IRELAND

EU Telecom rules: Where are we now?

European Commission
Information Society and Media

The Irish electronic communications market saw competition intensify in the mobile sector in 2006. Broadband penetration is still below the EU-25 average, but has improved substantially, partly driven by the uptake of alternative platforms such as wireless local loop. In the fixed market, alternative operators have succeeded in acquiring a visible market share of fixed calls. In an effort to speed up broadband uptake, the national regulatory authority (NRA), ComReg, continued to tackle local loop unbundling-related problems. However, effective implementation of remedies in practice remains an issue. While ComReg has taken a number of regulatory initiatives spectrum management and consumer protection, the expected and long delayed reforms of the Wireless Telegraphy Act would appear to be more than necessary.

Overview

Broadband

In October 2006, broadband penetration reached approximately 10.3%. However, Ireland continues to lag considerably behind the EU-25 average (15.7%). Broadband services are provided through a number of competing infrastructures, with wireless local loops and cable playing increasingly important roles, but digital subscriber lines (DSL) remain the dominant technology.

Overall, the broadband market share of the fixed incumbent decreased over 2004-2006.

A faster increase in broadband penetration appears to be held back by a lack of real progress in Local Loop Unbundling (LLU) penetration.

The main LLU-related issues still persisting include the absence of seamless migration from various wholesale products of the fixed incumbent to LLU; and manual LLU-synchronised number portability solution of comparatively low order processing capacity. These result in significant user cut-off periods and hinder investments by alternative operators.

Mobile

In October 2006, mobile penetration reached 110%. The market shares of the three largest operators are approximately 47%, 35% and 18% (i.e. the third operator increased its market share from 12% in 2005). There are no MVNOs (mobile virtual network operators) yet.

All three Irish 3G operators are quite active in deploying new services: mobile TV (actual offering or testing) and mobile broadband (planning for immediate future).

As regards the mobile call termination market, asymmetric remedies apply to new mobile network operators. ComReg has not imposed any specific MTR (mobile termination rates) caps or glide paths, taking into account the operators' voluntary reductions effective from January 2006 and their voluntary undertakings to further reduce MTRs in January 2007.

As regards the mobile access market, the Appeals Panel decided by consensus between ComReg and the other parties to annul ComReg's decision to jointly designate the two incumbents as dominant operators.

Fixed telephony

The incumbent's market share (measured by revenue) in the fixed telephony market remained slightly above 70% in 2006. However, 24% of subscribers already used an alternative provider for voice telephony services (the majority of which were carrier pre-selection (CPS) and wholesale line rental (WLR) operators).

Alternative operators are concerned about the high retail price for rental of the fixed incumbent's lines, which directly reflects on the prices of the fixed incumbent's wholesale products. In August-September 2006, ComReg consulted stakeholders on a retail price cap as a remedy on fixed narrowband access markets. It remains to be seen how this price cap will be structured and whether the rental price will come down as a result.

Broadcasting

Ireland appears not to have finalised its digital terrestrial TV plans yet and has not made known the digital switchover date. Nevertheless, trials with digital terrestrial broadcasting are ongoing. Irish households are quite evenly spread between terrestrial (42%), cable (31%) and satellite (27%) platforms.

Important consumer information

Tariff transparency	ComReg continued to be active in promoting consumer interests in 2006 (e.g. expanding its mobile tariffs comparison website to include fixed and broadband services, organising briefings to operators, awareness campaigns at public events, advertising campaigns, and issuing consumer guides). The work of the joint Ofcom and ComReg working group on mobile roaming has resulted in the availability of a wide range of tariff options, effectively offering all-island rates, in Ireland.
Universal service	In July 2006, ComReg redesignated the fixed incumbent as the universal service provider until June 2010. This redesignation concerns the full set of universal service obligations with the exception of the directory enquiry services, which, in ComReg's judgment, are provided by a number of operators commercially. The fixed incumbent has made a formal request to ComReg for compensation of the net costs involved in meeting these universal service obligations. Moreover, ComReg has established a Forum to promote greater attention to the needs of disabled users among electronic communication service providers. This Forum is attended by both operators and leaders of groups representing disabled users.
Emergency services	In 2006, an infringement case was opened against Ireland on the grounds that caller location information was not available to emergency authorities in Ireland for calls made from mobile phones. However, the case was later closed after the Irish authorities informed the Commission that caller location information was available in a pull mode, i.e. on request. The Ministry is, however, in the process of examining the deployment of a more sophisticated 112 caller location (push) system.
Number portability	Approximately 690 000 mobile numbers were ported in 2006. The Commission services are examining whether the current mobile number portability regime works against new entrants, because (a) agreements with all operators are necessary in order to join the system, which takes quite a lot of time; and (b) the charge – €20 per port (one of the highest in the EU) – disproportionately affects new entrants, which by definition have a smaller customer base.
Data protection	The Irish unsolicited marketing calls opt-out register (launched in July 2005) did not initially contain subscribers who had earlier elected not to have their details accessible through the publicly available directory services. Upon direction by ComReg and the Office of the Data Protection Commissioner, such ex-directory numbers were included in October 2006. According to the data provided by ComReg, approximately 860 000 numbers are in the database.

Infringement proceedings pending under the EU Telecom Rules: 0

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