

14 September 2009

Sammy Jackson Esq.
Chairman, ICT Authority Board
Alistair Towers, North Sound Way
George Town
Cayman Islands

By Hand

Dear Sir,

**RE: DMS BROADCASTING LTD. – CAYROCK 96.5FM
LICENCE - EXTENSION OF TIME**

We refer to the letter dated 8 September 2009 to dms Broadcasting from Mr Gomez (Permanent Secretary to the Ministry of DAW&GA) which was copied to the Mr Archbold for the Authority. A copy of that letter is reproduced in the attached Schedule for your convenience.

In accordance with the recommendations from Mr Gomez and in addition to dms Broadcasting's application for licence renewal dated 30 June 2009 we formally request that the ICTA Board consider this an application to renew (alternatively, extend the term of) dms Broadcasting's ICTA licence for the Cayrock 96.5FM frequency to accommodate relocation of Cayrock's transmitter to CIG's Northward Tower (alternatively, another tower).

We ask that the Board kindly consider the Schedule that comprises a detailed project plan for the proposed relocation of the transmitter to the new location with verifiable milestones within the proposed timescale of 180 days from confirmation by CIG (alternatively, another tower owner) and regulatory approvals (whichever is the later).

Yours faithfully,


DIAMOND LAW ASSOCIATES

cc: Hon. Juliana O'Connor-Connolly – Minister for DAW&GA
Mr Gomez – Permanent Secretary Ministry DAW&GA

Attorneys & Notary Public

4th Floor, Cardinal Plaza, 30 Cardinal Avenue

PO Box 2067, George Town

Cayman Islands KY1 1112

T. (345) 769-9352

F. (345) 769-4352

E. info@dla.ky

www.dla.ky

Your Ref:
Our Ref: TC/ICT/LIC/05
TC/OFT/TWR/AGR/01



Government Administration Building
71A Elgin Avenue
Grand Cayman, Cayman Islands

Tel: (345) 244-2437
Fax: (345) 949-2922
e-mail: kearney.gomez@gov.ky

CAYMAN ISLANDS
GOVERNMENT

**Ministry of
District Administration, Works and Gender Affairs**

September 8, 2009

Mr. Don Seymour
dms Broadcasting
PO Box 31910
Grand Cayman KY1-1208
CAYMAN ISLANDS

RE: dms Broadcasting License and Relocation of CayRock 96.5FM

Dear Mr. Seymour,

Thank you for attending the meeting that was held on 3rd September 2009 with various Government Ministers and representatives in order for all parties involved to familiarize themselves with the issues at hand. As you are aware, the responsibility of the Information and Communications Technology Authority and the Office of Telecommunications (Oftel) was transferred over to the current Ministry from the previous Ministry of Communications, Works and Infrastructure; however, it was not until the end of July 2009 that we received the files regarding these subject area.

I am writing to provide suggestions on what actions would need to be taken by dms Broadcasting and to provide an update as to what actions are being taken by my Ministry based upon the meeting last week.

I am aware that dms broadcasting license is due to expire on the 15th September 2009. In an effort to not breach section 82 of the ICTA Law regarding operation of an FM radio station

without a valid ICT license, the Ministry would suggest that dms Broadcasting **immediately apply to the ICTA for a formal amendment to extend the term of your current licence.**

The formal application would need to include the following:


- A request to amend the term of the existing licence.
- Confirmation that dms could relocate the CayRock transmitter to either Northward or another tower within a given timescale.
- A detailed project plan, including costs, for the relocation of CayRock to tower with verifiable milestones to the Government tower at Northward and the Avcom Newlands tower.
- If technically possible, an agreement to reduce CayRock's output power.

In designing the project plan for the proposed relocation of CayRock to the Northward tower, please consider the following items as key issues that would need to be addressed in your project plan: separate power/back up generator supply and a separate fiberglass bunker to store equipment, and separate location that is accessible by dms. The Office of Telecommunications would be able to assist you with determining an appropriate location.

Additionally, the Ministry has instructed Oftel to provide a report on their recommendations for solutions to this issue and what the effects of CayRock's move to the Northward tower would pose. We will also be reviewing, in conjunction with the Legal Department, the draft lease that was provided by dms to this Ministry.

Should you have any questions or require more information, please contact Tammy Ebanks Bishop at tammy.ebanks-bishop@gov.ky or 244-2427.

Respectfully yours,


for **Kearney S. Gomez, MBE, JP**
Permanent Secretary

Ministry of District Administration, Works and Gender Affairs

cc: Hon. Juliana O'Connor-Connolly, Minister for District Administration, Works and Gender Affairs
Mr. David Archbold, Managing Director, ICTA
Mr. Kernilon Owens, Telecommunications Officer, Telcoms Unit



Date: September 11, 2009

To: Stuart Diamond
Diamond Law Associates

From: Bryan Hollenbaugh

Re: dms Broadcasting License & Relocation of Cayrock

Dear Stuart,

In response to the letter received on September 10th from the Permanent Secretary, Mr. Kearney Gomez, I have outlined the various criteria requested for continuance of our station licenses. I understand that you'll be providing the formal request to the ICTA, as per the correspondence.

Mr. Gomez has requested a project plan and costs for the relocation of 96.5 Cayrock to the government's Northward tower site. I have included an estimated breakdown of these expenses, as well as a recent estimate of the equipment necessary to combine 96.5 with Radio Cayman's 89.9 frequency. Some of the equipment required to make this move has already been procured and is on island; however, because of the delay in establishing suitable terms with the government, we have not been able to order the remaining equipment required to complete this move. The remaining equipment specifically pertains to the combined antenna and bandpass filters, which would need to be fabricated and shipped. However, once given permission to proceed, it is likely the entire project would be completed within a period not to exceed 180 days.

However, in the letter, new items have been introduced, which raise some concern. The government is requesting we provide separate backup power, as well as a fiberglass bunker in which to store our equipment. However, we believe it's quite possible for the government site at Northward to accommodate our relatively small transmitter within the existing concrete bunker, as well as allow for the same 1kw transmitter to operate on the auxiliary generator. As an existing tenant of this facility, we are certainly aware of the space available, as well as what our requirements might be to include Cayrock at this site. Additionally, the government has requested, if technically possible, an agreement to reduce Cayrock's output power. We do not believe this would be possible, under the existing guidelines required by the ICTA.

Attached you will find an estimate of moving expenses, as well as the estimate from a vendor which had previously contacted to develop a combined antenna.

If you require further information, please do not hesitate to contact me. I can best be reached at 623-3322.

Best Regards,

Bryan D. Hollenbaugh
Market Manager

cc: Don Seymour

dms Broadcasting Ltd.



Cayrock Moveout – Northward Tower Site
All estimated amounts are based on previous work done.
All prices below are in KYD.

Equipment to be ordered <i>(estimate attached)</i>	\$38,600
Shipping/Duty	\$5,000
Equipment previously ordered <i>(items ordered for project and on island)</i>	\$10,000
Electrical Installation	\$7,000
Tower Crew <i>(remove existing antenna/equipment @ IE)</i>	\$5,000
Tower Crew <i>(installation of new antenna @ Northward)</i>	\$5,000
Project Engineer	\$10,000
Estimated cost associated with Cayrock Moveout:	\$75,600



Jampro Antennas, Inc.
 6340 Sky Creek Drive
 Sacramento, CA 95828
 916-383-1177 Fax 916-383-1182

Proposal #
 GM090309L-R1

Quote

Prepared For

Name Mike Hagans
 Company DMS Broadcasting
 Address P.O. Box 31910
 Grand Cayman, KY1-1208, Cayman Islands

For: **George Town, Grand Caymans**

Date 9/3/2009
 Valid until 10/3/2009
 Rep Greg M.
 FOB Origin
 Ship Date 45-60 days

Item	Qty	Part #	Description	Unit Price	TOTAL USD
1	1	JMPC-6	<p>Jampro 6 Bay Medium Power FM Antenna</p> <p>The JAMPRO JMPC antenna is the medium power version of the PENETRATOR antenna. Each bay consists of a PENETRATOR style radiating elements with a rigid shunt feed line supported by a galvanized steel mounting bracket. The JMPC is factory tuned as a full array, full size on a tower or pole similar to the station's. <i>Field trimming is not needed in most cases to achieve the following specs:</i></p> <p>Max input power: 10 kW Estimated Gain: 3.2x / 5.05 dBd VSWR: 1.1:1 +/- 125 kHz Input Size: 1-5/8" EIA female, center fed</p> <p>System Includes: *Standard leg mounting brackets (up to 3" OD round leg) *Mounting hardware *Installation instructions</p>	\$ 23,825.00	\$23,825.00
2	1	JMPC-6 RFR .5	<p>OR</p> <p>Jampro 6 Bay Half Wave Spaced Medium Power FM Antenna</p> <p>The JAMPRO JMPC antenna is the medium power version of the PENETRATOR antenna. Each bay consists of a PENETRATOR style radiating elements with a rigid shunt feed line supported by a galvanized steel mounting bracket. The JMPC is factory tuned as a full array, full size on a tower or pole similar to the station's. <i>Field trimming is not needed in most cases to achieve the following specs:</i></p> <p>Max input power: 10 kW Estimated Gain: 1.89 x / 2.76 dBd VSWR: 1.1:1 +/- 125 kHz Input Size: 1-5/8" EIA female, center fed</p> <p>System Includes: *Standard leg mounting brackets (up to 3" OD round leg) *Mounting hardware *Installation instructions</p>	\$ 23,825.00	\$23,825.00



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Name Mike Hagans
 Company DMS Broadcasting
 Address P.O. Box 31910
 Grand Cayman, KY1-1208, Cayman Islands
 For: George Town, Grand Caymans

Date 9/3/2009
 Valid until 10/3/2009
 Rep Greg M.
 FOB Origin
 Ship Date 45-60 days

Item	Qty	Part #	Description	Unit Price	TOTAL USD
2	1 Set		300' Andrew 1-5/8" Heliax Transmission Line & Installation Accessories, to include the following:	\$ 9,265.00	\$ 9,265.00
	300	HJ7-50A	Andrew 1-5/8" air dielectric transmission line		
	1	87R-2	Andrew 1-5/8" gas pass connector, factory attached		
	1	87G	Andrew 1-5/8" gas block connector		
	8	42396A-2	Andrew 1-5/8" hanger kit (kit of 10)		
	8	31769-1	Andrew hardware kit (kit of 10)		
	8	31670-3	Andrew round member adapters, 3-4" OD leg (kit of 10)		
	4	241088-4	Andrew 1-5/8" grounding kit		
	2	24312A	Andrew 1-5/8" hoisting grip		
	1	SCE-158	Andrew 1-5/8" wall feed thru		
			OPTIONAL		
3	1	MT500B-81315	Andrew Dehydrator for use with 115 V, 60 Hz with Power Fail Alarm	\$3,470.00	\$3,470.00
4	1	RCCS-212-5.5	JAMPRO RCCS-212-5.5 Starpoint Combiner System tuned to combine two FM frequencies and configured to meet the following specifications: Frequencies: 96.5 & 89.9 MHz Max. Input Power per Channel: 5 kW No. Cavities per Filter: 2 Channel Bandwidth: Fc ± .150 MHz. Insertion Loss: .18 dB Efficiency: 95.9 % VSWR: 1.08:1 Isolation: 34 dB Min. Channel Spacing: 5.5 MHz. Heat Sink: No	\$10,510.00	\$10,510.00



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Name Mike Hagans
 Company DMS Broadcasting
 Address P.O. Box 31910
 Grand Cayman, KY1-1208, Cayman Islands

For: **George Town, Grand Caymans**

Date	9/3/2009
Valid until	10/3/2009
Rep	Greg M.
FOB	Origin
Ship Date	45-60 days

Item	Qty	Part #	Description	Unit Price	TOTAL USD
All prices are list price (USD) and F.O.B. manufacturers shipping points.					

Any questions please contact your sales representative:

Greg Montano
 Email: greg@jampro.com
 PH: 1-916-383-1177, Ext. 307
 FX: 1-916-383-1182

Sub-total (USD)	
Total (USD)	\$ -

Accepted by:

Signature _____ Date _____
 Title _____

Accepted by:

Signature _____ Date _____
 Title Jampro Antennas, Inc.

Terms of Sale:

- 1) Freight cost is an estimate only and is subject to change, contact factory to confirm pricing
- 2) Andrew transmission line, accessories, and commodity surcharges prices are subject to change, contact factory to confirm pricing
- 3) **Standard Payment Terms are 1/3 Down, Balance Before Ship.** All prices are quoted in USD. Other terms and conditions/warranty of this order are at www.jampro.com, and upon acceptance of this order by Seller shall be binding upon seller & purchaser. For more information, call 916-383-1177.



Timeline for 96.5 Cayrock Move

Note: Estimated timeline is initiated upon receiving permission from the tower site owner and regulatory agencies associated.

- Day 1 - Permission received by all interested parties to move to new tower site.
- Within 30 days – All equipment necessary to complete the move is ordered.
- Within 60 days – Plans are begun to implement any structural requirements/variances at the approved site.
- Within 90 days – Electrical/HVAC requirements are implemented at the approved site.
- Within 120 days – Engineering materials are shipped from the various manufacturers/vendors and consolidated in Miami for forwarding to Grand Cayman.
- Within 150 days – Combiner and accessories arrive on island. Tower and engineering teams are then scheduled to complete the removal of equipment from the Island Electronics site, as well as installation of equipment at the new site.
- Within 180 days – All installation aspects are complete and requirements by all regulatory entities are satisfactorily met.

dms Broadcasting Ltd.