



BERMUDA

**REGULATORY
AUTHORITY**

**Ministry of Education and Economic
Development Spectrum Policy
Consultation**

Ex Parte Communication

Matter: SC-1695-2014

Date: 29 April 2014

On 24 April 2014 Bermuda Digital Communications Limited (Cell One) requested a clarification in respect of the Ministry of Education and Economic Development Spectrum Policy Consultation ('the Consultation').

Section 73 of the Regulatory Authority Act 2011 ('the RAA') provides, in part, that where a party makes an ex parte communication to the RA during the course of a public consultation, within two business days after the date on which the ex parte communication occurred, the person who made the ex parte communication shall submit it to be published. Because the ex parte communication made by Cell One in this instance was made seeking clarification of a particular part of the Consultation, the RA thought it prudent publish both the question and the RA's response. What follows is a record of the ex-parte communication between the RA and Cell One and is being published pursuant to section 73 of the RAA.

Cell One's Question

"Paragraph 124 of the consultation document indicates that the quoted fee rate is 'derived from the UK AIP study (with minor modifications)'. All that [Cell One] request[s] is that a copy of the study be made available so it can be reviewed by license holders and the public at large"

RA's Response

As a response to the question posed above by Bermuda Digital Communications (BDC), the Ministry of Education and Economic Development wishes to clarify that the \$37k fee for the reference band is an administrative fee being proposed by the Minister. It is not based on the UK AIP study - only the ratios for the other HDS bands are based on the UK AIP study.

Dated 29 April 2014.