

TELECOMMUNICATIONS REGULATORY COMMISSION
VIRGIN ISLANDS

APPLICATION FOR A LICENSE
(BROADBAND INTERNET AND WHOLESAL SERVICES)

NOTICE AND CONSULTATION DOCUMENT

July 01, 2010

Reference Number: C/04/2010

The address for responses to this document or enquires regarding this document is:

Consultation – Application for a License
Telecommunications Regulatory Commission
P.O. Box 4401 or 27 Fish Lock Road, 3rd Floor
Road Town, Tortola, British Virgin Islands VG 1110
Fax: (284) 494 6786; E-mail: consultations@trc.vg

The deadline for responses is **29-07-2010**



Instructions for submitting a response

The Telecommunications Regulatory Commission of the Virgin Islands (“TRC”) invites comments on this consultation document from all interested parties.

Comments should be submitted by **29-07-2010**.

Preferably responses to this document should be sent by email to consultations@trc.vg (indicating the subject: “Consultation – “Application for a License”).

Alternatively, the responses may be sent to the address (or the number) below:

Consultation – Application for a License
Telecommunications Regulatory Commission
P.O. Box 4401 or 27 Fish Lock Road, 3rd Floor
Road Town, Tortola, British Virgin Islands VG 1110
Fax: (284) 494 6786

Responses should include:

- In the case of responses from corporate bodies (legal persons):
 - the name of the company/institution/association/other organisation;
 - the name of a principal contact person; and
 - full contact details (physical address, postal address, telephone number, fax number and email address).
- In the case of responses from individual (natural) persons, name and contact details (including email).

In the interest of transparency, the TRC will normally make all submissions received available to public, subject to confidentiality of the information received. The TRC will evaluate requests for confidentiality according to relevant legal principles.

Respondents are required to clearly mark any information included in their submission which they consider to be confidential, and provide reasons why that information should be treated

as such. Where information claimed to be confidential is included in a submission, respondents are required to provide both a confidential and a non-confidential version of their submission. The TRC will determine whether information claimed to be confidential is to be treated as such and, if so, will not publish that information. In respect of information that is determined to be non-confidential, the TRC may publish or refrain from publishing such information at its sole discretion.

Once the TRC has received and considered responses to this consultative document, it will issue a report on the consultation and the final version of Telecommunications Act, 2006: Broadband License.

1. Application for a Licence

Section 15 of the Telecommunications Act, 2006 establishes the requirement for a person, who wishes to operate a telecommunications network or provide a telecommunications service, to obtain a licence from the TRC.

The TRC is reviewing an application for a telecommunications licence from an applicant (the "Applicant"), who wishes to provide broadband internet services as well as wholesale services to other licensees in the Virgin Islands. The Applicant is 40% owned by a foreign telecommunications company and 60% owned by belongers. The TRC's abilities to disclose additional information about the application are restricted by the requirement to protect confidential information of the Applicant.

Currently there are 4 public suppliers licensed to operate telecommunications networks and provide telecommunications services in the Virgin Islands. 2 licensees provide broadband internet services. In the end of 1st Half of 2009, broadband internet penetration in the Virgin Islands was 25.3 percent.

2. Consultation

Section 15 (9) of the Telecommunications Act, 2006 enables the TRC to conduct public consultations in respect of applications for licences. Before making a decision, whether to issue a licence, the TRC would like to give an opportunity for any interested stakeholders to express their opinion on:

- 1) benefits from granting an additional licence;
- 2) concerns related to granting an additional licence;
- 3) factors that the TRC should take into account when considering whether to grant an additional licence;
- 4) any other matter relevant to granting an additional licence.

Comments from all the interested parties are welcome. Responses should be submitted as per the instructions above.

PUBLIC CONSULTATION