



The Bigger, Better GSM Network.

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September 23, 2005

Mr. David Archbold
Managing Director
Information & Communications Technology Authority
PO Box 2502 GT
Cayman Islands, B.W.I

Dear Mr. Archbold,

Re: ICTA FLLRIC Public Consultation – CD (2004) 1

Digicel refers to the Cable & Wireless (“C&W”) letter of 9 September 2005 where C&W has suggested a timeframe for completing a draft-costing manual and two example-costing studies as part of the FLLRIC process.

Digicel is extremely concerned at how C&W sees the process developing from here and their current proposal reinforces its concerns expressed earlier in the process to the Authority about the need for transparency and the dangers of allowing the model to be produced essentially by a party with a vested interest in the outcome. Digicel wants to make it clear that it does not necessarily see the outside date of mid-April as unachievable but it strongly objects to the manner in which C&W are proposing to reach that date. If the proposed roadmap is followed then natural justice cannot be observed.

Although the Authority has outlined 9 high level principles and 8 guidelines that should be incorporated in building a model, there may be several legitimate interpretations of these. Furthermore, the actual architecture of the model is still entirely unclear to Digicel e.g. will there be completely separate models for fixed and mobile, which in Digicel’s view is a must. Such uncertainties provide C&W with substantial scope to ‘drive’ the result. Digicel believes it is imperative that all parties have a clear understanding of these issues before any development of a costing manual or construction of a model begins (if it hasn’t already been done!). The only manner in which this can be done is through industry work groups/forums run by the Authority. Digicel had suggested this approach previously. To our knowledge, this is common practice internationally particularly since the development of the type of model being proposed is so complex.

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Without all parties understanding exactly the foundation of what is being proposed then it is impossible to simply respond to a deadline set by C&W that states “parties file comments on how to allocate common costs” without potentially seriously prejudicing ones position which Digicel is not prepared to do. As a token of its commitment to FLLRIC process, Digicel is willing to commit to extended meetings (half or full days) chaired by the Authority to clarify and resolve issues in a timely manner. A series of weekly one-hour meetings will probably achieve nothing in this regard and would unnecessarily delay the process.

Digicel would strongly urge the Authority to put a halt to this ‘fast track’ approach with minimal industry interaction that is being proposed by C&W and initiate a process where all operators understand, without ambiguity, exactly what is being proposed.

Yours sincerely,

“SIGNED”

John D Buckley
Chief Executive Officer

cc: Mr. Greg Van Koughnett -ICTA
Mr. Peter Millius - WestTel Limited
Ms Gloria Glidden –TeleCayman
Mr. Raul Nicholson-Coe – Wireless Ventures (Cayman Islands) Limited