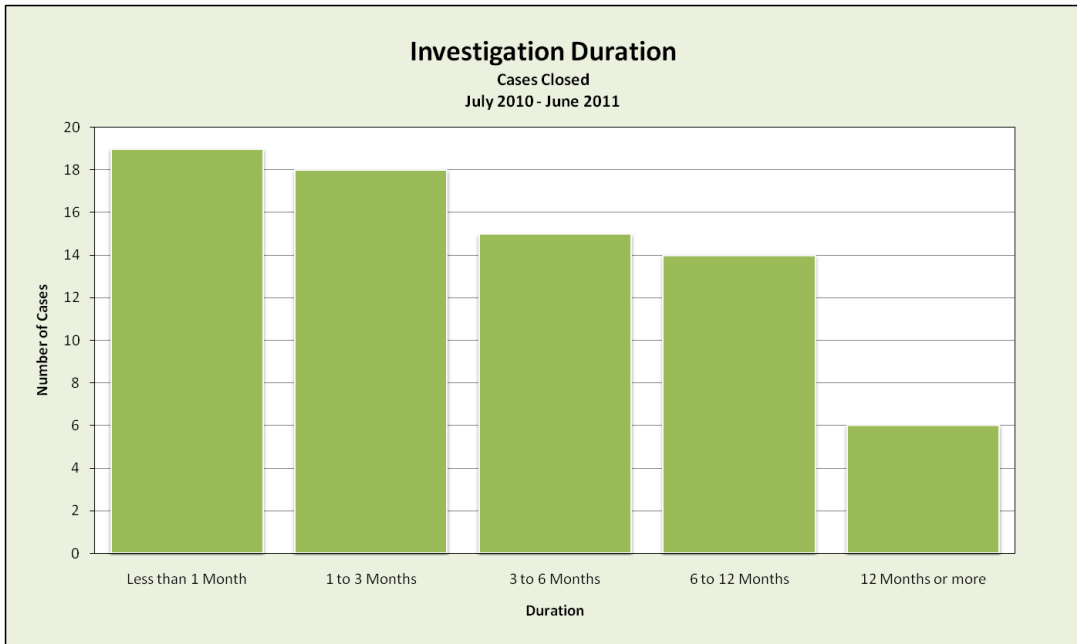


Figure 3: Investigation Duration

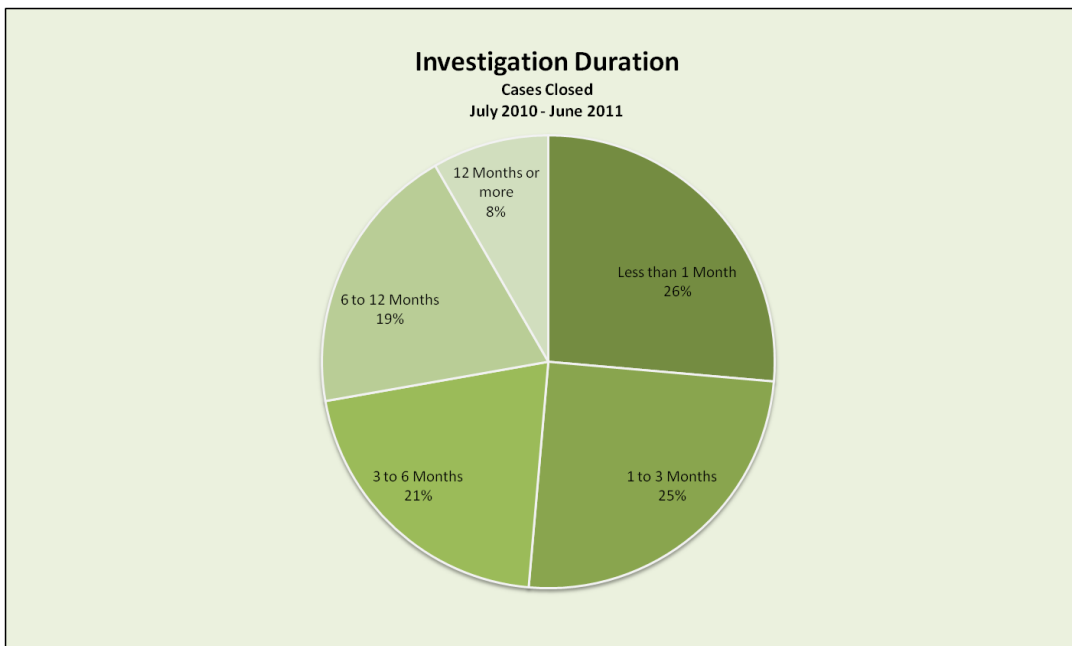


Figure 4: Investigation Duration

A year-on-year analysis shows that the period 1 July 2010 to 30 June 2011 saw a slightly lower caseload. In the period 1 July 2009 to 30 June 2010, Wholesale Compliance initiated 66 new investigations while in the period 1 July 2010 to 30 June 2011 Wholesale Compliance initiated a total of 55 new investigations. A comparison of the cumulative count of new investigations for the period 1 July 2009 to 30 June 2010 versus 1 July 2010 to 30 June 2011 is shown in Figure 5 below:

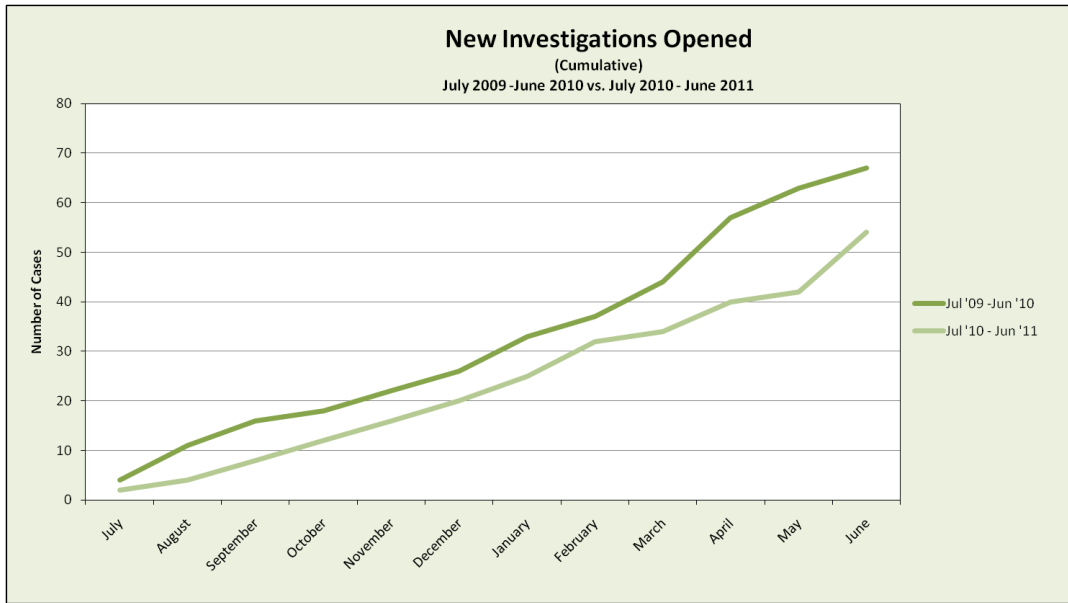


Figure 5: New Investigations Opened 1 July 2009 to 30 June 2010 vs. 1 July 2010 to 30 June 2011

In the period 1 July 2009 to 30 June 2010, Wholesale Compliance closed 56 cases while in the period 1 July 2010 to 30 June 2011, Wholesale Compliance closed 73 cases. A comparison of the cumulative count of closed cases for 1 July 2009 to 30 June 2010 versus 1 July 2010 to 30 June 2011 is shown in Figure 6 below:

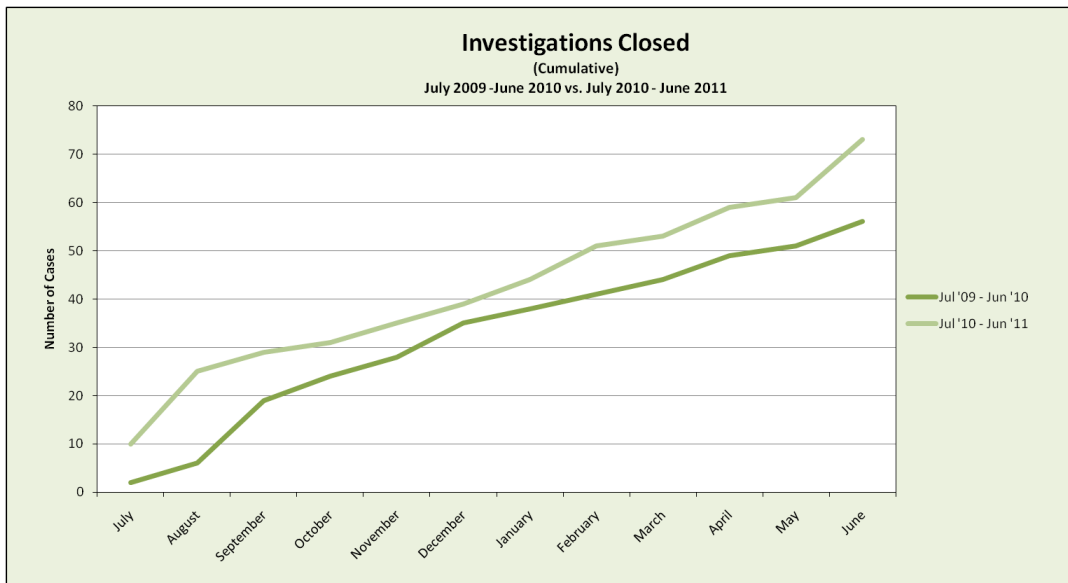


Figure 6: Cases Closed 1 July 2009 to 30 June 2010 vs. 1 July 2010 to 30 June 2011

The case open and closure rates and a continued reduction in the total case duration resulted in a reduction in the monthly average active cases from an average of 28 active cases per month in the period 1 July 2009 to 30 June 2010 to an average of 20 active cases per month in the period 1 July 2010 to 30 June 2011.

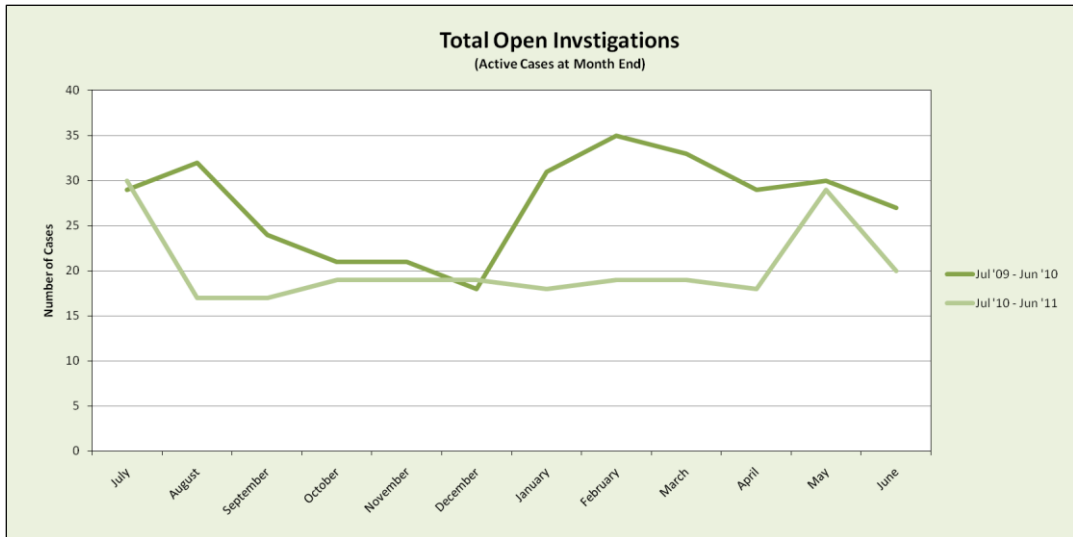


Figure 7: Total Open Investigations 1 July 2009 to 30 June 2010 vs. 1 July 2010 to 30 June 2011

Finally, in the period 1 July 2010 to 30 June 2011, 72% of cases were closed in 6 months or less in comparison to 46% in the period 1 July 2009 to 30 June 2010, as shown in Figure 8 below. The average case duration fell from 9.4 months to 5 months.

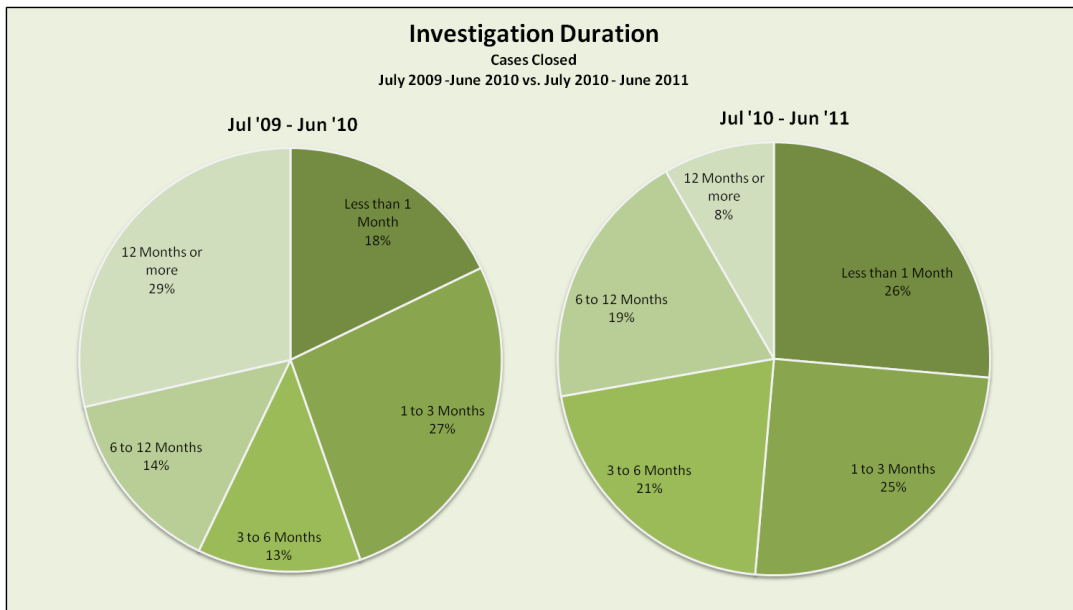


Figure 8: Investigation Duration 1 July 2009 to 30 June 2010 vs. 1 July 2010 to 30 June 2011

Appendix A

Should a communications provider wish to submit a complaint to the Wholesale Compliance team this should be sent, in writing to Paul Conway, Head of Wholesale Compliance, Commission for Communications Regulation, Abbey Court Irish Life Centre, Lower Abbey Street, Dublin 1. Information in electronic format may be sent to paul.conway@comreg.ie. All submissions should include the following:

- Submitting Operator name
- Submitting Operator contact
- Date of submission
- Responding Operator name(s)
- Summary of complaint/allegation
- The relevant obligation(s) under the regulatory framework which are alleged to have been breached.
- Details of any attempts to resolve the matter with the Responding Operator(s).
- Supporting evidence³

³ All complaints/allegations should be supported by documentary evidence where possible.