

May 6, 2011

The Telecommunications Commission  
Turks and Caicos Islands  
Leeward Highway  
Providenciales  
Turks and Caicos Islands

Dear Sir:

**RE: SPECTRUM ALLOCATIONS PERTAINING TO THE 700 MHz BAND**

As you are aware we are generally retained by Andrews Communication Ltd. We have been instructed to make the following representations in relation the Commissions Public Notice 2011-7

Our client's fundamental position is that in 1997 it was granted by the Executive Council approval in relation to the use of spectrum that was wide ranging.

On foot of that approval our client began its operations several years ago. The business has been growing steadily as a result of our client's hard work and dedication.

Our client has also recently purchased equipment necessary to roll out its internet services on 743 MHz frequency.

Despite our clients preferred position our client does not wish to inhibit progress and would be interested in further discussing with the Commission its future plans and its spectrum requirements to meet those plans.

Our client has also been required to respond to 11 questions contained in the Public Consultation Document. While the document does in certain circumstances indicate what the commission's proposals are it does not go so far as to outline the Commissions though process in formulating the proposals.

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Commission**

To the extent that our client is able to comment intelligently it does so in the following terms:

1. The Commission should be careful not to pigeon hole itself into any particular action based on which jurisdiction, region or institution has adopted that mode. It is imperative that we consider, in determining a forward path, the particular circumstances of the local market and the function of the Commission to facilitate, maintain and promote effective and sustainable competition in telecommunications.
2. The Commission ought to recognize the value of spectrum and should recognize immediately that any auction of spectrum would give an unfair advantage to the largest of the bidders to the detriment of small providers.
3. It is an open secret that the traditional providers of pure voice communication have been experiencing decreasing revenues. This is driving the desire of all to acquire the 700 spectrum as it provides the best ratios of capacity to capital investment.
4. The Commission ought also to be careful to allow the purchase of spectrum where the entity has no ability to show that there is an immediate need for the spectrum. To allow spectrum to be purchased prematurely may remove from the Government the ability to effectively direct the growth and direction of the industry.

What is necessary at this stage is a meeting with industry members and the Commission to thrash out the concerns raised by the questions posed and other concerns that may impact or be impacted by the issuing of spectrum.

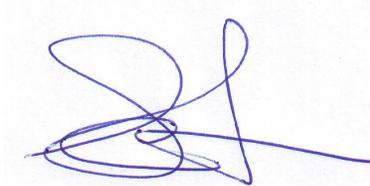
Finally we return to the position that we began with. Our client has been moving forward on the basis of use of the 700 spectrum. Its need is immediate and it is able to give reasonable projections for its need in the immediate future.

**Stanfield Greene Attorneys at Law**  
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We welcome the opportunity to meet with the commission to discuss these matters so that a determination can be arrived at that does not exclude our client from the benefit of the 700 spectrum.

Yours faithfully,  
**STANFIELD GREENE**

A handwritten signature in blue ink, appearing to read 'Clayton S. Greene', is written over a light blue rectangular background.

Clayton S. Greene

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