

Your Ref:
Our Ref: TC/ICT/LIC/05
TC/OFT/TWR/AGR/01



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CAYMAN ISLANDS
GOVERNMENT

**Ministry of
District Administration, Works and Gender Affairs**

September 8, 2009

Mr. Don Seymour
dms Broadcasting
PO Box 31910
Grand Cayman KY1-1208
CAYMAN ISLANDS

RE: dms Broadcasting License and Relocation of CayRock 96.5FM

Dear Mr. Seymour,

Thank you for attending the meeting that was held on 3rd September 2009 with various Government Ministers and representatives in order for all parties involved to familiarize themselves with the issues at hand. As you are aware, the responsibility of the Information and Communications Technology Authority and the Office of Telecommunications (Oftel) was transferred over to the current Ministry from the previous Ministry of Communications, Works and Infrastructure; however, it was not until the end of July 2009 that we received the files regarding these subject area.

I am writing to provide suggestions on what actions would need to be taken by dms Broadcasting and to provide an update as to what actions are being taken by my Ministry based upon the meeting last week.

I am aware that dms broadcasting license is due to expire on the 15th September 2009. In an effort to not breach section 82 of the ICTA Law regarding operation of an FM radio station

without a valid ICT license, the Ministry would suggest that dms Broadcasting **immediately apply to the ICTA for a formal amendment to extend the term of your current licence.**

The formal application would need to include the following:

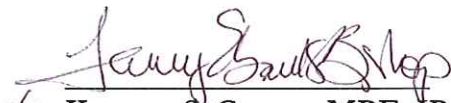
- A request to amend the term of the existing licence.
- Confirmation that dms could relocate the CayRock transmitter to either Northward or another tower within a given timescale.
- A detailed project plan, including costs, for the relocation of CayRock to tower with verifiable milestones to the Government tower at Northward and the Avcom Newlands tower.
- If technically possible, an agreement to reduce CayRock's output power.

In designing the project plan for the proposed relocation of CayRock to the Northward tower, please consider the following items as key issues that would need to be addressed in your project plan: separate power/back up generator supply and a separate fiberglass bunker to store equipment, and separate location that is accessible by dms. The Office of Telecommunications would be able to assist you with determining an appropriate location.

Additionally, the Ministry has instructed Oftel to provide a report on their recommendations for solutions to this issue and what the effects of CayRock's move to the Northward tower would pose. We will also be reviewing, in conjunction with the Legal Department, the draft lease that was provided by dms to this Ministry.

Should you have any questions or require more information, please contact Tammy Ebanks Bishop at tammy.ebanks-bishop@gov.ky or 244-2427.

Respectfully yours,



Kearney S. Gomez, MBE, JP

Permanent Secretary

Ministry of District Administration, Works and Gender Affairs

cc: Hon. Juliana O'Connor-Connolly, Minister for District Administration, Works and Gender Affairs
Mr. David Archbold, Managing Director, ICTA
Mr. Kernilon Owens, Telecommunications Officer, Telcoms Unit