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Information & Communications Technology Authority

ICTA/140/145

13 July 2006

Mr. Philip Brazeau
TeleCayman
PO Box 704 GT
Grand Cayman

Dear Mr. Brazeau,

Determination Request MPLS: Request for Expedited Proceedings

The Board has today considered your request for an expedited process in relation to the above-noted proceeding.

The Board is of the view that the considerations before it in relation to the application for an expedited process in Decision on TeleCayman Application for Determination of Mobile Termination rates, ICT Decision 2005-6, 24 November 2005, apply equally to this case. The Board notes that, in that proceeding, on 6 October 2005, the ICTA refused the request by TeleCayman for an order expediting the proceedings as follows:

The Authority noted that no reasons had been advanced for expediting the process, the Regulations are of recent vintage, and the time frame in the Regulations of twenty days is, as noted by the named respondents C&W and Digicel, quite tight already, especially for a proceeding of this depth and complexity. The Authority noted that the applicant did not file a reply to the answer of the named respondents, although invited to do so.

In the present case, the Board notes that the reason advanced for an expedited process by TeleCayman is as follows:

[t]here are a number of significant RFP's which will be issued in the corporate market in the immediate future and it is critical that all C&W bid responses be in accord with the regulatory regime and statutory requirements.

In the Board's view, this consideration, although important to the robustness of the telecommunications market in Cayman, suggests a pace of proceeding in this matter that is quite inconsistent with the detailed scrutiny likely to be required, not only through eliciting a meaningful Answer in response to the Application, but also through the interrogatory process that is clearly contemplated in the substance of the present TeleCayman application.

In the view of the Board, only determination requests filed pursuant to s.5 which raise matters of immediate operational consequence merit a truncation of the twenty day period for a response prescribed in s.6(2) of the Regulations.

Accordingly, the Authority hereby denies the application for an expedited process.

The result of this determination is that the period of twenty days prescribed in s. 6(2) of the Regulations applies to the Answer of C&W to the Application. In addition, in light of the complexity of the matter in question, staff of the Authority is hereby pleased to accord to TeleCayman the opportunity to file a Reply to the Answer of C&W, serving a copy on C&W, within the period of ten days of receipt of the Answer.

Yours truly,



Greg van Koughnett,
General Counsel

cc. Mr. Rudy Ebanks, C&W
Mr. Jeff Hamill, WestTel
Mr. Randy Merren, Infinity Broadband