



Our ref: GRCR/GR 15.20

03 December 2013

Mr. Glen Daykin
Acting Managing Director
Information and Communications Technology Authority
PO Box 2502
3rd Floor Alissta Towers
Grand Cayman, KY1-1104

Dear Mr. Daykin,

Re: Introduction of New Service

Pursuant to paragraph 31 of Annex 5 to its 10 July 2003 ICT Licence (the "**Licence**"), Cable and Wireless (Cayman Islands) Limited, t/a LIME ("**LIME**") applies to the Authority for authorization to offer a new service in the Cayman Islands for business customers called # _____ # (the "**Service**").

Service Description

#. The Service will be offered on a minimum one -year contract term basis.

A diagram of the network arrangements is included in the confidential Attachment 1.

Service Category

This new Service is based on Internet Protocol (IP) technology and is of a discretionary nature, given the competitive options that exist in the market. In past correspondence the Authority noted that "in categorizing new ICT services on a going forward basis, the Authority takes into account the service functionality and its similarity with other services in the same category and the degree of competition the service faces". This new Service uses similar technology to that used by LIME's

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service, and provides similar functionality. As such, LIME submits that this new Service is a Category 3A service, given that it is primarily a # service and faces competition in the market. As the Authority noted at paragraph 13 of ICT Decision 2006-3,¹ the terms of paragraph 32 of Annex 5 of the Licence state that a new service:

shall only be included as a Category 1 Service if the Authority determines that there is not sufficient competition for the ICT Service and that the ICT Service is of a nondiscretionary nature such that price cap regulation is appropriate.

LIME notes that the Service is clearly of a discretionary nature, which is sufficient in itself to take the Service outside the scope of the referenced paragraph 32. Further, in the event the Authority were minded to place this Service in Category 2, LIME notes that there exists in the Cayman Islands another operator offering the same service.² LIME's main competitor in this regard is #

#.

As the Authority is aware, #

#-

#

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Under the terms of the Licence, the foregoing is a sufficient basis to classify the proposed Service as a Category 3A service, as is LIME's # service.

¹ ICT Decision 2006-3, "*TeleCayman's Request re: MPLS and CJFS Cable System Pricing*", 20 November 2006.

² According to its website at #

services.

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Tariff Pages

LIME considers that this new Service does not require inclusion in the General or Special Tariffs. As required by paragraph 20.1 of Annex 5 of the Licence, LIME shall publish the rates, terms and conditions of this Service on its website. A copy of the applicable terms and conditions is included in the confidential Attachment 2.

Rates and Charges

LIME intends to offer its Service at the rates represented in the attached confidential Attachment 3.

Effective Date

LIME intends to begin offering this Service on a commercial basis on # , 2014.

Other matters

In its letter of 11 December 2012, the Authority referred to the terms and conditions for LIME's # # service and to another page on LIME's website that seemed to describe # # service.

With respect to the first question, rates for the # # service have been uploaded to the LIME website, and can be seen at: #

#. Terms and conditions for the service have been included on the main "Terms and Conditions" webpage (at <http://www.time4lime.com/ky/legal.jsp?content=terms>) in the section entitled # #. Alternatively, a website user could visit <http://www.time4lime.com/ky/> and select the "Business" button located in the top right section of the page. The user would then hover over the "Business Solutions" button and select #

#

With respect to the second question, the mentioned webpage was included in error following a rollout of # # services in other LIME countries, and is no longer available. #

#.

Confidentiality Claim

This application and its attachment are filed under confidential cover. The marketing and product development plans of LIME's information that is of a commercially sensitive nature and is consistently treated in a confidential manner by LIME until implementation. In the event the information were to be treated otherwise, LIME's competitors and potential competitors would gain advance knowledge of LIME's marketing and pricing plans, even before the information could be made available to

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LIME's customers or to the general public. This would put LIME at a competitive disadvantage.

An abridged version of this letter will be filed. All confidential information in this letter will be replaced by "###". LIME does not propose to provide a redacted version of the attachments, as these would be meaningless.

Please contact the undersigned directly should you have any questions.

Yours faithfully,
Cable and Wireless (Cayman Islands) Limited, trading as LIME

[signed]

Frans Vandendries
Vice President, Legal, Regulatory & Corporate Affairs

c.c. Bill McCabe, Chief Executive Officer, LIME
Roderick Kirwan, Group General Counsel, LIME

Encl. (confidential)

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