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Information & Communications Technology Authority

8 November 2011

Victor Corcoran
Chief Executive Officer
Digicel (Cayman) Limited
P.O. Box 700
Grand Cayman, KY1-1107
Cayman Islands

Anthony Ritch
General Manager
Cable and Wireless (Cayman Islands) Limited
P.O. Box 293
Grand Cayman KY1-1104
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via e-mail

Dear Messrs. Corcoran and Ritch,

Digicel's complaint against LIME

On 19 August 2011, Digicel filed a complaint with the Authority in connection with a LIME advertisement promoting its 4G services.

In the complaint, Digicel stated that LIME's claim that it was "the first to launch 4G services in the Cayman Islands and the Caribbean" was misleading and false as Digicel had launched its Wimax 802.16.e network in December 2010 in the Cayman Islands, and in 2010 in Jamaica. Digicel stated that such a network is classified by the International Telecommunication Union ('ITU') as being a 4G network; and hence, it was the first to provide a 4G service in the Cayman Islands and the Caribbean.

On that basis, Digicel requested that the Authority "take the necessary steps to stop LIME from making false advertisement specifically related to them being the first to launch 4G in the Cayman and the Caribbean."

The complaint was sent to LIME on 24 August 2011 for comment, and on 5 September 2011 LIME filed its response to the complaint. In its response, LIME noted that "the issue of ITU definitions of what exactly constitutes 4G have been a subject of debate within the industry for some time." LIME also noted that it had the first 4G *mobile* network in Cayman and the LIME Caribbean and that it had "no difficulty" in replacing any ads "with those which more clearly state that [LIME has] the "first 4G mobile network in the LIME Caribbean"".

The Authority has reviewed Digicel's complaint and LIME's response to the complaint in light of the Authority's policies and regulations. On the basis that LIME has agreed to clarify its reference to the 4G Services it was first to launch in Cayman to include the clarificatory word '*mobile*', the Authority does not consider any follow-up action is necessary.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'David Archbold', with a long horizontal flourish extending to the right.

David Archbold
Managing Director