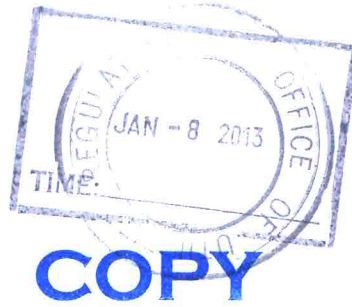


Value Every Moment

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January 7, 2013

Ambassador Peter Black
Secretary of the Office
3rd Floor PCJ Resource Center
36 Trafalgar Road,
Kingston 10
Jamaica

Dear Ambassador Black,

Cable & Wireless Jamaica Limited, trading as LIME ("LIME") hereby applies for reconsideration by the Office of Utilities Regulation ("OUR"/the "Office") of the following Determinations:

Effective Date

The immediate implementation from 24 December 2012 of a Decision of this magnitude is unreasonable.

Given the complexity and the scope of the required changes, this is prejudicial to LIME's operations. The requirement is in effect retroactive, as it would have been impossible to implement at the time when it was issued on the afternoon of Christmas Eve.

LIME requests that the Office reconsider the imposition of a 24 December 2012 implementation date, and suggests instead that the Decision be implemented on the first day of a billing cycle, i.e. the first day of a calendar month.

Determination 15

Unless there are technical reasons on the part of the interconnecting operator that prevents it from obtaining direct interconnection with LIME's mobile switch, there should be no transit or other cost of connection for the interconnecting operator other than the tariffs listed in the Tariff Schedule.

Cable & Wireless Jamaica Ltd.

Directors:

Mr. Chris Dehring - Chairman

Mr. Garfield Sinclair - Managing Director

Mr. Mark Kerr-Jarrett J.P.

Hon. Patrick Rousseau, O.J.

Mr. David Shaw

The wording of this determination places the question of direct interconnection to LIME mobile squarely in the hands of the requesting party without reference to LIME's requirements. This fails to take into account the complexities involved in establishing the technical requirements for such direct interconnection LIME mobile and each requesting operator.

LIME maintains that it is ready and willing to provide direct interconnection to mobile. However, the requirements are not dissimilar to the requirements for a new interconnection. The interconnection seeker must share with LIME a forecast which is then agreed between the parties and used as the basis for dimensioning the Joining Service. The particular concern that LIME has with Determination 15 as drafted, is that it puts at risk LIME's legitimate recovery of costs incurred in providing the transit service. The allegation by an interconnected party that there are no technical reasons preventing it from obtaining direct interconnection to LIME's mobile switch triggers the non-application of relevant transit charges. This is detrimental to LIME, and warrants revision of the wording of the Determination.

Determination 39

The tariffs for Termination, Special Access, and Transit Services contained in the draft RIO 6 are not approved. The approved RIO 6 tariff for PSTN Termination, Retention rate, Incoming International Call Termination, Transit, National Directory Enquiry, 119 and 110 Emergency Services are as indicated in Table 4. The tariff for Weather Warning, 1-888-Call CWJ Access, National Freephone, International Freephone, and Home Country Direct Collect Service shall remain unchanged at the level previously approved in the RIO 5A Tariff schedule.

(a) The absence of an Interconnect Specific Charge

The Interconnect Specific Charge has been included and approved by the Office in all of LIME's previous Reference Interconnect Offers. The rationale for its inclusion has been and continues to be that the requirement for LIME to maintain a separate Carrier Services Division causes recurrent costs to LIME and that it is only fair and reasonable that these costs of be recoverable by means of the Interconnect Specific Charge.

In applying the benchmarked rates referenced in Determination 39, the OUR has simply abandoned the Interconnect Specific Charge without explanation or justification. LIME submits that its exclusion is a material error of fact requiring the Office to revisit its Determination in this regard.

Cable & Wireless Jamaica Ltd.

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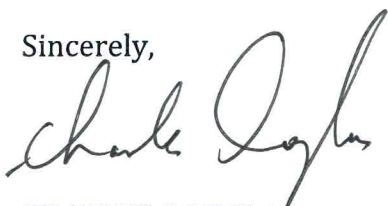
Further, even in the Preliminary Determinations issued by the Office for comment by the industry continued to recognize these charges. Their sudden exclusion at this stage is unreasonable and unjustified.

(b) Use of RIO 5A Rates instead of RIO 5A1 Rates in the absence of acceptable benchmarks

Tariff Schedule RIO 5A1 was submitted to the OUR by LIME in keeping with the methodology prescribed and approved by the OUR for the implementation of exchange rate variations. For the Office to now disregard those rates and indicate that certain rates shall "remain unchanged at the level previously approved in the RIO 5A Tariff Schedule" undermines the validity of the RIO 5A1 rates.

The use of RIO 5A rates where there are no benchmarks, instead of the use of RIO 5A1 rates is unfair, inappropriate, and a misrepresentation of the rates that immediately preceded LIME's proposed RIO 6. LIME submits that the OUR's ruling that RIO 5A rates be used going forward is unfair and unjustified, as neither the depreciation of Jamaica's exchange rate nor the provision in the RIO permitting adjustments upon the occurrence of such depreciation/devaluation is in dispute.

Sincerely,



CHARLES DOUGLAS

Regional Regulatory Advisor

LIME

✓ cc. Mr. Ansord Hewitt, Director Regulation, Policy, Monitoring & Enforcement
Ms. Rochelle Cameron, Head of Legal & Regulatory North, LIME

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