

[IE] Obligations Imposed on Broadcasting Transmission Service

IRIS 2005-2:1/29

*Marie McGonagle
School of Law, National University of Ireland, Galway*

In April 2004 ComReg (the Commission for Communications Regulation) designated RTÉ Network Transmission Ltd (RTÉNL) as having significant market power in both the radio and television broadcasting transmission services on analogue terrestrial networks (see IRIS 2004-9: 12). Having engaged in a public consultation on the matter, ComReg announced on 17 November 2004 that it proposed to place obligations on RTÉNL. The consultation document followed the market analysis process, outlined the nature of the potential competition problems identified and sought views on the principles to be applied when selecting the appropriate remedies and the detail of the proposed remedies. The obligations, which follow Articles 9-13 of the Access Directive (Directive 2002/19/EC), include an obligation of transparency, an obligation of non-discrimination and an obligation of accounting separation. This means that RTÉNL must file with ComReg all agreements for the provision of transmission services, publish a schedule of tariffs, provide advance notice of price changes and provide Service Level Agreements for all relevant parties. In accordance with the new regulatory framework procedures, ComReg notified the European Commission and other European regulators before it would make its conclusions final.

ComReg Press Release PR171104

<http://www.comreg.ie/fileupload/publications/PR171104.pdf>

