

# Service Providers Complaints Process

**Revision No.: 1.1**

**Issue Date: September 2020**

**Issued By: NBI**

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## 1 Introduction

NBI Infrastructure DAC (NBI) is contracted by the Department of Communications, Climate Action and Environment (DCCAE) to deploy the National Broadband Plan (NBP) network within the Intervention Area (IA) and to make available to Service Providers (SPs) a suite of wholesale products and services. NBI, along with its sister deployment company NBI Deployment DAC (NBID), is obligated to make its products and service available to all SPs on the basis of Equivalence of Inputs (EoI), ensuring that it deals with all SPs strictly on a non-discriminatory basis, ensuring that all SPs are offered the same terms and conditions, are dealt with in the same timeframe and that that the products and services are made available to SPs using exactly the same systems and processes in each case. In light of this mandate, NBI is incentivised to ensure that all SPs receive equal and non-discriminatory treatment at all times in their dealings with us.

To help us to ensure that this remains the case, NBI has put in place this complaints process for SPs. The purpose of this process is to deal with instances where, in the opinion of a particular SP, EoI may not have been observed by NBI in relation to some aspect of its service. This document outlines NBI's process to enable SPs to make a formal complaint and, in this respect, it details what categories of complaints are in scope and what process SPs need to follow when making a complaint.

## 2 Scope

Complaints from Service Provided that have signed the Reference Offer related to the following regulatory categories are in scope:

- EoI
- Non-Discrimination; and
- Transparency

**Please note:** access to this complaints process is free of charge and all data are managed in according with the [NBI data protection policy](#).

### 3 Terms & Definitions

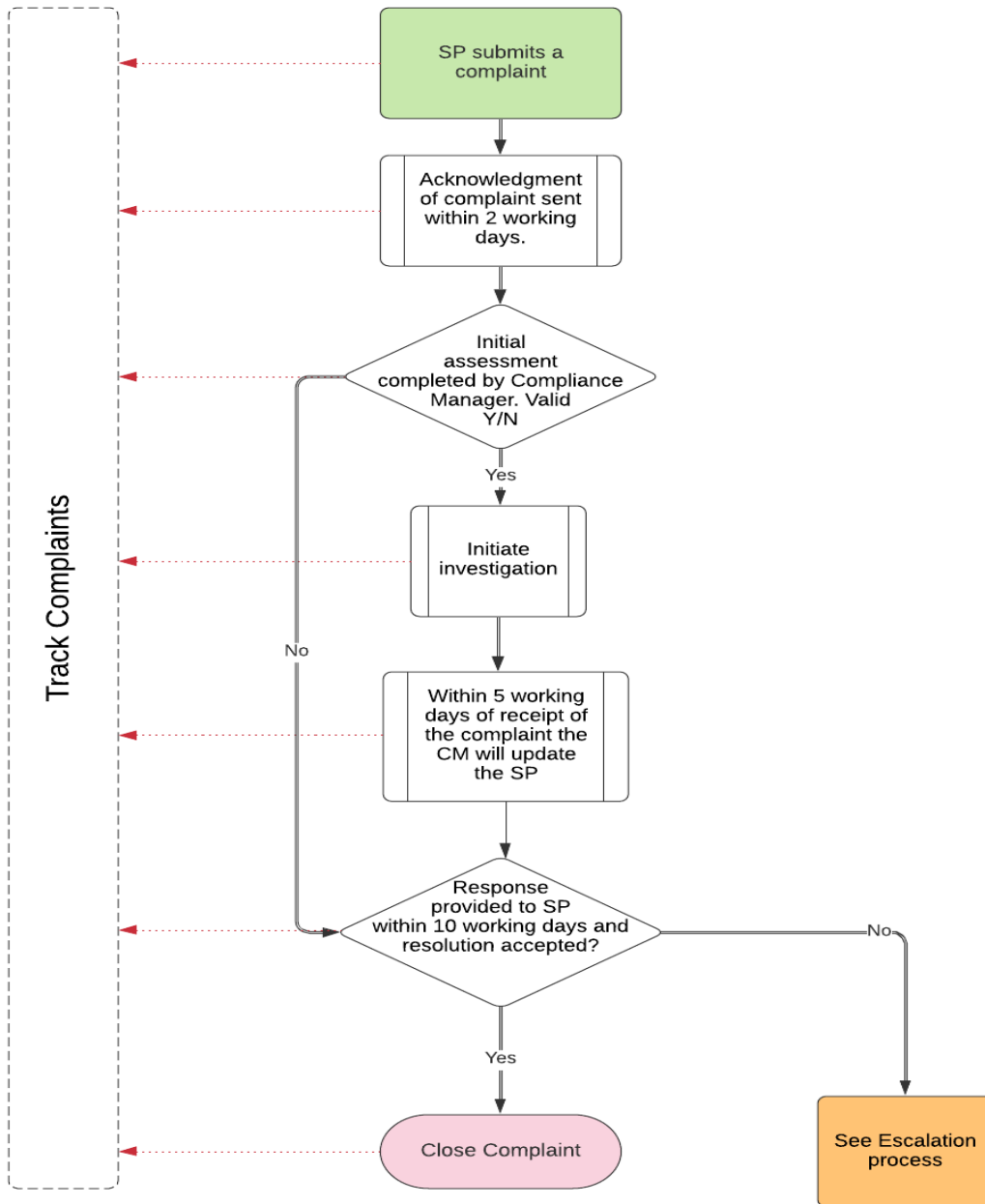
Term	Definition
Authorised Undertaking	means those persons who are authorised under Law to provide an electronic communications network or an electronic communications service and whose details are published in the electronic register of authorised undertakings maintained by the National Regulator, Commission for Communications Regulation (ComReg).
Equivalence of Inputs	means the Non-Discrimination obligation placed on NBI to provide all Wholesale Products on an Equivalence of Input basis and, in particular, to provide all Wholesale Products and associated information and services to all Service Providers in the same timescales and on the same terms and conditions (including Wholesale Prices and SP Performance Levels) and by means of the same systems and processes.
Intervention Area	means the area within which all Premises must be “Passed” with high-speed broadband (minimum 30 Mbit/s download, 6 Mbit/s upload at the outset) to enable retail customers to request to be connected to the Network.
Non-Discrimination	means the obligation placed on NBI to ensure that a Service Provider is not treated in a manner inconsistent with the treatment of any other Service Provider, which, should this occur, could give rise to an advantage or disadvantage in the delivery of NBI’s Wholesale products or services.
Service Provider	means an actual or prospective customer of NBI or an actual or prospective customer of a Wholesale Service Provider: <ul style="list-style-type: none"> <li>• that is an Authorised Undertaking;</li> <li>• has completed or will complete the Service Provider Onboarding Process with NBI; and</li> <li>• whose use or intended use of the Wholesale Products is only for onward direct sale to an End User customer of the Authorised Undertaking with a premises in the Intervention Area.</li> </ul>
Transparency	means the obligation placed on NBI to make information about its Wholesale Products publicly available, including information relating to the terms and conditions of supply, technical interfaces, operational procedures and prices. In line with communications regulation practice, NBI meets this obligation via the publication of Reference Offers for each of the Wholesale Products it makes available.
Wholesale Product	means each variant of the Wholesale Bitstream/VUA, InterConnect/SES and Co-Location Products provided by NBI and any other Wholesale Product NBI makes available to SPs within the IA at a future date.

### 4 Responsibility

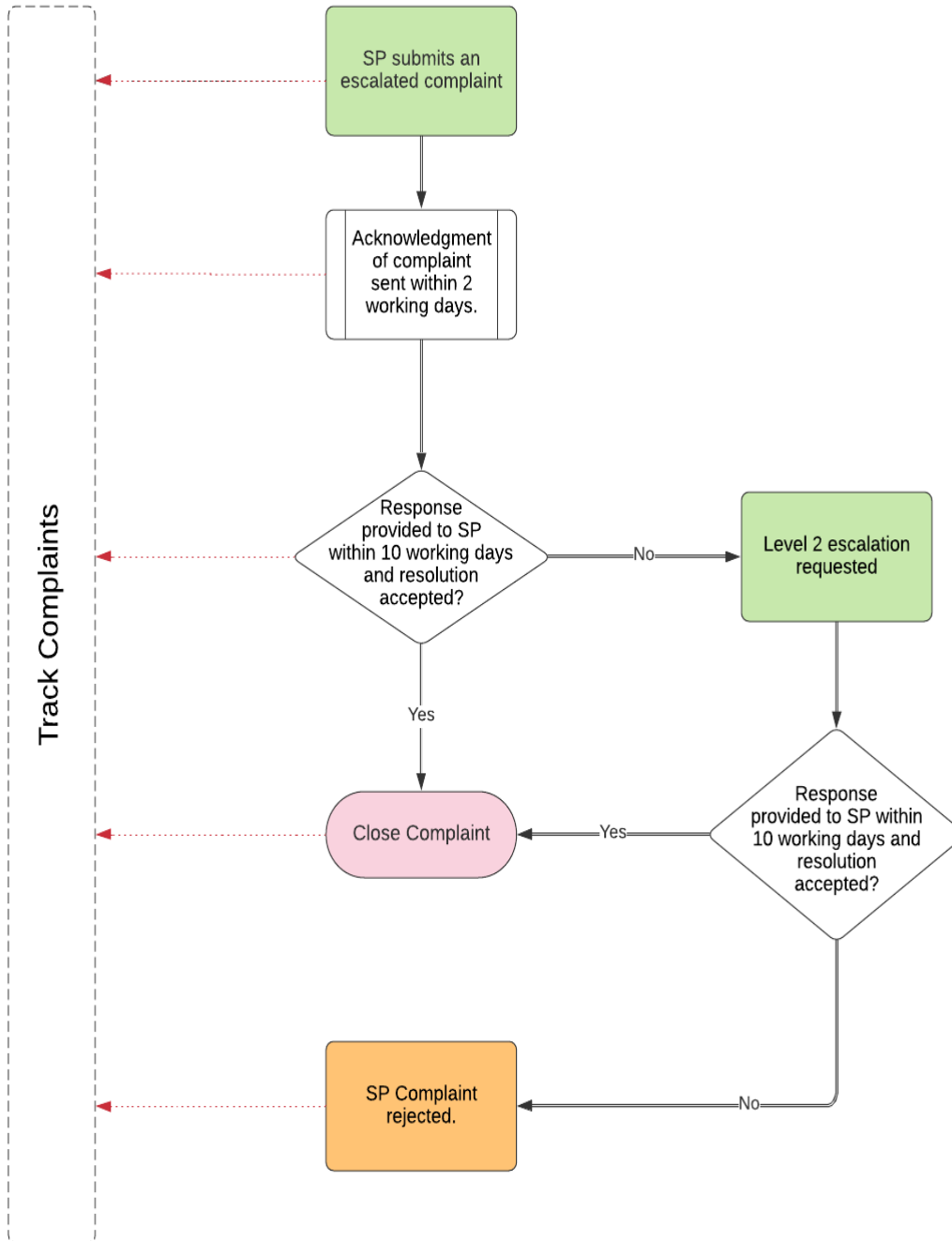
NBI’s Compliance Manager is responsible for ensuring that this process is implemented and properly controlled.

If you do not receive a response within the timeframes outlined in this document or if you are unhappy with the determination or resolution of your complaint, please follow the escalation process outlined in section 5 of this document.

## 5 Service Provider Complaints Process Map



## 6 Service Provider Escalated Complaints Process Map



## 7 Process Detail

SPs should ensure that they provide as much relevant information as possible. At a minimum the following information must be provided:

- SP company name
- Contact name, email address and direct phone number
- Date of complaint
- Detailed summary of issue and its subsequent impact on the SP
- Preferred resolution if known; and
- List of attachments to be provided as evidence

All complaints should be sent to [spcomplaints@nbi.ie](mailto:spcomplaints@nbi.ie) for the attention of the Compliance Manager. All complaints will be acknowledged within 2 clear working days.

Please note: Where a complaint is sent into the mailbox out of hours, on a weekend or a Public Holiday the clock will start from 9am on the first working day thereafter.

Within 5 working days of receipt of the complaint the Compliance Manager will update the SP on the progress of the complaint and inform them of the proposed plan of action for investigation of the complaint. The Compliance Manager may also request additional information at this point in time to allow for investigation of the matter.

Please note: The complaints process will be paused until any such requested information is provided by the SP.

The Compliance Manager will keep the SP informed of progress regarding their complaint and aim to have a written response with 10 working days from receipt of the complaint. If additional time is required to investigate a complaint, this will be communicated to the SP and a new expected response date provided.

## 8 Escalations

If you do not receive a response within the timeframes outlined above or if you are unhappy with the determination or resolution of your complaint, you should follow the following escalations steps:

1. Email your escalated complaint to [spcomplaints@nbi.ie](mailto:spcomplaints@nbi.ie) for the attention of Head of Regulatory Affairs.
2. All complaints will be acknowledged within 2 working days.

3. Within 5 working days of receipt of the complaint, the Head of Regulatory Affairs will update the SP on the progress of the complaint and inform them of the proposed plan of action for investigation of the complaint. The Head of Regulatory Affairs may also request additional information at this point in time to allow for investigation of the matter.

Please note: The complaints process will be paused until any such requested information is provided by the SP.

4. The Head of Regulatory Affairs will keep the SP informed of progress regarding their complaint and aim to have a written response with 10 working days from receipt of the complaint. If additional time is required to investigate a complaint, this will be communicated to the SP and a new expected response date provided.
5. If the SP is still not happy with the determination or resolution of your complaint they may request the complaint to be escalated to the Chief Legal Officer who will review the complaint and provide a written response within 5 working days.