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Information & Communications Technology Authority

ICTA/194/Lic

5 October 2009

Mr. Stuart Diamond
Diamond Law Associates
4th Floor, Cardinal Plaza
30 Cardinal Avenue
P.O. Box 2887
George Town
Cayman Islands, KY1-1112

Dear Mr. Diamond,

Re: dms Broadcasting Ltd – Renewal of ICT Licence

Receipt of your letter of today's date regarding the renewal of dms Broadcasting Ltd.'s ("dms") licence is acknowledged.

I regret that the Authority does not agree that Section 29 of the ICTA Law is applicable in this case. As was noted in the Authority's letter of 2 October 2009, a single ICT Licence covers all the ICT operations of dms Broadcasting Limited. This licence was renewed by the Authority on 1 October 2009 although the terms were amended to exclude Cayrock.

It is the Authority's position that dms has been given ample notice of the requirement to relocate the Cayrock transmitter outside the George Town/West Bay area, specifically in:

- Letter from the Authority to dms dated 11 July 2008;
- ICT Decision 2008-4, dated 10 October 2008;
- Letter from the Authority to dms dated 8 May 2009; and
- Letter from the Authority to dms dated 14 August 2009.

dms has yet to comply with this directive.

Accordingly, the Authority sees no reason to stay its determination and reiterates that dms must cease operating Cayrock as of 11:59pm today.

Should you have any questions, please do not hesitate to contact me at (345) 746-9600.

Yours sincerely,



David Archbold
Managing Director

cc: Don Seymour, dms Organization Limited
Bryan Hollenbough, dms Broadcasting Limited
George Hunter, Island Electronics Limited
Mr. Kearney Gomez, Permanent Secretary, Ministry of DAW&GA
Hon. Juliana O'Connor, Minister of DAW&GA