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Information & Communications Technology Authority

Our ref: ICTA/160/161-09
Your ref: GRCR/GR/15.24

7 May 2008

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

Dear Mr. Ebanks,

International Private Leased Circuits

In its 20 March 2008 letter, Cable & Wireless (Cayman Islands) Limited ("C&W") applied to amend the Terms and Conditions of its International Private Leased Circuits ("IPLC") - General Tariff Item 501 to include the details of a Service Level Agreement, provide for credits for monthly charges for unavailability of circuits, provide for credits for extended repair times, and provide additional volume discounts for certain circuit types.

C&W's service filing included proposed retail service tariff pages, a Maintenance and Service Annex, and a wholesale rate schedule. The Authority requested information from C&W on 31 March 2008 and 4 April 2008 concerning the differences between the proposed retail tariff and the Maintenance and Service Annex. C&W provided responses to the Authority's questions on 14 April 2008, in which it indicated that the Maintenance and Service Annex is used for wholesale customers and that amendments were necessary to the proposed tariff pages and the Maintenance and Service Annex in order to address the items identified by the Authority. C&W provided revised versions of the proposed tariff pages and Maintenance and Service Annex on 2 May 2008.

C&W identified in its 20 March 2008 letter that the application was made pursuant to paragraph 8 of Annex 5 of its Licence. However, the Authority notes that paragraph 8 of Annex 5 only applies to proposed changes to terms or conditions and not rate changes. As this service filing proposes to decrease the rates of the IPLC service by

providing credits for monthly charges and additional discounts for certain circuit types, the application should also have been made pursuant to paragraph 6 of Annex 5.

Whilst C&W did not address the imputation test which is required for rate decreases, the Authority considers that the service will continue to satisfy the imputation test as the proposed changes to the IPLC retail rates are incorporated in the proposed changes to the IPLC wholesale rates. Therefore, the Authority makes the following determination:

the Authority hereby approves the changes as identified in C&W's amended service filing subject to C&W offering the revised wholesale service no later than the date C&W begins offering the revised service to retail customers.

C&W is directed to provide to the Authority a copy of the communications notifying wholesale customers of the changes to the wholesale service.

Yours sincerely,

[Signed]

Mark Connors
Head of Economics and Regulation