



An Coimisiún um  
**Rialáil Cumarsáide**  
Commission for  
**Communications Regulation**

## Information Notice

Provision of further information in respect of  
ComReg Consultation Document 20/114:  
Mid-term Assessment  
Regional Wholesale Central Access (WCA)  
Market

### Information Notice

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**An Coimisiún um Rialáil Cumarsáide**  
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## Additional Information

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## 1.1 Introduction

1. ComReg published a Consultation and draft Decision (ComReg 20/114) on 23 November 2020 (**'Consultation'**). This Consultation concerns the Mid-term Assessment of the Regional Wholesale Central Access (**'WCA'**) Market envisaged in ComReg Decision D10/18 (the **'2018 Decision'**).<sup>1</sup> The Consultation proposes to alter the boundaries of the Regional WCA Market, and to remove regulation from certain Exchange Areas (**'EAs'**).

## 1.2 Request for further Information

2. Following publication of the Consultation, two interested parties requested that ComReg provide details of whether the geographic assessment criteria applied in the Consultation passed or failed at each Exchange Area. ComReg accordingly provides these data in the attached spreadsheet.

## 1.3 Recap of approach to assessment

3. The Consultation proposes that 82 EAs (the **'Candidate EAs'**) should be transferred from the Regional WCA Market to the Revised Urban WCA Market on the basis that they pass all relevant geographic assessment criteria. ComReg notes that the final number of EAs passing the geographic assessment criteria, as set out in the Response to Consultation and final Decision, may differ, based on the most up-to-date data available at that time.
4. In summary, there are three ways in which an EA may pass the geographic assessment criteria:
  - a. The EA passes all relevant criteria set out at Table 1 of the Consultation, taking into account all Primary Operators (**'POs'**) present at that EA;
  - b. The EA fails one of Criteria 2 to 4B, but is saved by the partial exemption set out at Criterion 5, per Table 1 of the Consultation; or
  - c. The EA fails all relevant criteria, taking into account all POs present at that EA, but passes if one PO is excluded, where certain conditions (set out at paragraph 9.333 of the 2018 Decision) are met.

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<sup>1</sup> Market Review: Wholesale Local Access (WLA) provided at a Fixed Location and Wholesale Central Access (WCA) provided at a Fixed Location for Mass Market Products. Response to Consultation and Decision. Reference: ComReg 18/94 Decision: D10/18 Date: 19 November 2018.

5. As set out paragraph 9.327 of the 2018 Decision, where certain categories of POs are not present at an EA, this may render certain criteria moot. Thus, Criterion 3 applies only to POs using third-party WLA inputs, while Criteria 4A and 4B apply only to Alternative Network Operators ('**ANOs**'), that is, POs which operate their own networks independently of Eircom. ComReg has designated SIRO and Virgin Media as ANOs.
6. Where a PO using third-party WLA inputs is not present at an EA, the associated Criterion 3 is not applied, and the assessment proceeds on the basis of the remaining criteria. Similarly, where no ANO is present at an EA, Criteria 4A and 4B are not applied, and the assessment proceeds on the basis of the remaining criteria.
7. Lastly, to ensure consistency with the geographic assessment in the 2018 Decision, and as set out at footnote 1831 thereof, ComReg counts any EAs entirely contained within another EA as meeting the conditions of that surrounding EA. Footnote 1831 of the 2018 Decision reads:

*“ComReg notes that, while there are 145 Exchange Areas in the Urban WCA Market, an additional 9 exchanges/nodes are entirely contained within the 145 Exchange Areas, and it is appropriate to indicate that these 9 exchanges/nodes are part of the Urban WCA Market footprint. In some cases these exchanges/nodes do not have any active lines being served. These exchanges/nodes are: KSH, BOM, SBK, KMO, LPT, MNS, CWJ, CWD, MMT. For example, exchange BOM is contained in the AUV Exchange Area. Hence, the total number of Exchange Areas/exchanges in the Urban WCA Market footprint is 154. The status of these exchanges/nodes (plus 10 others that are in the Regional WCA Market) was clarified by email from Eircom on 21 July 2017.”*

8. Accordingly, Centrepont Business Park (CBP) is an EA which is entirely contained within the Walkinstown (WAL) EA. Since WAL passes the geographic assessment criteria, CBP, is similarly deemed to pass the criteria. This is consistent with the approach applied in the 2018 Decision.

# Annex 1: Geographic Assessment Criteria

A 1.1 Please see attached spreadsheet for details of the application of the geographic assessment criteria.