



An Coimisiún um
Rialáil Cumarsáide
Commission for
Communications Regulation

ComReg issues an Opinion of Non-Compliance to Eircom Limited with respect to provisions of the Universal Service Regulations

Information Notice

Reference: 22/102

Date: 08/12/2022

1. On 22 July 2022, ComReg notified Eircom Limited (“Eircom”) of a finding of non-compliance with Eircom’s obligations under Regulation 14(4) of the European Communities (Electronic Communications Networks and Services) (Universal Service and User’s Rights) Regulations 2011¹ (“the Universal Service Regulations”).
2. The notification of non-compliance was made in accordance with Regulation 31(2) of the Universal Service Regulations.
3. The non-compliance concerns Eircom not notifying, in accordance with Regulation 14(4) of the Universal Service Regulations, some of its customers of a proposed price increase to their contracts at least one month prior to the changes taking effect and by not affording those customers the right to withdraw without penalty from the contract if they do not accept the modification.
4. Eircom had until 22 August 2022 to state its views.
5. Eircom’s response, received on 22 August 2022, confirmed that immediately upon identifying the issue, it issued credits or refunds to all affected customers and ensured that a correct CCN, including the right to withdraw, was provided and the notice period complied with.
6. To ensure against a recurrence of similar issues, Eircom confirmed that it has now introduced multi-layered protections, and that it has contacted and refunded all of the affected customers.
7. Having considered Eircom’s response and the proposed remedies and commitments made, ComReg has nonetheless formed the Opinion that Eircom was non-compliant with its obligations under Regulation 14(4) of the Universal Service Regulations.
8. Having taken account of Eircom’s response and its remedial actions to address the issues raised in the notification, ComReg does not intend to take further action in respect of this matter.
9. ComReg will continue to monitor compliance by all undertakings with their obligations under the Universal Service Regulations and other consumer legislation and, where necessary, will investigate any matters arising.

¹ European Communities (Electronic Communications Networks and Services) (Universal Service and Users’ Rights) Regulations 2011