



**REGULATORY  
AUTHORITY  
OF BERMUDA**

**Consultation on  
the Criteria and Procedures for Assigning  
High Demand Spectrum**

**Ex- Parte Communication Notice**

Date: 23 October 2015

## Introduction

This ex-parte notice is filed in compliance with s.73 of the Regulatory Authority Act 2011. The materials referred to in this notice are provided at Annex A.

On Monday 9 October 2015, the Regulatory Authority ('the Authority') invited all ICOL holders to participate in a workshop with the Authority to discuss matters relating to its current HDS-1 consultation. In its invitation letter, the Authority indicated that the purpose of the workshop was to;

*"...have an ex-parte discussion with interested ICOL holders in order to assist the Authority to better understand the goals of industry as well as to allow industry to have better insight into the goals the Authority has for HDS-1."*

The following parties attended the workshop on Monday 19 October 2015 at 10:30 AM at the Regulatory Authority Offices in Hamilton Bermuda:

Bermuda Digital Communications Limited (CellOne)  
Telecommunications Bermuda & West Indies Limited (Digicel)  
iTech Limited  
KeyTech Group Limited  
Telecommunications Networks Limited 2013  
Regulatory Authority Interim Chief Executive  
Regulatory Authority Chief Technical Officer

The issues discussed were outlined in the Agenda provided to all ICOL holders on 9 October 2015 and guided by a slide show prepared by the Authority for the purpose of the HDS-1 Workshop. The following positions were espoused in respect of each Agenda Item:

### **Issue: 1**

Which Spectrum Is Optimal for Delivering Superfast Mobile Broadband:

CellOne: All sub-1Ghz spectrum awarded should come with a requirement to deliver superfast mobile broadband. This includes the 700Mhz and the 850Mhz spectrum. Without such a requirement, there is a real concern that some ICOL holders will be required to deliver speeds that others will not, which will not achieve the aim of the Authority of having island wide superfast broadband speeds;

Further, a superfast mobile broadband network based on the AWS Band Spectrum, whilst ideal for allowing increased capacity, would require a significant amount of time and investment to buildout;

Digicel: There should be no spectrum specific broadband speed requirements. Carriers should be able to determine for themselves how they achieve superfast

broadband speeds and coverage requirements using whatever spectrum available to them.

CellOne: Questioned the methodology the Authority would place the obligation to achieve superfast broadband speed on the ICOL holder instead of on the spectrum its self.

Authority: Noted that Digicel's idea was relatively new and that it had not considered how that could be achieved. The Authority did indicate that there would likely need to be a form of consultation with the affected ICOL holders before a change in the spectrum licence conditions.

Digicel & CellOne: Confirmed the position that the Lower B & C 700Mhz blocks were ideal for deployment.

iTech: Expressed concern that incumbents in particular should be required to demonstrate a specific need for the spectrum they seek before the Authority awards it in order to prevent hoarding. iTech noted that both CellOne and Digicel would eventually have the ability to offload traffic onto FTTx freeing demand for spectrum.

**Issue: 2**

What is the Minimum amount of bandwidth needed to deliver superfast broadband speed?

CellOne & Digicel: Splitting the 700Mhz band into two 2x 6 Mhz blocks would not allow carriers to achieve the necessary speeds. The blocks must be 2x12 at a minimum or the speed requirements would have to be drastically reduced;

**Issue: 3**

Potential Relocation Issues:

CellOne & Digicel agreed that in light of carrier aggregation (across spectrum) there would likely be less of a need for spectrum swapping.

In light the earlier conclusion relating to the minimum spectrum needed to achieve superfast mobile broadband speeds, there was no further discussion relating to the splitting of the 700Mhz into two 2x6 blocks.

**Issue: 4**

Implications for HDS-1 Comparative Selection Process

CellOne: A combination of above 1 GHz and sub 1 GHz spectrum is an ideal package.

Digicel: Agreed

**Issue: 5**

**The MVNO Option**

The Authority proposed an option which would see one LTE network shared by all mobile operators in Bermuda.

All parties agreed to consider this option in more detail before determining their response.

Conclusion:

The parties were given 10 business days to provide written responses to the issues raised during the meeting.