

NOTICE OF PROPOSED CHANGE IN CONTROL OF BREEZE 98.3 FM

pursuant to
SECTION 75(2)(a)
of the
COMMUNICATIONS ACT, 2009

1. The Utilities Regulation and Competition Authority (URCA) hereby gives notice that on 7 December 2018 a Basic Notification Form (the Notification) for the proposed change in control between Dwight C. Hart T/A Breeze FM (the Licensee) and Alternative Venture Holdings Limited (AVHL) has been submitted to URCA for approval.

DETAILS OF THE TRANSACTION

2. The Licensee was granted an Individual Spectrum Licence (ISL) to provide FM radio broadcasting services on the Island of Exuma, Bahamas using the frequency 98.3 FM.
3. AVHL is a Bahamian limited liability company that holds no interest, share ownership or voting shares in any Communications Act licensee.
4. Under the proposed change of control, AVHL will become the wholly owned operator of the radio station Breeze FM using the frequency 98.3 FM.

ISSUES TO BE DETERMINED

5. Under section 72 of the Communications Act, 2009, on receiving the Notification URCA shall form an opinion on whether the proposed change in control would have or be likely to have the effect of substantially lessening competition in a market in The Bahamas; and whether it would have an effect or would likely to have an effect contrary to the public interest.

INVITATION FOR COMMENTS

6. Under section 75(2) of the Communications Act, 2009, URCA shall give any interested persons a reasonable opportunity to make representations and consider the representations before forming any opinion or issuing any adjudication.
7. Under section 78 of the Communications Act, 2009, URCA is required to issue an adjudication within thirty (30) calendar days of receiving the Notification, unless there is a need to open an in-depth investigation. It is necessary for URCA to receive representations from interested persons within a timely manner in order to ensure that

such representations can be considered, analyzed and incorporated into URCA's adjudication.

8. **URCA will consider all representations on the proposed change in control received by 5:00p.m. on Friday, 11 January 2019.**
9. Should URCA determine to open an in-depth investigation, it will issue its adjudication within ninety (90) calendar days of receiving the Notification.
10. URCA now invites interested persons to submit written representations regarding the proposed change in control for consideration to the Director of Electronic Communications either:
 - a. by hand, to the office of the Utilities Regulation and Competition Authority (URCA) situated at Frederick House, Frederick Street, Nassau, Bahamas; or
 - b. by mail, to URCA at P.O. Box N – 4860 Nassau, Bahamas; or
 - c. by fax, to (242) 393-0153; or
 - d. by email, to info@urcabahamas.bs.

EXPLANATORY NOTE TO POTENTIAL RESPONDENTS

11. The Owner and Operator of Breeze FM Radio Station, Mr. Dwight Hart, is seeking to enter an agreement with Alternative Venture Holdings Limited (AVHL) that will transfer the ownership of the radio station to AVHL. The radio station is located on Exuma and is the only radio station currently operating in that market. If there are any objections to this proposed change of ownership or any concerns about its potential impact on the community of Exuma URCA is required by law (Communications Act, 2009) to allow the public reasonable opportunity to comment on the proposed ownership change and consider the public's responses as part of its final determination.
12. Therefore, URCA is soliciting the public's assistance in determining:
 - (a) whether this proposed transfer of ownership is in the public's interest; and
 - (b) whether this transfer of ownership reduces the possibility of another station competing against Exuma Breeze in that market.
13. Respondents should state their objection/position clearly and provide comments to URCA as quickly as possible, **but no later than 11 January 2019.**

14 December 2018