

# Digicel

The Bigger, Better Network.

**Digicel's Comment on LIME's Submission on Consultation Document  
No. 2/2012 dated 17 August 2012**

**On Recommendation of ECTEL to the National Telecommunications  
Regulatory Commission to consult on a Proposal for Assignment of  
Spectrum in the 700 MHz Band**

20<sup>th</sup> September 2012

The comments as provided herein are not exhaustive and Digicel's decision not to respond to any particular issue(s) raised in the Consultation Document under reply or any particular issue(s) raised by any party relating to the subject matter generally does not necessarily represent agreement, in whole or in part with ECTEL or any party on those issues; nor does any position taken by Digicel in this document represent a waiver or concession of any sort of Digicel's rights in any way. Digicel expressly reserves all its rights in this matter generally.

We thank you for inviting Digicel to provide its Comment on submissions made on the Consultation Document and of course are available for any questions you may have.

Please do not hesitate to refer any questions or remarks that may arise as a result of these comments by Digicel to: -

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## **I. Introduction**

1. On 20 July 2012 the Eastern Caribbean Telecommunications Authority (“ECTEL”) issued a Consultation Document (“the Consultation”) Numbered No. 2 of 2012. The Consultation was stated to refer to a *“Recommendation of the Eastern Caribbean Telecommunications Authority (“ECTEL”) to the National Telecommunications Regulatory Commission to consult on a proposal for Assignment of Spectrum in the 700 MHz Band”*.
2. Digicel responded to that Consultation by submission dated 17 August 2012. On that date, ECTEL also received a submission from LIME. No other party filed submissions with ECTEL in response to the Consultation. Pursuant to the procedure as set out by ECTEL, Digicel has been provided with an opportunity to provide comments on the LIME submission as filed on 17 August 2012 and which were provided to Digicel on 22 August 2012; which comments were requested on or before today, 20 September 2012. Digicel provides its comments on the LIME submission herein.

## **II. Response to LIME submissions**

3. LIME filed an 8 page submission with ECTEL on 17 August 2012. Digicel shall address its comments to the LIME submission following the order and sequence of issues as therein set out. Digicel shall, however, be primarily relying on the contents of the submission as filed with ECTEL on 17 August 2012.

### **Developments since ECTEL’s First 700 MHz consultation in 2008**

4. Digicel notes LIME’s statement at paragraph 3 that *“ECTEL advises that its “Policy on the Allocation and Assignment of Frequencies in the 700 MHz band “the Policy was approved at ECTEL’s 47<sup>th</sup> Board of Directors Meeting. LIME was at no point advised of the tabling or approval of the Policy. Nor did ECTEL respond to the issues raised by the industry in its response to the first consultation”*.

Digicel would note that this is consistent with its own experience.

5. LIME go on to state at paragraph 4 that *“Rather than proceeding as if nothing has changed, and much has, ECTEL should take this opportunity to review best practice for 700 MHz at this time. This could result in a revision of policy”*. Indeed, this is what Digicel understood the entire raison d’etre of the present Consultation to be.
6. LIME have set out detailed submissions at paragraph 5. Digicel would confirm that what LIME has set out is correct in technical terms. What LIME has set out in paragraph 6 of its submission is also accurate in technical terms.

#### **Assignment of 12 MHz Spectrum to Existing Operators**

7. Digicel notes that LIME agrees that it is a reasonable and fair approach that all operators will be required to reapply for 700 MHz spectrum and also agrees that all existing providers should receive priority in the assignment of spectrum.
8. With the obvious exception of St. Vincent and the Grenadines where Digicel has already been formally awarded spectrum, Digicel reluctantly accepts that all applications filed prior to the date of publication of the Notice shall not be considered and that all applicants shall be required to submit fresh applications in response to the Notice in order to be considered for assignment of 700 MHz spectrum. In essence (with the exception of St. Vincent and the Grenadines) the process is essentially a clean slate.
9. Digicel notes LIME’s comment that the assignment of 12 MHz of spectrum, while absolutely necessary, is not sufficient to provide wireless broadband service at any acceptable Quality of Service (QOS). Digicel notes that LIME recommends the *“...the approach proposed by the regulator in Turks & Caicos, where the Turks & Caicos Island Telecommunications Commission (TCITC) sought comments on the allocation of 700MHz spectrum....”*. Digicel’s position is that the bands are too small to split and ought to be kept intact.
10. Indeed as outlined in Digicel’s primary submission the minimum award of spectrum to existing operators (foremost of which is Digicel), should be increased from 12MHz to 24MHz and the maximum be increased from 24MHz to 36 MHz. The NTRCs should not try to “split the baby” by awarding insufficient bandwidths to a myriad of applicants (*“would be”* applicants or otherwise). In order for established telecoms operators such as Digicel to

properly realise the benefits of 700 MHz spectrum and to provide a level of service and coverage to the peoples of the ECTEL Member States, an appropriate allocation of 700 MHz will be required. Digicel submits that the maximum level articulated by ECTEL of 24 MHz is simply insufficient. The bandwidth required in order to roll out these services properly in the individual Member States is 36 MHz. This will allow Digicel provide an LTE service comparable to global standards across ECTEL markets. This takes into account such key factors as coverage, service levels, network expansion, subscriber growth, handset strategy etc. By way of example, Digicel has recently embarked on a highly ambitious and exciting plan in partnership with Government to roll out LTE services across Antigua and Barbuda. To this end, the Government of Antigua and Barbuda has awarded 2 X 18 MHz (total 36 MHz) of 700 MHz to Digicel. Digicel would strongly urge ECTEL to increase the maximum awarded to each qualifying entity in the Member States from 24 MHz to 36 MHz. In simple terms, if the ECTEL Member States wish for telecoms operators such as Digicel to bring them the benefits of the very latest technological developments through the provision of 700 MHz spectrum, then the Member States should assign adequate 700 MHz spectrum to allow those operators (such as Digicel) to do it properly. 36 MHz is what is needed to do it properly – not 24 MHz.

11. As such, Digicel would strongly support ECTEL's proposal for giving "*a certain level of priority access to existing major providers of Public Mobile Telecommunications (PMT) services and Broadband Wireless Access (BWA)*". This makes obvious common sense. But it should be more than just a "*certain level of priority*". Digicel notes that the NTRC's propose that these existing and operational major providers (which obviously would include the licensed Digicel operator in each Member State) should be assigned a minimum of 12 MHz of 700 spectrum; provided that they submit their applications within a specified time window. Digicel would submit that this minimum should be fixed at 24 Mhz. This is for the very same reasons as articulated above. 12 MHz is simply not enough. By way of illustration, it is one third of the allocation provided by the Government of Antigua and Barbuda to Digicel to allow Digicel provide LTE services in that country.
12. We note that LIME is in agreement that the administrative pricing policy is most suitable for the pricing of the 700 MHz spectrum.

### **First Come, First Served**

13. We note that LIME recommends that the Commission include the recommended option, where at least two (2) existing companies can be awarded 20MHz (plus guardbands) of 700 MHz spectrum. This would mean that at least two providers would be able to roll out a robust wireless broadband solution which is impossible to do with only 12 MHz.

### **Notice to be published**

14. We note LIME's submission and agree that the Notice ought properly to be the subject of consultation. Further we also agree that Commission ought to specify ALL the criteria for the assignment of 700 MHz spectrum in the Notice.

### **Deployment within 6 Months of Assignment**

15. We note LIME recommends an 18 month time frame for deployment. In this regard, Digicel is confident that it has the wherewithal to meet any reasonable period for deployment as set out by ECTEL and the NTRCs.

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