



The Bigger, Better Network.

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April 30, 2010

Mr. David Archbold
Managing Director
Information, Communication & Technology Authority
P.O. Box 2502, 3rd Floor Alissta Towers
Grand Cayman KY1-1104
Cayman Islands

Dear Mr. Archbold,

Re: DIGICEL CLARIFICATION – ICTA DECISION 2010-3, DECISION ON DEEP PACKET INSPECTION & SIMILAR TECHNOLOGIES IN THE CAYMAN ISLANDS.

Digicel would like to reply to the questions and requests made by the ICTA in its ICTA Decision 2010-3 “Decision on Deep Packet Inspection and Similar Technologies in the Cayman Islands” dated the 23rd of March.

In section 52 of the decision, the ICTA states that it believes Digicel has not taken appropriate steps to ensure that their customers have consented to the use of their packet information, as required by clause 12. Therefore the ICTA requests at a minimum, full and complete disclosure of the use of DPI is required in order to obtain a customer’s informed consent under clause 12.

Section 12 of Digicel license requires us to maintain the confidentiality of customer information where it is any confidential personal and proprietary information obtained in the course of our business from the subscriber, any information regarding the usage of our network or any information received as a result of or in connection with the operation of our network or provision of our service.

Furthermore in section 54, the Authority has concluded that Digicel did not satisfy the Authority that their uses of DPI would be restricted to the permitted activities listed in clause 12.2 of the license and in section 55 the Authority hereby notified Digicel that their current uses of DPI, are in breach of clause 12 of their respective ICT license.

Digicel uses the Allot Net Enforcer and Explorer to identify types of traffic by protocol in order to report and optimize total bandwidth consumption. The key driver for this is network protection from malicious behavior and to provide an

Directors: Denis O'Brien (Chairman), Michael Alberga, Leslie Buckley, Conor O'Dea

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equitable customer experience. In no terms does Digicel use this technology to monitor message content which could be in breach our license.

We have obtained a statement from Adolfo Soto, the Director of Sales for Allot Communications-Caribbean and Latin America, "Our NetEnforcer and NetXplorer systems do not store any payload information (i.e. content). They do not read emails and do not report on what kinds of files are being transferred within email traffic."

Therefore not alone does Digicel not use its installed technology to obtain confidential information on our customers and their use of the internet, such actions are physically not possible with the solution installed and operated by Digicel.

We are happy to provide the regulator with additional information on this technology or would invite the regulator to contact the supplier directly if he has requirements for further information.

As we are physically unable to obtain any information, which could be deemed confidential customer information under section 12 of our license we see no need to inform our customers as per your request under section 52, but we are open to discussing this further with the ICTA.

We would also like to extend our apologies to the Authority for the delay in responding which was due to delays in receiving a reply from our hardware supplier.

Yours truly,
Digicel (Cayman) Limited

A handwritten signature in black ink, appearing to read "Victor Corcoran", followed by a horizontal line.

Victor Corcoran
Chief Executive Officer