



September 28, 2009

The Managing Director
Information and Communications Technology Authority
3rd Floor, Alissta Towers
North Sound Way
Grand Cayman, Cayman Islands



Dear Mr. Archbold,

We appreciate the ICTA inviting public opinion on this important issue, and being given the opportunity to express our concerns with regards to Deep Packet Inspection (DPI) technology.

1. Do you consider that the use of DPI and similar technologies is permissible under the provisions of sections 73 and 75 of the Law? Please supply rationale.
 - a. We do not consider the use of DPI and similar technologies to be permissible under the provisions of sections 73 and 75 of the Law, for the reason mentioned in Question f posed by ICTA. Laws need revision or need to be developed as new technology is introduced due the fact that the conditions of laws created prior to a technological innovation would not consider the intricacies brought about by the new advancement.
2. Given that DPI and similar technologies did not exist when the Law was originally approved by the Legislative Assembly, is there now a need to review the provisions of sections 73 and 75? If so, please detail the change you would recommend and provide your rationale for these changes.
 - a. With regards to the questions about law 73 and 75, we feel it would be beneficial to consider the role that DPI would play in the enforcement of such laws, with specific boundaries to define acceptable use of the technology and unacceptable use.
3. What, if any, measures should be put in place to ensure that DPI is used for legal purposes?
 - a. DPI is a necessary and beneficial technology when used responsibly with good intention and for sound reasons, so we would recommend the development of laws outlining the specific use of DPI, in addition to adapting the current laws to reflect DPI usage. However, DPI is highly susceptible to abuse so robust laws need to be developed to disallow predatory and anticompetitive behavior. We need to develop guidelines for appropriate information usage collected through DPI, and need to be sure that usage is disclosed to those affected so they understand the new quality of information being collected and how it is intended for use. A system of administrative fines to allow users immediate recourse and swift resolution of complaints will be an integral part of administering such an effective regulatory framework.

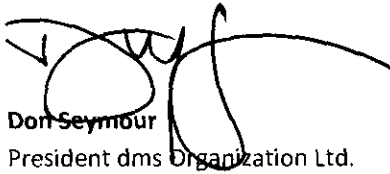
In our modest opinion, admittedly knowing very little of the request being put forth by the telecommunications company, it seems that the capabilities of DPI extend well beyond what is truly necessary if the intention is only to improve service, and should therefore, not be granted. It depends on the nature of the request and intentions of

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the telecommunications provider but if the argument is to be able to provide improved service to customers, the allowance DPI is too extreme and they should look closer to home for easier and less invasive solutions to increase the level of customer service being provided. We applaud ICTA for their efforts towards managing this important issue and recognizing the importance of net neutrality.

Kind Regards,



Don Seymour
President dms Organization Ltd.