
From: Mark Connors

Sent: 01 March 2011 17:07

To: Victor Corcoran; Raul Nicholson-Coe; Nadine Ramsay; Bob Kanner; Lewie Hydes; medenholm@logic.ky; Woollard, Jayne; Ritch, Anthony; Vandendries, Frans; Consultations

Subject: Call for comments on mandate of LNP Consortium

The Authority has received the attached letter from LIME requesting a determination regarding the mandate of the LNP Consortium after the launch of local number portability in the Cayman Islands.

LIME's letter states that this issue is creating a roadblock in the negotiations with the LNP vendor and requests a quick decision from the Authority.

The Authority invites comments from other parties on the matters raised in LIME's letter.

- Any party other than LIME may file comments with the Authority by **Friday, March 4**.
- All parties, including LIME, may file reply comments by **Monday, March 7** to any comments that are received.

All submissions filed in this proceeding should be copied to the other parties in the "To:" field above at the same time they are submitted to the Authority.

....mark

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Our Ref: GRCR/GR 15.2
1st March 2011

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

Dear Mr. Archbold,

Re: Mandate of LNP Consortium

Cable and Wireless (Cayman Islands) Limited, trading as LIME ("**LIME**") is hereby requesting a determination from the Authority regarding the mandate of the LNP Consortium after the commercial launch of local number portability ("**LNP**") services in the Cayman Islands.

This issue was raised by Digicel Cayman Limited during the recent discussions of the four telephony operators (the "**Operators**") with the provider of the central reference database and number porting order handling system (the "**Vendor**"). The Vendor is asking to interact with the Operators through a single organization. This is quite reasonable, as it avoids potential conflicts if the Operators were to give the vendor different instructions. At the same time, the Operators will need a forum going forward within which they can discuss issues relating to number portability as and when they might arise.

However, a review of the two Authority decisions establishing the mandate of the LNP Consortium reveals the Authority was quite clear that the purpose of the Consortium does not extend past the commercial implementation of number portability services in the Cayman Islands.

For example, in Decision 2005-1,¹ the Authority stated:

Determinations

122. The Authority does not yet have sufficient information on costs to determine whether a particular form of local number portability should be mandated in the Cayman Islands. However, the benefits are sufficient to fully justify the expenditure of sufficient resources to obtain the necessary data within a reasonable time frame. The Authority therefore will form a Local Number Portability Consortia [sic] consisting of itself and other Major ICT Network Licensees who wish to participate. The objectives of the LNPC will be to establish and cost the most appropriate method for implementing LNP in the Cayman Islands which it will present to the Authority in the form of a series of recommendations. The LNPC should state clearly whether this is an industry consensus or not. (emphasis added)

Similarly, in Decision 2008-5,² the Authority stated:

86. In order to meet this 30 June 2010 deadline, the Authority requires the LNP Consortium to provide a report for approval to the Authority by 29 May 2009 that describes the recommended LNP solution and provides a detailed implementation plan and milestones. The Authority will organize a meeting of the LNP Consortium within 30 days of this decision to begin this process. The Authority will not, however, participate actively in these discussions. As noted above, the licensees will be responsible for choosing an appropriate LNP solution for the Cayman Islands and implementing this solution no later than 30 June 2010. (emphasis added)

Clearly the post-implementation operation and management of the LNP solution is not within the scope of the mandate of the Consortium. This is creating a roadblock in our negotiations with the Vendor, and preventing us from reaching an agreement, as the Vendor requires an association with which it can deal after implementation of LNP, but the regulatory framework in the Cayman Islands does not provide for one.

¹ ICT Decision 2005-1, *Interim Decision and Further Process for Local Number Portability Public Consultation (CD (2004) 3)*, 29 March 2005.

² ICT Decision 2008-5, *Decision and Further Process on Local Number Portability*, 18 December 2008.

This issue has been discussed at length among the members of the LNP Consortium, with Digicel arguing particularly forcefully that this is a matter to take to the Authority. While LIME would have preferred to address this matter by consensus within the Consortium, the Consortium cannot give itself a greater mandate than the Authority gave to it.

LIME requests, therefore, that the Authority order that an association of Operators have a mandate to manage and direct the activities of the Vendor after LNP services have been launched commercially in the Cayman Islands. LIME recommends that this association be the LNP Consortium, for continuity.

Because this issue is preventing the Operators from reaching agreement with the Vendor, LIME requests that the Authority issue a quick decision on this matter. LIME is copying the other Operators, for full transparency.

If there are any questions, please do not hesitate to contact the undersigned.

Yours faithfully,

Cable and Wireless (Cayman Islands) Limited, trading as LIME

'Signed'

Anthony Ritch
General Manager

c.c. Frans Vandendries, VP Legal Regulatory and Corporate Affairs, LIME
Victor Corcoran, CEO, Digicel Cayman Limited
Michael Edenholm, CEO, WestTel Limited, trading as Logic
Richard Brazeau, President, Javelin Connections Bermuda Ltd, on behalf
of TeleCayman Limited