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Information & Communications Technology Authority

19 June 2008

Mr. Orrett Connor, MBE, JP
Cabinet Secretary
Cabinet Office
Government Administration Building
Grand Cayman, Cayman Islands

Dear Mr. Connor,

Re: Telecayman Request for Access to Government Duct Space

The Authority is in receipt of a letter from Telecayman Limited (Telecayman) dated 12 June 2008 requesting a decision on TeleCayman's determination request filed on 29 April 2008. As you will be aware, Government's contribution to the public record on this issue is currently limited to its initial application for a licence to lease duct space and/or dark fibre to other licensees, the Computer Services Department's letter dated 10 April 2008 (in which Computer Services agreed to forego the future use of its second duct, where it exists, and make it available to TeleCayman at a cost of CI\$0.26 to CI\$0.30 per foot) and the Cabinet Office's letter to TeleCayman dated 4 June 2008 in which Government rejects, without explanation, TeleCayman's offer to lease Government duct space.

The Authority considers that it is not yet in a position to make a fully informed decision on this matter. Under the provisions of regulation 8(a) of the ICTA (Dispute Resolution) Regulations 2003, it therefore requests that you provide a written explanation of Government's present position as soon as reasonably practicable. In doing so, you may wish to take into account subsection 69(3) of the ICTA Law and subsection 8(8) of the ICTA (Interconnection and Infrastructure Sharing) Regulations which are reproduced below for ease of reference:

ICTA Law:

69. (3) A licensee shall not deny another licensee access to its infrastructure or infrastructure arrangements except-
- (a) where there is insufficient capacity taking into account reasonably anticipated requirements;
 - (b) there are reasons of safety or security; or
 - (c) there are technical and engineering matters which would make such access difficult or impossible.

Interconnection and Infrastructure Sharing Regulations:

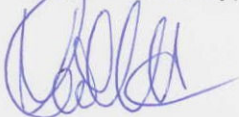
8. (8) Where the responder denies a request, the responder shall provide detailed written reasons for such denial to the requestor within 20 days of the receipt of a complete and accurate request.

Please copy any response to TeleCayman.

The Authority notes that, under section 70 of the ICTA Law and the ICTA (Confidentiality) Regulations, Government may request that information be treated as confidential. If Government wishes to make a confidentiality claim, please follow the procedures detailed in section 4 of the Confidentiality Regulations.

Should you have any questions, please do not hesitate to contact me at (345) 946-4282.

Yours sincerely,



David Archbold
Managing Director

c.c. Phil Brazeau, Telecayman
Tom Kinstler, Telecayman