



September 16, 2015

Information and Communications Technology Authority
PO Box 2502
3rd Floor, Alissta Towers
85 North Sound Road
Grand Cayman KY1-1104

Attn: Dr Russell Richardson

Dear Russell,

Re Request for Information (Infinity Determination Request).

We refer to your letter of August 26, 2015 related to the Infinity Broadband, Ltd ('Infinity') Determination Request to the Information and Communications Technology Authority (the 'Authority') submitted on September 12, 2014 relating to the allocation of communications space used for the attachment of telecommunications cables on poles owned by Caribbean Utilities Company, Ltd. ('CUC') and managed by DataLink, Ltd ('DataLink') as sub-licensee ('the Dispute').

We note your request for a non-redacted copy of Appendix A (Pole Attachment Fees) of the Master Joint Use Pole Agreement between Caribbean Utilities Company, Ltd ("CUC") and Infinity Broadband, Ltd dated 22 November 2005 and attach the same to this letter for your information.

We respectfully request that the non-redacted information provided continues to be treated as strictly confidential under Regulation 3(b) of the Information and Communications Technology Authority Law (Confidentiality) Regulations 2003, on the basis that the information is financial, commercial, scientific or technical information that has been treated consistently as being confidential and is not otherwise publicly available.

In your letter, you also requested confirmation of reason for the increase of Pole Rental Fees (Attachment Rental) charged to LIME in Q4 2014 from the level reported for previous quarters. Under the Agreement for Licensed Occupancy between Caribbean Utilities Company, Ltd and Cable and Wireless (Cayman Islands) Ltd, dated November 5 1996 Schedule B there is an agreed formula to be applied to vary the Attachment Rental. Further to the Novation and Amendment Agreement between Cable and Wireless (Cayman Islands), Ltd and Caribbean Utilities Company, Ltd and DataLink, Ltd dated November 9 2012, CUC assigned its rights and obligations under the 1996 Agreement to DataLink. DataLink applied the formula to vary the Attachment Rental under the 1996 Agreement Schedule B, notified LIME of the variation and applied the fee effective for Q4 2014. DataLink and LIME have agreed to meet to discuss the formula and various elements included within it. DataLink does not consider this to be a renegotiation of the terms and conditions but an operation of the existing terms and conditions.



DataLink is seeking confidentiality of the commercially sensitive financial information and calculations noted in the documentation set out above. CUC and DataLink have taken all necessary measures to protect the confidentiality of this information to date, including restricting access to the documentation to a limited number of employees on a need to know basis. In addition, all employees are subject to express obligations in regard to confidentiality of information.

We request that the information be kept confidential for the life of the agreements.

Yours sincerely,

Andrew Small
President & CEO