



Our ref: GRCR/15.2

5 April 2013

Mr. David Archbold  
Managing Director  
Information and Communications Technology Authority  
PO Box 2502  
3<sup>rd</sup> Floor Alissta Towers  
Grand Cayman, KY1-1104

Dear Mr. Archbold,

**Re: New Service Notice and Classification of New Service - LIME TV**

Pursuant to paragraph 31 of Annex 5 to its Licence, Cable and Wireless (Cayman Islands) Limited, trading as LIME ("LIME") applies to the Authority for authorization to offer a new service in the Cayman Islands, "LIME TV".

**Service Description**

LIME's TV service uses a state of the art set-top box and will be provisioned over LIME's broadband service and will include services such as advanced parental control and search LIVE TV,DVR functionality as well as access to features such as pause LIVE TV, virtual set-top box for PCs, Macs, iOS and, Android devices and Video on Demand. The set top box will be the primary device used for LIME TV; options for direct Ethernet connections or a wireless solution (wireless dongle & extenders) within the home will be available. In some instances an HDMI cable will be available for purchase in our retail stores or in some instances will be also included in the service package.

Attached as Appendices I, II and III and for the Authority's further information are:

- I. the TV Packages, Equipment and their Prices;
- II. the Channel Listing
- III. Terms and Conditions of Service

**REDACTED**

## Service Category

Clause 29, 'Category 6 – New Services' of Annex 5 of LIME's Licence stipulates that *'if a New ICT service is developed, the Authority shall determine in which category that ICT service belongs'*. Clause 31 of the said Annex 5 sets out that *'in addition to above, C&W may apply to the Authority in writing at any time for a ruling on an ICT Service categorization, in which case the Authority shall make such a determination within ten (10) business days, unless more information is required'*.

LIME seeks such a determination, and recommends that the Authority classify LIME TV as a Category 3B service. Clause 20.1 states that a category 3B service *'will be ICT Services whose rates, terms and conditions C&W will not be required to publish (i.e. those Category 3 services not in sub-category A, and all Category 3 Services that are not ICT Services).'*

LIME is of the view that a category 3B assessment is appropriate for LIME TV because LIME will be entering a competitive market, where there is an established incumbent, WestStar TV Limited with the greatest market share, a satellite service provider, and several other Type 7 licensees like LIME who are in the early days of providing services and have few or no customers. The market is sufficiently competitive that regulation of LIME's service is not required. Indeed, it would be unreasonable to regulate LIME's service when it clearly has no market power in the market for television distribution services. LIME trusts that the Authority will agree that the appropriate classification for LIME TV is category 3B.

## Effective Date

LIME intends to begin offering this service on a commercial basis on #                      #.

## Confidentiality Claim

LIME is filing this application, including the attached Appendices in confidence with the Authority. The marketing and product development plans of LIME are information that is of a commercial nature and is consistently treated in a confidential manner by LIME until they are implemented. 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 LIME's customers or to the general public. This would enable them to develop competitive and targeted marketing and pricing responses, even before LIME would be able to implement its own plans.

An abridged version of this letter will be filed. All confidential information in this letter, and in Appendix I and II will be replaced by "###". LIME does not propose to provide a redacted version of Appendix III, as this would be meaningless, unless the Authority directs otherwise.

**REDACTED**

Please do not hesitate to contact the undersigned should you need any further information.

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

‘Signed’

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Daniel Tathum  
Acting General Manager

c.c. Rod Kirwan, Group General Counsel, LIME

Encl.

**REDACTED**

## LIME TV Packages

Note that additional standard STBs will be available at # \_\_\_\_\_ # per month – # \_\_\_\_\_ # STBs are available at a price of # \_\_\_\_\_ # per month.

Cable and Wireless (Cayman Islands) Limited . Registration Number: 60022 . Registered Office: One Technology Square, 19 Eastern Avenue, P.O. Box 293, Grand Cayman, KY1 - 1104, Cayman Islands.

## **APPENDIX II**

### **LIME TV Channel Listing**

Actual channel listing subject to change as channels are added or removed.

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**REDACTED**

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**REDACTED**