



Industry Update

On

eir's Regulatory Governance Model (RGM)

June 2017

Prepared by:

Head of Compliance & Equivalence (C&E)



Contents	Page
Revision History of Report.....	3
List of Figures Page.....	4
List of Tables Page.....	5
1. Introduction.....	6
1.1. BACKGROUND TO THE REPORT.....	6
1.2. PURPOSE AND SCOPE OF THE COMPLIANCE REPORT	6
2. Executive Summary.....	7
2.1. KEY UPDATES.....	7
2.2. KEY CONCLUSIONS AND RECOMMENDATIONS	20
3. Appendix 1 Update on Code of Practice (COP).....	21
3.1. INTRODUCTION.....	22
3.2. PROGRESS TO DATE	26
3.3. CONCLUSIONS	26
4. Appendix 2 Update on BU Processes Compliance Reviews.....	27
4.1. INTRODUCTION.....	28
4.2. ANALYSIS OF STATEMENTS OF COMPLIANCE (SOCs)	28
4.3. ANALYSIS OF CONTROLS CONTAINED IN THE SOCs.....	31
4.4. GENERIC INFORMATION FLOWS	32
4.5. ANALYSIS OF RAP CHANGE REQUEST PROCESS	32
4.6. ANALYSIS OF EQUIVALENCE ISSUES	35
4.7. ANALYSIS OF KEY DIFFERENCES CONTAINED IN THE SOCs.....	40
4.8. EXTENDING BUSINESS UNIT PROCESS COMPLIANCE REVIEWS	42
5. Appendix 3 Update on Key Performance Indicators (KPIs)	43
5.1. ANALYSIS OF KEY PERFORMANCE INDICATORS	44
5.2. CONCLUSION	47
6. Appendix 4 Update on Internal Compliance Reviews/Investigations	48
6.1. INTRODUCTION.....	49
6.2. COMPLIANCE REVIEWS.....	49
6.3. WHISTLEBLOWER.....	49
6.4. C&E INTERNAL COMPLIANCE REVIEWS— SMP OBLIGATIONS.....	49
6.5. ANNEX 1: COMPLIANCE REVIEW OF PROVISIONING AND REPAIR CONTROLS	51
6.6. ANNEX 2: OPEN AND CLOSED RECOMMENDATIONS ON COMPLIANCE REVIEWS TO-DATE	69

Revision History of Report

The following table will be updated each time there is a new version of this report to record history of the report and for audit purposes.

Version No	Date	Revised by:	Basis for revision
1	25/05/17	J Styles	Following approval by the Board Regulatory Committee (RegCo) on the 27 th April 2017 to provide an Industry Update based on the Regulatory Compliance Report No 6
2	02/06/17	J Styles	Textual changes following final proofreading of the report



List of Figures

Figure 1 New RAP Change Requests (Jan-Dec 2016).....10

Figure 2 Status of RAP Change Requests.....10

Figure 3 Status of open and closed Equivalence Issues since the last report12

Figure 4 Number of Key Justifiable Differences13

Figure 5 KPIs for SB-WLR vs. PSTN.....14

Figure 6 KPIs for Bitstream vs. Broadband15

Figure 7 KPIs for NGA Wholesale Customers vs. Downstream16

Figure 8 Overview of the operation of provisioning controls17

Figure 9 Overview of the operation of repair controls.....18

Figure 10 Open and Closed Recommendations arising from Compliance Reviews to-date19

Figure 11 Rules on sharing Confidential Regulated information.....23

Figure 12 Rules on sharing Confidential Wholesale Customer Information25

Figure 13 Business Process Reviews – Key Processes29

Figure 14 New RAP Change Requests received up to 31st December 201633

Figure 15 Trend of RAP Change Requests received up to 31st December 2016.....33

Figure 16 Trend of RAP Change Requests open > 12 months34

Figure 17 Status of open and closed Equivalence Issues as at December 201635

Figure 18 Number of Key Justifiable Differences40

Figure 19 KPIs for SB-WLR vs. PSTN.....45

Figure 20 KPIs for Bitstream vs. Broadband46

Figure 21 KPIs for NGA Wholesale Customers vs. Downstream Businesses47

Figure 22 Overview of the operation of controls for Provisioning.....57

Figure 23 Overview of the operation of controls for Repair68

Figure 24 Open and Closed Recommendations arising from Compliance Reviews to-date72



List of Tables

Page

Table 1 Trend of closing RAP Change Requests..... 11

Table 2 Trend of RAP Change Requests open > 12 months 11

Table 3 List of Individual Controls per Business Unit as at Dec 2016 31

Table 4 Trend of closing RAP Change Requests..... 34

Table 5 Trend of RAP Change Requests open > 12 months 35

Table 6 List of Equivalence Issues..... 39

Table 7 Key Differences contained in the SoCs 41

Table 8 List of Open and Closed C&E Internal Reviews of RACM controls..... 50

Table 9 Update of recommendations arising from the Compliance Reviews of Change Control..... 70

Table 10 Update of recommendations arising from the Compliance Reviews of Pre-Ordering/Ordering 70

Table 11 Update of recommendations arising from the Compliance Reviews of Repair 71

Table 12 Update of recommendations arising from the Compliance Reviews of Provisioning 72

1. Introduction

1.1. Background to the Report

The eir Wholesale Reform Programme was offered to ComReg in 2011 on a voluntary basis as part of eir's strategic engagement on key regulatory and public policy issues. eir committed to the development of an enhanced Regulatory Governance Model as outlined in its submission to ComReg in October 2012. The Regulatory Governance Model contains three main strands as follows:

1. Group Wide Code of Practice (COP) which initially dealt with eir's Access and Non-Discrimination Obligations and now also deals with its pricing and transparency obligations.
2. Business Unit Process Compliance review programme to ensure our day-to-day processes are compliant with the COP by implementing the necessary Regulatory Controls, the outputs of which are Statements of Compliance (SoCs).
3. Independent Regulatory Compliance & Audit Reports, prepared by the Head of Compliance and Equivalence (C&E) and the Head of Internal Audit (IA), based on their internal reviews to the Board Regulatory Committee (RegCo) on an approximately six monthly basis.

1.2. Purpose and Scope of the Compliance Report

The purpose of this Report is to provide an update to Industry based on the third strand of the RGM and to give assurance of board and RegCo oversight. In this context all material Compliance Risks relating to the current scope of the RGM and how they are being managed are included.

The Report covers the main strands of the Regulatory Governance Model for the period from March 2016 to February 2017.

2. Executive Summary

2.1. Key Updates

2.1.1. Update on Code of Practice (COP)

The COP sets out the high level principles as to how our business processes and procedures allow us to comply with our regulatory obligations and how they apply when dealing with our Wholesale and Retail Customers. It is not a replacement for regulation imposed by ComReg, the regulator, but it is the yardstick against which these processes are assessed. The COP was originally launched in April 2013 to drive awareness of our Access and Non-discrimination obligations. A revised COP was launched in September 2016 covering our Access, Non-Discrimination, Transparency and Price Control obligations. A core element of the COP is how we deal with Confidential Regulated Information and Confidential Wholesale Customer Information. New supporting Guidelines for managing Confidential Regulated Information and Confidential Wholesale Customer Information were circulated in 2016 to all SMT members and their respective management teams for cascading within their Business Areas.

Confidential Regulated Information

Confidential Regulated Information is information about Regulated Access Products (RAP) which is not in the public domain, which would be of value to a Downstream Business or a Wholesale Customer in its retail business. Confidential Regulated Information cannot be shared with Downstream Businesses in advance of providing the information to Wholesale Customers.

Some examples of Confidential Regulated Information include:

- New (or changes to existing) RAP, not yet published, e.g. product descriptions, design specifications, prices and service level agreements
- RAP deployment timetables and locations (including product road maps)
- Network/Infrastructure information regarding RAP e.g. Network Rollout plans or information on the future location of NGN nodes or NGA cabinets
- Network Performance information, e.g. aggregated fault/provisioning data
- Network changes, strategic plans or restrictions relating to RAP services or the networks delivering them

Confidential Regulated Information must be labelled as such, kept secure and not disclosed other than in accordance with the rules outlined below:

1. Those supporting RAP in eir's Upstream Businesses i.e. open eir and eir CIO can exchange Confidential Regulated Information with each other and with those supporting RAP in eir's Central Services.
2. open eir can share Confidential Regulated Information with all its customers, provided it shares the same information to Wholesale Customers and Downstream Businesses at the same time.
3. All other sharing of Confidential Regulated Information is prohibited.



Note: eir's Downstream Businesses include:

- eir Consumer, eir Business and eir Customer Operations, including all their employees, agents, contractors and Senior Management Team members and
- open eir Managed Network Services (MNS), including all its employees, agents, contractors.

See Appendix 1 Figure 11 which illustrates the processes to be followed for managing Regulated Confidential Information.

Confidential Wholesale Customer Information

Confidential Wholesale Customer Information is information about an individual Wholesale Customer or about a group of Wholesale Customers, pertaining to RAP, which is not in the public domain and which has been disclosed to open eir as part of a customer supplier relationship, or which may be inferred from information so provided.

Some examples of Confidential Wholesale Customer Information include:

- strategies and plans of a Wholesale Customer
- network build of a Wholesale Customer
- retail customer services or customer locations of a Wholesale Customer
- customer specific traffic information and orders
- services required to support bids and tenders, including product requests
- marketing plans

Confidential Wholesale Customer Information must be labelled as such, kept secure and not disclosed other than in accordance with the rules outlined below:

1. Confidential Wholesale Customer Information can be shared between eir's Upstream Businesses, and with eir's Central Services, only where it is operationally necessary e.g. for ordering, provisioning, repairing and billing of RAP. Confidential Wholesale Customer Information should not be used, for example, for Competitor Business Intelligence.
2. There should be no sharing of Confidential Wholesale Customer Information with Downstream Businesses at any time. Nor should there be any flow of Confidential Wholesale Customer Information to the industry fora. There will, however, be specific Confidential Wholesale Customer Information passed between open eir and the individual Wholesale Customer in question.

See Appendix 1 Figure 12 which illustrates the processes to be followed for managing Confidential Wholesale Customer Information.

Completion of COP Training

The COP is supported by a custom built online training module together with a COP Queries helpline and a “whistleblowing” facility. COP training is mandatory for eir employees, agents and contractors. Following the launch of a revised COP in September 2016, an associated revised online training module was launched in October 2016 covering our Access, Non-Discrimination, Transparency and Price Control obligations. Management has advised that the aim is to have all personnel complete the training by 30 June 2017 and to repeat the on line training annually.

Conclusion

Rollout of the revised COP training will reinforce the lessons learnt on Access and Non-discrimination, and provide new valuable lessons when dealing with Transparency and Pricing obligations. Through rolling out the COP eir is ensuring that employees, agents and contractors are aware that treating Wholesale Customers responsibly, positively and fairly is not simply a regulatory obligation, it is also commercial common sense.

2.1.2.Update on Business Unit (BU) Processes Compliance Reviews

Based on the principles of the COP, eir has carried out reviews of the processes that are used to support the launch of regulated products (provided to Wholesale Customers) and the processes used to support Downstream Business products (that contain regulated inputs) to ensure they are non-discriminatory. The outputs of these reviews form the basis of the Statements of Compliance (SoCs) which are submitted to ComReg each time a new RAP is launched or a change is made to an existing RAP. Seven SoCs were submitted to ComReg during the period covered by this Report.

Key outputs of the reviews in the period covered by this Report can be summarised as follows:

2.1.2.1. RAP Change Request Process Review

open eir has put in place a process for managing requests for RAP Product changes from Wholesale Customers, Downstream and Upstream Businesses on a non-discriminatory basis. On a weekly basis a meeting is held with subject matter experts from open eir, eir Chief Information Technology Officer (CITO) and Regulatory as necessary, to review all requests and proposed responses. The key steps in this process are to determine if the request falls within a Regulated Market, and if yes, whether is it technically and economically reasonable to provide a solution.

In the period under this review (Jan-Dec 2016), 111 new RAP Change Requests were received – 44 from Upstream Businesses (e.g. open eir RAP initiatives), 40 from Wholesale Customers and 27 from Downstream Businesses.

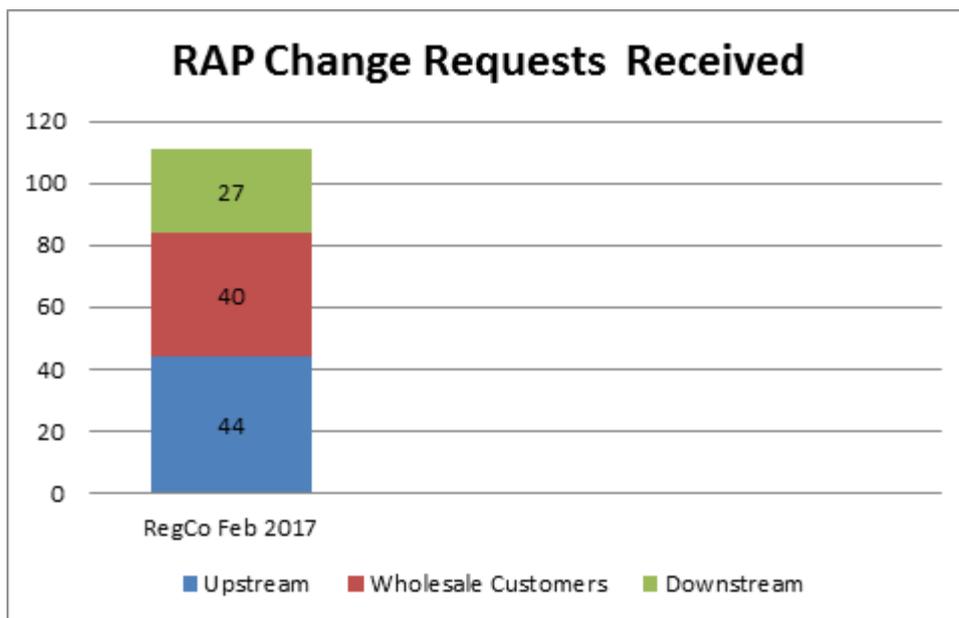


Figure 1 New RAP Change Requests (Jan-Dec 2016)

At the time of the last Board Wholesale Reforms Committee (BWRC) Report in March 2016 there were 96 open RAP Change Requests. Therefore, 207 (i.e. 96 + 111) RAP Change Requests were included in this RAP Change Request Process Review. Of the 207 RAP Change Requests, 71 RAP Change Requests remain open, 133 were closed and 3 are parked. Closed means the Change Requests were delivered, cancelled by the requestor, non-RAP changes (capability already supported by the existing RAP or not in a regulated market) or declined (it was not technically/economically feasible to deliver). The following figure shows the current status of 207 RAP Change Requests included in this review.

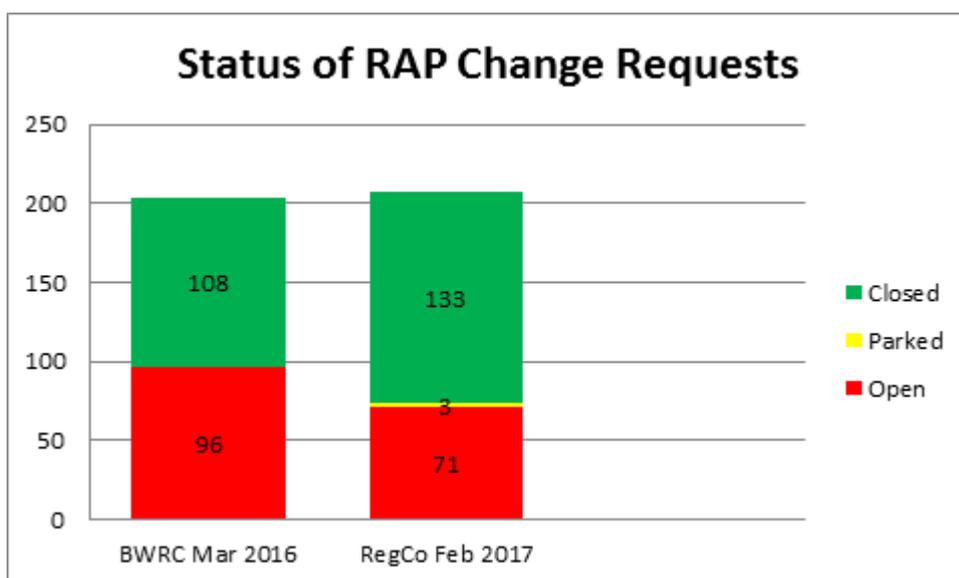


Figure 2 Status of RAP Change Requests

In the last BWRC Report in March 2016, 53% of the Change Requests were closed in the period. The closure rate of RAP Change Requests has increased to over 64% in the period of this review.

	RAP Change Requests		
	Closed	Total	closed as % of total
BWRC Mar 2016	108	204	53%
RegCo Feb 2017	133	207	64%

Table 1 Trend of closing RAP Change Requests

The percentage of RAP Access Requests that are open for greater than 12 months has increased from 22 to 31 (4%).

Compliance and Equivalence (C&E) is working with open eir and the other key internal stakeholders to address these issues and ensure that all access requests are delivered in a reasonable timeframe. Separately, 3 RAP Access Requests were parked during the period under review as per the agreed process as the requirements were not yet fully defined.

	RAP Change Requests open >12 months		
	No.	Total	Open as % of total
BWRC Mar 2016	22	204	11%
RegCo Feb 2017	31	207	15%

Table 2 Trend of RAP Change Requests open > 12 months

Conclusion

This analysis shows that the RAP Change Request process is widely used internally by Upstream and Downstream Businesses and externally by Wholesale Customers. The closure rate of RAP Change Requests continues to positively increase 53% to 64% while the RAP Access Requests that are open for greater than 12 months negatively increased from 11% to 15%.

2.1.2.2. Equivalence Issues Review

Equivalence Issues are differences between the regulated inputs open eir provides to eir's downstream businesses and the RAP products open eir provides to Wholesale Customers where those differences are not justifiable. For current generation access products where eir has an obligation to meet an Equivalence of Outputs (EoO), obligation differences can occur in terms of processes or systems, but these differences do not give rise to any difference in performance. For Next Generation Access products eir has an obligation to meet an Equivalence of Inputs (EoI) obligation which requires the same processes and systems for eir's downstream businesses and Wholesale Customers.



For EoI it is not expected that there will be any differences in processes and systems. If differences between processes and systems are identified, they need to be very minor and insignificant and objectively justified.

Four Equivalence Issues remained open in March 2016 and 8 new Equivalence Issues were opened during the period up to December 2016, giving a total of 12, all of which have now been closed. Out of the 8 new equivalence issues opened in the period, 1 related to a product difference while the other 7 related to differences regarding access to Confidential Regulated Information. Of the 7, 4 related to inappropriate user access to structured Confidential Regulated Information and 3 related to the flow of unstructured Confidential Regulated Information; 1 of these was closed within a short period of its happening and as a result would have had no impact on the RAP product or end customers. In eir's management opinion none is likely to have had a material competitive impact.

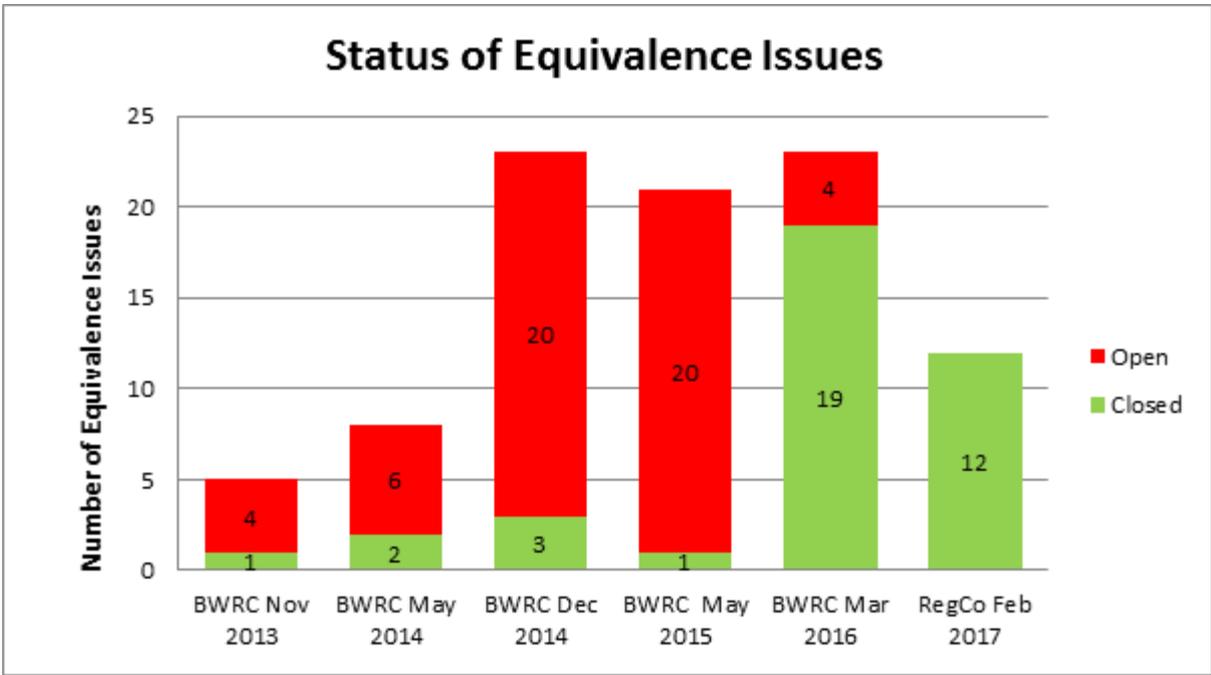


Figure 3 Status of open and closed Equivalence Issues since the last report

Conclusion

While the majority of the Equivalence issues in the past related to differences in product features, most of the new Equivalence issues identified relate to access to Confidential Regulated Information both in structured and unstructured format. To address the specific equivalence issues identified, C&E agreed a number of remedies with Management, which have been implemented. To minimise the risk going forward, Management needs to ensure that the existing controls operate effectively. In addition the updated Code and new Guidelines on the Handling of Confidential Regulated information issued since the last report have helped to raise awareness of the importance of this issue.



2.1.2.3. Key Justifiable Differences Review

Justifiable Differences (as defined on page 41) are submitted to ComReg as part of the SoCs. At the time of the March 2016 Report, there were 31 key differences and 4 additional key differences were identified during the period of this report.

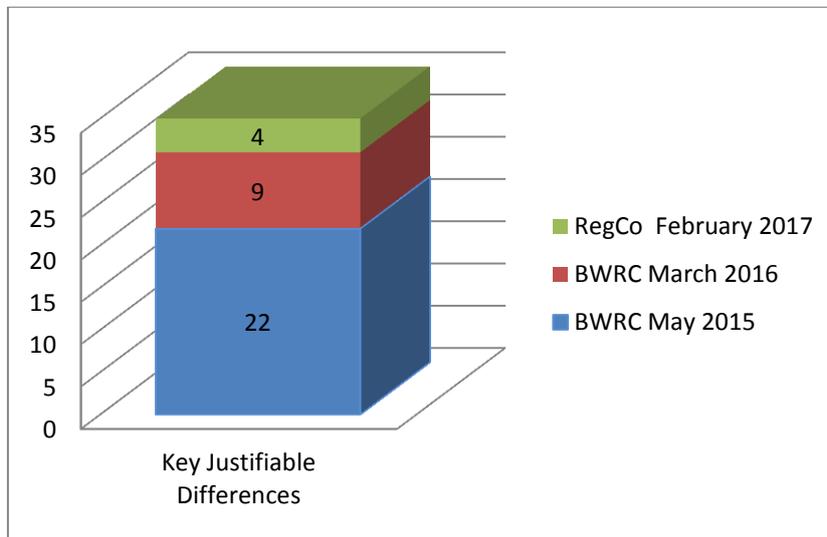


Figure 4 Number of Key Justifiable Differences

Conclusion

As more and more of our developments are based around NGA and other products to which the EoI standard applies, there should be fewer new justifiable differences being declared going forward. It should be noted that only four SoCs in the period related to new product development, the rest related to closing existing Equivalence issues. As only four SoCs in the period relate to new product development this in itself would lead to a lower level of differences.

2.1.2.4. Extending BUPCRs

Following launch of the revised COP and associated online training, the Business Unit Process Compliance Reviews (BUPCRs) have been extended to cover Transparency and Pricing Obligations. This work has involved engaging IBM to develop a fully documented generic methodology for doing BUPCRs which captures all the decision points and which is under change control. This generic BUPCR methodology is currently being applied to eir's pricing processes. This involves carrying out reviews, identifying compliance issues or compliance risks and developing controls and associated SoCs for submission to ComReg.

2.1.3. Update on Key Performance Indicators (KPIs)

On a quarterly basis open eir publishes KPIs on the supply and repair of RAP supplied to Wholesale Customers as compared to the equivalent inputs consumed by Downstream Businesses to show they are provided on a non-discriminatory basis. The analysis below covers the reporting period from January 2016 to December 2016 for the mass market services (Narrowband and Broadband).



2.1.3.1. SB-WLR vs. PSTN KPIs

- The supply of SB-WLR and PSTN for new electronically enabled connections for eir Retail and Wholesale Customers broadly track each other.
- In general the provision of PSTN lags that of SB-WLR for new line connections. This is mainly due to the fact that PSTN has a greater percentage of orders that require manual steps.
- The repair of SB-WLR faults aligns very closely with the repair of PSTN faults over 2 working days.

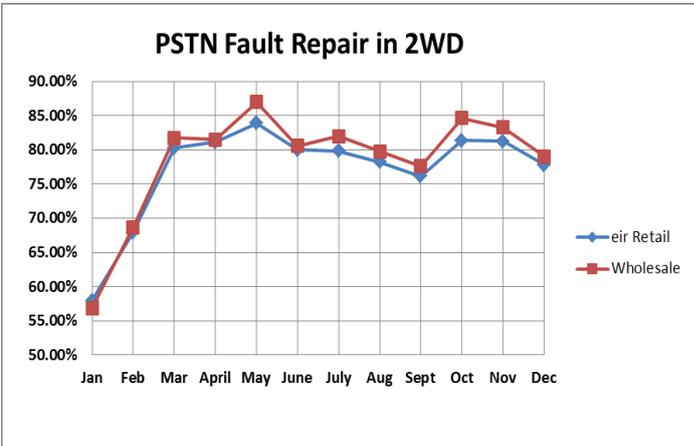
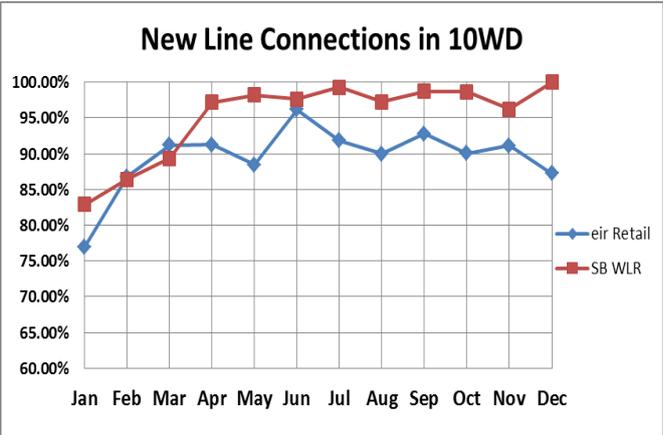
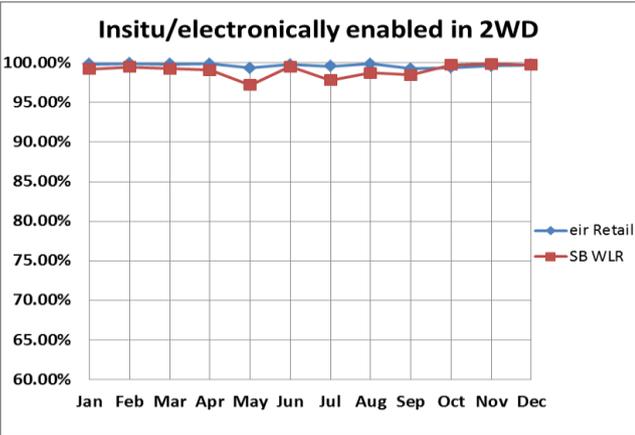


Figure 5 KPIs for SB-WLR vs. PSTN



2.1.3.2. Bitstream (Wholesale) vs. Broadband (Downstream) KPIs

- The supply of new electronically enabled services is equivalent for Bitstream and Broadband.
- The provision of Bitstream and of Broadband for new connections broadly track each other.
- The repair of Bitstream and of Broadband broadly track each other.

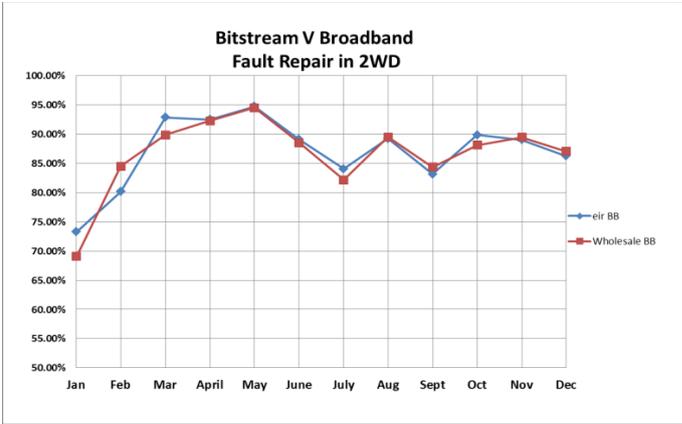
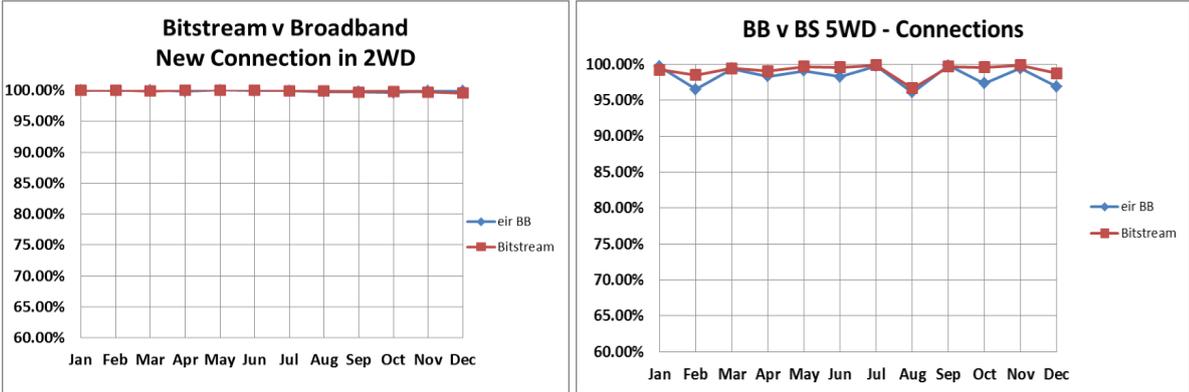


Figure 6 KPIs for Bitstream vs. Broadband



2.1.3.3. NGA Bitstream (Wholesale) vs. NGA Bitstream (Downstream) KPIs

The supply performance of NGA FTTC Bitstream POTs based and standalone for Wholesale Customers is equivalent to Downstream Businesses. open eir advised that as the volumes of faults are very low, variations in the comparative performance between Downstream and Wholesale Customers can occur.

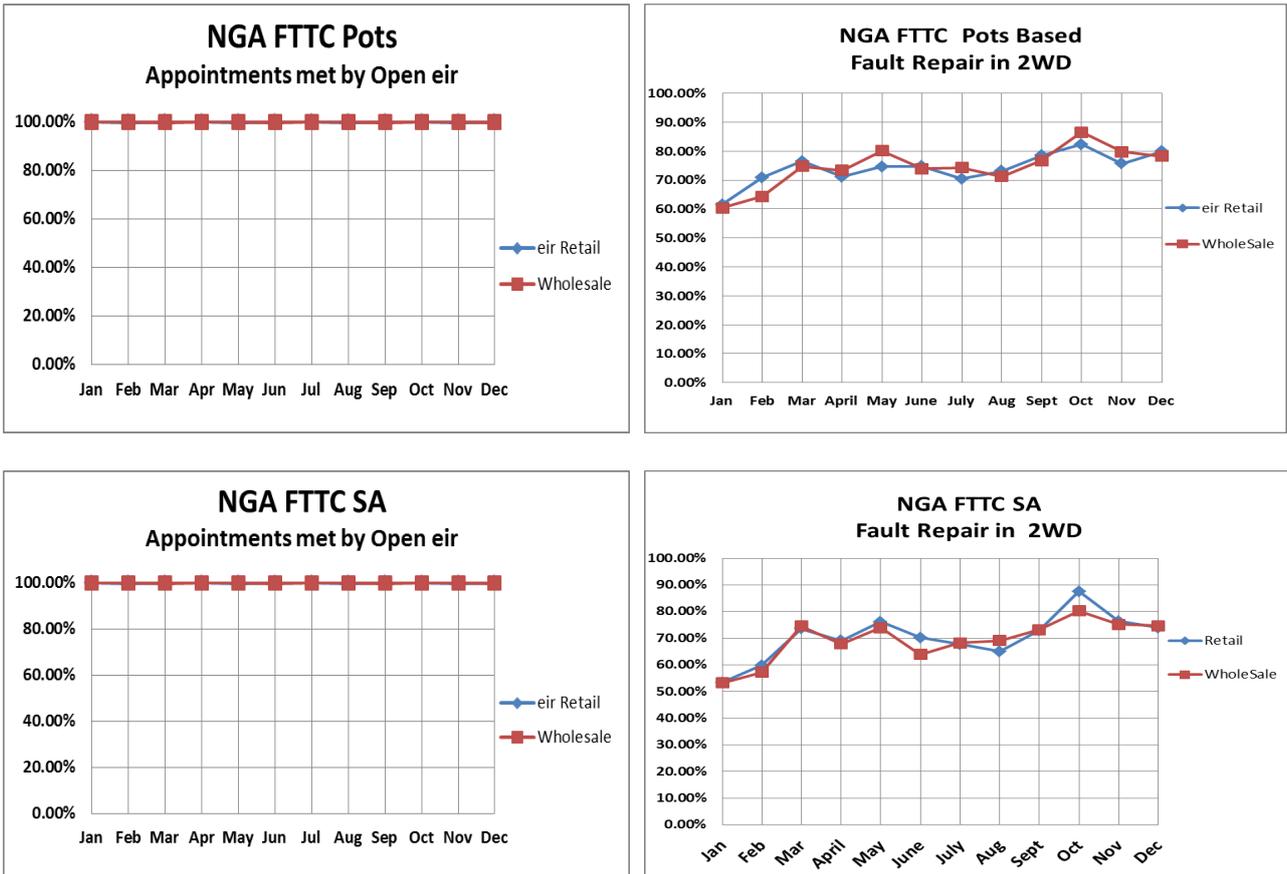


Figure 7 KPIs for NGA Wholesale Customers vs. Downstream

2.1.3.4. Conclusion

open eir publishes KPIs on its website to enable explicit comparisons to be made between Wholesale outputs and the equivalent inputs provided to eir’s Downstream Businesses. Publication provides assurance to Wholesale Consumers and end users that the products and related services used by both Downstream Businesses and Wholesale Customers are of the same standard. The KPI Performance figures above provide reassurance to Wholesale Customers that services are being provided and repaired in an equivalent manner.

2.1.4. Update on Internal Compliance Reviews / Investigations

The main reviews in the period relate to monitoring the effectiveness of controls which have been designed to mitigate against compliance risks arising from the RGM. These reviews are testing if the RGM is robust rather than investigating breaches of the RGM.

C&E completed its Compliance Review of Provisioning controls in the period. Out of the 6 controls, 5 were found to have operated effectively and 1 did not operate in the period under review. Further details can be found at Appendix 4 - Annex 1 to this Report.

A breakdown is outlined below.

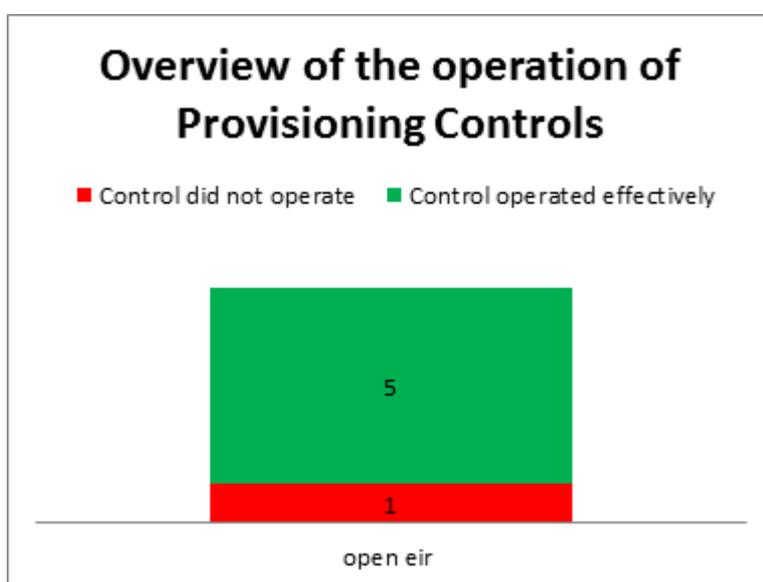


Figure 8 Overview of the operation of provisioning controls

C&E also completed its Compliance Review of Repair controls in the period. Out of the 21 controls 15 were found to have operated effectively, 4 were found to have operated in some respects and 2 did not operate in the period under review. Further details can be found at Appendix 4 - Annex 1 to this Report.

A breakdown by BU is outlined overleaf.

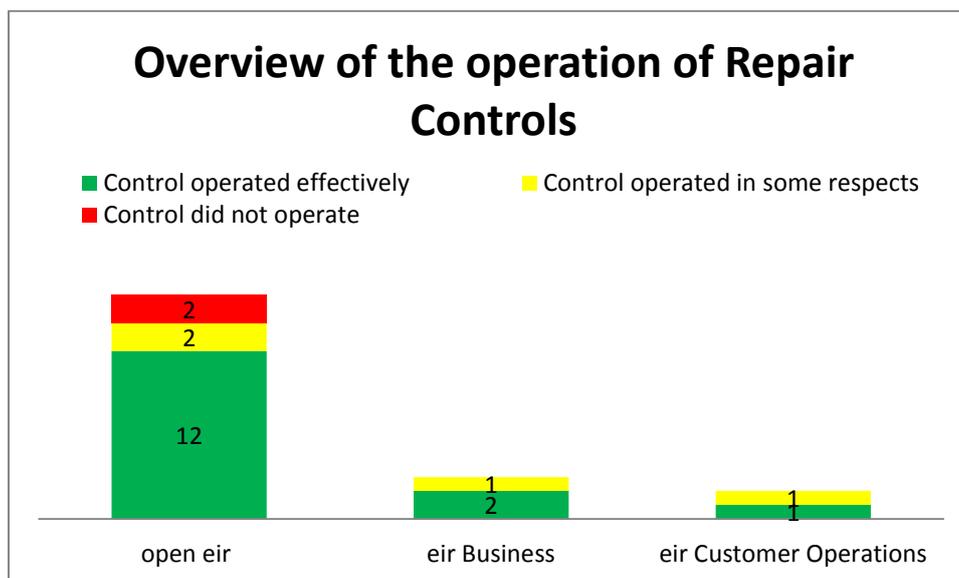


Figure 9 Overview of the operation of repair controls

Note: For the purpose of the current C&E review of controls, a control is deemed to have operated effectively where the control operated in accordance with its design specification. A control is deemed to have operated in some respects where the control operated in accordance with some elements of its design specification. A third category is where the control did not operate in the period under review. Where the control operated in some respects or did not operate at all, it does not necessarily mean that there was a material impact on the product being delivered in a non-discriminatory manner. Where possible we have tried to determine the likely impact and our conclusions are included in Appendix 4 - Annex 1.

The chart overleaf shows the progress made by the business to-date in implementing the recommendations arising from Compliance Reviews.

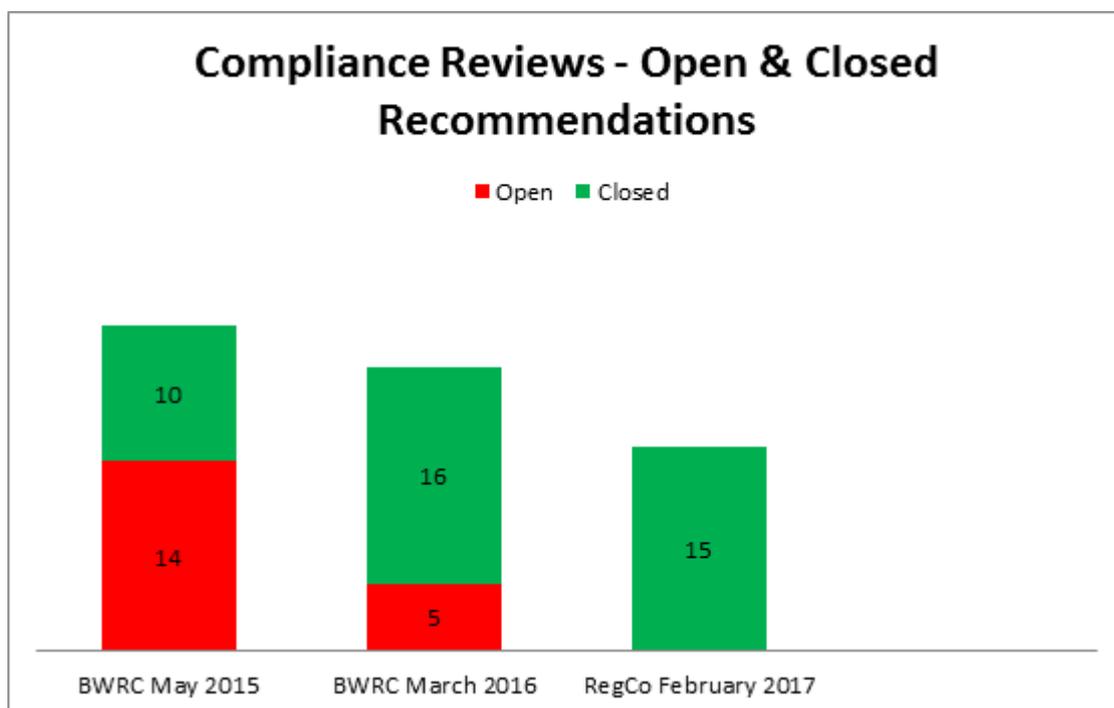


Figure 10 Open and Closed Recommendations arising from Compliance Reviews to-date

Conclusion

Based on the results from the Compliance reviews, the trend shows that more of the process controls sampled compared to previous reviews are operating effectively in full or in part.

2.2. Key Conclusions and Recommendations

Having reviewed the outputs from the C&E reviews, the following are the key conclusions:

1. **COP** – While training is on-going, HR is leading an internal review to make sure all in scope for training are tracked and reported on and that all training is completed by June 2017. C&E will continue to monitor progress on this issue.
2. **Access Requests** - While there was a small decrease in the number of RAP Access Requests received, the closure rates increased from 53% to 64%. The percentage of requests remaining open for greater than 12 months increased from 11% to 15%. C&E is working with open eir and the other key internal stakeholders to address these issues and ensure that all access requests are delivered in a reasonable timeframe.
3. **Equivalence Issues** – Most of the new Equivalence issues relate to flows of Confidential Regulated Information both in structured and unstructured format. To minimise this risk going forward, Management needs to ensure that the existing user access controls operate effectively. In addition, the updated Code and new Guidelines on the Handling of Confidential Regulated Information issued since the last report have helped to raise awareness of the importance of this issue.
4. **Key Justifiable Differences in processes between Downstream and Wholesale Customers** – The trend of new differences being reported continues to decrease, which is in line with our expectations.
5. **KPI comparison between Downstream and Wholesale Customers** – The treatment of Wholesale Customers compared very favourably with Downstream Businesses overall.
6. **Effectiveness of Regulatory Controls** – The number of process controls found to have operated effectively has increased and needs to continue to improve.
7. **C&E Reviews/Investigations** – The frequency of reviews needs to increase significantly to drive out issues where controls may be found not to be operating effectively and to implement remedial action. Management has advised that this is being addressed as part of eir's internal review of its RGM.



3. Appendix 1 Update on Code of Practice (COP)

3.1. Introduction

The COP sets out how we comply with our regulatory obligations and the high-level principles which lie behind our business processes and procedures when dealing with our Wholesale and Retail Customers. Compliance with the COP is mandatory for all employees, agents and contractors. Disregarding the Code can have serious consequences, including damage to our reputation and the risk of failure to meet our regulatory obligations. Individuals breaching the Code face possible disciplinary action. The original COP launched in April 2013 dealt with our access and non-discrimination obligations. A revised COP was launched in September 2016 covering our Access, Non-Discrimination, Transparency and Price Control obligations. The COP will continue to be reviewed.

ACCESS



Wholesale Customers must have access to RAP and associated services on the open eir network on a non-discriminatory basis. They must be given the same opportunities to request that RAP and associated services are developed or changed to meet their requirements (even if they are not required by our Downstream Businesses). open eir Wholesale RAP must respond to requests from all Wholesale Customers by applying certain objective non-discriminatory criteria to decisions to either grant or reject such requests.

NON-DISCRIMINATION



The Non-discrimination umbrella covers the protection we give to all our Wholesale Customers that ensures they receive RAP, associated services and information under equivalent conditions and to the same quality and timing as that provided to eir's Downstream Businesses. No special favour must be shown because a customer is availing of an eir Retail service, and no criticism or unfavourable comment should be made if an end user is using a Wholesale Customer.

Key elements of the non-discrimination obligation relate to the flow of Confidential Regulated Information and Confidential Wholesale Customer Information. These are described below:

Confidential Regulated Information

Confidential Regulated Information is information about RAP which is not in the public domain, which would be of value to a Downstream Business or a Wholesale Customer in their retail business. Confidential Regulated Information cannot be shared with Downstream Businesses in advance of providing the information to Wholesale Customers. open eir makes this information available to all Wholesale Customers and Downstream Businesses under the same conditions. Some examples of Confidential Regulated Information include:

- New (or changes to existing) RAP products, not yet published, e.g. product descriptions, design specifications, prices and service level agreements
- RAP deployment timetables and locations (including product road maps)
- Network/Infrastructure information regarding RAP products e.g. Network Rollout plans or information on the future location of NGN nodes or NGA cabinets
- Network Performance information, e.g. aggregated fault/provisioning data
- Network changes, strategic plans or restrictions relating to RAP services or the networks delivering them

Confidential Regulated Information must be labelled as such, kept secure and not disclosed other than in accordance with the rules outlined below:

1. Those supporting RAP in eir’s Upstream Businesses i.e. open eir and eir CIO, can exchange Confidential Regulated Information with each other and with those supporting RAP in eir’s Central Services.
2. open eir can share Confidential Regulated Information with all its customers, provided it shares the same information to Wholesale Customers and Downstream Businesses at the same time.
3. All other sharing of Confidential Regulated Information is prohibited.

The figure below illustrates the processes to be followed.

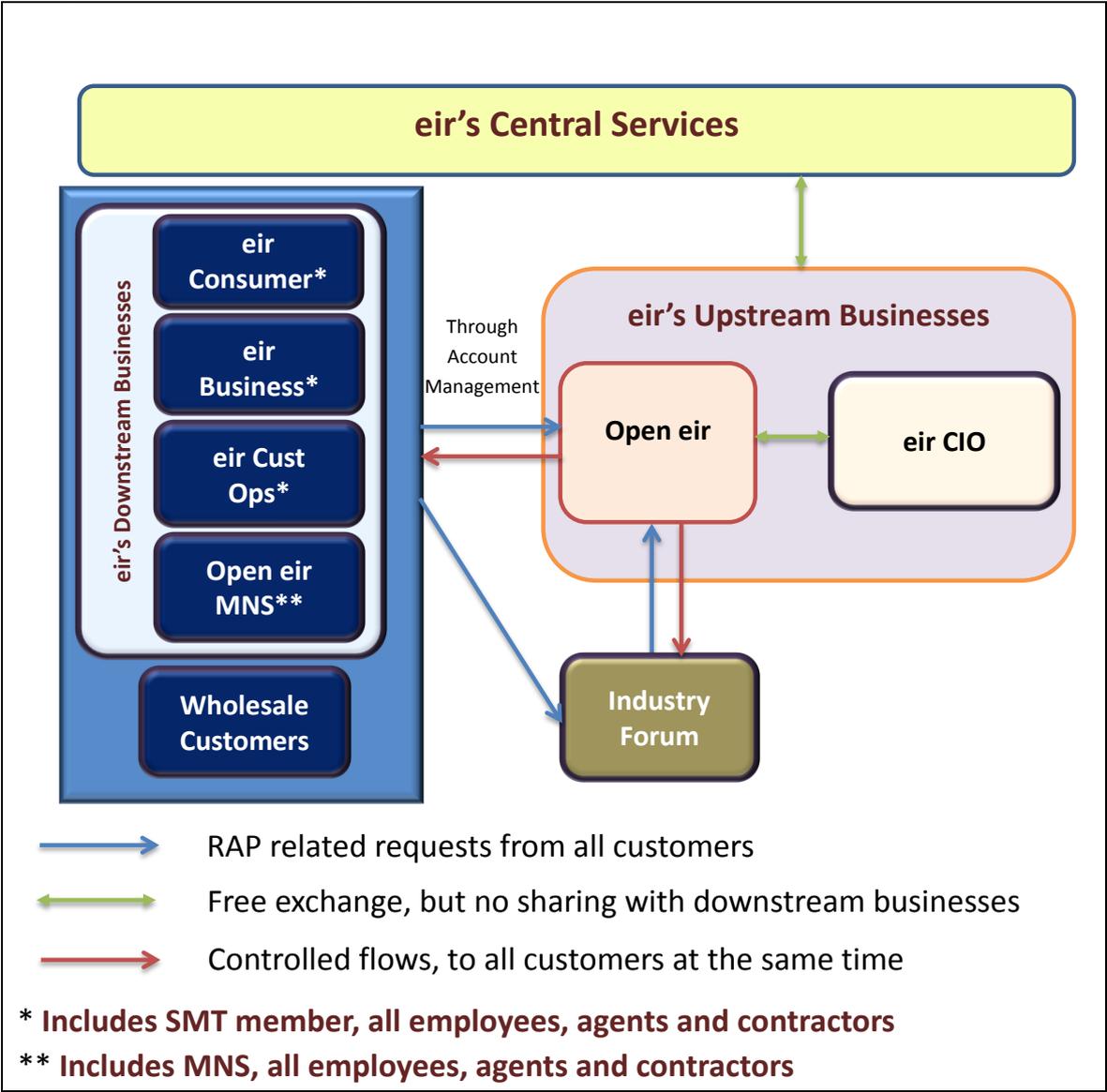


Figure 11 Rules on sharing Confidential Regulated information

Note: eir's Downstream Businesses include:

- eir Consumer, eir Business and eir Customer Operations including all their employees, agents, contractors and Senior Management Team members and
- open eir MNS, including all its employees, agents and contractors.

Confidential Wholesale Customer Information

Confidential Wholesale Customer Information is information about an individual Wholesale Customer or about a group of Wholesale Customers, pertaining to Regulated Access Products, which is not in the public domain and which has been disclosed to open eir as part of a customer-supplier relationship, or which may be inferred from information so provided.

Some examples of Confidential Wholesale Customer Information include:

- strategies and plans of a Wholesale Customer
- network build of a Wholesale Customer
- retail customer's services or customer locations of a Wholesale Customer
- customer-specific traffic information and orders
- services required to support bids and tenders, including product requests
- marketing plans

Confidential Wholesale Customer Information must be labelled as such, kept secure and not disclosed other than in accordance with the rules outlined below:

1. Confidential Wholesale Customer Information can be shared between eir's Upstream Businesses, and with eir's Central Services, only where it is operationally necessary – for example for ordering, providing, repairing and billing of RAPs. Confidential Wholesale Customer Information should not be used for example for Competitor Business Intelligence.
2. There should be no sharing of Confidential Wholesale Customer Information with Downstream Businesses at any time. Nor should there be any flow of Confidential Wholesale Customer Information to the industry fora. There will, however, be specific Confidential Wholesale Customer Information passed between open eir and the individual Wholesale Customer in question.

The figure overleaf illustrates the processes to be followed.

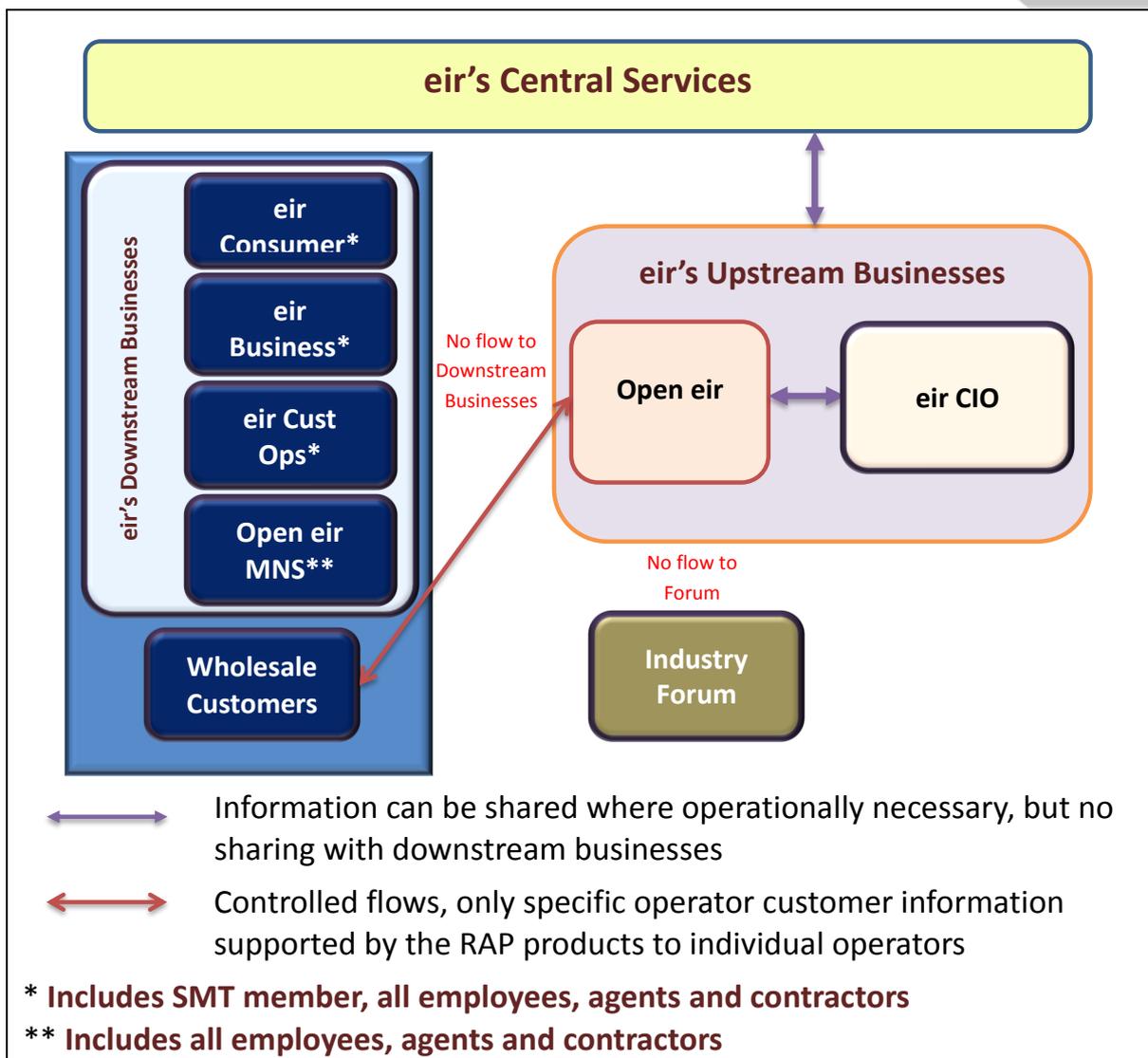


Figure 12 Rules on sharing Confidential Wholesale Customer Information

TRANSPARENCY



The Transparency obligation requires open eir Wholesale RAP to publish product information (e.g. product descriptions, technical specifications, network characteristics, prices, and terms and conditions for supply and use) on its public website to allow eir's Downstream Businesses and Wholesale Customers to make best use of RAP and associated services to develop their own retail services. In addition, open eir RAP publishes supporting documentation for all new (or changes to existing) RAP a number of months before they launch, as directed by ComReg.

PRICING



The Price Control remedies – or obligations – apply to eir across a range of wholesale and retail markets where the company has been designated with Significant Market Power (SMP).

In general price controls will be in one of two forms: price control by cost orientation, or price control by margin squeeze test. Business unit directors and product managers are asked to make themselves familiar with the form of price control that applies to the products they manage.

3.2. Progress to date

The COP is supported by a custom built online training module together with a COP Queries helpline and a “whistleblowing” facility. COP training is mandatory for eir employees, agents and contractors. Following the launch of a revised COP in September 2016 an associated revised online training module was launched in October 2016 covering our Access, Non-Discrimination, Transparency and Price Control obligations. It is planned that this training will be required to be undertaken annually.

3.3. Conclusions

Rollout of the revised COP training will reinforce the lessons learnt on Access and Non-discrimination, and provide new valuable learning when dealing with Transparency and Pricing obligations.

Through rolling out the COP, eir is ensuring that employees, agents and contractors are aware that treating Wholesale Customers responsibly, positively and fairly is not simply a regulatory obligation, it is also commercial common sense.



4. Appendix 2 Update on BU Processes Compliance Reviews

4.1. Introduction

Based on the access and non-discrimination requirements imposed on eir and covered by the COP, eir carried out a review of all the processes that are used to support regulated products provided to Wholesale Customers, and the processes used to support Downstream Products that contain regulated inputs, to ensure they are non-discriminatory. These reviews followed the following key steps:

- Identification of differences which were justifiable on the basis that the differences in processes and systems which were identified were not material.
- Identification of differences that could not be justified on the basis that they had a material impact on the services provided. These were labelled as Equivalence issues and associated Controls were put in place to address these Equivalence Issues. Controls in this context were solutions to ensure the equivalent service was delivered in a non-discriminatory manner.
- Identification of risks that could become Compliance issues and associated Controls were put in place to mitigate these risks.

The output of the above reviews formed the basis of the Statements of Compliance (SoCs) which were submitted to ComReg for each of the regulated markets. These SoCs are kept up to date and submitted to ComReg as part of business as usual. These controls are now part of business as usual with the relevant Level 1 Senior Manager self-certifying on a quarterly basis that the controls are operational. The controls are also subject to Compliance and Audit reviews.

In general controls are broken into the following categories:

- Preventative (process / system change to remove the risk)
- Detective (metrics / checks to identify if the risk has materialised)
- Mitigation (Partial fix or instruction to follow particular process to reduce impact of risk)
- Remediation (system / process changes that will be implemented in future)

4.2. Analysis of Statements of Compliance (SoCs)

As part of notifying ComReg of a new RAP product or changes to an existing product, eir is required to submit a written SoC adequately demonstrating its compliance with its non-discrimination obligations. Since the last BWRC Report, eir has submitted SoCs to support the following new product launches and for product changes:

- Amended Duct Access Product- March 2016
- Amended Pole Access Product- March 2016
- Auto closing FHS Faults in pending clear-May 2016
- AI Changes-June 2016
- Enhanced Provisioning Service-June 2016
- WES Failover-December 2016
- All Day Appointment-December 2016

4.2.1.Reminder how the Statements of Compliance are created

In order to develop the detail required to demonstrate compliance with eir’s non-discrimination obligations, the following general processes are reviewed and assessed for compliance:

- Change control processes (Product Development)
- Ordering (including pre-ordering)
- Provisioning
- Repair (including fault reporting)

Each of these processes was assessed with regard to:

- Information
- Performance
- Process/Systems
- Features

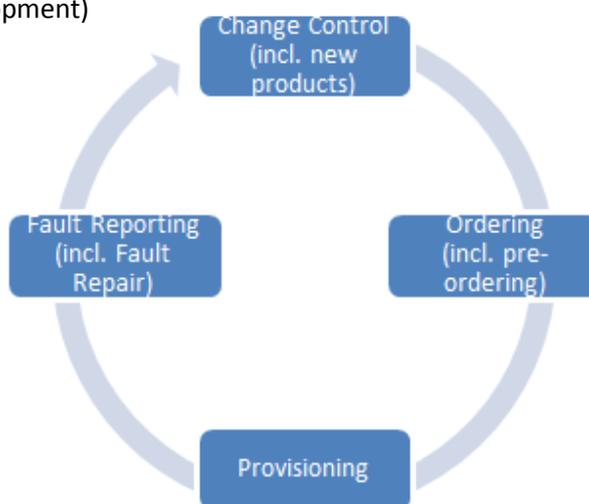


Figure 13 Business Process Reviews – Key Processes

eir is currently documenting its methodology for carrying out Business Unit Process Compliance Reviews (BUPCR) and developing associated SoCs with the assistance of IBM. The revised methodology will fully document all the steps involved, capture all the decisions made and be under change control.

4.2.2.Improvements to the RAP Change Control Processes

The RAP Change Control Processes are very much concerned with the interaction of the RAP Change Request Process, the RAP Product Development Council (PDC) and the Technology End to End(E2E) process.

- The RAP Change Request process was put in place by open eir RAP for managing changes to regulated products. This process ensures that all requests for product/service features that may require changes to RAP Products are captured, assessed and accepted or rejected in a non-discriminatory manner. This includes requests for new reports or information on products/services that are based on RAP inputs.
- The RAP Product Development Council (PDC) process ensures that the relevant functional areas involved in the day-to-day operational management of products have reviewed the necessary processes and systems, and are satisfied that the necessary processes, people and systems are in place to support the product post launch.
- The Technology End-to-End process governs moving IT-related business requirements from initial ideas through the IT Design to build, test and launch.



Following an internal review open eir has advised that all the following enhancements were made to these processes by Q2 2016:

Enhancement 1: Improved processes have been implemented to ensure all Wholesale Customer Requests and other issues that impact on RAP products are accurately recorded on the RAP Change Request Log in a timely manner:

- Regulatory to advise open eir (RAP) of product implications following receipt of ComReg direction or decision within 1 week of the decision being received / published. open eir (RAP) include these items on the RAP Change Request log.
- Compliance & Equivalence to advise open eir (RAP) of Compliance and Equivalence issues once they are identified. open eir (RAP) include these items on the RAP Change Request log.
- For requests received at industry fora, a draft Customer Request document (CRD) is completed by open eir which is then sent back to the forum so that industry can confirm that the description of the request to be submitted into the RAP Change Request process meets their requirement.
- When an open eir account manager fills out a request on behalf of their customer (Wholesale Customer or Downstream Business), the account manager sends the request back to the Customer to confirm that the description of the request to be submitted into the RAP Change Request process meets their requirement.
- If projects are with industry for review/signoff, a “Parked time” metric may be recorded for the development where the reasonable or directed time for review/signoff has already passed.

Enhancement 2: Improved transparency to show all requests are prioritised for development in a non-discriminatory manner:

- The new RAP Customer Portal contains the Product Change Request Log that outlines what is happening with each request, when the request is due to move to next status and when it is projected to complete. Industry workshops have been used to explain all new requests and update on the open requests. The workshops have also been used as a means of discussing progression of requests through the process at key decision times.

Enhancement 3: Improved project management implemented to ensure all RAP Change Requests are tracked and developed by agreed target dates, as follows:

- All RAP Change Requests that are not rejected or cancelled are logged on the open eir RAP PDC when the response is agreed. Requests that are rejected or cancelled are advised to the requestor.
- PDC Gate 1 must take place within a reasonable timeframe (target 8 weeks) from the date the request is logged with the RAP Product Development Council (PDC)
- PDC Gate 1 Input includes target dates for key end to end (E2E) process milestones (as appropriate) - these are agreed at Gate 1
- PDC Gate 2 target date must be :
 - > 3 months before the relevant Unified Gateway (UG) launch for product changes that require a 3 month ComReg notification period
 - > 7 months before the relevant UG launch for product changes that require a 7 month ComReg notification period
 - Alternatively the capability will be developed “switched off”



- PDC Gate 3 target date must be > 1 week before UG launch
- All developments through the PDC are tracked against target dates to identify the developments that are:
 - Green (everything indicates that the target date will be met)
 - Amber (risk that target date won't be met)
 - Red (project has missed or it is known that the project will not meet the target date)
- At the PDC meeting a report containing the Red/Amber/Green (RAG) status of projects is presented to the Chair and other PDC members. Individual Product Managers (PMs) explain why their projects are in Amber – proposing the steps that need to be taken to meet target date. PMs also discuss the impacts of missing the target dates for projects in Red status and propose what needs to be done to minimise the impact of missing the target dates.
- PDC minutes detail the outcome of the RAP RAG report discussion.
- All changes to target dates agreed in the PDC Gate 1 document must be completed as Change Requests through the existing PDC Process.

Enhancement 4: New steps to ensure all Customers are informed of the RAP Change Request process:

- The Customer RAP Change Request Document (CRCD) is published on the open eir website along with “User Slides” which describe the RAP Change Request Process.
- RAP also publishes Industry Roadmaps on the open eir website. These Roadmaps contain a description and up-to-date status of all projects in the RAP Change Request Process that have been assessed and were not cancelled or rejected.
- Version control has been added to the Industry Roadmaps, highlighting the changes that have happened since the previous Roadmap was published along with a detailed explanation.
- Downstream Businesses are informed when it becomes known that capabilities/facilities are being removed from them, when known. This may be through the development of solutions to close Equivalence Issues and/or complete RAP Change Requests.

4.3. Analysis of Controls contained in the SoCs

The data analysed in this section is based on the Risk and Control Matrix (RACM) as of December 2016 which has been updated in line with business as usual changes.

The list of individual active controls is contained in the table below:

Business Unit	Change Control	Data Access	Fault Report/Repair	Pre-Ordering/Ordering	Provisioning	Grand Total
CIO	4	3	0	0	0	7
eir Business	10	0	2	0	0	12
eir Consumer	3	0	0	0	0	3
eir Customer Operations	1	0	0	0	0	1
open eir MNS	5	0	0	0	0	5
open eir	9	64	19	16	9	117
Grand Total	32	67	21	16	9	145

Table 3 List of Individual Controls per Business Unit as at Dec 2016

Note: Data Access Controls are designed to ensure that only appropriate access is granted to our systems which contain Structured Information. The two eir Business repair controls have now been automated and are being retired from the RACM.

4.4. Generic Information Flows

The security, classification and flow of Wholesale data within eir, particularly RAP related data and Wholesale Customer Information, is a key element of the RGM.

eir has implemented a programme to ensure that all Confidential Regulated Information and Confidential Wholesale Customer Information retained by eir in either structured or unstructured form is only disclosed in compliance with the agreed RGM, which is designed to ensure compliance with eir's non-discrimination obligations. The Information Flows workstream was split into the following:

- Structured Information Flows
- Unstructured Information Flows

4.4.1. Progress of Generic Information Flows

The Structured Information Flows workstream has identified a number of risks where eir's procedures could be improved to further strengthen the RGM and a number of controls proposed to mitigate these risks. These controls are included in the "List of Individual Controls per Business Unit" above. As previously stated the effectiveness of these controls is currently under review and will be reported on in the next Report.

The Unstructured Information Flow workstream put in place a framework to allow staff to identify when they are creating documentation relating to Confidential Regulated Information and Confidential Wholesale Customer Information, to mark it appropriately and to distribute it according to strict business rules. This was rolled out across all business units. In addition, in October 2016 updated Data Handling Guidelines, including the conduct of meetings, was developed by C&E to enhance people's understanding of this important issue. SMT members were briefed on the Guidelines and requested to cascade them to their teams. The correct flow of Confidential Regulated Information throughout eir is critical to ensure compliance with the COP. An update on the effectiveness of the guidelines will be provided in the next report.

4.5. Analysis of RAP Change Request Process

open eir has put in place a process for managing requests for open eir RAP Product changes from Wholesale Customers and Downstream Businesses on a non-discriminatory basis. This analysis deals with the Open RAP Change Requests from the last Report, along with RAP Change Requests received up to 31st December 2016.

In the period under this review, 111 new RAP Change Requests were received – 44 from Upstream Businesses (e.g. open eir RAP initiatives), 40 from Wholesale Customers and 27 from Downstream Businesses.

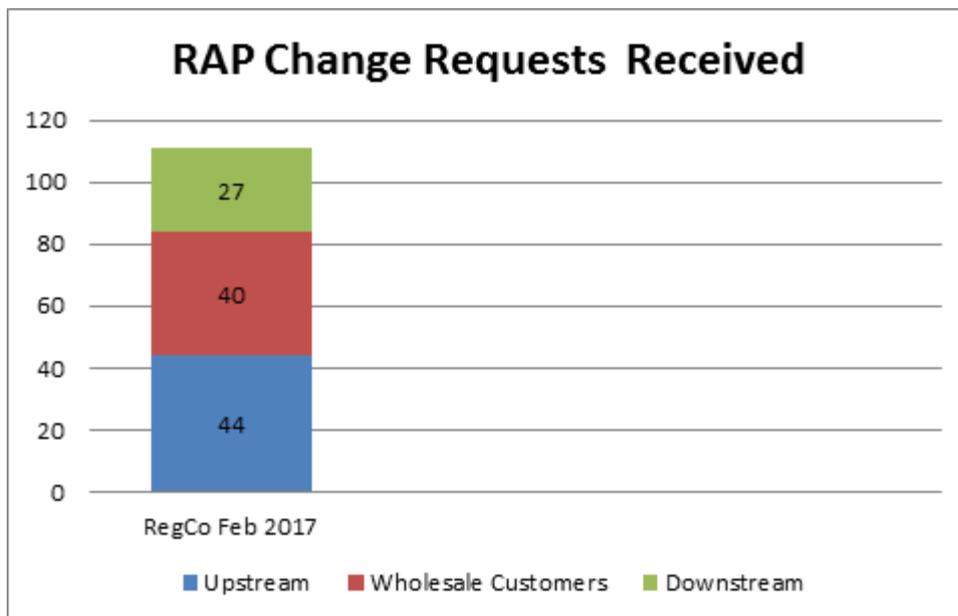


Figure 14 New RAP Change Requests received up to 31st December 2016

At the time of the last BWRC Report in March 2016, there were 96 open RAP Change Requests. Therefore, 207 (i.e. 96 + 111) RAP Change Requests were included in this RAP Change Request Process Review. Of the 207 RAP Change Requests, 71 RAP Change Requests remain open, 133 were closed and 3 are parked.

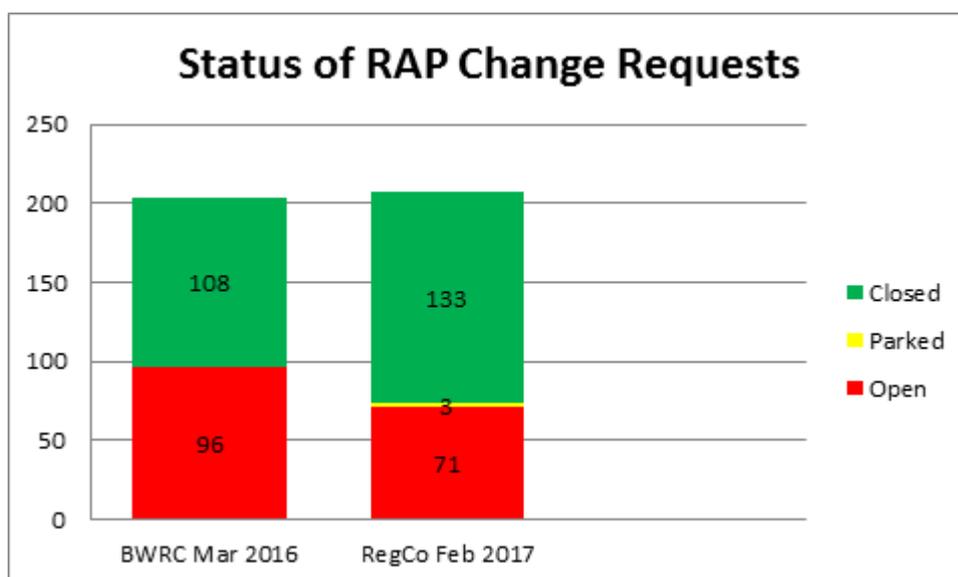


Figure 15 Trend of RAP Change Requests received up to 31st December 2016



Note: In the last BWRC Report in March 2016, 53% of the Change Requests were closed in the previous reporting period. The closure rate of RAP Change Requests in this period is 64%.

	RAP Change Requests		
	Closed	Total	closed as % of total
BWRC Mar 2016	108	204	53%
RegCo Feb 2017	133	207	64%

Table 4 Trend of closing RAP Change Requests

Note: The percentage of total RAP Access Requests open for greater than 12 months is at 15%.

C&E is working with open eir and the other key internal stakeholders to address these issues and ensure that all access requests are delivered in a reasonable timeframe. Separately, 3 RAP Access Requests were parked as per the agreed process as the requirements were not yet fully defined.

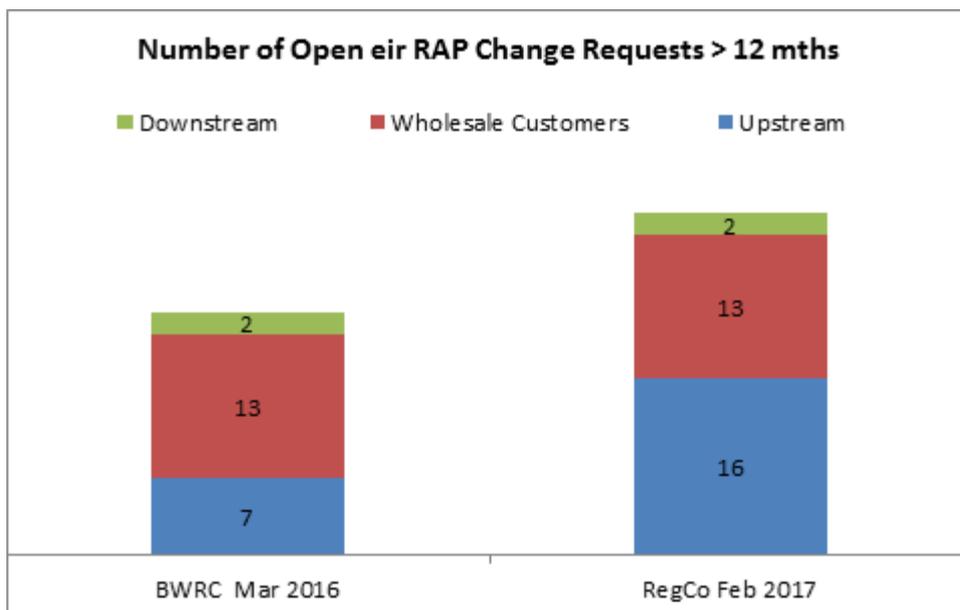


Figure 16 Trend of RAP Change Requests open > 12 months

	RAP Change Requests open >12 mths		
	No.	Total	Open as % of total
BWRC Mar 2016	22	204	11%
RegCo Feb 2017	31	207	15%

Table 5 Trend of RAP Change Requests open > 12 months

4.5.1. Conclusion of Analysis of RAP Change Request Process

A process has been put in place by open eir RAP to log requests for RAP Product changes and to continue to track them along their journey through to completion. This analysis shows that the process is widely used internally by Upstream and Downstream Businesses and by Wholesale Customers.

The enhancements detailed in section 4.2.2 will provide greater transparency of the RAP Change Request process to Wholesale Customers and Downstream Businesses. The steps identified should improve the accuracy of requests being submitted into the process, and ensure that regulatory compliance issues that may give rise to changes in RAP Products will get into the process in a timely manner. The steps identified will also improve tracking of developments to ensure successful on-time delivery of solutions to meet the RAP Change Request requirements.

4.6. Analysis of Equivalence Issues

Equivalence Issues are differences in systems and processes which were identified during the Business Process Reviews (in how RAP Products are provided to Wholesale Customers and Downstream Businesses), and which need to be addressed. Four Issues remained open in March 2016 and 8 new Equivalence Issues were opened during the period up to December 2016, giving a total 12, all of which have been closed.

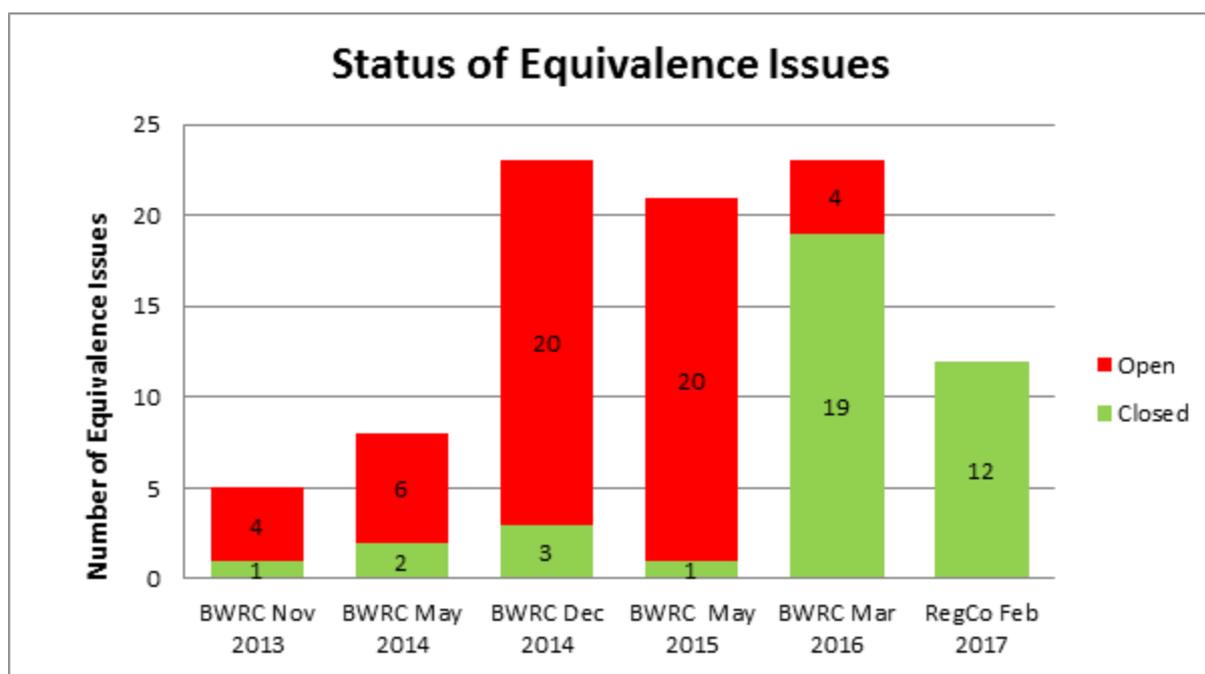


Figure 17 Status of open and closed Equivalence Issues as at December 2016

The full list of Equivalence Issues open since the last report is detailed in the table below.

4.6.1. Table of Equivalence Issues

Index	Date Opened	Description of Issue	Status	Date Closed	Original Target Date	Roadmap Information
1	Jun-13	<p>Pending Clear: Downstream Business Broadband faults and PSTN faults logged through RTM remained in "pending clear" until they were closed manually. The downstream faults and OAO faults should have been treated in an equivalent manner.</p>	<p>Solution designed to ensure all downstream business faults are auto-closed in the same manner as Wholesale Customer faults. It was not technically feasible to deliver the solution in the UG release in December 2015. The solution was delivered in April 2016. Interim controls were in place to ensure that pending clears were closed manually in the downstream Business.</p>	Closed	Aug-15	
2	Jan-15	<p>Access to Martis Routing Reports: Service Management captures Martis routing data each day on network (circuit) changes that impact on the routing of downstream business. This data is analysed by Service Level Managers who use it to identify if any significant routing changes have taken place in the customer's network. The Service Level Manager arranges for the customer to be notified if a significant routing change has taken place.</p>	<p>A requirement was raised through open eir PDC process to develop this functionality and provide the equivalent information to Wholesale Customers. ComReg notified in December 2015, requesting a derogation to launch the service in December 2015. Derogation was declined, so offer was published on open eir website in January 2016 and was launched in April 2016.</p>	Closed	Jul-15	

Index	Date Opened	Description of Issue	Status	Date Closed	Original Target Date	Roadmap Information
3	Oct-15	<p>Fault Appointment: eir Downstream businesses could offer better customer experience by having the ability to arrange a fault appointment from the next day in a 2 hour slot, while Wholesale Customers needed to wait at least 2 working days and could only book an AM or PM slot.</p>	<p>A work request for the Technology end to end process was created to change the time for fault appointments from 2 working days to 1 working day for Wholesale Customers and downstream business for faults logged via the UG. This was delivered in April 2016. An Ideation request for the Technology end to end process was created to complete a detailed analysis of the capability provided to eir downstream businesses versus other Wholesale Customers and put in place a solution to address any gaps that are identified. This was completed and a solution giving the same appointments options to eir downstream and Wholesale Customers was delivered in December 2016</p>	Closed	Nov - 15 Dec-16	
4	Nov-15	<p>Order Management System (OMS) access to Native Address Interface (AI): eir Downstream businesses could offer better customer experience for ordering of Data Products through OMS because they had the ability to search Native AI, which contains the name and address details of all customers connected to the open eir Network, and which was then not available to Wholesale Customers submitting orders through the UG.</p>	<p>An Ideation request for the Technology end to end process was created. A solution was implemented in April 2016 which made the same information available to downstream businesses as is available to Wholesale Customers through the UG.</p>	Closed	Apr-16	
5	May-16	<p>Calling Cards: open eir were leaving Calling Cards to Wholesale Customer and Downstream Business customer houses (when the customer was not there to allow the open eir technician enter the premises to resolve a fault / complete the installation of a line) which contained the telephone contact details for eir Downstream Business</p>	<p>New Calling Cards was issued in May 2016 with the contact details of the eir downstream business removed.</p>	Closed		

Index	Date Opened	Description of Issue	Status	Date Closed	Original Target Date	Roadmap Information
6	May-16	FHS Pending Clear Files: Downstream had access to a Pending Clear File from our Fault Handling System(FHS) to close faults manually as required by a control to ensure downstream faults were closed in a similar timeframe to that of Wholesale Customers. These files contained information in relation to Crew, repeat fault counts for 28 days, 6 months, 1 year and 5 years together with customer name and operator prefix, which is not available to Wholesale Customers.	Retail pending clear files ceased to be produced from Dec-16. Access to the FHS downloader by Retail is monitored to prevent inappropriate access. To address this risk going forward, an IT solution will be implemented in April 2017 to control access to the downloader.	Closed Dec-16	N/A	N/A
7	May-16	FHS Flat Files: 2 people in a Downstream arm had access to FHS Flat Files via a downloader for management of customer repairs. These files contained information relating to repair crew details, repeat fault counts, service type, parked time and faults that were impacted by Storm Mode which were not available to Wholesale Customers.	Retail Access to the flat files was removed in Dec-16. Access to the FHS downloader by Retail is monitored to prevent inappropriate access. To address this risk going forward, an IT solution will be implemented in April 2017 to control access to the downloader.	Closed Dec-16	N/A	N/A
8	May-16	FHS Inappropriate User Access Rights: A number of Downstream agents had inappropriate access rights to FHS which allowed them access to view Wholesale faults that had been logged through UG. All faults that are logged through the UG should only be visible through the UG.	The inappropriate access rights to FHS were removed in June 2016. This risk going forward will be managed through the correct implementation of the Business Access Review (BAR) process	Closed June-16	N/A	N/A
9	May-16	TIS Inappropriate User Access Rights: A number of Downstream agents had inappropriate access rights to Telephone Information systems (TIS) which allowed them to view appointments for Wholesale Customers.	The inappropriate access rights to TIS were removed in Dec-16. This risk going forward will be managed through the correct implementation of the BAR process	Closed Dec-16	N/A	N/A

Index	Date Opened	Description of Issue	Status	Date Closed	Original Target Date	Roadmap Information
10	July-16	Unstructured Information flow: The external auditors as part of their Annual Audit activity inadvertently provided Confidential Regulated Information and Confidential Wholesale Customer Information to eir Business	On receipt of the information, eir Business notified C&E and the information was immediately deleted. This risk going forward will be managed by Finance ensuring that all auditors are briefed in terms of complying with the Guidelines for managing Confidential Regulated and Confidential Wholesale Customer information	Closed July-16	N/A	N/A
11	Oct-16	Unstructured Information flow MNS had access to Confidential Regulated Information regarding RAP products through the flow of management information and attendance at meetings within open eir	In Jan 2016 open eir confirmed that MNS had been removed from any management information flows that contained Confidential Regulated Information and from attendance at meetings where confidential information is being discussed. This risk going forward will be managed as follows: Correct labelling of all reports/information that contains Confidential Regulated Information; a new control will be registered whereby the Director of RAP confirms that any new Reports generated in the Quarter that contain Confidential RAP information have been labelled correctly; MNS will be moved out of open eir by 30th June 2017	Closed Jan -16	N/A	N/A
12	Oct-16	Unstructured Information Flows: A standard report was being issued from IT to MNS which contained Confidential Regulated Information	The report and circulation list were updated in October 2016 to comply with the Guidelines on Handling Confidential Regulated Information.	Closed Oct-16	N/A	N/A

Table 6 List of Equivalence Issues

4.6.2. Conclusion on Analysis of Equivalence Issues

While the majority of the Equivalence issues in the past related to product features, most of the new Equivalence issues now relate to access to Confidential Regulated Information both in structured and unstructured format. To minimise this risk going forward, guidelines and controls for managing access to Confidential Regulated Information need to be strictly adhered to.

4.7. Analysis of Key Differences contained in the SoCs

Justifiable Differences are differences in systems and processes regarding how RAP products are provided to Wholesale Customers and Downstream Businesses that are justifiable. The assessment of these differences is carried out by subject matter experts including personnel from open eir, eir CIO and Regulatory. These differences are submitted to ComReg as part of the SoCs.

Twenty two key permissible differences were included in the May 2015 Report, 9 additional key differences were included in the March 2016 Report and 4 additional key differences were identified during the period of this report.

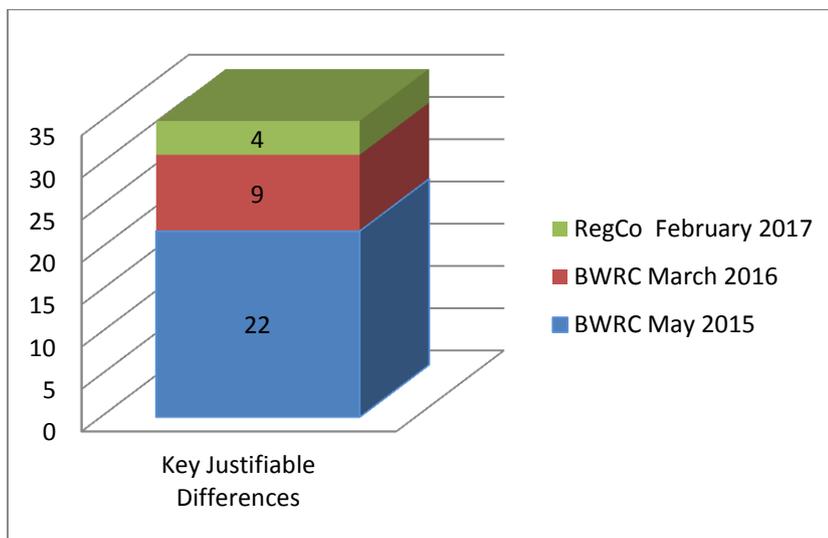


Figure 18 Number of Key Justifiable Differences

The 4 new Justifiable Differences are detailed in the table overleaf.

4.7.1. Table of Key Differences which are justifiable contained in the SoCs

Key Differences contained in the Statements of Compliance			
Index	Description of Issue	Relevant Market	Justification
1	<p>Pending Clear</p> <p>eir downstream businesses log faults via the UG or via FHS. The process to manually set a fault to “Permanent Clear” from “Pending Clear” was automated in April 2016. For faults logged natively in FHS, once set to “Pending Clear” eir downstream business will have up to 15 working hours to review the fault to validate whether the customer issue is resolved. After this time period the fault is automatically set to “Permanent Clear” aligning to the process for faults logged via the UG.</p> <p>The UG Faults close automatically when 16 Working Hours has elapsed from when the fault went into pending clear. The FHS faults are closed by an hourly routine that will close all faults between 15 - 16 Working Hours from when the fault went into “Pending Clear”.</p>	FACO/ WPNIA	This difference is not material and does not provide any benefit to downstream businesses.
2	<p>AI</p> <p>Downstream business access the address search for SB-WLR and Broadband orders via eCom, which launches Web AI (the same system launched from the UG).</p>	FACO/ WBA/ WPNIA	While the method of access is different the same information is available via both channels.
3	<p>AI:</p> <p>A different set of eir Business agents are responsible for raising data orders via OMS which requires native AI access to populate the address. Native AI has user roles (“Retail” or “Wholesale / Networks”). All downstream business agents who raise data orders are assigned a retail user role for native AI. The user role will define the level of detail seen by the user from native AI. A “Retail” user of AI sees a masked version of the address information.</p>	Leased Lines	The information contained in the masked version of Native AI is the same information that is provided in WEB AI and UG GUI.
4	<p>Enhanced Provisioning</p> <p>For PSTN orders not submitted via the UG but submitted via eCom, these orders do not have in-built functionality to allow order re-scheduling so any changes to appointment will be notified via changes in the Service Order Reporting and Tracking Solution (SORTS) system.</p>	FACO/ WPNIA	These SORTS changes would be reflected via status notifications if the order was placed via the UG

Table 7 Key Differences contained in the SoCs



4.7.2. Conclusion of Analysis of Key Differences which are justifiable

As more and more of our developments are based around NGA using the same processes and systems, there should be fewer new differences being declared going forward.

4.8. Extending Business Unit Process Compliance Reviews

Following launch of the revised COP and associated online training, the BUPCRs have been extended to cover Transparency and Pricing Obligations, and documentation for such reviews is currently being prepared. This involves carrying out reviews, identifying compliance issues or compliance risks and developing associated SoCs for submission to ComReg.



5. Appendix 3 Update on Key Performance Indicators (KPIs)

5.1. Analysis of key performance indicators

In June 2011 ComReg issued a Response to Consultation and Decision Notice on the Introduction of Key Performance Indicators for Regulated Markets (D05/11), directing eir to publish KPIs in a single place to enable explicit comparisons to be made between Wholesale outputs and the equivalent inputs provided to eir Retail. The purpose of this transparency was to provide assurance to end users that the products and related services used by both eir Retail and other Wholesale Customers are of the same standard. It would also reassure Wholesale Customers that no discrimination in respect of the delivery or repair of eir's wholesale services was occurring.

The first set of KPIs was published by the end of November 2011 covering eir performance between July 2011 and September 2011. KPIs are published on a quarterly basis on the open eir website, two months after quarter end.

The products included in the KPI metrics are as follows:

- **Retail Narrowband Access Market** - The products included are (i) SB-WLR, (ii) WLA and (iii) eir Retail's PSTN product.
- **Wholesale Bitstream Access Market** – The products included are (i) Wholesale DSL Services and (ii) eir Retail DSL service
- **Wholesale physical Network Infrastructure Access Market** – The products included are (i) ULMP / GLUMP Services (ii) eir Retail PSTN service (iii) Line Share and (iv) eir Retail DSL service
- **Wholesale Terminating Segment of Wholesale Leased Lines Market** – The products included are (i) Wholesale provided traditional Leased Lines (ii) Wholesale provided NGN Ethernet Leased Lines (iii) eir Retail provided traditional Leased Lines and (iv) eir Retail provided NGN Ethernet Leased Lines
- **NGA Wholesale Broadband Access Market** - The products included are (i) Wholesale NGA Bitstream Plus FTTC POTs based, (ii) Wholesale NGA Bitstream Plus Standalone and (iii) Wholesale NGA Bitstream Plus FTTH – split between Downstream and other Wholesale Customers

The KPIs include a review of the following metrics for each Market:

- Metrics associated with Supply of Services
 - % connections in x days
 - Average connection time
 - Quality of supply
- Metrics associated with Repair of Services
 - % repairs in x days
 - Average repair time
 - Quality of repair

The analysis set out in the next section of this report covers the Narrowband services, Bitstream and NGA for the reporting period from January 2016 to December 2016.



5.1.1 SB-WLR vs. PSTN KPIs

Insitu/electronically enabled in 2WD

- The supply of SB-WLR and of PSTN for new connections broadly track each other. There was a slight dip in Q2 and Q3 relating to the provision of SB-WLR lines. This related to the fact that an increased number of SB-WLR orders also had a port request, which takes longer than the traditional electronically enabled line because there are manual steps involved. To ensure the KPIs were comparing like with like, electronically enabled lines with ports were moved into a new KPI category for reporting purposes for Q4 onwards. This resulted in the divergence between SB-WLR and PSTN electronically enabled lines being removed.

New line connections in 10WD

- In general the provision of PSTN lags that of SB-WLR. This is mainly due to the fact that PSTN has a greater percentage of multi-line orders which require manual steps.

Fault Repair in 2 working days (2WD)

- The repair of SB-WLR faults aligns very closely with the repair of PSTN faults in 2 working days.

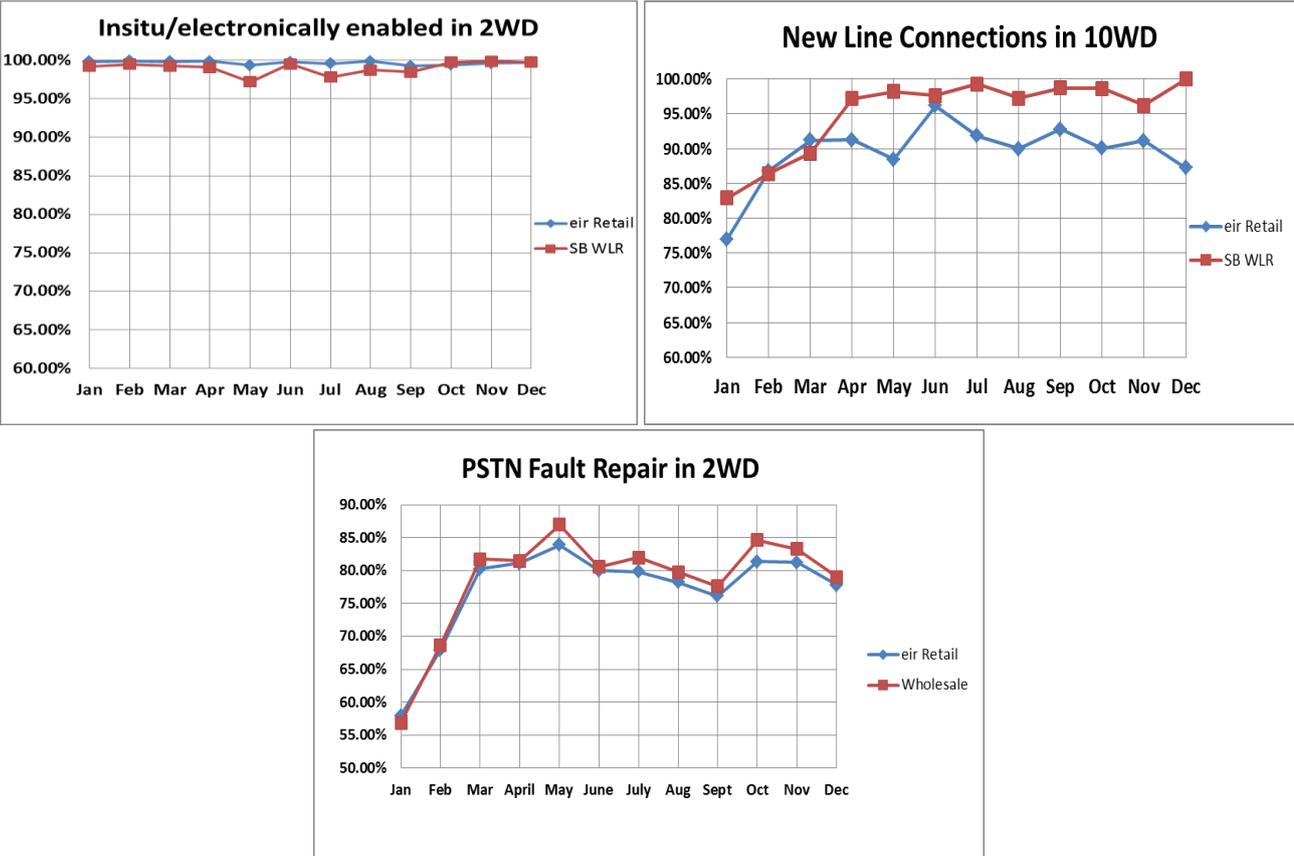


Figure 19 KPIs for SB-WLR vs. PSTN



5.1.2 Bitstream (Wholesale) vs. Broadband (Downstream) KPIs

New electronically enabled connections in 2WD

- The supply of new electronically enabled services is equivalent for Bitstream and Broadband.

New Connections in 5WD

- The provision of Bitstream and of Broadband broadly track each other. There have been slight variances, mainly due to the classification of non-standard orders. To ensure the KPIs are comparing like with like, non-standard orders must be removed. Non-standard orders are those that do not follow the normal provisioning process. For example orders might be classified as non-standard due to customer delay.

Fault Repairs in 2WD

- As the volumes of faults are very low, variations in the comparative performance between Retail and Wholesale can occur.
- The drop in performance in January and February 2016 was impacted by the fact that Storm Mode was declared as the result of a number of severe storms.

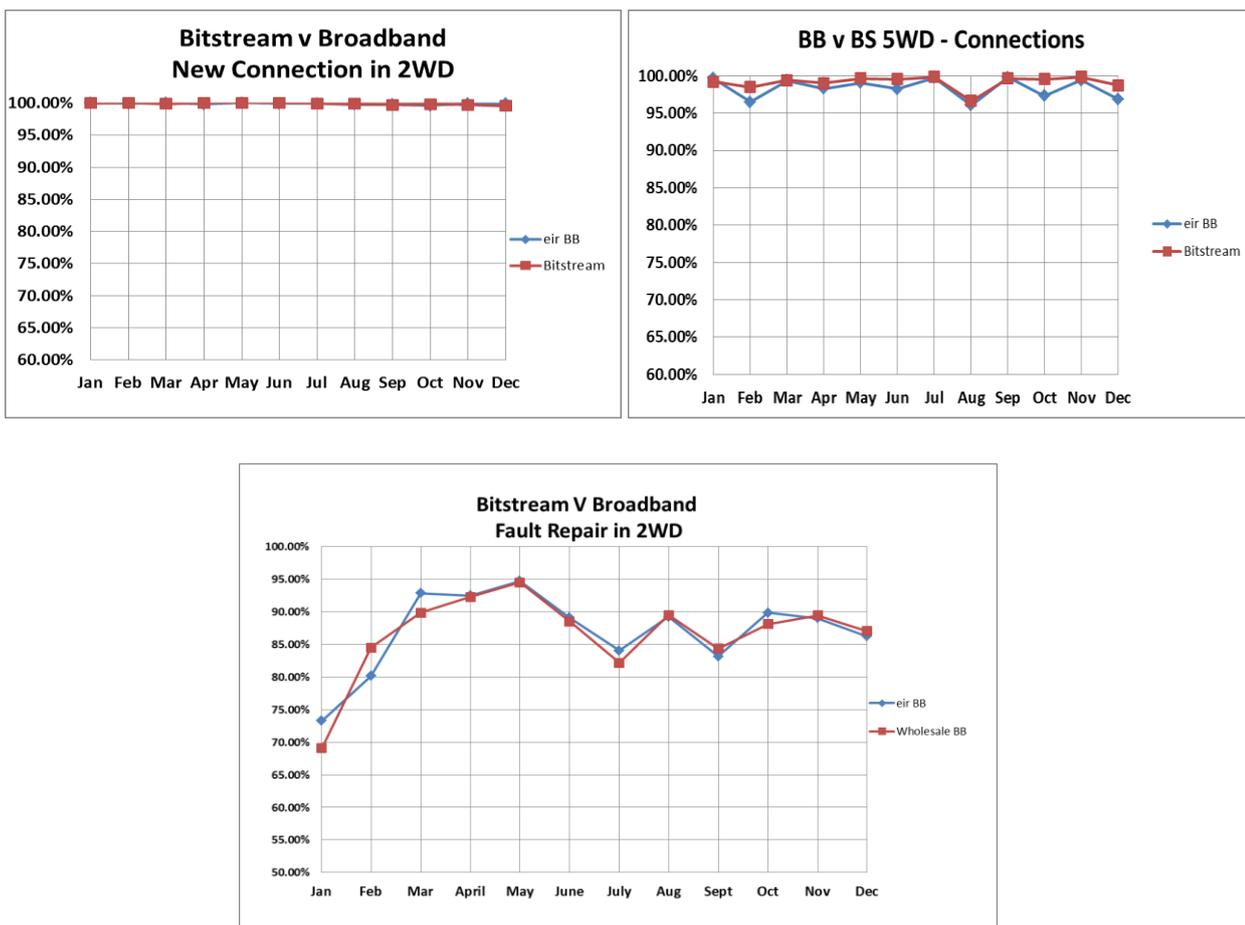


Figure 20 KPIs for Bitstream vs. Broadband



5.1.3 NGA Bitstream (Wholesale) vs. NGA Bitstream (Downstream) KPIs

The supply performance of NGA FTTC Bitstream POTs based and standalone for Wholesale Customers is equivalent to Downstream Businesses. open eir advised that as the volumes of faults are very low, variations in the comparative performance between Downstream and Wholesale Customers can occur.

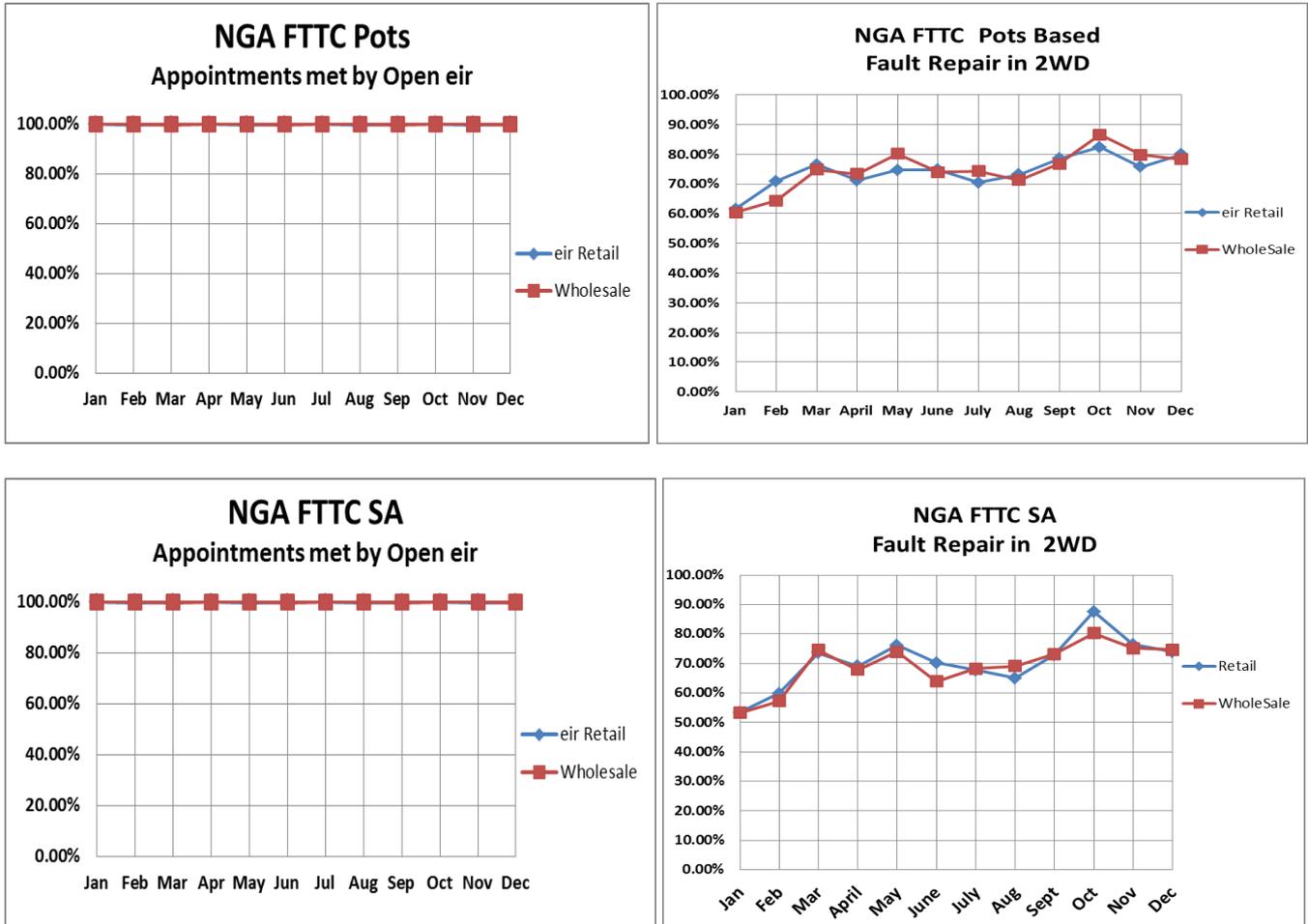


Figure 21 KPIs for NGA Wholesale Customers vs. Downstream Businesses

5.2 Conclusion

open eir publishes KPIs in a single place to enable explicit comparisons to be made between Wholesale outputs and the equivalent inputs provided to eir's Downstream Businesses.

The purpose of this transparency is to provide an assurance to wholesale consumers and end users that the products and related services used by both Downstream Businesses and Wholesale Customers are of the same standard.

The KPI Performance figures above provide reassurance to Wholesale Customers that services are being provided in an equivalent manner.



6. Appendix 4 Update on Internal Compliance Reviews/Investigations

6.1. Introduction

This section provides an update on Internal Compliance Reviews of RACM controls initiated by C&E together with investigations arising from Wholesale Customer Complaints referred to C&E.

6.2. Compliance Reviews

6.2.1. Compliance Reviews of provisioning and Repair

As part of our Regulatory Governance Model C&E has carried out internal Compliance Reviews in relation to the operation of the controls included in the SoCs submitted to ComReg which cover the following areas of operation:

- Change Control (Product Development)
- Pre-Order/Ordering
- Provisioning
- Fault Reports/Repair
- Data Access

For this reporting period C&E carried out a compliance review of Provisioning and Repair Controls - see Annex 1 to this report. Annex 2 includes an update on the status of recommendations arising from the Compliance Reviews to date.

6.3. Whistleblower

Under the COP, employees are advised of the various channels in which they may raise issues including through the Whistleblower process. To date no issues have been raised under this process.

6.4. C&E Internal Compliance Reviews– SMP obligations

6.4.1. Operator Complaints

No complaints from service providers were referred to C&E by open eir in the period since the last report.

6.4.2. List of Open and Closed C&E Internal Reviews of RACM controls

Please see full list overleaf.

Index	Date Opened	Description of Issue	Status	Open/Closed
3	Oct-14	Compliance reviews to test SoC re Change Control	See Annex 2 to this report for an update on recommendations arising from the compliance review of Change Control	Closed
4	June -15	Compliance Review of Pre-ordering/Ordering against SoCs	See Annex 2 to this report for an update on recommendations arising from the compliance review of Ordering/Pre-Ordering	Closed
6	Dec-15	Compliance Review of RACM Provisioning Controls	See Annex 1 to this report	Closed
7	Feb-16	Compliance Review of RACM Repair Controls	See Annex 1 to this report	Closed

Table 8 List of Open and Closed C&E Internal Reviews of RACM controls



6.5. Annex 1: Compliance Review of Provisioning and Repair Controls

6.5.1. Introduction

eir is required to submit Statements of Compliance (SOCs) to ComReg in respect of its access and non-discrimination obligation in the Regulated Markets under its Regulatory Governance Model. To develop these SOC, eir undertook detailed reviews of its business processes used to deliver NGA, NGN and current generation services to eir's downstream operations and to open eir customers. The purpose of these reviews was to identify any risks of non-compliance with eir's non-discrimination obligations. Where risks were identified, controls were developed to mitigate against the risk of non-compliance. These controls have been recorded in a Risk and Control Matrix (RACM) and are signed off by the relevant Senior Managers who have overall responsibility to ensure that the controls in their area operate effectively.

In addition eir has committed to carrying out Compliance Reviews and Audits of the operation of the Risk and Control Metrics (RACMs), the outputs of which will be reported to RegCo and to ComReg bi-annually. The Compliance and Equivalence (C&E) Unit has undertaken Deep Dive Compliance Reviews in selected areas on an on-going basis.

The objective of the Compliance Reviews is to confirm that the controls put in place to ensure non-discrimination operated effectively during the period under review.

6.5.2. Scope of Review of Provisioning Controls

The focus of this Compliance Review was the Provisioning process controls operated by eir for Regulated Access Products (RAP) in the period July to September 2015. The review commenced in January 2016 and completed in May 2016.

The provisioning process for RAP services relates to the processing of an order to provide the service through to completion and notification back to the operator that the order has been delivered. Some orders can be provided automatically without manual intervention, for example, electronic enablement of an in-situ line. Other orders require manual intervention, for example, the provision of a new PSTN line.

The main controls in place for provisioning relate to the end-to-end delivery performance of downstream provisioning orders as compared against the equivalent operator provisioning orders, which are captured in Key Performance Indicators (KPIs). KPIs are published quarterly on the open eir website.

Other controls are in place to ensure that the same richness of information is available to Wholesale Customers as is available to downstream businesses.

At the time of the Compliance Review, eir had 14 controls registered in the RACM to ensure that provisioning activity was carried out in a non-discriminatory manner. Six of these related to system developments and were not within scope of this review.

6.5.2.1. Approach/Methodology

C&E walked through the Controls and Evidence Logs with Control Executors to review the evidence retained to :

- Determine if the controls had operated effectively during the review period
- Confirm if Data Classification and Security arrangements in relation to Confidential Regulated data operated effectively during the review period
- Review the performance metrics produced under the controls and any actions taken



6.5.2.2. Findings and Recommendations

Findings and Recommendations - open eir - Regulated Product Management

Of the 6 controls 1 was found not to have operated effectively, and 5 related to pending System Developments at the time of the review and were therefore out of scope.

Compliance Review Findings & Recommendations (Provisioning) - RAP				
Item No.	Control Description as per RACM	Findings	Recommendations	Management Comments
1	The Industry Process Manual shall be updated to outline the process to request a survey to see if it is possible to replace the carrier to provide a Bitstream service to the Operator. This change to the IPM will be circulated to the Industry forum and once agreed the updated document shall be published.	Control did not operate ¹	IPM to be updated	Agreed and implemented.

¹Control did not operate in any respect with its design specification



Findings and Recommendations - open eir – Fixed Access Operations

Of the 5 controls, 3 were found to have operated effectively and 2 became operational from January 2016, which was outside the period under review.

Item No.	Control Description as per RACM	Findings	Recommendations	Management Comments
2	open eir Fixed Operations (FO) runs and reviews reports on the percentage of appointments met (including analysis on those not met) for orders placed by other operators and by downstream businesses. FO highlights specific areas to Regulatory & open eir if performance for open eir customers (operators) is consistently less than the performance for Retail. This is based on the reports being provided by open eir RAP.	Control operated effectively ²	N/A	Noted
3	At end of each quarter, FO reviews the list of individual users set up with access to the OPS site, against Business Areas approved by Regulatory for access. Users who have moved to non-approved areas have their access removed. Evidence of check is mailed by Manager to the Director of FO and copy of email is stored on the SharePoint site	Control operated effectively	N/A	Noted
4	open eir FO runs and reviews Supply of Service and Quality of Supply performance reports. If performance for open eir Wholesale customers (operators) is consistently less than the performance for Retail, open eir FO investigates with relevant business area and issues report to EquivalencelssueReport@eir.ie	Control operated effectively	N/A	Noted

² The control operated in accordance with its design specification

Findings and Recommendations – open eir - Networks Service Management

One control was found to have operated effectively and 1 related to an IT development and was therefore outside the scope of the review.

Item No.	Control Description as per RACM	Findings	Recommendations	Management Comments
5	<p>Current functionality available within the Service Control systems does not support separating Wholesale MNS from Wholesale RAP and eBusiness from Consumer for reporting purposes. This short term solution reports on open eir Wholesale (RAP and MNS) as a single grouping and Retail (eBusiness and Consumer) as a single grouping. To ensure comparing "like with like" the current KPI Report product set is used.</p> <p>Service Control create a quarterly comparison report comparing open eir's Provisioning performance for NGN, PRA and Legacy Leased Lines products across Wholesale, and Retail.</p> <p>[NOTE: This Control sheet is paired with WRP_CRM_066. This Control Sheet describes a short term solution. WRP_CRM_066 describes a long term solution].</p>	Control operated effectively	N/A	Noted

Findings and Recommendations – Wholesale Sales, Services and Marketing (WSS&M)

The control was found to have operated effectively.

Compliance Review Findings & Recommendations (Provisioning) - Wholesale Sales, Services and Marketing (WSS&M)				
Item No.	Control Description as per RACM	Findings	Recommendations	Management Comments
6	<p>This control provides order and fault information to operators manually on a monthly basis. Data Services Monthly Exceptions Report is sent to operators. This includes details of Legacy Leased Line orders and faults:</p> <ul style="list-style-type: none"> * That have been completed * Where provisioning / repair KPIs have been missed * Orders awaiting reforecast * Orders in "customer delay" status * Cancellations * Orders with order detail issues <p>Copies of reports sent to operators are stored on SharePoint.</p>	Control operated effectively.	The control should be retired and the Industry Roadmap updated accordingly as reports no longer required. Info is available through the UG	Agreed

6.5.2.3. Conclusions

Below is an overview on the operation of Provisioning controls:

- eir had 6 controls registered to ensure that provisioning activity was carried out in a non-discriminatory manner in the period. The review found that:
 - Five operated effectively and
 - One did not operate
- Documents containing Confidential Regulated Information were labelled appropriately, where applicable.

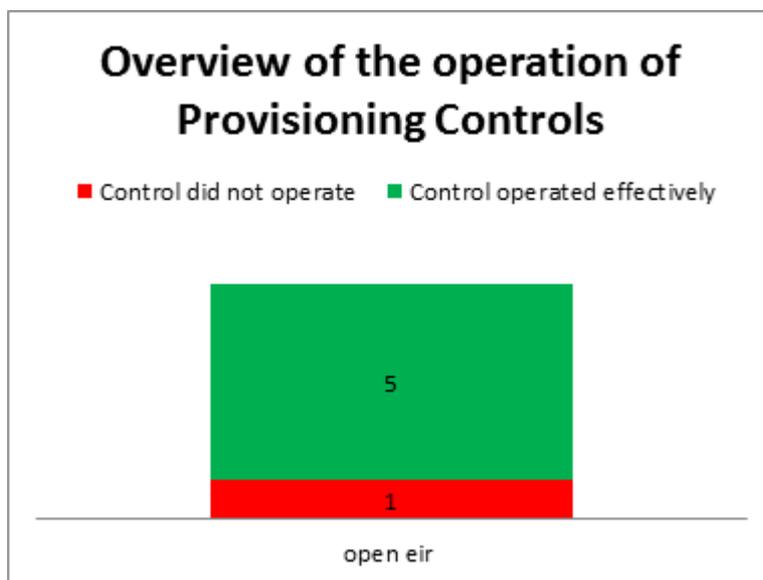


Figure 22 Overview of the operation of controls for Provisioning

6.5.3. Scope of Review of Repair Controls

The focus of this Compliance Review was the Repair process controls operated by eir for Regulated Access Products (RAP) in the period October to December 2015. The review commenced in February 2016 and completed in August 2016.

Fault Reporting and Fault Repair for RAP services cover the processing of a Fault Report through to resolution and notification back to the operator that the fault is repaired. Fault Reports require manual intervention from fault receipt through to repair. At the time of the review, there were two main activities associated with handling of fault reports as follows:

- Screening the fault report - The screening activity resides in the Wholesale Customer Service centre for other operators while it lies in operation centres for downstream businesses. This activity reviews the reported fault and sends it to open eir Networks for resolution.
- Repairing the fault - The repairing of faults is primarily an open eir Networks function.

The main controls in place for fault reporting and fault repair are a comparison of the end to end fault repair performance for downstream businesses against equivalent operator fault repairs, which are captured in Key Performance Indicators (KPIs). KPIs are also published on the www.openeir.ie website every quarter. Other important controls are in place to ensure that the same richness of information available to downstream businesses is available to all Wholesale Customers

At the time of the Compliance Review, eir had 39 controls registered on the RACM to ensure that repair activity was carried out in a non-discriminatory manner. Eleven controls related to IT developments, 1 was pending retirement in the period and 6 were new controls implemented after the review period and were all therefore outside the scope of this review.



6.5.3.1. Approach and methodology

C&E walked through the Controls and Evidence Logs with the Control Executors to review the evidence retained to:

- Determine if the controls had operated effectively during the review period
- Confirm if Data Classification and Security arrangements in relation to Confidential Regulated data operated effectively during the review period
- Review the performance metrics produced under the controls and any actions taken
- Determine if the controls reviewed would have prevented potential issues of non-compliance that may have arisen previously

6.5.3.2. Findings and Recommendations

Findings and Recommendations - open eir - Regulated Product Management

Out of the 19 controls logged, 5 were found to have operated effectively, 1 did not operate and 2 operated in some respects. Of the 2 controls that operated in some respects, they are not believed to have a material impact on the product being delivered in a non-discriminatory manner. Ten controls relating to future IT developments and 1 new control, introduced after the period of review, were outside of the scope of the review.

No.	Control Description as per RACM	Findings	Recommendations	Management Comments
1	open eir RAP Product Operations produces a report on a six-monthly basis to calculate the appropriate number of fault escalation slots per operator / downstream business based on market share. This report is reviewed and any change is communicated to operators & downstream businesses and implemented in open eir Networks and open eir Customer Care	Control operated effectively	N/A	Noted

No.	Control Description as per RACM	Findings	Recommendations	Management Comments
2	<p>open eir RAP Operations Manager facilitates a meeting with Regulatory / Networks and Head of Product areas to review the fault clear code listing as set out on the open eir website. The outputs of this meeting will be to amend, if relevant, the fault clear code listing which includes the following:</p> <ol style="list-style-type: none"> 1. Revision history 2. Explanatory text 3. Description of clear codes review process (see KPI_CRM_004) <p>On an on-going basis the revision history, explanatory text and description is kept up to date.</p>	Control operated effectively	N/A.	Noted
3	<p>Short / Medium term control: to include: Transfer the most manual intensive components of the existing Excel based solution to a Microsoft Access database solution. This will include:</p> <ul style="list-style-type: none"> • Protection of cells containing formulae- Access solution to hide any formulas separately • Removal of redundant tabs / tables <p>– This is addressed by migration to Access</p> <ul style="list-style-type: none"> • Simplification of data entry process if possible – This is achieved due to being transferred into an Access based solution. The only manual piece is the upload of the raw data file. After this the rest is automated based on a series of run report commands. 	Control operated effectively	N/A.	Noted
4	<p>Systems analysis is required to identify the systems changes required to align the SLA hours for Retail and Wholesale to 9am-5pm. A requirement has been raised through eir end-to-end solution delivery process to develop this functionality.</p>	Control operated effectively	N/A	Noted

No.	Control Description as per RACM	Findings	Recommendations	Management Comments
5	<p>A process is developed whereby an Operator can request outside SLA hours that a fault be repaired. This request would be managed on a best effort basis and the associated volume would be relatively small. The Operators shall be informed of this interim process via the Industry forum.</p> <p>Control Executor to email this report to the Control Owner on a quarterly basis for signoff, to demonstrate the number and breakdown of out-of-hours requests between downstream and other operators and how the requests were handled. If an issue is discovered in the execution of this control, the Control Executor completes an Equivalence Issue Report and submits it to EquivalencelssueReport@eir.ie</p>	<p>Control operated in some respects. Service being provided outside of SLA hours but log of requests received not up-to-date and no evidence found of control owner being notified of requests received. This is not believed to have had a material impact on the product being delivered in a non-discriminatory manner.</p>	<p>Log of requests received to be kept up-to-date and reports to be issued to control owner</p>	<p>Agreed</p>

No	Control Description as per RACM	Findings	Recommendations	Management Comments
6	Trend line data is used as an input to internal monthly and quarterly review meetings. There is a risk that the accuracy of this input could be compromised as a result of the fact that there is no documented process for producing this trend line data. Document the process for updating the trend line data.	Control did not operate. Process had not been documented at the time of the review. This is not believed to have had a material impact on the product being delivered in a non-discriminatory manner.	Process for updating trend line data to be documented asap	Agreed. Process now documented
7	Update KPI production process to include review of SB-WLR clock hours report alongside other SB-WLR data at internal monthly operations review. Include a review of SB-WLR clock hours report alongside other SB-WLR data at internal monthly operations review	Control operated in some respects. Clock hour report being reviewed at monthly meetings. Evidence of meeting minutes for each month being retained. No evidence of control owner being updated was being retained.	Written updates to control owner requesting sign off to be retained going forward.	Noted and agreed. Email requesting sign off to be retained from quarter Apr - June 2016 going forward

Findings and Recommendations Open eir – Fixed Access Operations (FAO)

Out of the 9 controls logged, 4 were found to have operated effectively. Five new controls introduced after the review period were out of scope.

No.	Control Description as per RACM	Findings	Recommendations	Management Comments
8	open eir FAO runs and reviews repair performance reports 1) "Faults repaired in 2, 5, 10 Working Days" 2) "Quality of Repair" and 3) for "Repair Appointments met" for NGA faults placed by other operators and by downstream businesses. FO highlights specific areas to Regulatory & open eir if performance for open eir is consistently less than the performance for Retail.	Control operated effectively	N/A	Noted
9	Primary access to the Operations (OPS) site has been limited to Field Operation staff. URL deep links exist that could allow downstream business users to access information on the OPS site. A control requiring IT development to comprehensively lock down all access to the OPS site for unauthorised staff has been registered.	Control operated effectively	N/A	Noted
10	A banner was put in place on the eTips homepage advising users of the appropriate usage of the tool (i.e. that non-Field Operations teams should not access or use the data, except for managing dangerous plant reports outside of working hours) and the disciplinary implications of inappropriate access. In addition, a separate control (WRP_CRM_132) is in place in open eir (Networks) to develop a new process for the reporting of Dangerous Plant incidents that does not require eir Retail staff to access the eTips tool. Dangerous Plant reporting and handling is managed by Networks Service Management Centre on a 24 x 7 basis. This control requires that, after WRP_CRM_132 is implemented, Field Operations will close down access to the eTips tool to all non-Networks Operations staff.	Control operated effectively	N/A	Noted
11	open eir FAO runs and reviews Speed of Repair and Quality of Repair performance reports. If performance for open eir customers (operators) is consistently less than the performance for Retail, eir FO investigates with relevant business area and issues report to EquivalencelssueReport@eir.ie	Control operated effectively	N/A.	Noted

Findings and Recommendations – open eir - Networks Service Management

Of the 4 controls logged, 3 were found to have operated effectively and 1 related to a future system development, which was outside of the scope of the review.

No.	Control Description as per RACM	Findings	Recommendations	Management Comments
12	Open eir (Networks) to produce a report to show that fault clearance times for equivalent eir downstream business faults and Wholesale Customer faults does not indicate discrimination.	Control operated effectively	N/A	Noted
13	This control reports on open eir as a single grouping and Retail as a single grouping. To ensure comparing "like with like" the current KPI Report product set is used. Service Control creates a quarterly comparison report comparing eir's repair performance to SLA, for NGN, PRA and Legacy Leased Lines products across open eir and Retail. The report shows: Quality of Repair is a measure of the percentage of faults that do not go faulty again within one calendar week of being repaired. To ensure comparing "like with like" the current KPI Report product set is used. The report is created each calendar quarter. It will be reviewed and signed off at L1 level.	Control operated effectively	N/A	Noted
14	Networks Change Management and the National Network Coordination Centre (NNCC) issue agendas and hold a weekly CAB meeting. open eir customer Care (OeCC) is invited to the meeting and represents RAP-based Services on behalf of other operators (and downstream businesses). Minutes from the meeting contain information on RAP and non-RAP based Services, and are marked Confidential Regulated. The minutes from the meeting are sent to a designated email list, for further distribution, in compliance with the Code of Practice.	Control operated effectively	N/A	Noted

Findings and Recommendations – Open eir Wholesale Sales, Services and Marketing (WSS&M)

Of the 2 controls logged, 1 control was found not to have operated and 1 control was pending retirement in the period under review.

No.	Control Description as per RACM	Findings	Recommendations	Management Comments
15	<p>The end to end repair performance and time for screening faults are monitored on a weekly basis to ensure there is no material difference between performance provided to Operators and to downstream businesses.</p> <p>If a difference is noted this will be reported to the relevant Level 1 to take appropriate corrective action.</p>	<p>Control did not operate. Reviews of reports submitted by FO of faults not meeting their target are investigated for root cause. However, no analysis of data for discriminatory purposes being carried out or reported on.</p>	<p>Analysis to be carried out on a weekly basis going forward to confirm that Retail and Wholesale faults are being screened in a non-discriminatory manner. Any issues identified to be reported to Control Owner</p>	<p>Agreed</p>
16	<p>WCCC to create a hotline which will be answered as a priority, providing the main direct line for the call queue in Citywest.</p> <p>This will ensure network staff will have direct line access to the WCCC agent teams without needing to go through a call queue.</p>	<p>Control pending retirement in the period, which has subsequently been retired.</p>	<p>N/A</p>	<p>N/A</p>

Findings and Recommendations – eir Business

Of the 3 controls logged, 2 were found to have operated effectively and one operated in some respects. A review of the Pending clear file showed that it contained Confidential Regulated and Confidential Wholesale Customer fault information that should not have been included.

No.	Control Description as per RACM	Findings	Recommendations	Management Comments
17	<p>There is a risk that eir downstream businesses could offer better customer experience for leased line fault repair by having more time than operators to confirm that a fault is cleared. This could be caused by inconsistency and a lack of clarity between open eir and eir Business in relation to the amount of time allowed before closing a fault from pending clear status. A separate control will address the IT Development to be implemented to ensure that all data faults are cleared in an equivalent fashion (WRP_CRM_047). The proposed system control also includes a 'Pause' option where faults can remain open on an exceptional basis. In the interim period, "pending clear" Legacy Leased Line faults must be closed manually by the CRC within a defined period (pending agreement with industry)</p>	Control operated effectively	N/A	Noted
18	<p>There is a risk that eir downstream businesses could offer better customer experience for fault repair by having more time than other operators to confirm that a fault is cleared. This could be caused by downstream eir Business faults remaining open while other operator faults close eight to ten SLA hours after being marked as repaired. Under a separate control, an IT development is to be implemented to ensure that PSTN and Legacy Broadband faults on FHS are cleared in an equivalent fashion (WRP_CRM_007). In the interim period, pending clears on Legacy Broadband faults are closed manually by eir Business within ten hours (eir Business PSTN faults are moved to permanent clear when fixed by Networks - i.e. they do not need to be cleared).</p>	Control operated effectively. However, on reviewing one Pending clear file circulated it appeared to contain Confidential Wholesale Customer Information which should not have been included.	A business process review to be undertaken with subject matter experts and C&E as a matter of urgency to assess the risk with the info contained in the BB pending clear files which was subsequently completed and an equivalence issue was identified and closed	Noted

No.	Control Description as per RACM	Findings	Recommendations	Management Comments
19	<p>There is a risk that eir downstream businesses could access open eir RAP information pertaining to NGA WBA orders that is not available to other operators in the same manner or to the same extent. This type of access is not required by these members of staff since the necessary information is available via the UG. A requirement to remove eir downstream access to FHS Flat Files was scheduled for delivery in April 2014.</p> <p>In the interim, to mitigate against the risk, all eir Business staff involved in the assurance of NGA WBA products are informed on a regular basis that they may not access assurance information FHS Flat files or SORTs files for NGA</p>	<p>Control operated in some respects. A development to remove eir downstream access to FHS flat files containing NGA WBA Retail data was implemented. However, a review of the FHS flat files identified Confidential Regulated and Confidential Wholesale Information that should not be included.</p>	<p>A business process review to be undertaken with subject matter experts and C&E as a matter of urgency to assess the risk with the info contained in the Flat files. which was subsequently completed and an equivalence issue was identified and closed</p>	Noted

Findings and Recommendations – eir Customer Operations

Of the 2 controls logged, 1 control was found to have operated effectively and one control was found to have operated in some respects.

No.	Control Description as per RACM	Findings	Recommendations	Management Comments
20	<p>There is a risk that eir downstream businesses could offer better customer experience for fault repair by having more time than other operators to confirm that a fault is cleared.</p> <p>This could be caused by downstream eir Consumer faults remaining open while other operator faults close eight to ten SLA hours after being marked as repaired.</p> <p>A separate control will address the IT Development to be implemented to ensure that all data faults are cleared in an equivalent fashion.</p> <p>In the interim period, pending clears on PSTN and Legacy Broadband faults are closed manually by eir Consumer within ten hours.</p>	<p>Control operated effectively. However, on reviewing a Pending clear file circulated it appears to contain wholesale fault data which should not have been included.</p>	<p>A business process review to be undertaken with subject matter experts and C&E as a matter of urgency to assess the risk with the info contained in the BB pending clear files. which was subsequently completed and an equivalence issue was identified and closed</p>	Noted

No.	Control Description as per RACM	Findings	Recommendations	Management Comments
21	<p>There is a risk that eir Consumer agents could view NGA related FHS information via flat files which are available for download on FHS, or through access to files on SORTs. These files show all faults (including NGA faults) on an hourly, daily, weekly basis, and some files contain test results. A requirement to remove eir downstream access to FHS Flat Files and SORTs files has been included in ID635 and will be delivered in April 2014.</p> <p>In the interim, to mitigate against the risk, all eir Consumer staff involved in the assurance of NGA WBA products is informed on a regular basis that they may not access assurance information FHS Flat files or SORTs files for NGA WBA products.</p>	<p>Control operated in some respects. A development to remove eir downstream access to FHS flat files containing NGA WBA Retail data was implemented. However, a review of the FHS flat files identified UG reported faults, including Retail NGA WBA data, and Wholesale customer data that should not have been included.</p>	<p>A business process review to be undertaken with subject matter experts and C&E as a matter of urgency to assess the risk with the info contained in the BB pending clear files. which was subsequently completed and an equivalence issue was identified and closed</p>	Noted

6.5.4. Conclusions

The following is a breakdown of the 21 controls reviewed:

- 15 operated effectively
- 4 operated in some respects
- 2 did not operate

The controls now in place and operating effectively would have prevented ComReg findings of non-compliance that arose previously in relation to repair performance.

See overview of the operation of controls for Repair by business unit overleaf.

Overview of the operation of Repair Controls

■ Control operated effectively ■ Control operated in some respects
■ Control did not operate

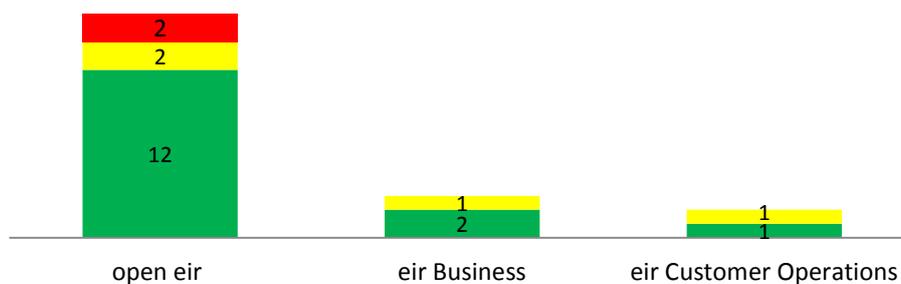


Figure 23 Overview of the operation of controls for Repair



6.6. Annex 2: Open and Closed Recommendations on Compliance Reviews to-date



6.6.1.Introduction

See below an update of recommendations arising from the Compliance Reviews of Change Control Ordering/Pre-Ordering processes, Repair and Provisioning.

Item No.	Date Opened	Recommendation	Status
1	May-15	Reports on “non-standard” contracts for Enterprise Market together with associated emails verifying that the reports have been reviewed should be generated every 3 months. These Reports should indicate that Regulatory and RAP approvals have been received. Reports, emails, RAP and regulatory approvals should be stored centrally. If no such contracts arise in a quarter, a nil report should be generated, reviewed and signed off.	Closed March 2016
2	May-15	i. Evidence of the quarterly review and sign off of reports on non-standard bids by Control Owner to be retained on central SharePoint site	Closed March 2016
		ii. Evidence of review and sign off of quarterly reports on non-standard contracts by Control Owner to be retained on central SharePoint site	
		iii. In relation to mini bids made under a Framework Agreement, where regulatory approval was previously obtained ,clarification needs to be sought as to whether any further approval is required for the mini bids. The control should be updated on foot of this clarification	

Table 9 Update of recommendations arising from the Compliance Reviews of Change Control

Item no	Date Opened	Recommendation	Status
1	Nov- 15	The control (NGA) that requires that open eir RAP run and review reports on UG policy breaches that arise due to Wholesale Customers exceeding the number of simultaneous channels available should operate going forward or alternatively agreement needs to be reached among the relevant stakeholders as to why it is no longer required	Closed Feb 17
2	Nov-15	The control (CGA), that requires that eir RAP run and review reports on UG policy breaches that arise due to Wholesale Customers exceeding the number of simultaneous channels available, should operate going forward. Alternatively agreement needs to be reached among the relevant stakeholders as to why it is no longer required	Closed Feb 2017
3	Nov 15	The new initiative to address the risk of MNS having access to Dataplus needs to be implemented as soon as possible	Closed Mar16

Table 10 Update of recommendations arising from the Compliance Reviews of Pre-Ordering/Ordering

No.	Date Opened	Recommendations	Status
1	June 2016	Written updates to control owner requesting sign off to be retained going forward.	Closed June 16
2	June 2016	Analysis to be carried out on a weekly basis going forward to confirm that Retail and Wholesale faults are being screened in a non-discriminatory manner. Any issues identified to be reported to Control Owner	Closed Jul 16
3	June 2016	Log of requests received to be kept up-to-date and reports to be issued to control owner	Closed Feb 17
4	June 2016	Analysis to be carried out on a weekly basis going forward to confirm that Retail and Wholesale faults are being screened in a non-discriminatory manner. Any issues identified to be reported to Control Owner	Closed Jul 16
5	Aug 2016	A business process review to be undertaken with subject matter experts and C&E as a matter of urgency to assess the risk with the info contained in the Flat files which was subsequently completed and an equivalence issue was identified and closed.	Closed Dec 16
6	Aug 2016	A business process review to be undertaken with subject matter experts and C&E as a matter of urgency to assess the risk with the info contained in the Flat files which was subsequently completed and an equivalence issue was identified and closed.	Closed Dec 16
7	Aug 2016	A business process review to be undertaken with subject matter experts and C&E as a matter of urgency to assess the risk with the info contained in the BB pending clear files which was subsequently completed and an equivalence issue was identified and closed.	Closed Dec 16
8	Aug 2016	A business process review to be undertaken with subject matter experts and C&E as a matter of urgency to assess the risk with the info contained in the BB pending clear files which was subsequently completed and an equivalence issue was identified and closed.	Closed Dec 16

Table 11 Update of recommendations arising from the Compliance Reviews of Repair



Item No.	Date Opened	Recommendation	Status
1	Nov 16	The Industry Process Manual shall be updated to outline the process to request a survey to see if it is possible to replace the carrier to provide a Bitstream service to the Operator. This change to the IPM will be circulated to the Industry forum and once agreed the updated document shall be published.	Closed Jan17
2	Nov 16	The control should be retired and the Industry Roadmap updated accordingly	Closed Sept 16

Table 12 Update of recommendations arising from the Compliance Reviews of Provisioning

See chart below which outlines the current status of recommendations arising from Compliance Reviews concluded to-date.

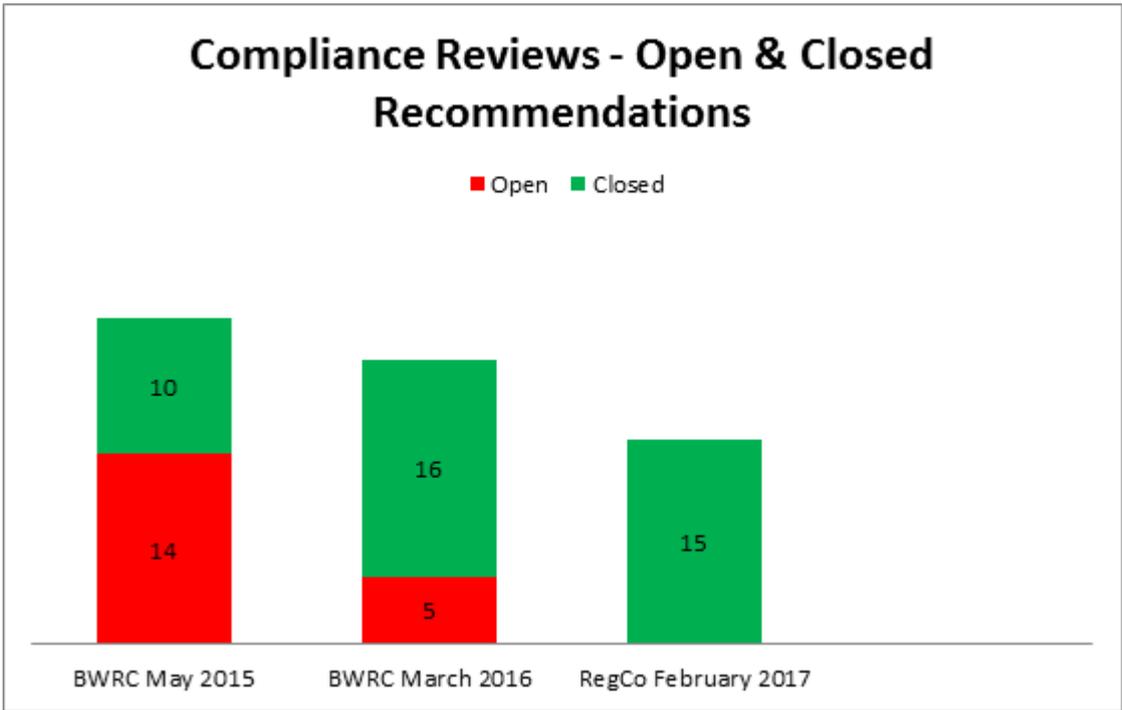


Figure 24 Open and Closed Recommendations arising from Compliance Reviews to-date