



Life, unlimited.

P.O Box 267, Road Town, Tortola, British Virgin Islands, VG 1110 | 1 (284) 444 4444 | cctbvi.com

November 24, 2017

Mr. Guy Lester Malone
Chief Executive Officer
Telecommunications Regulatory Commission
Road Town, Tortola
British Virgin Islands

Dear Mr. Malone:

Re: Consultation on the Spectrum Management Framework Review 2017

Below please find Caribbean Cellular Telephone (CCT) response to the Consultation on the Spectrum Management Framework Review 2017:

- Name of organization: Caribbean Cellular Telephone Limited
- Principal contact person: Averad Penn, Chief Executive Officer
+1(284) 496-7669
apenn@cctbvi.com
- Full contact details: Box 267, Road Town
Tortola, VG1110
British Virgin Islands

- 1. Do you agree with the Commission's overview of the key developments in the Virgin Islands communications markets and international trends in spectrum management? If not, please elaborate on any further, relevant developments which need to be considered in this review and how these should be taken into account.**

No - The major problem with the Consultation on the Spectrum Management Framework Review 2017 is that it systematically disadvantages CCT by assigning a spectrum cap for the impending spectrum award process whether expedited or otherwise that eliminates CCT from contention for sub 1 GB spectrum. This is particularly a sore topic considering it follows the same disappointing pattern of the 2016 spectrum award process. Therefore we must once again contend that any process whereby CCT is systematically disadvantaged from applying for the most valuable spectrum is inherently

bias. CCT sustained significant network damage from Hurricanes Irma and Maria and is very interested in any spectrum award process moving forward whether expedited or otherwise.

- 2. Do you agree with the stated objectives of this SMF? If not, please explain which further objectives should be considered and why.**

Yes.

- 3. Do you agree with the Commission's position on promoting efficient use of spectrum and how this is reflected in this SMF? If not, please explain why not and what alternative approaches to promote efficient use of spectrum should be adopted.**

Yes.

- 4. Do you agree with the Commission's proposals (i) to follow, in principle, US band plans and (ii) to complete spectrum agreements with the US Virgin Islands? If not, please provide further information as to your reasoning for disagreement.**

Yes provided Commission continues to respect existing non US band spectrum allocations.

- 5. Do you have a view on the band plans that should be adopted in specific frequency bands? Please explain your response.**

CCT generally agrees that agrees that US band plans should be followed provided Commission continues to respect existing non US band spectrum allocations.

- 6. Do you agree with the Commission's proposal on licence exempt bands? If not, please propose an alternative to licence exempt bands, and set out why you consider the alternative to be preferable to the Commission's proposals.**

Yes.

- 7. Do you agree with the spectrum bands the Commission proposes to release in Phase 1 of its spectrum release plan? If so, please comment on whether the three bands should be offered at the same time or sequentially? If not at the same time, in which sequence should they be released? Please also comment on the importance of including the (entire) 2300 MHz band within Phase 1 and how cross-border interference can be best managed within this band.**

Yes. CCT recommends that Phase 1 spectrum release includes capacity spectrum LTE Bands 66, and 7.

- 8. Do you agree with the proposed spectrum bands the Commission proposes to release in Phase 2 of its spectrum release plan? If so, please comment on whether the three bands should be offered at the same time or sequentially? If not at the same time, in which sequence should they be released?**

Yes. CCT recommends that Phase 2 spectrum release includes propagation spectrum LTE bands 12 (where it does not overlap with band 17) and 26 (where it does not overlap with band 5).

- 9. Do you have any views on which band plan the Commission should prescribe for the 3.4 – 3.8 GHz band? Explain why. Also, in your view, when would this spectrum be required?**

CCT believes that any spectrum release plans must always respect existing spectrum allocations in order to afford operators consistency expectations required to facilitate network investment.

- 10. What position should the Commission take with respect to the deployment of LTE (and later possibly 5G technology) in the 5 GHz band? Would any specific measures be required to protect other license exempt use in the 5 GHz band? In your view, when would this 5 GHz spectrum be required?**

CCT believes making decision regarding 5GHz band is premature at this point.

- 11. In your views, are there any further spectrum bands beyond those specified in Phases 1 to 3 of the spectrum release plan which should be released for mobile services within the relevant period? Please elaborate on the requirement justifying early release of other bands for mobile services.**

No.

- 12. Do you agree with the Commission’s preliminary view as to how it will assign spectrum under this SMF? If not, please explain what alternative you would suggest.**

CCT objects to what appears to be the general premise that spectrum is being normalized between the three operators currently operating mobile telecommunications networks in the British Virgin Islands because this disadvantages CCT for having more spectrum than Flow and Digicel.

- 13. Do you agree with the Commission’s proposals to assign contiguous mobile spectrum in new assignment rounds? If not, please explain why you disagree.**

Yes.

- 14. Do you agree with the Commission’s preliminary proposals to revise the existing spectrum caps (including the removal of the global spectrum cap)?**

No. The revised spectrum caps proposal systematically disadvantages CCT by assigning a spectrum cap for the impending spectrum award process whether expedited or otherwise that eliminates CCT from contention for any sub 1 GB spectrum.

- 15. Do you agree with the Commission’s plan to issue frequency authorizations for all government use of spectrum?**

Yes.

16. Would you be interested in test and development licences, and if so, what tests and in which bands?

No. CCT is generally uncomfortable with the Commission developing alternative spectrum allocations (i.e. test or development licences) because we are concerned they will create additional possibilities for operator disparity.

17. Do you agree with the Commission’s proposal to introduce spectrum trading formally in the Virgin Islands? If not, please explain why you disagree with this proposal.

Yes.

18. Do you agree with the Commission’s preliminary proposal for the review process of spectrum trading applications? If not, please provide detailed comments on how the Commission’s proposal can be improved.

Yes.

19. Do you agree with the Commission’s preliminary position to impose coverage obligations, minimum speed and other quality of service requirements and “use it or lose it” clauses in future spectrum licences?

Yes.

20. Do you agree with the Commission’s preliminary position to retain the current provisions for licence renewal, revocation or suspensions?

Yes.

- 21. Do you agree with the Commission’s preliminary intention on the need to apply annual licence fees to fixed wireless licences, fixed satellite service licences and public sector users of spectrum/radio frequency going forward? Do you agree with the Commission’s preliminary intention to apply annual fees on all current mobile spectrum authorizations (i.e., including those awarded before 2016)? If you disagree, please provide a clear justification for your objection.**

CCT believes the Commission should refrain from introducing new fees that will pass on additional cost to the consumers particularly in the current economic environment where the British Virgin Islands community is struggling to recover and rebuild after the devastating Hurricanes Irma and Maria.

- 22. Do you agree with the Commission’s preliminary view on the need for and approach to incentive spectrum pricing for existing high value spectrum holdings? If not, please provide reasons and alternative methods of encouraging efficient use of spectrum.**

CCT believes the Commission should refrain from ad hoc assignments which necessarily lead to operator disparity in favor of well-planned comparative tenders that don’t disadvantage local operators in favor of wealthy multinational operators. Furthermore, efficient spectrum usage can be achieved without alienating important local operators like CCT. The Commission must always remember that fostering an economic environment which preserves the ability for local participation in the telecommunications market is an important public interest.

- 23. Do you agree with the Commission’s preliminary view to complete a frequency coordination agreement with the US Virgin Islands on mobile communications in the short term? Do you see the necessity of completing frequency coordination agreements with neighboring countries on frequency bands for other uses?**

Yes.

- 24. In your view, is the interference issue with the unauthorized use of European DECT systems sufficiently resolved at the moment? If not, what additional measures should be taken? Are you currently confronted with any other interference issues? If so, please specify exactly which bands and/or users or uses your issues relate to. Would you agree with the Commission restricting the ISM 902 – 928 MHz to 915 – 928 MHz? If not, why?**

CCT does not currently have any interference issues and believes that any spectrum release plans must always respect existing spectrum allocations to prevent future interference issues.

- 25. Do you agree with the proposed implementation plan for the revised SMF, including the proposed timing? If not, please explain and justify what amendments you propose to the current plan.**

Yes.

CCT thanks the Commission for the opportunity to respond to the Consultation on the Spectrum Management Framework Review 2017. We look forward to the opportunity to apply for additional spectrum.

Best regards,



Averad Penn
Chief Executive Officer
Caribbean Cellular Telephone