



**TELECOMMUNICATIONS REGULATORY COMMISSION
RADIO FREQUENCY AUTHORISATION**

Authorisation Number: VRGM/005/2016

DATE OF ISSUE: 23 August 2016

DATE OF EXPIRATION: 22 August 2031

The Telecommunications Regulatory Commission (the *Commission*) **HEREBY ISSUES** this Frequency Authorisation to Digicel (BVI) Limited (the *Authorisation Holder*) for the use of the spectrum contained in the assigned frequency band in the Virgin Islands in accordance with the Telecommunications Act, 2006 (the *Act*) and subject to the terms and conditions herein.

Terms and Conditions

1. Interpretation

- 1.1. In this Frequency Authorisation, unless indicated otherwise, the following words shall have the following meanings:
- a) “assigned frequency band” means the frequencies authorized by the Commission for use by the Authorisation Holder under this Frequency Authorisation as identified in Schedule A hereto.
 - b) “Date of Issue” means the date of issue hereinabove written.
 - c) “Date of Expiration” means the date of expiration hereinabove written.
 - d) “facilities” means particular poles, masts, towers, roof-tops and other similar apparatus, inclusive of buildings, which are used to host the equipment used by the Authorisation Holder to facilitate operations on the assigned frequency band.
 - e) “IMT telecommunications services” means subject to such definition that may be published from time to time by the International Telecommunications Union, such telecommunications services that may be provided utilising those systems, system components and related aspects of International Mobile Telecommunications as defined by the International Telecommunications Union.
- 1.2. Except as specified in 1.1 above, the words and expressions used herein shall have the meanings given in the Act.
- 1.3. References to any statute or statutory provision shall, unless the context otherwise requires, be construed as a reference to that statute or statutory provision as from time to time amended, consolidated, modified, extended, re-enacted or replaced.

2. General Conditions

2.1. Regulatory Framework and Applicable Laws

- 2.1.1. The Authorisation Holder shall comply with the provisions of the Act in the operation or use of the assigned frequency band. The terms and conditions of this Frequency Authorisation shall be subject to the provisions of the Act.
- 2.1.2. The Authorisation Holder shall comply with all Regulations, with the Telecommunications Code, the terms and conditions of its licence, any lawful instructions from the Commission and all other instruments made under the Act and all relevant laws in force from time to time in the Virgin Islands.
- 2.1.3. The Authorisation Holder shall comply with any lawful directive issued by the Commission or any other person so duly authorised under the Act.
- 2.1.4. The Authorisation Holder shall at all times strictly comply with the terms of the Undertakings agreed between the Commission and the Authorisation Holder.
- 2.1.5. The terms and conditions of this Frequency Authorisation shall be construed in accordance with the Laws of the Virgin Islands.

2.2. Term

- 2.2.1. This Frequency Authorisation shall take effect from the Date of Issue and shall expire on the Date of Expiration (the *Term*).
- 2.2.2. The Commission alone shall determine whether, upon expiration of the Term, this Frequency Authorisation shall be renewed. In deciding whether to renew this Frequency Authorisation, the Commission shall take into account:
 - a) the conduct of the Authorisation Holder during the Term or during the term of any licence granted by the Commission to the Authorisation Holder;
 - b) whether the Authorisation Holder failed to comply materially with the Act, with the Telecommunications Code, with the terms of this Frequency Authorisation, its licence, any instructions from the Commission and with any lawful directive of the Commission;
- 2.2.3. This Frequency Authorisation shall terminate in the event the Authorisation Holder ceases to hold, for whatever reason, a licence for the operation of a telecommunications network providing services in the Virgin Islands.

2.3. Payment of Fees

- 2.3.1. The Authorisation Holder shall pay to the Commission annual fees of US\$1,400 per MHz of total frequency spectrum as defined in Schedule A. Annual fees will be payable in advance and the first payment of such fees shall be due upon grant of this Frequency Authorisation.
- 2.3.2. The Authorisation Holder shall pay to the Commission such fees applicable to the use of the assigned frequency band as the Commission may determine from time to time in accordance with section 5.3 of the Authorisation Holder's Unitary Licence inclusive of application fees.



2.3.3. Subject to Regulations, fees payable by the Authorisation Holder under Article 2.3.1 above shall be payable from the Date of Issue.

2.4. Requirement to Furnish Information to the Commission

2.4.1. Without prejudice to the obligation of the Authorisation Holder to provide specific information to the Commission under the terms of this Frequency Authorisation, the Authorisation holder shall provide the Commission with such information in such manner and at such times as the Commission may request in accordance with the Act.

2.5. Remedies for Non-Compliance

2.5.1. Without prejudice to any other right of action available to the Commission under the terms of this Frequency Authorisation or under any other law or regulation, the Commission may take such action as it considers appropriate under the Act for a breach of any condition of this Frequency Authorisation.

2.5.2. If in the opinion of the Commission, the Authorisation Holder has engaged in any conduct identified in section 75(1) of the Act, the Commission may exercise such enforcement powers against the Authorisation Holder under section 75(2) of the Act.

2.5.3. Without prejudice to any other right of action available to the Commission, the Commission shall have the right, subject to section 76 of the Act, to suspend this Frequency Authorisation absent exigent circumstances upon 90 days written notice if the Authorisation Holder is in breach of the Undertakings and has failed to cure the breach to the Commission's satisfaction within the 90 day notice period.

2.6. Force Majeure

2.6.1. The Authorisation Holder shall not be held liable for failure to comply with its obligations under this Frequency Authorisation to the extent that the Commission is satisfied that such failure was directly attributed to an act of force majeure provided that the Authorisation Holder shall use all reasonable endeavours to resume performance of its obligations as soon as the effect of the event of force majeure ceases or abates. For the avoidance of doubt, there are no circumstances in which failure to pay fees due hereunder will be attributed to an act of force majeure.

2.6.2. The Authorisation Holder may during a period of emergency in which public services are disrupted due to an act of force majeure, use the assigned frequency band for emergency communications and in a manner other than as specified in this Frequency Authorisation provided that such use only persists during the declared period of emergency and is discontinued when it is possible to resume normal telecommunications services or until such special use of the assigned frequency bands is terminated by the Governor.

2.7. National Security

2.7.1. The Authorisation Holder shall, upon request by the Governor or otherwise in accordance with any relevant law, co-operate with the Governor or other official agency



duly authorised by the Governor to the extent required in matters of law enforcement, public emergency or national security.

- 2.7.2. The Authorisation Holder shall make available to the Government, as authorised by the Governor, its facilities and or telecommunications equipment for such purposes as may be required under section 89 of the Act when a period of public emergency has been declared.

2.8. Amendment

- 2.8.1. This Frequency Authorisation may be amended by the written agreement of the Authorisation Holder or by the Commission and otherwise in accordance with section 23 of the Act:
- a) due to the effect of an act of force majeure, national security considerations, changes in national legislation or, subject to section 86 of the Act, the need to implement international obligations; or
 - b) if the Commission, taking into account the public interest, otherwise deems it necessary to achieve the purposes of the Act.

2.9. Assignment or Transfer

- 2.9.1. The Authorisation Holder shall not, without the prior written approval of the Commission, such approval not to be unreasonably withheld, transfer, assign or otherwise part with this Frequency Authorisation or any permission, right, obligation or benefit granted under this Frequency Authorisation
- 2.9.2. Subject to section 20 of the Act, the Authorisation Holder shall not, without the prior written approval of the Commission, such approval not to be unreasonably withheld, enter into any agreement or other arrangement the effect or the purported effect of which would be to permit a person to acquire a significant interest in the Authorisation Holder.

2.10. International Obligations

- 2.10.1. The Authorisation Holder shall comply with such Regulations of the International Telecommunications Union as the Commission may adopt from time to time and shall observe such international obligations that may be applicable to the Virgin Islands.

2.11. Termination and Suspension

- 2.11.1. This Frequency Authorisation may be terminated or suspended in accordance with the Act.



2.12. Service of Notices

- 2.12.1. Any notice required to be given by the Commission to the Authorisation Holder under this Frequency Authorisation shall be in writing and shall be deemed to have been given if sent by hand or post or by facsimile (in the case of facsimile when proof of transmission is received) to the Authorisation Holder's address in the Territory, as indicated in the Authorisation Holder's application for a frequency authorisation or any other address of which the Authorisation Holder might have provided notice to the Commission from time to time.
- 2.12.2. Any notice required to be given by the Authorisation Holder to the Commission under this Frequency Authorisation shall be in writing and shall be deemed to have been given if sent by post or by facsimile (in the case of facsimile when proof of transmission is received) to the Commission's principal place of business in the Territory.

3. Conditions Specific to the Use of the Assigned Frequency Band

3.1. Use of Spectrum

- 3.1.1. The Authorisation Holder shall use the assigned frequency band for the delivery of IMT Telecommunications Services within the Territory of the Virgin Islands to the extent as may be technically possible without causing harmful interference to the telecommunications network of another operator. The Authorisation Holder shall not use the assigned frequency band for any other purpose without the prior written approval of the Commission and in any event shall not use the assigned frequency band for any purpose other than to operate a telecommunications network and or to provide a telecommunications service in the Territory of the Virgin Islands.
- 3.1.2. The Authorisation Holder shall comply with the terms and conditions of this Frequency Authorisation and the Schedules hereto which include Minimum Service Requirements, a Network Deployment Plan and agreed Additional Commitments.
- 3.1.3. The Authorisation Holder shall ensure that telecommunications services are provided within the Territory of the Virgin Islands to at least the minimum service requirements defined in Schedule B, the Network Deployment Plan in Schedule C and the Additional Commitments defined in Schedule D.
- 3.1.4. The Authorisation Holder shall ensure that its use of the assigned frequency band does not cause harmful interference to any other authorised user of the spectrum unless and to the extent provided for under the Act, in accordance with Regulations or with the Telecommunications Code and or in accordance with international recommendations and standards recognised by the International Telecommunications Union.
- 3.1.5. The Authorisation Holder shall ensure that its use of the assigned frequency band does not cause danger to the public.
- 3.1.6. The Authorisation Holder shall, when using the assigned frequency band, take proper and adequate measures to safeguard life, property and the environment, including safeguarding against exposure to any electrical or radiation hazard emanating from any equipment used by the Authorisation Holder.



- 3.1.7. The Authorisation Holder shall ensure that any radio communications service or radio transmitting equipment operated on the assigned frequency band or otherwise with the use of the spectrum is in compliance with such emission standards and technical specifications that may be published by the Commission from time to time.
- 3.1.8. The Authorisation Holder shall, in accordance with instructions issued by the Commission from time to time, co-operate with the Commission in its co-ordination and management of the efficient use of the spectrum as a public resource and shall provide any assistance reasonably requested by the Commission for this purpose. Such assistance shall include realignment of authorised spectrum within a frequency band for the purpose of ensuring contiguous spectrum for all authorisation holders using that frequency band.
- 3.1.9. Subject to Article 3.2 below, the Authorisation Holder shall, in accordance with the Act and with any other applicable law, obtain all required approvals and rights of access for access to lands and or for the construction or erection of the facilities or of any equipment or other installation in relation to the use of the assigned frequency band.
- 3.1.10. The Authorisation Holder shall retain accurate and up-to-date detailed records of the operation of a telecommunications network or the provision of a telecommunications service on the assigned frequency band and shall make such information available to the Commission promptly upon request and without charge to the Commission in accordance with the Act.
- 3.1.11. Without prejudice to the provisions of the Act, the Authorisation Holder shall allow the Commission upon receiving reasonable prior notice to inspect the facilities, inclusive of the Authorisation Holder's equipment and shall provide any related assistance to satisfy the Commission that the Authorisation Holder is in compliance with the terms and conditions of this Frequency Authorisation.
- 3.1.12. The Authorisation Holder shall not significantly change the location or any technical parameter of any transmitter used on the assigned frequency band without the prior approval of the Commission.

3.2. Construction of Sites

- 3.2.1. The Authorisation Holder shall ensure that the facilities:
 - a) are used, to the maximum possible extent, on a shared basis with other users of the spectrum, licensees and public utilities. To the extent that it is not considered feasible to use the existing facilities and utility installations, the Authorisation Holder shall submit such proof to the Commission as the Commission considers appropriate;
 - b) are designed and constructed in such a way that they blend in with the surrounding physical environment to the maximum possible extent and to the satisfaction of the Commission.
- 3.2.2. Except where the Commission exempts a specific type of facility from the requirements of Article 3.2.1 above, the Authorisation Holder, shall satisfy the Commission that the facilities, inclusive of the equipment hosted therein will comply such requirements.



- 3.2.3. The Commission may recommend changes to the design, structure or any other aspect of the facilities to ensure that the Authorisation Holder complies with the requirements of Article 3.2.1(a) and (b).

3.3. Maintenance of Technical Records

- 3.3.1. The Authorisation Holder shall maintain accurate, up to date and detailed technical data in relation to the use of the assigned frequency band authorised by this Frequency Authorisation as follows:
- a) A plan for the use of the assigned frequency band identifying:
 - i. The name of each cell site used in relation to the assigned frequency band;
 - ii. Information in relation to the size of the guard bands;
 - iii. A channelization plan identifying the channels used on the assigned frequency band.
 - b) Specifications of the telecommunications equipment, including each antenna, used in the operation of any network or in the provision of any services on the assigned frequency band;
 - c) The coverage area;
 - d) The effective radiated power (ERP) and the radiated pattern of each antenna;
 - e) A Site map of the Station including geographical location coordinates in latitude and longitude to at least one metre resolution;
 - f) The height of each antenna above ground level, and boresight bearing east of true north (if applicable); and
 - g) The International Telecommunications Union emission designation.
- 3.3.2. The Authorisation Holder shall, subject to section 70 of the Act, provide the Commission with the records referred to in 3.3.1 above on a quarterly basis and in such form as might be specified by the Commission from time to time.
- 3.3.3. The Authorisation Holder shall notify the Commission of any proposed material changes to its radio communication service or radio transmitting equipment, and shall provide the Commission with such information as the Commission shall reasonably require for the purpose of assessing the effect of such changes.

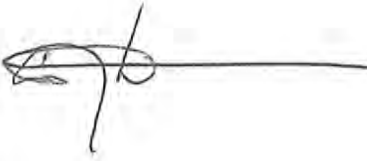
3.4. Enforcement

- 3.4.1. The Commission may take such enforcement action against the Authorisation Holder as it considers appropriate and or suspend or terminate this Frequency Authorisation in accordance with the Act.



By:
GUY LESTER MALONE
Chief Executive Officer
For and on behalf of:
**THE TELECOMMUNICATIONS
REGULATORY COMMISSION**

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By:
ROBERT MAYO-SMITH
Chief Executive Officer
For and on behalf of:
DIGICEL (BVI) LIMITED

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A handwritten signature in black ink, consisting of the initials 'RMS' followed by a horizontal line extending to the right.

SCHEDULE A

The Frequency Band

The Commission hereby assigns to the Authorization Holder the following frequency band for the operation of a telecommunications network and the provision of telecommunications services subject to the terms and conditions of this Frequency Authorisation:

BAND	Uplink frequency range		Downlink frequency range	
	Lower bound	Upper bound	Lower bound	Upper bound
700 MHz	776 MHz	787 MHz	746 MHz	757 MHz
AWS-1	1725 MHz	1740 MHz	2125 MHz	2140 MHz

The total frequency spectrum assigned under this authorisation is 52 MHz.

SCHEDULE B

Minimum Service Requirements

The Authorisation Holder shall provide services in the Virgin Islands using any of the frequency ranges defined in Schedule A and shall ensure that the following minimum service requirements are attained:

1. The minimum service requirements defined in this Schedule shall be met using the frequency bands specified in Schedule A.
2. The Authorisation Holder shall provide, and thereafter maintain, a telecommunications network that is capable of providing at 90% of locations within any area of 100m by 100m a mobile telecommunications service with a sustained downlink speed of not less than 2 megabits per second when that network is lightly loaded, to users:
 - a) within 12 months of the Date of Issue;
 - b) to at least 95% of the population of each of the islands of Tortola, Anegada, Jost Van Dyke and Virgin Gorda.
3. For the purpose of the Minimum Service Requirements, a network is considered 'lightly loaded' if it has a single user demanding service within the serving cell, and the surrounding cells of the network are loaded to a light level (by which is meant the common channels only are transmitting at 22% of the maximum cell power).
4. The Commission may assess the Authorisation Holder's compliance with this Schedule by assessment of the Network Deployment Plan submitted by the Authorisation Holder with its application for a Frequency Authorisation. Where applicable, the Network Deployment Plan is attached to this Frequency Authorisation as Schedule C.
5. Where a Network Deployment Plan is attached to this Frequency Authorisation as Schedule C, the Authorisation Holder shall deploy, and thereafter, maintain its network, incorporating at a minimum, the cell sites with the configuration defined in the Network Deployment Plan.

6. The Network Deployment Plan may only be varied with the written approval of the Commission, such approval not to be unreasonably withheld. Such approval will only be granted where the proposed changes are capable of meeting the minimum service requirements defined in this Schedule.
7. In this Schedule:
 - a) “population” means persons resident in the British Virgin Islands, including its territorial waters, who have access to a mobile telecommunications network.
 - b) “Network Deployment Plan” means a document which defines urban and rural link budgets based on the IMT technology to be deployed, coverage maps produced using industry recognised propagation analysis software and a list of cell sites including the information defined in paragraph 3.3.1 of this Frequency Authorisation.

SCHEDULE C

Network Deployment Plan

The Authorisation Holder shall deploy, and thereafter maintain, its network incorporating as a minimum the cell sites with the configuration defined in the Network Deployment Plan of this Schedule. The Network Deployment Plan may only be varied with the written approval of the Commission, and such approval is not to be unreasonably withheld or delayed.. Such approval will only be granted where the proposed changes are capable of meeting the minimum service requirements.

Cell sites shall be installed as defined in Table C.1 within six (6) months from the Date of Issue.

Table C.1: Definition of cell sites in the Network Deployment Plan

Name	Coordinates (degrees)		Azimuth in degrees	Antenna height (m AGL)	Channel power in dBm
	Latitude	Longitude			
AIRPORT	18.443876	-64.53526	15	25	46dBm
AIRPORT	18.443876	-64.53526	125	25	46dBm
AIRPORT	18.443876	-64.53526	225	25	46dBm
PASEA_RT	18.428900	-64.60983	25	40	46dBm
PASEA_RT	18.428900	-64.60983	145	40	46dBm
PASEA_RT	18.428900	-64.60983	245	40	46dBm
TODMANPEAK	18.436060	-64.63714	25	34	46dBm
TODMANPEAK	18.436060	-64.63714	165	34	46dBm
TODMANPEAK	18.436060	-64.63714	245	34	46dBm
CHALWELL	18.422680	-64.64525	315	48	46dBm
CHALWELL	18.422680	-64.64525	50	48	46dBm
CHALWELL	18.422680	-64.64525	205	48	46dBm
BALSUMGHUT	18.451960	-64.56612	325	40	46dBm
BALSUMGHUT	18.451960	-64.56612	115	40	46dBm



Name	Coordinates (degrees)		Azimuth in degrees	Antenna height (m AGL)	Channel power in dBm
	Latitude	Longitude			
BALSUMGHUT	18.451960	-64.56612	235	40	46dBm
WINDYHILL	18.415900	-64.66810	45	28	46dBm
WINDYHILL	18.415900	-64.66810	165	28	46dBm
WINDYHILL	18.415900	-64.66810	305	28	46dBm
FRENCHMANS	18.382730	-64.70024	35	40	46dBm
FRENCHMANS	18.382730	-64.70024	165	40	46dBm
FRENCHMANS	18.382730	-64.70024	285	40	46dBm
MSC	18.424510	-64.61966	5	32	46dBm
MSC	18.424510	-64.61966	95	32	46dBm
MSC	18.424510	-64.61966	265	32	46dBm
ANEGADA	18.719980	-64.31549	345	34	46dBm
ANEGADA	18.719980	-64.31549	85	34	46dBm
ANEGADA	18.719980	-64.31549	265	34	46dBm
PETER_ISLD	18.351356	-64.57185	45	34	46dBm
PETER_ISLD	18.351356	-64.57185	165	34	46dBm
PETER_ISLD	18.351356	-64.57185	265	34	46dBm
LITTLEDIX	18.461540	-64.42681	45	28	46dBm
LITTLEDIX	18.461540	-64.42681	145	28	46dBm
LITTLEDIX	18.461540	-64.42681	285	28	46dBm
GORDAPEAK	18.491510	-64.40188	345	34	46dBm
GORDAPEAK	18.491510	-64.40188	145	34	46dBm
GORDAPEAK	18.491510	-64.40188	265	34	46dBm
BAYHILL	18.492820	-64.38780	65	34	46dBm
BAYHILL	18.492820	-64.38780	165	34	46dBm
BAYHILL	18.492820	-64.38780	265	34	46dBm
JVD	18.452440	-64.75157	90	15	46dBm
JVD	18.452440	-64.75157	180	15	46dBm
JVD	18.452440	-64.75157	270	15	46dBm
NANNYCAY	18.399800	-64.63361	305	40	46dBm
NANNYCAY	18.399800	-64.63361	30	40	46dBm
NANNYCAY	18.399800	-64.63361	225	40	46dBm
ZIONHILL	18.395640	-64.68074	305	28	46dBm
ZIONHILL	18.395640	-64.68074	65	28	46dBm
ZIONHILL	18.395640	-64.68074	205	28	46dBm
LUCKHILL	18.436430	-64.65674	60	9	46dBm
LUCKHILL	18.436430	-64.65674	200	9	46dBm
LUCKHILL	18.436430	-64.65674	300	9	46dBm
LOWERHOPE	18.435930	-64.59737	345	40	46dBm
LOWERHOPE	18.435930	-64.59737	95	40	46dBm
LOWERHOPE	18.435930	-64.59737	185	40	46dBm
LONGTRENCH	18.446290	-64.62433	45	40	46dBm
LONGTRENCH	18.446290	-64.62433	145	40	46dBm
LONGTRENCH	18.446290	-64.62433	245	40	46dBm
WHITEBAY	18.440610	-64.75615	45	28	46dBm
WHITEBAY	18.440610	-64.75615	145	28	46dBm
WHITEBAY	18.440610	-64.75615	305	28	46dBm
EE_VILLAGE	18.437630	-64.57083	45	25	46dBm

Name	Coordinates (degrees)		Azimuth in degrees	Antenna height (m AGL)	Channel power in dBm
	Latitude	Longitude			
EE_VILLAGE	18.437630	-64.57083	165	25	46dBm
EE_VILLAGE	18.437630	-64.57083	255	25	46dBm
SOPHIEHILL	18.414310	-64.58937	305	40	46dBm
SOPHIEHILL	18.414310	-64.58937	45	40	46dBm
SOPHIEHILL	18.414310	-64.58937	195	40	46dBm
BVIYACHT	18.411790	-64.61311	305	40	46dBm
BVIYACHT	18.411790	-64.61311	45	34	46dBm
BVIYACHT	18.411790	-64.61311	195	34	46dBm
HAVERS	18.394060	-64.64528	80	9	46dBm
HAVERS	18.394060	-64.64528	260	9	46dBm
SPANISHTWN	18.446160	-64.43222	55	34	46dBm
SPANISHTWN	18.446160	-64.43222	145	34	46dBm
SPANISHTWN	18.446160	-64.43222	275	34	46dBm
MARIE_REST	18.427056	-64.60590	305	4	46dBm
MARIE_REST	18.427056	-64.60590	55	4	46dBm
MARIE_REST	18.427056	-64.60590	195	4	46dBm
SEACOWBAY	18.410360	-64.63248	345	27	46dBm
SEACOWBAY	18.410360	-64.63248	145	27	46dBm
SEACOWBAY	18.410360	-64.63248	265	27	46dBm
NECKER	18.526260	-64.35695	285	19	46dBm
NECKER	18.526260	-64.35695	105	19	46dBm
NECKER	18.526260	-64.35695	45	19	46dBm
PARAQUITA	18.419380	-64.57757	0	25	46dBm
PARAQUITA	18.419380	-64.57757	185	25	46dBm
PARAQUITA	18.419380	-64.57757	315	25	46dBm
OILNUTBAY	18.497064	-64.32894	65	28	46dBm
OILNUTBAY	18.497064	-64.32894	145	28	46dBm
OILNUTBAY	18.497064	-64.32894	265	28	46dBm
LAMBERTS	18.446980	-64.58108	40	22	46dBm
LAMBERTS	18.446980	-64.58108	180	22	46dBm
LAMBERTS	18.446980	-64.58108	210	22	46dBm
GUANA_ISLD	18.476110	-64.58030	350	6	46dBm
GUANA_ISLD	18.476110	-64.58030	90	6	46dBm
GUANA_ISLD	18.476110	-64.58030	230	6	46dBm
STEEL_PT	18.389594	-64.70686	65	35	46dBm
STEEL_PT	18.389594	-64.70686	145	35	46dBm
STEEL_PT	18.389594	-64.70686	255	35	46dBm
HUNTUMS_GHUT	18.391861	-64.66119	345	35	46dBm
HUNTUMS_GHUT	18.391861	-64.66119	65	35	46dBm
HUNTUMS_GHUT	18.391861	-64.66119	205	35	46dBm
BOWEY	18.431072	-64.62450	5	22	46dBm
BOWEY	18.431072	-64.62450	125	22	46dBm
BOWEY	18.431072	-64.62450	245	22	46dBm
NSY_CLUB	18.491983	-64.36075	45	13	46dBm
NSY_CLUB	18.491983	-64.36075	145	13	46dBm
FISH_BAY	18.420159	-64.59850	110	10	46dBm
FISH_BAY	18.420159	-64.59850	280	10	46dBm

Name	Coordinates (degrees)		Azimuth in degrees	Antenna height (m AGL)	Channel power in dBm
	Latitude	Longitude			
BIRAS CREEK	18.492058	-64.35441	45	18	46dBm
BIRAS CREEK	18.492058	-64.35441	165	18	46dBm
BIRAS CREEK	18.492058	-64.35441	305	18	46dBm
TOWERS	18.391250	-64.67750	45	19	46dBm
TOWERS	18.391250	-64.67750	245	19	46dBm
PARHAMTOWN	18.442194	-64.55917	325	25	46dBm
PARHAMTOWN	18.442194	-64.55917	245	25	46dBm
MARIAS BY THE SEA	18.420319	-64.61708	50	18	46dBm
MARIAS BY THE SEA	18.420319	-64.61708	210	18	46dBm
MARIAS BY THE SEA	18.420319	-64.61708	305	18	46dBm
UP CINEMA	18.425700	-64.62180	70	20	46dBm
UP CINEMA	18.425700	-64.62180	140	20	46dBm
UP CINEMA	18.425700	-64.62180	330	20	46dBm
NAIL_BAY	18.485225	-64.41115	0	15	46dBm
NAIL_BAY	18.485225	-64.41115	200	15	46dBm
MINE_SHAFT	18.435867	-64.43234	0	15	46dBm
MINE_SHAFT	18.435867	-64.43234	180	15	46dBm
MINE_SHAFT	18.435867	-64.43234	270	15	46dBm
SPANISHTWN_2	18.446281	-64.436654	0	20	46dBm
SPANISHTWN_2	18.446281	-64.436654	120	20	46dBm
SPANISHTWN_2	18.446281	-64.436654	270	20	46dBm

SCHEDULE D

Additional Commitments

The Authorisation Holder shall provide services in the Virgin Islands as defined below using any public mobile spectrum for which it has Frequency Authorisations.

Coverage commitments

The Authorisation Holder shall provide and thereafter maintain the coverage as defined in Table D.1 on the main islands listed by the time periods after the Date of Issue listed.

Table D.1: Coverage to be provided by the Authorisation Holder on the four main islands

Island	6 months after the Date of Issue		12 months after the Date of Issue		24 months after the Date of Issue	
	Basis	%	Basis	%	Basis	%
Tortola	Outdoor area	97%	Indoor area	97%	Indoor area	97%
Virgin Gorda	Outdoor area	97%	Indoor area	97%	Indoor area	97%
Jost Van Dyke	Outdoor area	97%	Indoor area	97%	Indoor area	97%
Anegada	Outdoor area	97%	Indoor area	97%	Indoor area	97%

In addition, the Authorisation Holder shall implement and thereafter maintain at least one base station upon the following islands as defined in Table D.2 by the time periods after the Date of Issue listed.

Table D.2: Coverage to be provided by the Authorisation Holder on other islands

	6 months after the Date of Issue	12 months after the Date of Issue	24 months after the Date of Issue
Guana Island			Deployment of at least one base station
Great Camanoe Island			Deployment of at least one base station
Scrub Island			Deployment of at least one base station
Beef Island	Deployment of at least one base station	Deployment of at least one base station	Deployment of at least one base station
Peter Island	Deployment of at least one base station	Deployment of at least one base station	Deployment of at least one base station
Norman Island			Deployment of at least one base station
Cooper Island			Deployment of at least one base station
Ginger Island			Deployment of at least one base station
Salt Island			Deployment of at least one base station

To support the delivery of these coverage commitments, the Authorisation Holder shall install and thereafter maintain the cell sites as defined in Table D.3 within fifteen (15) months from the Date of Issue.

Table D.3: Definition of cell sites in the Network Deployment Plan

Name	Coordinates (degrees)		Azimuth in degrees	Antenna height (m AGL)	Channel power in dBm
	Latitude	Longitude			
SCRUB ISLAND	18.467899	-64.52463	0	5	46dBm
SCRUB ISLAND	18.467899	-64.52463	180	5	46dBm
GREAT CAMANOE	18.465051	-64.53402	50	10	46dBm
GREAT CAMANOE	18.465051	-64.53402	220	10	46dBm
COOPER ISLAND	18.389185	-64.51293	250	10	46dBm
NORMAN ISLAND	18.321652	-64.61785	160	10	46dBm
GINGER ISLAND	18.390814	-64.478775	150	10	46dBm
SALT ISLAND	18.373450	-64.527681	50	10	46dBm

Services Offered and Quality of Service

The Authorisation Holder shall implement and thereafter maintain across its network the average and peak user data rates as defined in Table D.4 by the time periods after the Date of Issue listed.

Table D.4: Minimum user data rates

	6 months	12 months	24 months
Average user data rate experienced across the network	5 Mbps	No commitment	4 Mbps
Peak user data rate experienced across the network	15 Mbps	No commitment	12 Mbps

In addition to the above average and peak user data rates the Authorisation Holder shall implement the following service commitments from Day 1 of launch of services using the Authorised Spectrum as stated in its Additional Commitments and reproduced below:

1. A Digicel-branded handset
2. MyDigicel Mobile Self-Care Application and Web Based Self-Care Portal – Digicel’s mobile application and web based self-care portal will provide all LTE customers in the BVI with the tools needed to manage their service including:
 - Self-activation and registration upon purchasing an LTE device
 - On-going management – top-up, upgrades/downgrades, adding/removing value added services as well as reviewing records and online bills
 - Keeping updated – promotions, new LTE service offerings, coverage maps, service status etc.
 - The MyDigicel app and web based self-care portal will be zero rated for all Digicel BVI customers, which will mean no data bundle impact for managing their Digicel service via the MyDigicel app.
3. Mobile WiFi Hotspots – Digicel will create a network of Mobile WiFi hotspots across the Territory by introducing an innovative mobile LTE solution, and we have agreements now in place with local taxi and bus providers to implement from launch:
 - Increased engagement of visitors and tourists to the Territory
 - Superior visitor experience as they will easily share their experiences via social media, instant messaging and email
 - Provides an additional digital advertising opportunity for local tourist attractions (e.g. Spas, Restaurants, Transport)
4. Mobile Application for Inbound Tourists – To assist with the Territory’s ambition to promote BVI tourism Digicel will develop a mobile web portal for the BVI Tourist Board, at no charge. This mobile device formatted site will not be OS dependent and will have locally relevant information for incoming visitors and BVI residents, including:
 - History and heritage of the British Virgin Islands
 - Top tourist activities for all tourist segments (e.g. Yachting, Cruise Ships etc.)
 - Advertising opportunities for local tourist attractions (e.g. Spas, Restaurants, Transport)
 - GPS enabled Territory map (island and sea)
 - Direct dial emergency contacts (to include Police, Hospital, VISAR, Doctors etc.)



- Up to date cruise ship schedule
5. Voice over LTE (VoLTE) – Digicel will offer innovative new services directly from your LTE device rather than being delivered using third-party apps. These will include video calling, file transferring, real time benefits, including:
 - Improved voice quality and faster call setup times
 - Improved battery life when compared to other VoIP apps
 6. Parental Control – Digicel will allow our LTE subscriber to easily monitor, track, manage and secure their children’s mobile devices (phones and tablets). Specific features will allow parents to:
 - Locate and Track – see the location and travel routes and set up Geofence
 - Manage Applications – review installed applications on a device and block unapproved applications
 - Manage and track phone calls and text messages made and received
 - Manage browsing – track web sites visited and create lists of allowed domains
 - Send emergency alarm – in case of emergency, the device owner can easily notify other people in the group
 - Secure mobile devices – Reset password, remote lock or wipe a device when it is stolen or lost
 - Send group messages – send messages and notifications to all group members.

Performance Guarantees

The Authorisation Holder shall maintain performance bonds as listed below to be drawn by the Commission under the conditions listed.

The sum of \$2,000 as a guarantee for Digicel BVI’s fulfilment of its Additional Commitments as to Rollout and Coverage, as set out in its Tender dated July 26, 2016 for an award of 2x11 MHz of 700 MHz spectrum Band 13 (746-757 MHz and 776-787 MHz) and this Frequency Authorisation. The Commission may draw upon this bond in the event of Digicel’s non-compliance with its Additional Commitments as to Rollout and Coverage as follows:

- A maximum of 75% (\$1500) (hereinafter referred to in this clause as “Max75”) for failure to meet Rollout and Coverage commitments in relation to the use of 2x11 MHz of 700 MHz spectrum Band 13 (746-757 MHz and 776-787 MHz) within Six (6) months of the Date of Issue, which shall be drawn upon by the Commission as follows:
 - (Percentage of commitments not delivered) X (Max75) = Drawdown
- A maximum of 20% (\$400) (hereinafter referred to in this clause as “Max20”) for failure to meet Rollout and Coverage commitments in relation to the use of 2x11 MHz of 700 MHz spectrum Band 13 (746-757 MHz and 776-787 MHz) within twelve (12) months of the Date of Issue, which shall be drawn upon by the Commission as follows:
 - (Percentage of commitments not delivered) X (Max20) = Drawdown
- A maximum of 5% (\$100) (hereinafter referred to in this clause as “Max5”) for failure to meet Rollout and Coverage commitments in relation to the use of 2x11 MHz of 700 MHz spectrum Band 13 (746-757 MHz and 776-787 MHz) within twenty four (24) months of the Date of Issue, which shall be drawn upon by the Commission as follows:
 - (Percentage of commitments not delivered) X (Max5) = Drawdown



The sum of \$2,000 as a guarantee for Digicel BVI's fulfilment of its Additional Commitments as to Services Offered and Quality of Service, as set out in its Tender dated July 26, 2016 for an award of 2x11 MHz of 700 MHz spectrum Band 13 (746-757 MHz and 776-787 MHz) and this Frequency Authorisation. The Commission may draw upon this bond in the event of Digicel's non-compliance with its Additional Commitments as to Services Offered and Quality of Service as follows:

- A maximum of 75% (\$1500) (hereinafter referred to in this clause as "Max75") for failure to meet Services Offered and Quality of Service commitments in relation to the use of 2x11 MHz of 700 MHz spectrum Band 13 (746-757 MHz and 776-787 MHz) within Six (6) months of the Date of Issue, which shall be drawn upon by the Commission as follows:
 - (Percentage of commitments not delivered) X (Max75) = Drawdown
- A maximum of 20% (\$400) (hereinafter referred to in this clause as "Max20") for failure to meet Services Offered and Quality of Service commitments in relation to the use of 2x11 MHz of 700 MHz spectrum Band 13 (746-757 MHz and 776-787 MHz) within twelve (12) months of the Date of Issue, which shall be drawn upon by the Commission as follows:
 - (Percentage of commitments not delivered) X (Max20) = Drawdown
- A maximum of 5% (\$100) (hereinafter referred to in this clause as "Max5") for failure to meet Services Offered and Quality of Service commitments in relation to the use of 2x11 MHz of 700 MHz spectrum Band 13 (746-757 MHz and 776-787 MHz) within twenty four (24) months of the Date of Issue, which shall be drawn upon by the Commission as follows:
 - (Percentage of commitments not delivered) X (Max5) = Drawdown

The sum of \$1,000 as a guarantee for Digicel BVI's fulfilment of its Additional Commitments as to Rollout and Coverage, as set out in its Tender dated July 26, 2016 for an award of AWS-1 (2x15 MHz spectrum (1725-1740 MHz paired with 2125-2140 MHz)) and this Frequency Authorisation. The Commission may draw upon this bond in the event of Digicel's non-compliance with its Additional Commitments as to Rollout and Coverage as follows:

- A maximum of 75% (\$750) (hereinafter referred to in this clause as "Max75") for failure to meet Rollout and Coverage commitments in relation to the use of AWS-1 (2x15 MHz spectrum (1725-1740 MHz paired with 2125-2140 MHz)) within Six (6) months of the Date of Issue, which shall be drawn upon by the Commission as follows:
 - (Percentage of commitments not delivered) X (Max75) = Drawdown
- A maximum of 20% (\$200) (hereinafter referred to in this clause as "Max20") for failure to meet Rollout and Coverage commitments in relation to the use of AWS-1 (2x15 MHz spectrum (1725-1740 MHz paired with 2125-2140 MHz)) within twenty four (24) months of the Date of Issue, which shall be drawn upon by the Commission as follows:
 - (Percentage of commitments not delivered) X (Max20) = Drawdown
- A maximum of 5% (\$50) (hereinafter referred to in this clause as "Max5") for failure to meet Rollout and Coverage commitments in relation to the use of AWS-1 (2x15 MHz spectrum (1725-1740 MHz paired with 2125-2140 MHz)) within twenty four (24) months of the Date of Issue, which shall be drawn upon by the Commission as follows:
 - (Percentage of commitments not delivered) X (Max5) = Drawdown



Methods of verification

The Authorisation Holder shall adhere to its commitment to methods of verification as stated in its application for frequencies in the Spectrum Award 2016 as reproduced below.

"Before concluding a contract with a potential subscriber for LTE services, Digicel BVI shall make available to that person up-to-date and clear information on the quality of service that we offer and maintain for these services throughout the BVI. This information shall be posted on our website and shall include coverage maps, which clearly indicates the specific areas in which our LTE services are available and the signal strength in each area.

Digicel BVI intends to implement the network management plan set out below to ensure that the LTE network performance at an optimal level and customers receive the minimum bandwidth specified.

- i. 24/7 network monitoring with any alarms immediately escalated to Digicel internal technical teams as per internal SLA.*
- ii. Automated hourly performance reports of all sites and base stations will be sent to the technical team with visibility to the entire BVI senior management, including CEO.*
- iii. A daily review of Key Performance Indicators (KPI's) by the technical department to identify any poorly performing cell sites. We intend to provide the Commission with the detailed methodologies for the measurements of our KPI's, including the methods and systems used for their measurement, as required in the Telecommunications Code (Part 3) (Quality of Service) Requirements, 2010 ("Requirements").*
- iv. Weekly reports of network performance will be distributed for review to the Directors of the Digicel Group and necessary action taken by the BVI team, led by the CEO, for further network enhancements.*
- v. Bi-annual drive testing of the four largest islands and on the water coverage within the Territory by an independent, globally recognised RF contractors, Brightcomms, to verify network performance and integrity.*
- vi. All customer queries to the BVI corporate and customer care email addresses receive by the entire local senior management team, including the CEO, in order to have full visibility of our customer's experience.*
- vii. Planned outages for upgrades, maintenance or otherwise only be undertaken during the optimal maintenance window (12:00amd to 4:00am).*
- viii. Notices of planned outages will be communicated to all affected customers at least forty-eight hours before the planned interruption of service. Notices will be posted on the online news such as VINO and BVI Platinum and, where possible, in the print media. In addition, we shall communicate these notices via SMS, Social Media channels and public service announcements on local radio stations such as ZBVI and ZROD.*
- ix. In the event of an unplanned interruption of service, we shall:*
 - a. Within 3 hours after the occurrence of the event, notify the Commission by email and SMS of the occurrence of the event and we shall advise, as far as possible, as to areas and or number of users affected;*



- b. *Continue to update the Commission by email or SMS every 12 hours as progress is made to resolve the issue; and*
- c. *Within twenty-four hours of the resolution of the issue, submit to the Commission a report outlining the cause of the service interruption, the action taken by Digicel BVI to address the issue and any steps that we propose to take to prevent reoccurrence of the problem. This report shall also detail the impact on our subscribers and any proposals for compensation.*

In addition to the above plan, Digicel BVI shall continue to publish and furnish the Commission with Quality of Service Reports in accordance with the Requirements and shall otherwise comply with the Requirements in the provision of LTE services in the BVI."

A handwritten signature in black ink, consisting of a stylized initial 'G' followed by a horizontal line and a flourish.