

PRESS RELEASE

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Commission Confirms CEO has Full Board Support and Authority

10 May, 2016 – The Telecommunications Regulatory Commission (*Commission*) confirms that Mr. Guy L. Malone, CEO and Director of the Commission has the full support of the Board of the Commission and had authority and direction from the Board to refuse CCT’s application to Register for the Spectrum Award 2015.

Mr. Malone had full formal Board authority to refuse CCT’s application to Register for the Spectrum Award 2015 if CCT failed to agree Undertakings with the Commission prior to the Award Registration deadline of September 18, 2015. It was a fundamental Spectrum Award Rule that each operator eligible to apply to Register for the award was required either to be in compliance with its regulatory obligations or have agreed Undertakings with the Commission prior to the Registration deadline.

The Commission is appealing the decision of the High Court on a number of points including the issue of the CEO’s authority. The Commission filed Notice of Appeal of the High Court decision on February 24, 2016.

C. Michael Thomas, Chairman of the Commission said “The Board believes it is necessary to make this statement in support of Mr. Malone and the Commission in light of recent press reports. The matters in dispute between CCT and the Commission are now before the Court of Appeal. The Commission looks forward to restarting the Spectrum Award process shortly. We hope all of the operators will participate fully so that we may release this valuable spectrum for the benefit of all in the BVI.”

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NOTES TO EDITORS:

1. The Commission is the independent regulator with responsibility for regulating the telecommunications sector of the Virgin Islands, protecting interests of users of telecommunications services, ensuring fair competition among operators of telecommunications networks and providers of telecommunications services, promoting the development of telecommunications throughout the Virgin Islands and advising the Minister of Communications and Works on telecommunications policies.
2. The Undertakings are a contract between CCT and the Commission which provides a path for CCT to come into compliance with its regulatory obligations.
3. The Notice of Appeal is a publicly available document at the Court of Appeal. The Commission specifically requested the Court records to be unsealed. As a public regulator, we expect that records involving the Commission's decisions and challenges to those decisions to be available to the public and their scrutiny.