



An Coimisiún um
Rialáil Cumarsáide
Commission for
Communications Regulation

Management and Maintenance of the National Directory Database

Consultation

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An Coimisiún um Rialáil Cumarsáide
Commission for Communications Regulation

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Additional Information

All responses to this consultation should be clearly marked:

“Submission to ComReg 18/45”

and sent by post, facsimile, e-mail or online at www.comreg.ie (current consultations) to arrive on, or before, 5pm on Monday 18 June 2018.

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Please note ComReg will publish all respondents' submissions with the Response to this Consultation, subject to the provisions of ComReg's guidelines on the treatment of confidential information – ComReg 05/24.

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1 Executive Summary

- 1 The National Directory Database ("**NDD**") is a comprehensive record of all subscribers of publicly available telephone services in the State who have not refused to have their details recorded in it. The function of the NDD is primarily to facilitate the compilation of and access to information for telephone directories and directory enquiry services. In addition, following the entry into force of the e-Privacy Regulations¹, the NDD continues to be the basis for the operation of the "opt-out" register for direct marketing purposes.
- 2 ComReg has the power to direct an undertaking to manage and maintain the NDD under Regulations 19 and 30 of European Communities (Electronic Communications Networks and Services) Regulations 2011, ("**the Regulations**")².
- 3 Eir currently manages the NDD and the collation of information from all undertakings that assign telephone numbers to subscribers and is directed to do so until end June 2018.
- 4 As the current direction expires 30 June 2018, ComReg is now considering its options in respect of the NDD.
- 5 Information Notice 18/22³ extended an invitation to all undertakings who are interested in managing and maintaining the NDD to express their interest in doing so. The deadline for receipt of such expressions of interest was Thursday 29 March 2018.
- 6 One expression of interest was received. Detailed information has also been provided by the undertaking, such as its competence and expertise to manage and maintain the NDD, and how it proposes to manage and maintain the NDD. Eir, did not put forward an expression of interest in continuing to manage and maintain the NDD.

¹ European Communities (Electronic Communications Networks and Services) (Privacy and Electronic Communications) Regulations 2011 (S.I. No. 336 of 2011), ("e-Privacy Regulations")

² European Communities (Electronic Communications Networks and Services) (Universal Service and Users' Rights) Regulations 2011 (S.I. No. 337 of 2011).

³ ComReg Document 18/22, "*National Directory Database ("NDD") Request for Expressions of Interest for Managing and Maintaining the NDD*", 22 March 2018.

- 7 ComReg must now assess this information in order to determine the most appropriate undertaking to direct to maintain the NDD. It is ComReg's intention to make a full assessment of this expression of interest. The assessment will include aspects in relation to the company as well as its proposal to manage and maintain the NDD including but not limited to its proposed approach to keeping a record (known as the National Directory Database) of all subscribers of publicly available telephone services in the State and meeting all reasonable requests for access to any information contained in that record in an agreed format, on terms that are fair, objective, cost orientated and non-discriminatory, and in accordance with such terms and conditions as may be specified by the undertaking and approved by the Regulator and in accordance with other relevant legislation.
- 8 This process will allow for a determination of who is best suited to the management and maintenance of the NDD based on appropriate criteria.
- 9 As set out in detail below, whilst this assessment is being conducted, ComReg is of the view that eir, as the existing undertaking, should continue to be required to manage and maintain the NDD for a 9 month period.
- 10 ComReg is now consulting on extending the NDD Direction on eir for a period of 9 months until 31 March 2019, under Regulation 19 and Regulation 30 of the Regulations.
- 11 The direction for a period of 9 months will allow:
 - ComReg to undertake an assessment as to whether the interested party or another undertaking should be required to manage the NDD, this should be completed by Q3 2018;
 - ComReg to consult and issue a response to consultation and decision in Q4 2018;
 - A further minimum of three months for a transition period if appropriate.
- 12 ComReg looks forward to receiving responses from all stakeholders in relation to the proposals in this consultation. ComReg will review and fully take into account all of the responses it receives before coming to a final decision in respect of the management of the NDD from 1 July 2018 to 31 March 2019.

2 Introduction

2.1 Purpose of the NDD

- 13 In accordance with Regulation 19(2) of the Regulations, undertakings that assign numbers to subscribers must supply the information to the NDD with the relevant subscriber details. These undertakings provide up-to date information to the NDD on a regular basis. eir currently manages the NDD and therefore owns the assets and systems supporting the NDD.
- 14 The NDD lists just over 2 million fixed numbers (including listed, unlisted and ex-directory) of which over 1.5 million are opted out of receiving direct marketing calls. It also lists over 1.2 million mobile numbers (listed and unlisted), only a very small amount of which are opted in to direct marketing calls.⁴
- 15 In addition, the NDD also holds details of consumer preferences for listing their telephone numbers. These are:
 - Listed: Details (name, address, telephone number) are listed in the telephone directory and with Directory Enquiries;
 - Unlisted : Listed with Directory Enquiries only, i.e. not in the phonebook;
 - Ex-Directory: Details not listed the phone book or with Directory Enquiries.
- 16 Furthermore, following the entry into force of the e-Privacy Regulations, the NDD continues to be the basis for the “opt-out” register for direct marketing purposes. The “opt-out” register is the means by which subscribers express their preference not to be contacted by direct marketing companies (by so “opting out”).
- 17 The information in the NDD is also used for the collation of the printed and online telephone directory and for directory enquiry services. eir is currently required to provide a printed telephone directory to subscribers, on an annual basis, by virtue of it being the Universal Service Provider (“**USP**”) for directories in the State⁵.

⁴ Mobile telephone numbers are automatically protected pursuant to certain provisions in the European Communities (Electronic Communications Networks and Services) Data Protection and Privacy) Regulations 2011 against unsolicited communications.

⁵ Under Regulation 4(1) of the 2011 Regulations; this is currently under review.

2.2 Current Direction

- 18 There is a specific power for ComReg under Regulation 19(4) of the Regulations to require an undertaking to maintain the NDD. In accordance with Regulation 19(4), the undertaking maintaining the NDD must provide access to the information on terms that are fair, objective, cost oriented and non-discriminatory.
- 19 In accordance with Regulation 19(4), eir provides directory information held in the NDD to directory enquiry service providers under a Directory Information Licence Agreement (“**DILA**”) for the purposes of access by directory enquiry service providers. In addition, eir provides information in a CD format to the direct marketing industry under the Direct Marketing Licence Agreement (“**DMLA**”).
- 20 Under the current direction (D02/15), eir must “*meet all reasonable requests for access to any information contained in the NDD in an agreed format*”. The terms of access “*shall be fair, objective, cost orientated and non-discriminatory*”, and “*in accordance with such terms and conditions as may be specified by Eircom and approved by ComReg*”.
- 21 It is important to note that as this is not a Universal Service Obligation there are no implications for Universal Service Funding.
- 22 The total revenue derived from the operation of the NDD was €132k for 2017⁶ and eir operated the NDD at a small profit in 2017.
- 23 The number of DILA licences has remained at 4 since 2015, whereas the number DMLA licences has varied in the last number of years, numbering 32 in 2018. (See Table 1).

Table 1: Number of Licences

Number of Licensees		
Year	DMLA	DILA
2015	36	4
2016	30	4
2017	31	4
2018	32	4

- 24 The tables below detail the current prices that eir charges under these agreements to access the information contained in the NDD.

⁶ This includes payments from eir’s 11811 directory enquiry service.

Table 2: Pricing for Direct Marketing Licences

DMLA Pricing			
Multi-use licence fee	Detail	€(ex VAT)	Frequency
Biweekly updates	26CDs	1,640	Per Annum
Four-weekly updates	13 CDs	1,540	Per Annum
Single-use licence fee	Detail	€(ex VAT)	
Biweekly updates	26CDs	730	Per Annum
Four-weekly updates	13 CDs	630	Per Annum
Price per update CD	Beyond licensed volume	42.5	Per CD

Table 3: Pricing for Directory Enquiries

DILA Pricing	
Directory Enquiry Services	€(ex VAT)
Minimum fee per annum	14,200
Flat charge for nightly update per annum	11,000

2.3 Relevant Regulations

- 25 Regulation 14 of the e-Privacy Regulations requires all undertakings to record a subscriber's telephone number in the NDD "do not call register" if the customer does not consent to unsolicited calls⁷. The NDD is used as a direct marketing "opt-out" register, and is the mechanism used for collating the "do not call register" for the purpose of the e- Privacy Regulations.
- 26 Therefore, the Regulations and the e-Privacy Regulations, read together, require the NDD to be in place.
- 27 Since the coming into force of the Regulations in 2011, a USP designated as such thereunder, cannot be mandated to maintain the NDD merely by virtue of being the USP.

⁷ Consumers can opt out of direct marketing by asking their telecoms service provider to place their number on the "do not call register." Fixed line ex-directory numbers must be placed automatically on the "do not call register" by undertakings. Additionally Regulation 13 (6) of the e-Privacy Regulations automatically precludes unsolicited calls to mobile numbers and as such these numbers are already "opted out" by default.

- 28 However, ComReg now has the power to require an undertaking to maintain the NDD in accordance with Regulation 19 (4) of the Regulations. That undertaking may still be the USP, but the USP cannot be obliged to maintain the NDD in its particular capacity as the USP, rather it would be obliged in its capacity as an undertaking, like any other undertaking.
- 29 Under regulation 19(4) of the USR any undertaking directed to manage and maintain the NDD *“shall meet all reasonable requests for access to any information contained in that record in an agreed format, on terms that are fair, objective, cost orientated and non-discriminatory”*.

3 Consultation Issues

3.1 Need for NDD

30 Under Regulation 19 of the Regulations, ComReg has discretion as to whether or not to require an undertaking to maintain the NDD. Therefore, as a starting point ComReg must consider whether there continues to be a need for the NDD.

31 The NDD is currently used for a number of purposes, for example:

- information is used for the collation of the printed telephone directory and eir also provides an online directory;
- directory enquiry service providers use the information to provide their service;
- the direct marketing industry use the information and it continues to be the basis for the “opt-out” register for direct marketing purposes.

32 Given the various functions of the NDD, it is critical that it continues to be maintained in its current form. Absent an NDD;

- a number of regulatory requirements could not be fulfilled by undertakings;
- consumers and businesses might lose their legal entitlements and protections under the Regulations in respect of directories/directory enquiries;
- consumers and businesses might lose their legal entitlements and protections under the e-Privacy Regulations and be subjected to unsolicited direct marketing.

33 If ComReg decides not to direct an undertaking to maintain and operate the NDD, it would create legal uncertainty for stakeholders.⁸

34 In view of the above factors, it is ComReg’s intention to direct an undertaking to manage and maintain the NDD under Regulation 19 and Regulation 30 of the Regulations after June 2018.

Q. 1 Do you agree that an undertaking should be required, pursuant to Regulation 19 and 30 of the Regulations, to manage and maintain the NDD after June 2018? Please provide detailed reasons and supporting evidence for your view.

⁸ Including: undertakings, subscribers, directory enquiry service providers, direct marketing companies, and the Office of Data Protection Commissioner.

3.2 Expression of Interest

- 35 Information notice 18/22 extended an invitation to all undertakings who are interested in maintaining the NDD to express their interest together with their submission to this consultation. One expression of interest was received.
- 36 ComReg must now consider this expression in order to determine the most appropriate undertaking to direct to maintain the NDD. It is ComReg's intention to make a full assessment of this expression of interest. As set out above, the assessment will include aspects in relation to the company as well as its proposal to manage and maintain the NDD including but not limited to its proposed approach to keeping a record (known as the National Directory Database) of all subscribers of publicly available telephone services in the State and meeting all reasonable requests for access to any information contained in that record in an agreed format, on terms that are fair, objective, cost orientated and non-discriminatory, and in accordance with such terms and conditions as may be specified by the undertaking and approved by the Regulator and in accordance with other relevant legislation.

3.3 ComReg's Preliminary View

- 37 To date eir has managed the NDD in an effective manner. Due to its ownership of the assets and systems supporting the NDD, its operational control over the NDD and the assets and systems supporting the NDD, and because of its unique experience in maintaining the NDD, in order to allow adequate time for the expression of interest to be assessed, ComReg is of the preliminary view that eir should be directed to continue to maintain and manage the NDD on the same basis as it currently does for the next 9 months commencing 1 June 2018.
- 38 The basis for the extension for 9 months will allow for the following:
- a. ComReg to assess the expression of interest received in Q3 2018 and to come to its preliminary view on whether the interested party or another undertaking should be required to manage the NDD;
 - b. ComReg to consult and issue a response to consultation and decision in Q4 2018; and
 - c. ComReg have estimated a 3 month transition period, if appropriate.

39 It is also important to recognise the legislative anomaly which ComReg has to be mindful of⁹ and taking this into consideration, the direction of eir for a further period is the only appropriate solution.

Q. 2 Do you agree that as an expression of interest was received that eir should be required, pursuant to Regulations 19 and 30 of the Regulations, to continue to manage and maintain the NDD? Please provide detailed reasons and supporting evidence for your view.

Q. 3 In your view is 9 months the correct time period to ensure adequate time for each stage of the process (evaluation, consultation, response to consultation and decision and transition, if appropriate)? Please provide detailed reasons and supporting evidence for your view.

⁹ The current definition of “operator” in the e-Privacy Regulations needs to be precisely aligned with the entity that is required to maintain the NDD under Regulation 19(4) of the Regulations. This requires the Department to correct the definition of the word “operator” in the e-Privacy Regulations in order for ComReg to be in a position to proceed unhindered to a Consultation on directing an “undertaking” to the role of operator of the NDD

4 Draft RIA

4.1 Role of the RIA

- 40 A RIA is an analysis of the likely effect of a proposed new regulation or regulatory change. Its purpose is to help identify regulatory options, and it should establish whether or not a proposed regulation is likely to have the desired impact. The RIA should also in certain cases suggest whether regulation is or is not appropriate. The RIA is a structured approach to the development of policy, and analyses the impact of regulatory options on different stakeholders.
- 41 ComReg's approach to RIA is set out in the Guidelines published in August 2007¹⁰. Furthermore, in conducting this RIA, ComReg takes account of the RIA Guidelines,¹¹ adopted under the Government's Better Regulation programme.
- 42 Before deciding to impose regulatory obligations on undertakings, ComReg must conduct a RIA in accordance with European and international best practice and otherwise in accordance with measures that may be adopted under the "Better Regulation" programme.
- 43 To ensure that a RIA is proportionate and not overly burdensome, a common sense approach is taken. As decisions are likely to vary in terms of their impact, and if after initial investigation a decision appears to have relatively low impact, ComReg would expect to carry out a less exhaustive RIA. In determining the impacts of the various regulatory options, current best practice appears to recognise that full cost benefit analysis would only arise where it would be proportionate, or in exceptional cases, where robust, detailed, and independently verifiable data is available. This approach will be adopted when necessary.
- 44 ComReg's approach to the RIA follows five steps:
- (i) Step 1 Describe the policy issues and identify the objectives
 - (ii) Step 2 Identify and describe the regulatory options
 - (iii) Step 3 Determine the impacts on Stakeholders
 - (iv) Step 4 Determine the impacts on Competition
 - (v) Step 5 Assess the impacts and choose the best option

¹⁰ Commission Document No. 07/56 & 07/56a "Guidelines on ComReg's Approach to Regulatory Impact Assessment", 10 August 2007 (the "RIA Guidelines").

¹¹ See: <http://www.djei.ie/publications/ria/RIAGuidelines2009.pdf>

4.2 Describe the Policy Issues and identify the objectives

- 45 The Regulations provide that all undertakings providing publicly available telephone services must ensure that their subscribers have the right without charge, to have an entry in a printed directory and/or a directory enquiry service.
- 46 The NDD is an important and convenient resource for directory enquiry service providers and direct marketing companies.
- 47 The NDD lists just over 2 million fixed numbers (including listed, unlisted and ex-directory) of which over 1.5 million are opted out of receiving direct marketing calls. It also lists over 1.2 million fixed numbers (listed and unlisted), only a very small amount of which are opted in to direct marketing calls.
- 48 The NDD also holds details of consumer preferences for listing their telephone numbers. Furthermore, following the entry into force of the e-Privacy Regulations, the NDD continues to be the basis for the “opt-out” register for direct marketing purposes.
- 49 This information is used for the collation of the printed telephone directory. eir is currently required to provide a printed telephone directory to subscribers, on an annual basis, by virtue of it being the USP for directories in the State¹².
- 50 eir also provides directory information held in the NDD to directory enquiry service providers under a Directory Information Licence Agreement (“**DILA**”) for the purposes of access by directory enquiry service providers. In addition, eir provides information in a CD format to the direct marketing industry under the Direct Marketing Licence Agreement (“**DMLA**”).

4.3 Identify and describe the Regulatory Options

- 51 ComReg recognises that any regulatory measures should be kept to the minimum necessary whilst ensuring the needs of industry and consumers are met. ComReg now considers there are two regulatory options available to it. The options available are therefore as follows:

Option 1: Not to specify an undertaking to maintain the NDD.

Option 2: Direct eir for a period 9 months while ComReg considers the expression of interest or other alternatives to maintain the NDD.

¹² Under Regulation 4(1) of the 2011 Regulations, this is currently under review.

4.4 Determine the impacts on Stakeholders and Competition

52 For the stakeholder analysis, there are 2 groups to consider: subscribers and industry.

	Impact on Industry	Impact on Consumers	Impact on Competition
<p>Option 1:</p> <p>ComReg do not direct any undertaking to manage and maintain the NDD.</p>	<p>This option would create significant legal uncertainty for stakeholders and may jeopardise other obligations and rights of undertakings and other entities in relation to the NDD and in turn, affect the rights of consumers.</p> <p>In addition, the undertaking that maintains the NDD must provide access to subscriber details in accordance with specific terms and conditions. If there is no undertaking specified to maintain the NDD, this will create legal and commercial uncertainty about who must provide access to the NDD and the terms of the access specified in Regulation 19 (4) of the Regulations.</p> <p>Directory Inquiry service providers, may no longer have access to the source of information which their services are based upon, in this case they may potentially have to cease operation.</p> <p>Additionally, eir would no longer incur the costs of managing and maintaining the service, but would also lose any potential revenue from it.</p> <p>eir may decide to continue to manage and maintain the NDD.</p>	<p>If eir does not continue to maintain the NDD consumers who do not wish to be contacted for Direct Marketing purpose may now be contacted as, there would be no way for them to register their preference. This would cause detriment to consumers.</p> <p>Directory enquiry service providers may cease operation or increase prices causing detriment to consumers.</p>	<p>Currently eir is required, under Regulation 19(4) of the Regulations, to manage and maintain the NDD on a fair, objective, cost-oriented, and non-discriminatory basis. Absent a direction to do it, it could be more costly for directory enquiry service providers to access this information and consequently for consumers.</p>

<p>Option 2</p> <p>Specify eir to maintain the NDD for a 9 month period</p>	<p>If the NDD is maintained in its current form by eir it will mean that there is no change to the status quo.</p> <p>Industry and direct marketers will not need to obtain information from each telecoms service provider individually.</p> <p>It is more convenient and less costly for Directory Service Providers and undertakings to obtain the information from the one, centralised source that is the NDD.</p> <p>The costs to eir of maintaining the NDD would continue to be covered by the licence fees (DILA/ DMLA).</p>	<p>Requiring an undertaking to maintain the NDD would avoid any risks in relation to the continuity of operation and the integrity of the data held and processed by the NDD.</p> <p>Also, if the NDD is maintained, consumers Direct Marketing preferences will continue to be recorded, as will their ability to access a Directory enquiry service.</p>	<p>Currently eir is required, to manage and maintain the NDD on a fair, objective, cost-oriented, and non-discriminatory basis. This would ensure directory enquiry service providers have access to this information.</p>
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4.5 Assess the impacts and choose the best option

- 53 ComReg has considered the options available to it in terms of managing and maintaining the NDD.
- 54 Subscriber details are obtained from undertakings and recorded by the undertaking that maintains the NDD, without charge to undertakings. In addition, the undertaking that maintains the NDD must allow access to the information in accordance with specific terms.
- 55 Option 1 would cause detriment to consumers, in ComReg's view, this scenario must be avoided.
- 56 ComReg is of the view that in order to facilitate the associated consumer rights in respect of directory entries and opting out of direct marketing (the e-Privacy Regulations) is for ComReg to require an undertaking to maintain the NDD. Doing this would avoid any risks in relation to the continuity of operation and the integrity of the data held and processed by the NDD. Also, if the NDD is maintained, consumers Direct Marketing preferences will continue to be recorded, as will their ability to access a Directory Inquiry service.
- 57 By ensuring the maintenance of the NDD by a specified undertaking, industry and direct marketers will not need to obtain information from each telecoms service provider individually. While undertakings are legally obliged to provide this information, the directory enquiry service providers do not obtain it in this manner. It is more convenient and less costly for them and for undertakings to obtain the information from the one centralised source that is the NDD.
- 58 Furthermore, as eir currently manages and maintains the NDD, and the terms of access "*shall be fair, objective, cost orientated and non-discriminatory*", the extension of the direction for a 9 month period should not result in eir incurring additional costs.
- 59 In addition, it is also important to recognise the legislative anomaly which ComReg has to be mindful of and taking this into consideration, the direction of eir for a further period is currently the only appropriate solution.
- 60 For these reasons, ComReg is of the preliminary view that to direct eir to continue to manage and maintain the NDD for a 9 month period is the most appropriate and objectively justified option at this time, as it is the only way to ensure that the related rights and obligations can be guaranteed.
- 61 Requiring eir to continue to maintain the NDD would preserve the status quo and have a positive impact on the industry while ComReg assesses the expression of interest and ensures that the legal issue is addressed.

62 ComReg is not aware of any competition issues arising by specifying eir to continue to manage the NDD.

5 Draft Decision Instrument

STATUTORY FUNCTIONS AND POWERS GIVING RISE TO DECISION

1. This Decision and Decision Instrument, made by the Commission for Communications Regulation (“ComReg”), relates to the maintenance and management of the National Directory Database (“NDD”) and is made:

- i. Having regard to sections 10 and 12 of the Communications Regulation Act 2002 (“the Act” of 2002”);
- ii. Having regard to the European Communities (Electronic Communications Networks and Services) (Privacy and Electronic Communications) Regulations 2011;
- iii. Pursuant to the functions and powers conferred upon ComReg under and by virtue of Regulations 19 and 30 of the European Communities (Electronic Communications Networks and Services) (Universal Service and Users’ Rights) Regulations 2011 (“the Regulations”);
- iv. Having taken account of the representations of interested parties submitted in response to ComReg document No. 18/XX and
- v. Having regard to the analysis and reasoning set out in ComReg document No. 18/XX.

2. Decision

2.1 Eircom t/a “Eir” meaning Eircom Limited and its subsidiaries and any related companies, and any undertaking which it owns or controls or any undertaking which owns or controls Eircom Limited, its successors and assigns and including agents, contractors or sub-contractors of any of the latter shall maintain the NDD for a period of 9 months. For the purposes of this Decision Instrument the terms “subsidiary” and “related company” shall have the meanings ascribed to them in the Companies Act 2014.

2.2 Eir shall meet all reasonable requests for access to any information contained in the NDD in an agreed format.

2.3 The terms of access to the NDD shall be fair, objective, and cost orientated and non-discriminatory.

2.4 The terms of access to the NDD shall otherwise be in accordance with such terms and conditions as may be specified by eir and approved by ComReg in advance of the implementation of any such terms and conditions and such approval shall be obtained in writing.

3. Statutory Powers Not Affected

Nothing in this direction shall operate to limit ComReg in the exercise and performance of its statutory functions, powers and duties under any primary or secondary legislation

(in force prior to or after the effective date of this direction) from time to time as the occasion may require.

4. Maintenance of Obligations

If any section, clause or provision or portion thereof contained in this direction is found to be invalid or prohibited by the Constitution, by any other law or judged by a court to be unlawful, void or unenforceable, that section, clause or provision or portion thereof shall, to the extent required, be severed from this direction and rendered ineffective as far as possible without modifying the remaining section(s), clause(s) or provision(s) or portion thereof of this direction and shall not in any way affect the validity or enforcement of this direction.

5. Effective Date and Duration

5.1 This Decision shall be effective from 1 July 2018.

5.2 This Decision shall remain in force from the effective date for a period of 9 months.

GERRY FAHY
CHAIRPERSON
THE COMMISSION FOR COMMUNICATIONS REGULATION

6 Submitting Comments

- 63 The consultation period will run from 1 June 2018 to 18 June 2018 [2 week period]. Responses must be submitted in written form. If responses are submitted electronically, they must also be unprotected so as to facilitate online publication.
- 64 It is sometimes necessary for respondents to provide confidential information in their submissions. Confidential information must be clearly identified as such. ComReg will publish all of the responses it receives to this consultation, subject to its guidelines on the treatment of confidential information.
- 65 ComReg has considered the factors set out in its consultation procedures¹³ that would justify a period for consultation that is shorter than four weeks and ComReg is satisfied that two weeks is an appropriate and adequate period for this consultation.

¹³ ComReg Document 11/34

Annex 1: Questions

Q. 1 Do you agree that an undertaking should be required, pursuant to Regulation 19 and 30 of the Regulations, to manage and maintain the NDD after June 2018? Please provide detailed reasons and supporting evidence for your view. 11

Q. 2 Do you agree that as an expression of interest was received that eir should be required, pursuant to Regulations 19 and 30 of the Regulations, to continue to manage and maintain the NDD? Please provide detailed reasons and supporting evidence for your view. 13

Q. 3 In your view is 9 months the correct time period to ensure adequate time for each stage of the process (evaluation, consultation, response to consultation and decision and transition, if appropriate)? Please provide detailed reasons and supporting evidence for your view..... 13