

Digicel

The Bigger, Better Network.

**Digicel's reply to ECTEL's Consultation on Guidelines for Pricing of
Access to Facilities in the ECTEL Member States**

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The succeeding comments are not exhaustive and Digicel's decision not to respond to any particular issue raised in the Consultation Document or any party does not necessarily represent agreement, in whole or in part with ECTEL and the Commission on these issues; nor does any position taken by Digicel in this document mean a waiver of any sort of Digicel's rights in any way.

Digicel expressly reserves all its rights.

Any questions or remarks that may arise as a result of these comments by Digicel may be addressed to: -

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Introduction

Digicel welcomes the opportunity to respond to ECTEL's consultation on guidelines for pricing of access to facilities in the ECTEL member states.

Comments

We understand that the main focus of the consultation is with respect to the sharing of mobile facilities and in particular cell site towers.

We are, naturally, aware of arguments put forward in some circles in favour of the sharing of towers with respect to issues such as: 1/ competition; and, 2/ environmental and health matters.

We look at these two areas in turn.

Competition

As the Authority must be aware a key strategic competitive area for mobile communications is network coverage. Indeed Digicel's own tagline "The Bigger Better Network" underlines just how key the coverage factor is in terms of competitive positioning.

We were therefore surprised to read the following statement in the consultation:

"passive elements usually include the non-electronic components of the telecommunications networks such as physical space on ground, tower masts, shelters and cabinets containing air conditioning and power supply units as well as security. Such network elements are usually not considered strategic by providers and are therefore easy to share."

This statement does not hold true for "passive" elements of mobile infrastructure which are, as indicated, critical components of the competitive mix as can be determined by the market positioning of operators like Digicel. Network design and subsequent cell site numbers and positioning determine the coverage of a particular network and afford key competitive advantages which encourage customers to use one network rather than another. Indeed coverage may be the main differentiator that an operator has in many

instances. It has always been a central plank of Digicel's competitive market positioning.

Environmental and Health Matters

Clearly there are typically a number of people in any country who express a range of concerns about telecommunications infrastructure whether those be aesthetic or health related. Operators receive complaints for not providing coverage, and receive complaints for building infrastructure to provide coverage.

From our perspective, operators satisfy environmental and health concerns by meeting legal requirements with respect to erecting cell sites. We presume that by this ECTEL is not contesting that operators have in fact met all legal requirements.

We do not think that it is appropriate for ECTEL to state "there are [our emphasis] a number of public health.....issues related to the erection of mobile transmission facilities". We have seen no such conclusion drawn by the health authorities in ECTEL member states and to the best of our knowledge, we are not aware that ECTEL has the mandate to make such statements.

Indeed, and as ECTEL is aware since ECTEL attended last week's 9th Caribbean Ministerial Strategic ICT Seminar in Barbados, Richard Bennett from the Technology and Innovation Foundation explained that the only conceivable potential issue (and even this remains unproven) in his opinion with respect to mobile telecommunications is with respect to the use of mobile handsets and not radiation from towers. Therefore, the reduction in the number of towers is actually counter-productive in that if a phone signal has to travel further from the mobile phone it forces the phone to transmit with higher power. This means, in his opinion, that the only possible impact from a health perspective to the public, if there could be any impact at all, would be a negative health outcome for the public.

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