

Pricing Statement of Compliance for CRD – 1181

Proposed Discount scheme for FTTH VUA monthly rental prices

Planned Duration of 6 months from June 2026

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Version Control:

Version	Comment	Status
1	For submission to ComReg	Final
2	Updated following feedback from ComReg	Final

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Confidential Annex – Business & Competition Rationale [X REDACTED IN FULL X]

Introduction

This is a pricing statement of compliance for a proposed FTTH price discount scheme for FTTH VUA products which is presented in CRD 1181.

Section 14.9 of Annex 1 of Decision D05/24 (the “**Decision Instrument**”)¹ stipulates that eir may not implement discounts or promotions for FTTP-based VUA without ComReg's prior approval. Such approval may be granted based on an application by eir in accordance with Section 14.11, provided the conditions in Section 14.10 are fulfilled.

Section 14.10, states:²

- 14.10. For the purpose of Section 14.9, ComReg shall not approve a Discount or Promotion unless:-
 - 14.10.1. The proposed price taking account of any Promotion or Discount remains above the Price Floor calculated in accordance with Section 14.6.1.
 - 14.10.2. ComReg is satisfied that the Promotion or Discount does not, in form or in effect, favour eir's retail arm and is in practice available to a range of Access Seekers;
 - 14.10.3. ComReg is satisfied that the Promotion or Discount is not targeted at a specific geographic area and for the avoidance of doubt, no Promotion or Discount will be approved that gives rise to a geographic differentiation of prices; and
 - 14.10.4. ComReg is satisfied that the Promotion or Discount will not adversely affect investments by Undertakings or undermine competition.

Section 14.11 outlines the procedure for ComReg to assess and approve proposed discounts and promotions by eir. Notifications must be submitted to ComReg at least three months before the proposed publication date. These notifications should detail the offer and eir's submission for ComReg's assessment under the specified sections.

This Pricing Statement of Compliance provides explanation and information which demonstrates that the FTTH Price Discount scheme Proposal is compliant with the obligations placed upon eir by sections 14.10.1 to 14.10.4 of D05/24.

eir would emphasise that this proposed discount scheme has been submitted to ComReg in August 2025, with a proposed effective date of 1 June 2026. eir is ready to provide any additional information ComReg may require as part of its assessment. eir would note that this PCS has been submitted on the basis of current data and forecasts. Given the potential duration of ComReg assessment, eir may, during ComReg's assessment, communicate to ComReg any relevant and material changes to data and forecasts if these occur.

¹ Market Reviews, Wholesale Local Access (WLA) provided at a fixed location, Wholesale Central Access (WCA) provided at a fixed location for mass-market products, Response to Consultation and Final Decision, Reference: ComReg 24/07, Decision D05/24, 18 January 2024

² ComReg refer to FTTP in the Decision. FTTP and FTTH are in this compliance statement understood to be the same.

1.0 The proposed discount scheme

This proposed discount scheme is a dual FTTH growth and FTTC³ - FTTH migration promotion effective from 1 June 2026 for a period of 6 months.

The aim of this proposed discount scheme is to drive FTTH connection growth, promote competition in the FTTH market and build momentum for CSO.

The existing Discount scheme effective from 1 August 2025, intends to provide incentives for Access Seekers to migrate from FTTC to FTTH. By June 2026, eir expects that the remaining FTTC base will be significantly reduced, though some incentive to migrate customers away from FTTC will still be necessary. Accordingly, eir does not believe that a discount scheme solely focused on FTTC - FTTH migration would be an effective offer, nor would it address the needs of the wholesale market at that future date. Accordingly, eir has opted to implement an FTTH growth scheme, with an additional discount specifically for FTTH connections that involve migration from FTTC and copper based broadband.

The discount scheme has two parts:

Part A

This is a FTTH connection growth discount which offers the following:

Table 1

FTTH Growth Target on FTTH base	Part A Discount to FTTH VUA monthly rental for FTTH connections
15%	€1.50
20%	€2.00

This proposed discount applies to both FTTC to FTTH migrations and to all new FTTH connections. Part A of this discount scheme will not apply to the FTTH VUA 100MB or FTTH VUA 500MB Flexible Term product.

The discount eligibility window will be a six month period from 01 June to 30 November 2026. Any FTTH connections that attain the discount within this period will have the discount applied for a period of 24 months commencing in January 2027.

The discount is applied on the basis of the growth the Access Seeker achieves in its FTTH base on eir over this six month period compared to the total base growth it achieved in 2025 divided by two (i.e. for 6 months).

For illustration, if an Access Seeker achieved a total FTTH base growth of 8,000 connections in 2025 (01 January – 31 December 2025) on the open eir network, the baseline for discount scheme eligibility would be 4,000 connections (i.e., 8,000 divided by two). The 20% growth target applicable from June 2026 would therefore be met if the Access Seeker achieved FTTH base growth of 4,800 connections on the open eir network by the end of the scheme in November 2026 (i.e. 20% growth relative to the previous year's baseline).

³ The FTTC – FTTH migration element of the promotion described in this PCS also covers legacy copper based broadband – FTTH migrations.

All FTTH connections, including FTTH-to-FTTH conversions (on-net FTTH transfers from other wholesale customers), are counted when determining both the base and growth figures for the scheme. However, only new FTTH connections qualify for the Part A discount. This approach ensures that incentives are targeted towards genuine growth in the network, rather than existing on-net migrations between existing FTTH services. By excluding conversions, the discount mechanism applies uniformly to all operators' efforts to drive new connections. Including all FTTH connections—both new and converted—in the base and growth figures ensures a non-discriminatory and transparent approach to measuring operator performance. This methodology recognises the different stages of network deployment and customer acquisition strategies across retail operators. By treating all FTTH connections equally in the calculation of targets, the scheme avoids favouring operators with smaller legacy bases or penalising those with higher volumes of internal migrations. At the same time, by rewarding the promotional discount to new connections only, the scheme ensures that financial incentives are targeted solely at genuine network growth. This approach is fully transparent to retail operators as they complete FTTH orders on the UG (i.e., it is clear from the UG whether this is a new FTTH connection or a FTTH conversion from another retail provider).

See Confidential Annex [< REDACTED >] for further detail on the Business case for the scenario of 20% growth for Access Seekers

Part B

This is an additional discount for the growth in FTTH connections delivered under Part A, which are migrations from FTTC/copper based broadband products. This is an additional discount of €0.50 from the FTTH VUA monthly rental charge.

As with Part A, the discount eligibility period for Part B of this scheme will be for 6 months (from 01 June to 30 November 2026), and the discount (when attained) for a FTTH connection, will be for a duration of 24 months commencing in January 2027.

As with Part A, Part B of this discount scheme will not apply to the FTTH VUA 100MB or FTTH VUA 500MB Flexible product. Part A and B discounts (presented together) are as follows:

Table 2

FTTH Growth Target on FTTH base	Part A	Part B	Total discount from Parts A and B
	Discount to FTTH VUA monthly rental for FTTH connections*	Additional discount to FTTH VUA monthly rental for FTTC/copper based broadband migrations to FTTH*	
15%	€1.50	€0.50	€2.00
20%	€2.00	€0.50	€2.50

*Excludes FTTH-FTTH transfers and FTTH VUA 100 MB and 500MB Flexible Term products

How Part A and Part B of the proposed discount scheme will apply

Part A and B will run together as part of the total discount scheme.

An Access Seeker may avail itself of Part A of the scheme and benefit from Part B of the scheme, for the FTTH growth that is from FTTC/copper based broadband migration. Alternatively, an Access Seeker may, due to the nature of its FTTH growth, reach the growth targets under Part A of the scheme and attain the Part A discount, but not have any FTTC/copper based broadband migrations (and hence no discount under Part B of the scheme).

2.0 Administration of the Scheme

The administration of the scheme will be consistent with two objectives:

- 1. That all Access Seekers will have equal opportunity to prepare for the implementation of the scheme, in the context of them being provided with their base growth figure for 2025 and, consequently, preparing and planning to meet the growth targets for June through November 2026.**

If this discount scheme were to be implemented, then the regulatory requirement is for a two month period between the publication and implementation of the scheme.

eir notes that for all Access Seekers, the ability to meet growth targets could be influenced by the period of time they will have to prepare for the implementation of the scheme, including being provided with their 2025 base growth figure. Consequently, eir will, as the ComReg assessment of this proposed discount scheme progresses, maintain a dialogue with ComReg on this issue. At this point, eir is mindful of not advocating any extended notice period if the duration of the ComReg assessment is such that the potential launch of the discount scheme in June 2026 may be delayed.

2. In order to ensure accurate recording of FTTH connection growth (for Part A) and migration from FTTC/copper based broadband (Part B), and accurate payment of the both parts of the discount, eir will administer and bill for the scheme on the following basis:
 - Credits to wholesale customers will only be made once the target is confirmed as achieved. The promotional period runs from 1 June 2026 to 30 November 2026, and no credits are made during this period.
 - In December 2026, once the promotional period has ended, an assessment will determine which wholesale customers have achieved the specified growth targets. For those that qualify, credits will be calculated and applied from January 2027. For eligible accounts these credits will run for 24 months.

To avoid any concern of foreclosure, the scope of the new pricing structure is limited and applies only to new FTTH connections. All connections, including FTTH-to-FTTH conversions, are counted when determining both the base and growth figures for the scheme. However, only new FTTH connections qualify for the Part A discount. This approach ensures that incentives are targeted towards genuine growth in the network, rather than migrations between existing FTTH services. By excluding conversions, the discount mechanism applies uniformly to all operators' efforts to drive new connections. Any connections that took place before the effective date of the offer will not be entitled to the benefit of the new pricing structure. The period to avail of promotional pricing is set for a maximum duration of six months. For the avoidance of doubt all FTTH services that have qualified for the per month discount will revert to the normal price level that applies for that FTTH service after 2 years (24 credits).

Customers who upgrade or downgrade their FTTH profile during the promotional period from 01 June to 30 November 2026 and remain with the same wholesale customer will still qualify for the discount, which will be applied in January 2027. Note that when there is a downgrade or upgrade of their FTTH profile, to FTTH VUA 100MB or FTTH VUA 500MB Flexible product, then the discount will have to cease due to ; (i) the need to comply with the FTTC VUA price floor, and (ii) be consistent with the treatment of the FTTH VUA 500MB product not being eligible for the discount.

3.0 Objectives for the discount scheme

As well as being compliant with regulation, there are two objectives for the proposed discount scheme:

a) FTTH connection growth

Part A offers an incentive for Access Seekers to grow FTTH connections on the open eir network at all speed profiles (other than FTTH 100MB and 500MB flexible term). eir considers this important so as to accelerate the pace of FTTH take up generally, as well as to help with momentum necessary for FTTH connection growth in the context of CSO. It is unclear whether CSO may have commenced by June 2026 (or within the 6 month duration of the scheme). However, regardless of this, the building of momentum is important to enable fair, effective and efficient CSO when it does occur.

b) FTTH – FTTC³ migration

Part B of this scheme is an additional incentive for Access Seekers to include in their FTTH connection growth (on eircom), migration from FTTC. eir has included this additional incentive so as to:

- a) Build momentum prior to, or during, CSO for migration from the copper network/FTTC.
- b) For those Access Seekers that retain a FTTC base (by June 2026), Part B of the scheme provides an economic incentive to migrate from FTTC, absent a specific discount scheme to promote FTTC to FTTH migration (as per the discount scheme that will apply from 1 August 2025 for a period of 8 months).

4.0 Rationale for the structure of Part A of discount scheme

The proposed discount scheme provides discounts on a neutral, non-discriminatory and equal basis to all Access Seekers, regardless of their size. In particular:

1. Equality in access to the discount benefits drives equal incentives for growing FTTH connections on eir, while allowing for Access Seekers to increase FTTH connections to competing networks

The scheme applies to all operators in an equal and non-discriminatory manner. eir believes that this neutral and equal approach, combined with the tiered levels of discount in Part A of the scheme enables Access Seekers to grow FTTH connections on all FTTH networks (should they so choose).

2. Provided on a national basis – The scheme matches the growth of the open eir FTTH network that is available to Access Seekers

As eir continues to roll out its FTTH network, the pace of deployment may vary through 2026, with substantial areas expected to reach completion. In this evolving context, it is essential that operators can expand their FTTH connections on eir's infrastructure wherever they choose. This includes enabling migration from FTTC to FTTH on fair and non-discriminatory terms (see Confidential Annex [☒ REDACTED☒]).

3. The implementation of the discount scheme is fair and equitable

eir believes that the difference in discount levels between 15 and 20% is fair and equitable, for two reasons:

- a) The alternative to tiered levels of discount would be a sole growth target. This would present an Access Seeker with an 'all or nothing' scenario. For example, if there was a sole growth target of 20%, then any FTTH connections below that threshold would not earn the discount. The Part A structure avoids this possibility. Under this structure, Access Seekers achieving mid-level growth still receive a meaningful benefit, rather than losing the entire discount by narrowly missing the higher threshold. The two-tier design therefore balances fairness and incentive: it rewards moderate growth while preserving a stronger uplift for those able to reach 20%, creating a more proportionate and progressive mechanism than a sole target would allow.
- b) The incremental €0.50 discount between the 15% and 20% tiers is proportionate to the additional uplift required and ensures that stronger growth is appropriately rewarded. This structure provides a clear incentive for Access Seekers to exceed the lower threshold while maintaining fairness: those achieving 15% growth still benefit meaningfully, while those delivering 20% growth receive an enhanced discount commensurate with their higher contribution to FTTH adoption.

4. The discount scheme and smaller Access Seekers

eir would also note that the discount scheme may incentivise FTTH growth at a greater level (in relative terms) in the context of FTTC to FTTH migration – See Confidential Annex [☒ REDACTED☒].

5.0 Additional explanation of rationale for tiered levels of discount in Part A

eir has a regulatory obligation to structure any proposed discount scheme to ensure that investment in competing networks is not negatively impacted. This is the reason for the tiered level of discounts in Part A. Table 3 below shows the % increase in discount by tier.

Table 3

FTTH Growth Target on FTTH base	Part A
	Discount to FTTH VUA monthly rental for FTTH connections
15%	€1.50
20%	€2.00 (additional 33%)

As background, eir did consider additional tier levels at 10% and 25%. However, including these tiers in the discount scheme has not been possible due to the following:

1. [X] [REDACTED] . [X]
2. A 25% growth target at € 2.50, when combined with additional discount for FTTC migration of € 0.50 could, potentially, go below the FTTC VUA price floor of July 2026. The monthly rental charge for FTTH VUA 150/300/500 is € 23.50. The maximum discount at 25% would be € 2.50 plus € 0.50. This gives a total discount of € 3.00 which gives a price of € 20.50. While this is above the July 2025 FTTC VUA price floor of € 20.28, it may not be above the FTTC VUA price floor post 1 July 2026, if this price was to increase at the level of CPI (for 2025). As such, the level of discount is safely above the FTTC VUA price floor and eir will have regard to that floor in the context of potential future FTTC VUA CPI price adjustments which may come into force on 1 July 2026.

Given the above, the discount scheme does not include 10 and 25% growth targets. eir believes the 15 and 20% growth targets are realistic, financially viable and equally attainable for all Access Seekers.

The tiered growth targets also allow Access Seekers to pursue parallel growth strategies across multiple FTTH networks within a specific limited period of time.

6.0 Compliance with D05/24

As described in the introduction, the regulatory framework (and criteria) applying to any discount or promotion of FTTH VUA product is set out in sections 14.10.1 – 14.10.4 of D05/24.

Assessing the discount scheme against each of the criteria:

Section 14.10.1 Criterion: The proposed price taking account of any Promotion or Discount remains above the Price Floor calculated in accordance with Section 14.6.1.

The maximum discount possible from Part A and B (for FTTH VUA monthly rental charges) is €2.50 per month. The current FTTC VUA price is €20.28. The price of the FTTH 100MB product is also €20.28 (which is not included in this discount scheme). The next current lowest FTTH VUA monthly rental tariff is €23.50 (for 150/300/500 Mb). A €2.50 discount reduction would bring this to €21.00. Therefore, the lowest discounted FTTH VUA price, with discounts applied would be €21.00, which is above the current FTTC VUA/FTTH 100MB price floor.

eir notes that the proposed effective date of the discount scheme is June 2026. Under the provisions of D05/24, eir is permitted to increase the FTTC VUA monthly charge by CPI in July 2026. If there

were to be any CPI increase to the FTTC VUA and FTTH 100MB VUA prices in July 2026, then eir recognises that these prices could not go above €21.00.

Therefore, given the above FTTC VUA price levels (as of July 2025 and, potentially for July 2026), the maximum discounted FTTH VUA price remains above the price floor. The criterion is met.

Section 14.10.2 Criterion: The promotion or discount does not disproportionately benefit eir's retail arm and is accessible to a variety of Access Seekers.

The offer applies to all eligible FTTH profiles (**except the FTTH 100MB and 500 MB Flexible service VUA profiles**), including Bitstream and VUA that are triggered by offering services at the retail level. This means the discounts are not selective or preferential to one specific service over the other.

Part A of the scheme applies regardless of the type of FTTH connection that occurs. Part B of the scheme applies to those FTTH connections that occur due to migration from FTTC/copper based broadband. Neither Part A, Part B or Part A and B combined, favour the retail arm of eircom. Both Part A and B of the discount scheme are equally available to all Access Seekers, including eir's retail arm.

The criterion is met.

Section 14.10.3 Criterion: The promotion or discount should not be geographically targeted, ensuring no geographic price differentiation.

The offer makes no distinction between specific geographic areas and there is no geographic price differentiation. The criterion is met.

Section 14.10.4 Criterion: The promotion or discount will not negatively impact investments by other Undertakings or harm market competition.

The proposed discount scheme will not negatively impact the investments by other Undertakings or harm market competition, for the following reasons:

1. The discount scheme maintains FTTH VUA monthly rental charges above the FTTC VUA price floor

We note that, via the criterion in section 14.10.1, ComReg has set a price floor of FTTC VUA for FTTH VUA monthly rental charges. This Price Floor was set by ComReg so as to protect and incentivise investment by other operators. In section 1.31 of D05/24, ComReg states:

1.31. The price control is designed around the principle that an obligation of cost orientation applies to all products in the Commercial NG WLA Market save as regards FTTP VUA rental, as follows:

(a) As FTTP rollout is still on-going, and to protect investment incentives, FTTP VUA rental enjoys 'Pricing flexibility'. eir may set FTTP VUA rental prices as it chooses, subject to the following two constraints:

- I. A Margin Squeeze Test ('MST') in order to mitigate the risk of margin squeeze, leverage and foreclosure, and*
- II. A price floor to mitigate the risk to competing networks of excessively low prices, set at the level of the FTTC VUA price cap (see (b) below)*

eir notes that the proposed discount scheme is consistent with compliance against all the criterion listed in sections 14.10.1 to 14.10.4 of D05/24, and hence, is compliant with ComReg's intention to protect competition as explained in section 1.31 (above). The Discount scheme maintains FTTH VUA prices above the FTTC VUA price floor.

Furthermore, the proposed discount scheme does not necessitate a Margin Squeeze Test as part of this notification and is part of a separate retail regulatory requirement.

In addition, eir also note that this discount scheme has not been accompanied by any application to reduce the FTTC VUA price floor. Therefore, there is no question of competing networks facing a lower regulatory price floor for FTTH VUA.

2. The introduction of this Discount scheme will enhance competition in the FTTH market

The wholesale FTTH VUA discounts that would be made available to operators will enable, and promote, competition in the down-stream retail markets.

We note that the introduction of the 1GB FTTH VUA discount (introduced in November 2024) has incentivised retail price competition both via the eir network, as well as via competing networks (see Confidential Annex[< REDACTED >]). We anticipate this will be continued with the 1 August – 2025 discount scheme.

Conclusion

Given the assessment above, as the proposed offer does not negatively impact investments in the sector or harm market competition, the criterion is met.