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PRESS RELEASE – FOR IMMEDIATE RELEASE—REGULATORY AUTHORITY

ELECTRONIC COMMUNICATIONS SECTOR REGULATION

SUPREME COURT JUDGEMENT

The Regulatory Authority (the ‘Authority’) notes that a Judgment of the Supreme Court of Bermuda has been published today, regarding an application by the One Communications Ltd. group of companies (‘One’) for judicial review of the Authority.

One’s judicial review application concerned the continuing legal validity and current enforceability of the 2013 Significant Market Power-based ex ante remedies, and associated regulation of One, as well as Bermuda Telephone Company Limited (‘BTC’) and Digicel.

An Authority spokesperson stated: *‘We welcome the Court’s Judgment with regards to this judicial review application. The Authority notes that the system of regulation of Significant Market Power and the 2013 ex ante remedies that were the focus of the judicial review proceedings remain legally valid. The Court has declared, however, that the Authority should focus any enforcement activity that is based on the 2013 ex ante remedies on the prevention or deterrence of anti-competitive conduct. Furthermore, we would note that, via our ‘Review of the Electronic Communications Sector (the ‘2017 Review’), which was launched for public consultation on 17 October 2017, the Authority is moving towards a revised framework for regulation of the sector. Consistent with the Court’s Judgment, and as part of the 2017 Review, we continue to pursue a pragmatic approach that ensures that regulation remains relevant, particularly with respect to new services and networks.’*

ENDS