



BERMUDA
**REGULATORY
AUTHORITY**

General Determination:

**Market Review Process — Market
Definition and Significant Market
Power Determination (Corrigendum)**

General Determination (Corrigendum)

Matter: MR01/13

Date: 19 June 2013

1. On 29 April 2013 the Authority issued its Consultation Summary, Final Decision, Order and General Determination, *In the Matter of: Market Review Process (Part B)—Significant Market Power*, Matter No. MR 01/13—862. This errata to that document is being issued to correct an error contained therein that has been brought to our attention by Bermuda CableVision (“BCV”) in a letter the Company sent to us on 14 June 2013.
2. In this letter BCV suggested that the declaration made at Table 3, page 317, of our General Determination in the Matter of MR01/13¹ (“SMP Determination”), which declared BCV to have joint SMP with BTC in the wholesale market for the supply of fixed broadband access in the City of Hamilton and contiguous suburbs, was the result of a typographical error and requested that the Authority look into the matter.
3. We have now looked into the matter and have determined that BCV is, indeed, correct. The declaration made by us at Table 3, page 317, was the result of a typographical error given that it contradicts our findings in the Significant Market Power Consultation Summary² at paragraphs 596, 597, 599, and 600 of that document to the effect that, concerning the Wholesale Broadband Markets, BTC and BCV hold collective SMP for wholesale broadband access outside of Southside and the City of Hamilton and contiguous suburbs, BCV *does not* possess SMP for wholesale broadband access within the City of Hamilton and contiguous suburbs.
4. For this reason, the text concerning Wholesale Broadband Access Services appearing in Table 3 at page 317 of our General Determination in the Matter of MR01/13 should be changed from:

Service	Definition of markets	Operators determined to possess SMP
Wholesale Broadband Access Services	A Wholesale market for the supply of fixed broadband access in the City of Hamilton and contiguous suburbs	BTC and BCV
	A Wholesale market for the supply of fixed Broadband Access Services outside of Southside and the City of Hamilton and contiguous suburbs	BTC and BCV

To read as follows:

¹ Before the Bermuda Regulatory Authority, *In the Matter of: Market Review Process — Market Definition and Significant Market Power Determination*, Matter No. MR 01/13, General Determination, Released : 29 April 2013.

² Before the Bermuda Regulatory Authority, *In the Matter of: Market Review Process (Part B)—Significant Market Power*, Matter No. MR 01/13—862, Consultation Summary, Final Decision, Order and General Determination, Released : 29 April 2013.

Service	Definition of markets	Operators determined to possess SMP
Wholesale Broadband Access Services	A Wholesale market for the supply of fixed broadband access in the City of Hamilton and contiguous suburbs	BTC
	A Wholesale market for the supply of fixed Broadband Access Services outside of Southside and the City of Hamilton and contiguous suburbs	BTC and BCV