



CABLE & WIRELESS

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DATE
TCI TELECOMMUNICATIONS COMMISSION

Cable and Wireless (TCI) Ltd,
PO Box 78, Leeward Highway
Providenciales
Turks & Caicos Islands
British West Indies

Date 15th August 2008

Ref : CWTCI/ 01.92

Mr Bennett Stubbs
Chairman
Telecommunications Commission
P.O. Box 203
Business Solutions Office Complex
Leeward Highway
Providenciales
Turks and Caicos Islands

Dear Mr Stubbs

Re: TCITC Public Notice 2008-1 – Spectrum Allocations pertaining to the 3.4GHz to 3.6GHz Band

Cable and Wireless (TCI) Limited (“**C&W**”) is writing further to the above-referenced Public Notice issued on 15 July 2008. C&W’s comments will address the proposed licensing procedures. C&W has no comment on other aspects of the Public Notice. Please note that, for the purposes of this submission, C&W will refer to the 3400 MHz to 3600 MHz band as the “**3.5 GHz band**”.

The Notice proposes to divide the band into ten frequency blocks of 20 MHz each, which are to be paired. The Notice further proposes to establish an initial six-month period during which the five existing facilities-based licensed telecommunications operators would have an opportunity to apply for an assignment of the 3.5 GHz band spectrum, following which other persons would have an opportunity to “apply for any unused spectrum in this band on the same terms and conditions as those granted the licensed operators”.

C&W notes that the Notice is explicit that the existing licensed operators will be limited to a maximum of 20 MHz (paired) of 3.5 GHz spectrum, while it is silent on any limit for subsequent applicants. C&W seeks confirmation that all applicants, whether or not presently licensed, will be subject to the same 20 MHz (paired) limit. It would not be fair or appropriate to place limits

on certain persons, while not placing the same limits on other, but nevertheless, similarly-situated persons.

With respect to another matter related to the proposed licensing procedures, C&W submits that there is no need for a minimum authorization requirement of 5 MHz (paired). The market, i.e. spectrum users, would be far more effective than an arbitrary rule in determining the amount of spectrum those users actually need in order to support their particular business plans. C&W expects that the minimum commercially-reasonable authorization is likely to be in excess of 5 MHz. However, this is not a certainty and, as business plans vary, users should be permitted to make that determination.

C&W thanks the Commission for this opportunity to comment on the proposed allocation of spectrum in the 3.5 GHz band. If you have any questions, please do not hesitate to contact me.

Sincerely yours,



Drexwell Seymour
Chief Executive

c.c. Hon. Jeffery Hall, Minister of Communications, Works and Utilities