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Information & Communications Technology Authority

Our ref: ICTA/80/105/105-11

26 April 2007

Mr. Rudy Ebanks  
Chief Regulatory and Carrier Relations Officer  
Cable and Wireless (Cayman Islands) Limited  
PO Box 293  
Grand Cayman KY1-1104

Dear Mr Ebanks,

**Re: C&W redactions in the FLLRIC (CD 2005-1) process**

In a letter dated 27 March 2007, Digicel Cayman Limited ("Digicel") requested that the Information and Communications Technology Authority ("ICTA" or "Authority") establish a process whereby two non-C&W participants in the FLLRIC proceeding (after signing suitable confidentiality undertakings) would have access to the unredacted C&W submissions for the purposes of assessing the C&W redactions. In its letter, Digicel also provided three specific cases where it believed C&W had wrongly redacted certain information when C&W provided responses to ICTA interrogatories.

C&W responded to the Digicel letter on 10 April 2007 and Digicel submitted a further letter on 20 April 2007.

The Authority notes that the ICTA Law (Confidentiality) Regulations provide a process by which parties may request the disclosure of information that has been filed in confidence with the Authority. The Authority is of the view that the additional process requested by Digicel is not necessary and therefore denies that aspect of Digicel's request.

The process as set out in the Regulations contemplates that each individual case where redacted text appears in a document is to be challenged on its individual merits, through an argument that addresses the public interest in disclosure.

Any arguments in favour of disclosure will, of necessity, not be informed by a reading of the specific redacted words, but will rather focus on the importance to the public process of the specific information withheld. It therefore falls to the Authority to balance these arguments with an assessment of the relative weight of the specific direct harm to the filing party in disclosure against the broader public interest in a full and fair public process.

In assessing the three specific cases from Digicel's 27 March 2007 letter, the Authority considers that the information relates more to broad market demand growth assumptions than to C&W specific demand levels and these assumptions could have a significant impact on the results of on the FLLRIC model. The Authority is of the view that any specific direct harm is not sufficient to outweigh the public interest in disclosure in these three cases. Therefore, C&W is directed to disclose the following information:

- 1) for the "Fixed to Mobile calls" paragraph of its response to section 3.4, question 1 - the complete first sentence of that paragraph,
- 2) for the response to section 3.4, question 5 - the complete response, and
- 3) for the response to section 4.4, question 2 - the complete response.

C&W should provide revised versions to all parties to the proceeding by 3 May 2007.

Yours sincerely,

[signed by]

David A Archbold  
Managing Director

cc: Digicel