

August 8, 2008

The Office of Utilities Regulation
3rd Floor
Resource Centre
36 Trafalgar Road
Kingston 10

BY EMAIL & BY MAIL

Attention: Mr. Rohan Swaby

Dear Sirs,

Re: Structure of Quarterly Telecommunications Report

We thank you for giving Digicel the opportunity to provide comments to the proposed format and content of the Quarterly Telecommunications Report.

We have set out our concerns, in two sections: (1) the questions which we deem are of general application and (2) those issues on which we need clarification.

General Application

Paragraph 1.3. provides that: -

"The Office will not publish any confidential information unless it determines that in the interest of the public, access to such information outweighs the need for confidentiality."

We hope to receive from the OUR the following assurances: -

- That any information provided to OUR personnel by Digicel will not be provided to any service provider in competition with Digicel;
- That in the event of such a breach, the OUR will immediately alert Digicel; and
- That the OUR shall use the information solely for the purpose for which it was provided to the OUR.

Digicel will label information as 'confidential' which it deems confidential. In the event that the OUR wishes to make 'public', information which Digicel labelled as confidential; Digicel wishes to receive from the OUR its undertaking that the OUR will: -

- advise Digicel of this decision; and
- give Digicel, within an agreed period of time, the opportunity to reply to such a determination.

Clarification

We were unsure as to the meanings of the following terms and therefore were unable to properly assess if this is information that we could easily provide to the OUR. To ensure clarity and uniformity in the information that is provided from Digicel and from any of the other service providers, we believe that clarification of the terms set out below is essential: -

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Fixed Call Services

- Subscriptions – do you mean subscribers?
- Revenues from fixed calls – is that to include inbound or outbound or both?
- Are the figures for VOIP calls to be included in the figures for fixed call services?

Mobile Call Services

- Revenues from mobile subscriptions, calling – is that reference to voice
- SMS and other services – what do 'other services' include?
- Revenues from SMS – again, does that include inbound and outbound or both?

Data Communications Services

- Revenues from data communications – does that refer to revenues associated with the service or do you mean the revenue which is associated with the providing of the leased line?

Internet Services

- We don't have a fixed connection. As we understand it, dial up connection and a fixed connection are referring to the same thing. Could you clarify?

Re: page 10

Fixed Call Services & Mobile Services

- Subscriptions - do you mean subscribers?
- Off-net calls – are you asking for the figure solely of domestic off net calls?
- Other mobile data traffic – what are you referring to?

Revenue

- The reference to revenue at the end of each section – does it refer to total revenue?

Internet Services

- We deem 'dial up' to be the same as 'pay as you go', and not two different services, as you set out, could you please clarify?
- Do 'On-net calls' include VOIP calls? Do 'Off-net calls' include VOIP calls?
- We do not understand the meaning of 'Licensed Service Providers', in this context, could you please clarify?

We thank you for your indulgence, in granting us a day's extension, to provide our comments to this Consultative document and look forward to receiving your response, in due course.

Please address any questions or comments you may have, in relation to this document, to me. I can be reached at Helga.mcintyre@digicelgroup.com and at 470-8962.

Yours faithfully,



Helga McIntyre
Legal Manager
Digicel