



FOR IMMEDIATE RELEASE

Compliance with SMP Obligations

Market Update by URCA – [20] July 2011

On 22 April 2010, URCA concluded an extensive consultation with the industry and imposed specific obligations on Cable Bahamas Limited (CBL) and the Bahamas Telecommunications Company Ltd. (BTC). These obligations were issued pursuant to s. 116 of the Communications Act 2009 (Comms Act), requiring URCA to determine which specific, if any, *ex ante* obligations should be imposed on the two licensees presumed to have SMP in relevant economic markets. The obligations were “*designed to maintain ... the objective of encouraging, promoting and enforcing sustainable competition*”.

On 3 February 2011, URCA published a market update notifying stakeholders that CBL had met all the necessary steps required for compliance for the purposes of section 116 of the Comms Act and was qualified to enter new markets.

URCA now takes this opportunity to update all stakeholders on BTC’s compliance with its SMP Obligations.

Status of BTC’s Compliance with SMP Obligations

BTC was required to comply with the following obligations:

- offer broadband access products to other licensees on a resale basis;
- remove charges for incoming ILD calls to mobile numbers;
- national averaging of charges for retail broadband (i.e., prices for the product or service must be the same in all parts of The Bahamas where that product or service is available);
- publish an approved Reference Access and Interconnection Offer (RAIO);
- prepare separated accounts and related documentation for URCA’s review and approval; and
- file existing (“initial”) prices for each of its retail products and services subject to retail price regulation by URCA.

URCA previously confirmed BTC's compliance with the first five obligations, with the most recent being compliance with URCA's Final Decision on BTC's Reference Access and Interconnection Offer (RAIO). More recently, URCA conducted a review of BTC's resubmissions on the final obligation – initial tariff filing. The engagement has largely been carried out directly with BTC. This was the same process used for CBL's initial tariff filing.

Arising from that review, and for the purposes of section 116(3), URCA is now confirming BTC's compliance with its Initial Tariff Filing (as per Section 5.1 of URCA's Final SMP Decision – ECS 11/2010 dated 22 April 2010).

As a result, BTC has now fully complied with all of the specific SMP obligations imposed by URCA. Consequently, it has qualified to *“engage in the provision of any networks or carriage services which it [was] not already licensed to provide when [the] Act came into force”* on 1 September 2009.

For the avoidance of doubt, BTC must remain compliant with all of the obligations imposed by URCA on an ongoing basis.

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