



The Bigger, Better Network.

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November 25, 2009

Mr. David Archbold
Managing Director
Information, Communication & Technology Authority
P.O. Box 2502, 3rd Floor Alissta Towers
Grand Cayman KY1-1104
Cayman Islands

Dear Mr. Archbold,

LIME Responses to Phase 3 Interrogatories from the Authority dated 19th August 2009

Further to the responses submitted to the Authority by Cable and Wireless (Cayman Islands) Limited ("LIME") in phase 3 of the FLLRIC proceedings Digicel (Cayman) Ltd ("Digicel") hereby makes requests for full disclosure of all details contained in the LIME cost models (including the fixed, 2G and 3G modules) as well as full disclosure in terms of the answers submitted to the phase 3 interrogatories.

It is apparent from the responses that have been submitted by LIME that a large number of errors (tens of errors) were detected by the Authority as a result of its ability to analyse un-redacted versions of the LIME cost models. Digicel was unable to detect this mass of errors since the full models have been withheld from it. LIME now claims to have corrected for the errors discovered but as this is taking place behind a veil Digicel will be unable to establish whether this is the case in many instances, or even if many of the corrections have been made are reasonable.

Errors detected by the Authority, and admitted by LIME, relate to questions 2, 3, 4, 5, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 49, 50, 51, 52, 53, 54, 55, 56, 61, 62, 64, 65, 66, 67, 68, 69, 70, 72, 75, 77, 80, 82, 85, 88, 90, 91, 92, 94, 96, 98, 100, 101, 102, 103, 104, 105, 106, 107, 112, 120, 121, 145 and 149.

The Authority has posed many other questions which point to possible errors which have not been admitted.



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We were also taken aback by LIME's answer to question 74. LIME stated that *"...its MMS service, though not labeled as such, is captured under the service 'SMS'."*¹ In other words Digicel is supposed to take it on trust that despite omitting to mention this service at all, and despite LIME's incentive to understate actual costs, that LIME has in fact included all relevant costs for the MMS service.

Digicel submits that it is entirely unreasonable, especially in light of this avalanche of errors and alleged corrections, for Digicel to be subjected to any outputs of the LIME cost models without first having the chance of unfettered scrutiny of them.

If the Authority is still nonetheless reluctant to publish the full, un-redacted models outright, then as a minimum Digicel requests full disclosure at an *"in camera"* meeting as provided for in clause 5(2) (d) of the Information and Communications Technology Authority (Confidentiality) Regulations 2003. There is existing precedent for this form of disclosure by the Authority. On the previous occasion that in camera disclosure was permitted one representative from Digicel and Digicel's appointed external expert were permitted to have access.

Yours truly,
Digicel (Cayman) Limited

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

Victor Corcoran
Chief Executive Officer