



The Bigger, Better Network.

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July 23, 2009

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

Dear Mr. Archbold,

**Re: Deep Packet Inspection & Similar Technology**

We refer to your letter of July 10<sup>th</sup> 2009 on Deep Packet Inspection and Similar Technology.

Digicel too is also interested with the public discussions in the EU, the USA and Canada regarding Deep Packet Inspection (DPI). Our teams both locally and in the region are following it closely and welcome your involvement in same.

DPI is a newly developing technology in the industry with multiple functionalities and which have wide-ranging impact, both potentially positive and negative. What is emerging however from its use across the globe is that it is a critical tool in traffic management, network security and resources allocation. Whilst there are valid concerns on its misuse, there is no case that it has been categorically defined as destructive to the industry. Indeed the evidence is to the contrary.

We are therefore unable to agree with you that DPI does or will breach Section 75 of the Act, which in any event provides proper and credible defenses to any allegations of criminal disclosure of subscriber data. We also can find no authority in the section on which you may make a sweeping prohibition of the use and implementation of all and any form of DPI technology, certainly not on the basis that its possible use COULD be a criminal offence under the Act. Digicel has always conducted its operations within the law and expect that if and when we do not, the proper authorities will lay appropriate charges.

It seems to us that the public discussions of which you speak are a first and necessary step in the investigation and dissemination of information on this technology. One would also think that the creation of appropriate benchmarks on the deployment of DPI is within the jurisdiction of Information Communication Technology Authority and we welcome your involvement in this.

Digicel supports you to take the lead in this regard and look forward to the commencement of the public policy discussions.

Yours truly,  
**Digicel (Cayman) Limited**

Victor Corcoran  
Chief Executive Officer