



Commission for  
**Communications Regulation**

## **Information Notice**

**Derogation to Eircom on advance notification and publication of SLAs for LLU and SB-WLR**

### **Information Notice**

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**An Coimisiún um Rialáil Cumarsáide**

**Commission for Communications Regulation**

Abbey Court Irish Life Centre Lower Abbey Street Dublin 1 Ireland

Telephone +353 1 804 9600 Fax +353 1 804 9680 Email [info@comreg.ie](mailto:info@comreg.ie) Web [www.comreg.ie](http://www.comreg.ie)

## Additional Information

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1. In accordance with Eircom's transparency obligations as set out in ComReg Decision D05/10 (ComReg Document No 10/39: 'Market Review: Wholesale (Physical) Network Infrastructure Access (Market 4) – Further Response to ComReg Document No. 08/104, Response to ComReg Document No. 09/42 and Decision', dated 20 May 2010) (the "WPNIA Decision") and as set out in ComReg Decision D05/15 (ComReg Document 15/82: Market Review: Wholesale Fixed Voice Call Origination and Transit Markets, dated 24 July 2015) (the "FACO Decision") Eircom has notified ComReg of its intention to implement and publish service level agreements ('SLAs') relating to Local Loop Unbundling ('LLU') and Single Billing-Wholesale Line Rental ('SB-WLR').
2. Pursuant to Section 10.3 of the Decision Instrument contained in Appendix C of the WPNIA Decision, Eircom is required to make the following notification:

*Eircom shall, unless otherwise agreed by ComReg, make publicly available and publish on its website at least two months in advance, any proposed changes to the ARO and any proposed changes to wholesale prices (including prices for new services and facilities) coming into effect. Eircom shall notify ComReg at least one month in advance of any such publication taking place, that is, three months prior to any changes coming into effect. This period of one month may be varied with the agreement of ComReg. Proposed changes to the ARO and proposed changes to wholesale prices and the application of such prices shall not be implemented without prior notification to ComReg and without prior notification to OAOs.*

3. Pursuant to Section 10.9 of the Decision Instrument contained in Appendix H of the FACO Decision Eircom is required to make the following notification:

*In respect of non-pricing amendments or changes to the RIO resulting from an amendment or change to an existing product, service or facility which falls within the scope of the Relevant Markets, the following obligations will apply:*

*(i) Eircom shall, unless otherwise agreed by ComReg, make publicly available and publish on Eircom's publicly available wholesale website at least two (2) months in advance of coming into effect, any proposed amendments or changes to the RIO pertaining to non-price information in respect of product specification, services, facilities and processes resulting from an amendment or change to an existing product, service or facility (including details of any amendment or change in the functional characteristics of an existing product, service or facility).*

*(ii) Eircom shall notify ComReg in writing with the information to be published at least one (1) month in advance of any such publication taking place, that is, three (3) months prior to any amendments or changes coming into effect. The periods referred to in this Section may be varied with the agreement of ComReg or at ComReg's discretion. Notwithstanding this Section 10.9, material changes or material amendments shall, however, be notified and published in accordance with Section 10.8 above or as otherwise agreed with ComReg or at ComReg's discretion.*

4. Pursuant to section 9.5 of the Decision Instrument contained in Appendix H of ComReg Decision D05/15 (the "FACO Decision"), Eircom has the following obligation:

*9.5 Eircom shall submit to ComReg a written statement of compliance that demonstrates its compliance with its non-discrimination obligations set out in this Section 9, in accordance with the following timescales, unless otherwise agreed with ComReg:*

*(i) in the case of any offer of a new product, service or facility, seven (7) months in advance of its being made available;*

*(ii) in the case of any change to an existing product, service or facility, three (3) months in advance of its being made available;*

*(iii) in the case of an existing product, service or facility, within three (3) months of the Effective Date of this Decision Instrument; or*

*(iv) as otherwise may be required by ComReg.*

5. The notification periods and periods for advance publication for changes to the RIO and the ARO may be varied by ComReg at its discretion. ComReg has decided that the normal notification periods to ComReg and industry need not apply in this particular case and therefore to grant Eircom a derogation from the notification and advance publication obligations set out in Section 10.3 of the WPNIA Decision and Section 10.9 of the FACO Decision in this instance. Eircom may implement the SLAs for LLU and SB-WLR as soon as possible.

6. The timescales for submission of a written statement of compliance for SB-WLR may be varied by ComReg at its discretion. ComReg has decided that the normal timescales for submission of a written statement of compliance for SB-WLR to ComReg need not apply in this particular case and therefore to grant Eircom a derogation for timescales for submission of such a written statement of compliance for SB-WLR. Eircom shall submit such a written statement of

compliance for SB-WLR within three (3) months of being provided with the response from ComReg for their request for a derogation on notification periods and periods for advance publication of changes to the RIO.

7. The publication of this Information Notice does not imply that ComReg has formed any view as to Eircom's compliance with its pricing and regulatory obligations. ComReg reserves its right to intervene at a later stage if it considers it necessary to do so.