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Utility Regulation and Competition Office

BY EMAIL

1 June 2017

Mr. Victor Salgado
Chief Executive Officer
Cable and Wireless (Cayman Islands) Limited ('**Flow**')

Mr. Sacha Tibbetts
Chief Executive Officer
DataLink, Ltd. ('**DataLink**')

Mr. Raul Nicholson-Coe
Chief Executive Officer
Digicel Cayman Limited ('**Digicel**')

Mr. Randy Merren
Managing Director
Infinity Broadband, Ltd. ('**C3**')

Mr. Rob McNabb
Chief Executive Officer
WestTel Limited ('**Logic**')

(Each a '**Licensee**' and collectively referred to as '**Licensees**')

Dear Licensees,

INDUSTRY WORKING GROUP - Provision of ICT Infrastructure to 3rd Parties – installing and maintaining attachments of communication cables to CUC's electricity poles

1. The Information and Communications Technology Authority (the '**Authority**') formed the Pole Attachments Industry Working Group (the '**Working Group**') by letter sent by the Authority on **9 December 2016** to consider various issues related to the installing and maintaining of attachments of communication cables to the electricity poles owned by Caribbean Utilities Company, Ltd ('**CUC**') and managed by DataLink Ltd. ('**DataLink**'). The Authority set out a number of issues which the Working Group was tasked to consider and it was the hope of the

Notice: As of 16 January 2017, the functions of the ICTA, ERA, and Petroleum Inspectorate have been merged into a new regulatory agency, the Utility Regulation and Competition Office ("OfReg").



Authority that as part of this process the Licensees achieve consensus on all or some of the issues under consideration. On **16 January 2017**, the Authority was dissolved and all of its functions and powers were transferred to the Utility Regulation and Competition Office (**'the Office'**).

2. The Working Group met nine (9) times between **13 January 2017** and **17 March 2017**. On **21 April 2017**, C3, DataLink, Digicel, and Logic submitted final position papers on the issues discussed by the Working Group. Flow submitted its final position paper on the issues discussed by the Working Group on **26 April 2017**. These position papers were published on the Authority's website at <http://www.icta.ofreg.ky/announcements/icta-forms-pole-attachment-working-group> on **19 May 2017**.
3. The Office thanks all of the Licensees for their productive and helpful discussion of the issues and their participation in the Working Group. The Office considers that the Working Group was successful insofar as the discussions contributed to a greater understanding by all stakeholders of the challenges involved in providing and obtaining access to CUC utility poles.
4. The Office now requests that Licensees submit any comments they may have on the final position papers of the other members of the Working Group by **5 p.m. on Friday, 16 June 2017** by email to consultations@ofreg.ky. These submissions should also include comments on whether the Licensee considers there was consensus among the members of the Working Group on any issues, as well as on whether the Office ought to address the outstanding issues, if any, by continuing with the ICT Consultation 2016-2 procedure or by adopting another procedure.
5. Following receipt of these comments, the Office will determine the approach it will take to address the outstanding issues. Consistent with paragraph 45 of the Authority's 9 December 2016 letter, the Office proposes that these comments be referenced in the ICT Consultation 2016-2 procedure where continued, or any other follow-up procedure, and that the Office can take them into account in reaching determinations on any of the outstanding issues.
6. The Office thanks the Licensees again for their productive and helpful participation in the Working Group.

Yours sincerely,

Sonji Myles
Deputy Director - ICT