

SCHEDULE

VIRGIN ISLANDS

THE TELECOMMUNICATIONS REGULATORY COMMISSION

DIRECTIVE

[Gazetted August 9, 2012]

With the effect from August 1, 2012, the Licences of the following Licensees of public telecommunications networks in the Virgin Islands:

- Cable and Wireless (BVI) Ltd (“LIME”)
- Caribbean Cellular Telephone Ltd (“CCT”)
- Digicel (BVI) Ltd (“Digicel”)

shall be amended as follows:

1. Article 8.1 shall be deleted and replaced by the following:

“8.1 Dominant Public Supplier

- i. Prices for telecommunications services shall be determined by providers in accordance with the principles of supply and demand in the market.**
- ii. Should the Licensee be designated a supplier dominant in the market for call termination services in accordance with Section 26(4) of the Telecommunications Act, 2006 the Commission shall regulate the wholesale call termination rates payable to the Licensee by any other licensee or operator of telecommunications services interconnected to the Licensee’s networks and shall impose such rates as outlined in Annex 8.**
- iii. Annex 8 shall not apply to retail rates and prices chargeable by the Licensee.”**

2. Article 9.4 shall be amended as follows:

- i. Subparagraph (b) shall be numbered as subparagraph (c)**
- ii. The following shall be inserted as subparagraph (b):
Interconnection Default Rates shall not apply where the Commission has determined the Licensee to be a supplier dominant in the market for call**

termination services in accordance with Section 26(4) of the Telecommunications Act, 2006. Should the Commission determine that the Licensee is a supplier dominant in the market for call termination services, the provisions of Article 8.1(ii) shall apply.

3. The following shall be inserted as Annex 8:

ANNEX 8

WHOLESALE CALL TERMINATION CHARGES

1. Effective from August 1, 2012 (“the Effective Rate Revision Date”), the Licensee shall charge and shall be paid rates for the termination of all calls originated in the British Virgin Islands on each of its networks as follows:

Calls terminated on the fixed line network	US\$0.01 per minute
Calls terminated on mobile networks	US\$0.05 per minute

2. The Licensee shall execute revised Interconnection Agreements with each licensee or operator of telecommunications services interconnected to the Licensee’s networks to give effect to the rates prescribed in paragraph 1 above from the Effective Rate Revision Date and shall submit each such Agreement to the Commission no later than one week after the Effective Rate Revision Date.

Guy Malone
CHIEF EXECUTIVE OFFICER