



PO Box 2502 G.T.  
Grand Cayman  
Cayman Islands  
Tel: (345) 946-ICTA (4282)  
Fax: (345) 945-8284  
Web: www.icta.ky

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Information & Communications Technology Authority

10 June 2010

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  
Cayman Islands

Dear Messrs. Corcoran and Ritch,

**Re: Digicel Complaint Against LIME - "Unlimited Text Bolt-On"  
Advertisements**

On 11 February 2010, Digicel (Cayman) Limited ("Digicel") filed a complaint with the Authority in connection with a Cable and Wireless (Cayman Islands) Limited ("LIME") promotion for an "Unlimited Text Bolt-On" plan.

In its complaint, Digicel stated that it had reason to believe that the promotion did not offer unlimited text messages. According to Digicel, the maximum number of text messages offered under the plan appeared to be 3,500 per month. Subject to this being accurate, Digicel submitted that the LIME advertisement was false and misleading, and designed to unfairly compete with the other operators. Further, Digicel stated that, whilst the advertisement stated that "LIME Terms and Conditions apply", these terms and conditions could not be located.

Digicel therefore requested that the Authority investigate the conditions under which this promotion was being offered and, in the event that Digicel's concerns are substantiated, instruct LIME to withdraw the promotion and impose sanctions.

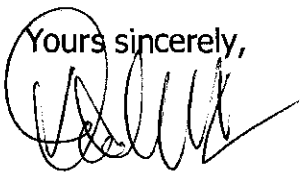
On 15 February 2010, LIME filed a response to Digicel's complaint indicating that, initially, LIME had planned to limit this "text bolt-on" plan to 3,500 text messages. However, LIME indicated that, ultimately, it had decided to offer unlimited text messages, and this offer is the one that was communicated to the public. LIME acknowledged that certain internal processes and communications had not been amended to reflect the change in the offer. It stated, however, that upon receipt of Digicel's complaint, an internal review had been conducted and, upon discovering the error, immediate action was taken to rectify these processes and communications.

LIME therefore confirmed that the promotion was in fact for unlimited text message. Further, it submitted that the Terms and Conditions referred to in the advertisement were LIME's Mobile Terms and Conditions.

After careful consideration, the Authority is of the view that Digicel's complaint is without foundation. Whilst Digicel's letter stated that it had reason to believe the promotion did not provide unlimited text messages, Digicel's submission did not provide that reason or any evidence to substantiate its allegation that this promotion was limited to 3,500 text messages per month. Indeed, LIME's submission in this proceeding confirms that this promotion did in fact offer an unlimited number of text messages. In addition, the advertisement did not state, implicitly or explicitly, that this promotion would be subject to terms and conditions which are separate from LIME's regular Mobile Terms and Conditions. The Authority notes that LIME's regular Mobile Terms and Conditions were available at [www.time4lime.com](http://www.time4lime.com) throughout this promotion.

Therefore, the Authority denies Digicel's request that the Authority instruct LIME to withdraw the promotion or that the Authority impose sanctions on LIME.

Yours sincerely,



David Archbold  
Managing Director