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Cable and Wireless (Cayman Islands) Limited P.O. Box 293 Grand Cayman KY1-1104 Cayman Islands

Telephone +1 (345) 949-7800 Fax +1 (345) 949 7962 December 8<sup>th</sup>, 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

Dear Mr. Archbold,

## **<u>Re: The Use of Deep Packet Inspection ("DPI") Technology in the Cayman Islands</u>**

Reference is made to Authority's directive dated 10<sup>th</sup> July 2009 which mandated that '*until the Authority has made its decision, licensees are directed not to install or implement DPI or similar technologies on a public network*' (the "**Directive**"). While LIME is of the view that the Authority's Directive was procedurally flawed, insofar as it was issued before the Authority had gathered any information on practices in the market or even determined that there was an issue that needed to be addressed by the Authority, LIME complied with the directive.

The Authority issued its consultation on DPI on July 28, 2009 and responses to questions a – d of the consultation were submitted by licensees on August 28, 2009. In those responses, WestTel confirmed that it currently uses DPI in its network and that it employs no other traffic management technology or techniques. While Digicel went into a little more detail on the benefits of DPI, Digicel also confirmed it has deployed DPI in its network. In the final paragraph on page five (5) of its response, Digicel states:

'We respectfully submit that, all our uses to date of DPI and any similar technologies are designed wholly and solely to accomplish the above...'

LIME was deeply concerned to learn that two (2) respondents, Digicel Cayman Ltd. and WestTel Ltd., had been effectively managing their networks using DPI technology, while LIME, being compliant with the Directive, is now denied the said benefits of effectively managing its network. Not wishing to continue to place itself at a competitive disadvantage, LIME believes that it would be eminently reasonable and fair for the Authority to allow LIME to

proceed with the installation of DPI within its network. Accordingly, LIME requests such approval from the Authority.

Yours sincerely,

'Signed'

Tony Ritch Country Manager

c.c. Donald Austin, EVP Legal Regulatory & Corporate Affairs