



The Bigger, Better Network.

Cayman Financial Centre
36A Dr. Roys Drive
PO Box 700 GT
Grand Cayman, Cayman Islands
Tel: + 1 345 623 3444
Fax: + 1 345 623 3329

BY E-MAIL & OVERNIGHT MAIL

October 23, 2009

Mark Connors
Head of Economics and Regulation
Information Communications Technology Authority
P.O. Box 2502 GT
3rd Floor Alissta Towers
Grand Cayman

Dear Mr. Connors

Responses to Interrogatories Regarding Digicel's FLLRIC Phase 3 Submission

Thank you for the Authority's letter of 7th September about the above. Digicel Cayman Ltd ("Digicel") is hereby submitting responses to the questions posed by the Authority.

Digicel claims confidentiality of the traffic and market share related information provided in response to questions two and three. We make this request pursuant to Section 3(d) (ii) of the *Information and Communication Technology Authority (Confidentiality) Regulations, 2003* ("Regulations") and in particular under sections 3(b) and 3(d). The traffic data provided provides actual details of Digicel's current traffic figures or enables actual figures to be extrapolated.

All such data is consistently treated in a confidential matter by Digicel and disclosure would be of detriment to Digicel's competitive position and its financial position as it would enable a competitor to assess Digicel's traffic profiles and to target the competitor's marketing campaigns in order to compete more effectively with Digicel, as well as providing valuable information to help with future network dimensioning for the competitor and therefore again providing a competitive advantage. All the information over which we are claiming confidentiality relates to services that are subject to competition. We request that the period of confidentiality should be at least two years.

Directors: Denis O'Brien (Chairman), Michael Alberga, Leslie Buckley, Conor O'Dea



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RE: Responses to Interrogatories Regarding Digicel's FLLRIC Phase 3 Submission

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Digicel has taken the following steps to secure the confidentiality of the information internally: minimizing the number of staff with access to these documents; warning staff that this information remains confidential and should not be shared with anyone outside the two companies; ensuring that these documents are stored in areas secured from access by any other person.

I attach a redacted and an un-redacted copy of Digicel's response.

Yours truly,

Digicel (Cayman) Limited

A handwritten signature in black ink, appearing to read "Victor Corcoran", followed by a horizontal line.

Victor Corcoran

Chief Executive Officer

Directors: Denis O'Brien (Chairman), Michael Alberg, Leslie Buckley, Conor O'Dea

Responses to the questions in ICTA letter of 7 September 2009 to Digicel (Cayman Islands) Ltd.

REDACTED

Response to question 1

Digicel assumed 3 mobile network licensees in Cayman. The assumption was derived from what C&W appeared to have said to ICTA that it had done (See LIME's letter to ICTA "Our ref: GRGR/GR 15.19, 21 May 2009". ICTA has also identified this in its redacted 30 page document with file dated 19 August (the document is not titled). There is more than one place in this document in which this assumption is mentioned.¹ There appears to be no ICTA announcement; Digicel was endeavouring to remain consistent with what C&W has proposed.

Response to questions 2 and 3

The calculations are based on volumes most recently realized in Digicel's network. The raw data are shown below. As mentioned, they consist of the most recent volumes realised in the Digicel network, with one exception, "Mobile data", for which the minute-equivalent volume could not be made available. The volume figure of this service is an estimate based on subscriber usage.

These figures were in a first transformation used to arrive at an estimate of the market volume by using Digicel's estimated market share as a starting point and grossing up to anticipated market size under the new regime. The second transformation involves arriving at the volume per operator in the case of a three-operator market with a symmetrical market share distribution (one third of the market for each). This implies dividing the figures obtained from the first transformation by three.

¹ E.g. "129. The MTR Cost study indicates volumes are derived by firstly determining total market demand by grossing up LIME's demand volume based on existing market share, then dividing by three (representing three operators equal market share"

Responses to the questions in ICTA letter of 7 September 2009 to Digicel (Cayman Islands) Ltd.

REDACTED

Data Reported by Digicel

Vol Calls Vol Lines Vol Minutes

900-MOBILE DATA
900-MOBILE INTERNATIONAL INCOMING
900-MOBILE INTERNATIONAL OUTGOING
900-MOBILE ON NET CALL
900-MOBILE SUBSCRIBER
900-MOBILE TO FIXED
900-MOBILE TO OTHER MOBILE
900-MOBILE VOICEMAIL RETAIL
900-SMS
900-MOBILE TERMINATION
900-INBOUND VOICE ROAMING
900-SMS TERMINATION
900-MMS
900-VIDEO CALLING
900-MMS TERMINATION
900-VIDEO CALL TERMINATION
900-INBOUND DATA ROAMING

Response to question 4

For the scenario of a two-operator market, the assumption is that there would be no change in the current market structure. Thus the volume figures as reported by Digicel would have to be used as a starting point to derive the estimate for the MTR.