



Commission

Public Hearing Report on the Application for Renewal of BVICTV's Licence

16 November 2021

Telecommunications Regulatory Commission

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Introduction

The Telecommunications Regulatory Commission (**Commission**) is the regulatory body established under the Telecommunications Act 2006 (**Act**) with responsibility to license, regulate and develop the telecommunications services industry in the Virgin Islands and to provide for other matters connected therewith.

In accordance with section 6(e) of the Act, the Commission shall determine applications for licences for any of the purposes specified in the Act. The Commission is in the process of determining an application for renewal of a licence that was received from BVI Cable TV Ltd. (**BVICTV**). As a part of the renewal procedure, the Commission shall call a public hearing during which the Licensee and third parties with a legitimate interest that have duly filed comments or objections which the Commission deems to be relevant, shall have a right to be heard. The Commission held the requisite public hearing on 16 November 2021.

The Telecommunications Code (Part 1) (Public Consultations and Public Hearings) Guidelines, 2010 requires the Commission to publish a report on a public hearing on its website which summarises the submissions received and, where appropriate, explains the position of the Commission in relation to each of those submissions. Additionally, the Commission may choose to include in such a report only those submissions that it considers to be significant. The Commission, accordingly, issues this report.

This Public Hearing Report summarises the notification methods used by the Commission and comments received at the public hearing.

Notification of the Public Hearing

Multiple methods of communications were used to notify the public of the public hearing including press releases, advertisements in the local newspaper and notifications published on the Commission's website. This section describes the meeting notification and outreach efforts in greater detail.

Notices and Press Releases

The Commission received BVICTV's application for renewal of its Licence for the Operation of a Telecommunications Network providing Telecommunications Services in the British Virgin Islands on the 28th June 2021. Following receipt of the application for renewal from BVICTV, the Commission issued a notice on its website and in a local newspaper entitled 'Notice of Application for Renewal of BVI Cable T.V.'s Licence' on the 8th July 2021, for the purpose of notifying the public of BVICTV's application for renewal of its Licence and to outline various timelines in the renewal process such as the date of the public hearing confirmed in accordance with Article 3.3(a) of the Licensee's licence. The Notice of Application for Renewal of BVICTV's licence issued by the Commission on the 28th June 2021, is attached as Annex 1 and can also be found on the Commission's website at <https://www.trc.vg/wp-content/uploads/2021/07/Notice-of-Application-for-Renewal-of-BVI-Cable-TVs-Licence.pdf>.

The Commission issued a notice on its website on the 8th November 2021 entitled 'Notice of Application for Renewal of BVI Cable T.V.'s Licence' to call a public hearing during which BVICTV and any third party with a legitimate interest that filed a relevant comment, or objection will have a right to be heard. The notice issued by the Commission in respect of the public hearings is attached here as Annex 2 and can also be found on the Commission's website at <https://www.trc.vg/wp-content/uploads/2021/11/Notice-of-Public-Hearing-Application-for-Renewal-of-BVI-Cable-TVs-Licence.pdf>.

The Commission issued a press release on its website on the 8th November 2021 entitled 'TRC to Hold Public Hearing on BVI Cable T.V.'s Application for Licence Renewal' to provide the public with a confirmed location, date, and time for the Public Hearing. The press release issued by the Commission on 8th November 2021, which was also sent to various media houses, is attached here as Annex 3 and can also be found on the Commission's website at <https://www.trc.vg/wp-content/uploads/2021/11/Press-Release-09-2021-Public-Hearing-for-BVI-Cable-TV.pdf>.

Public Hearing

This section summarises the venue for the public hearing and describes the meeting format and content of submissions.

Location and Attendance

The public hearing on BVICTV's application for licence renewal was conducted on the 16th of November 2021 at 9:00 a.m. and held at the Conference Room located at the Moorings, in Road Town, Tortola, British Virgin Islands (**Public Hearing**). In addition to the physical attendances, the Public Hearing was also hosted online by way of a Zoom call to facilitate virtual attendance.

Meeting Format and Content

The Public Hearing commenced with a prayer delivered by a member of the Commission followed by the opening statement presented by Mr. Vance Lewis, the Chairman of the Commission.

The opening statement presented by the Chairman included the introduction of the members attending on behalf of the Commission and acknowledgment of staff attending on behalf of BVICTV. The Chairman acknowledged that there were no members of the public attending the Public Hearing. Additionally, the Chairman noted the responsibilities and powers conferred on the Commission under the Act to determine applications for a licence and the overall purpose for the Public Hearing. The Chairman of the Commission confirmed that no written comments or objections to BVICTV's application were received. Lastly, the Chairman of the Commission confirmed the date of submission of the Commission's Evaluation Report to the Licensee before inviting a representative from BVICTV to make submissions on behalf of BVICTV.

After the presentation of the opening statement by the Chairman of the Commission, the Public Hearing continued with submissions from the Chief Executive Officer, Averad Penn. Mr. Penn introduced the team members attending the Public Hearing on behalf of BVICTV. Mr. Penn submitted information in relation to a recent partnership entered into with Caribbean Cellular Telephone (CCT). Mr. Penn further submitted that BVICTV is confident that it meets the standards articulated in Article 24 of the Act as it relates to licence renewal and has complied in material respects with provisions of the Act, Regulations, Codes, and all terms and conditions of its Licence Agreement and Frequency Authorisation.

The Chairman of the Commission thanked Mr. Penn for the submissions made on behalf of BVICTV and proceeded with any questions arising from the Licensee's submissions. The Commission's Chief Legal Advisor, Chantal Flax-Ward advanced several questions to BVICTV's representative, Mr. Penn, and he in turn provided a response to each question.

The first question submitted by Mrs. Flax-Ward surrounded the identical organisational structure of BVICTV and CCT's management team. Mr. Penn declined to discuss the question at the Public Hearing and requested the question in writing in order for BVICTV to submit a response. Mrs. Flax-Ward continued to advance several other questions for responses from Mr. Penn, who continued to request that each question be posed in writing in order for BVICTV to submit the responses in a different manner outside of the Public Hearing.

The Chairman of the Commission by way of summarizing the question-and-answer session, submitted that the questions advanced by Mrs. Flax-Ward, on behalf of the Commission, will be submitted in writing to BVICTV for responses. There were no further questions.

The Chairman of the Commission offered a closing statement in which he thanked everyone for attending the Public Hearing and noted that the Commission will be producing a report of the hearing to be published on the Commission's website. It was further stated that the report will summarise any submissions received, and where appropriate, the Commission will explain its position. The Chairman explained the next steps in the renewal process which will be followed by the Commission's written decision on the renewal of the licence term, a decision that should be delivered within one hundred and twenty working days or up to one year from the date of receipt of BVICTV's application for renewal.

Recording of Proceedings

A recording of the proceedings was undertaken by the Commission to assist with the development of a transcript of the Public Hearing. A copy of the transcript for BVI Cable T.V. is attached here as Annex 4.

Annex 1

Notice of Application for Renewal of BVI Cable T.V.'s Licence



Telecommunications Regulatory Commission

Notice of Application for Renewal of BVI Cable TV's Licence

(8th July 2021)

TAKE NOTICE THAT:

In accordance with section 6(e) of the Telecommunications Act, 2006 (**Act**), the Telecommunications Regulatory Commission of the Virgin Islands (**Commission**) is responsible for determining applications for licences for any of the purposes specified in the Act. Additionally, in accordance with section 15(2) of the Act, a person who wishes to operate a telecommunications network or provide a telecommunications service shall apply to the Commission for a licence.

The Commission is in receipt of an Application Form for a Public Supplier Licence from BVI Cable TV Limited (**BVI Cable**). On 29 June 2007, BVI Cable was granted a Licence for the Operation of a Telecommunications Network Providing Telecommunications Services in the British Virgin Islands (**Licence**). The Licence was issued for a period of 15 years, thus expiring on 28 June 2022. BVI Cable now seeks renewal of this Licence, for an additional period of 15 years.

In accordance with Article 3.3(a) of the Licence, the Commission shall, within ten (10) working days from the date at which the application was received, give notice to the public by publication in the Gazette and at least one (1) domestic newspaper of general circulation. Furthermore, the Commission shall give any interested third party the opportunity to comment on or object to the application. Such interested third party must be given not less than thirty (30) nor more than forty-five (45) working days from the date of this Notice to provide their comments or objections. Accordingly, all comments on or objections to the application must be filed with the Commission on or before 6 September 2021.

All responses to this Notice shall be captioned 'Application for Renewal of BVI Cable's Licence' – and sent to the Telecommunications Regulatory Commission, P.O. Box 4401 or 27 Fish Lock Road, 3rd Floor Road Town, Tortola, British Virgin Islands VG 1110.

Responses from corporate bodies (legal persons) should include:

- 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).

Responses from individual (natural) persons, should include name and contact details (including email).

TAKE FURTHER NOTICE THAT:

In accordance with Article 3.3(a) of the Licence, the Commission must send to BVI Cable an Evaluation Report (**Report**) within ninety (90) working days from the date of receipt of the application, which will be a matter of public record at the Commission. Accordingly, the Commission will send the Report to BVI Cable on 5 November 2021. The Report will be made available at the Reception desk of the office of the Commission located at 3rd Floor, LM Business Centre, Fish Lock Road, Road Town, Tortola, British Virgin Islands. Alternatively, a copy of the Report will be available on our website (www.trc.vg).

On 16 November 2021, a public hearing will be held at Maria's by the Sea during which BVI Cable and any third party with a legitimate interest may make comments or objections on the application. This is in accordance with Article 3.3(a) of the Licence, which specifies that a public hearing must be held within ten (10) working days of the date of publication of the Report. Participation in this hearing will be limited to those persons who submitted a relevant comment or objection on the application in response to this Notice. A further notice with additional details on the public hearing will be published by the Commission at a later date.

The person responsible for this matter is Mr. Guy L. Malone, Chief Executive Officer, and he can be contacted at gmalone@trc.vg concerning this Notice. All queries in relation to this matter should be copied to Chantal L. Flax-Ward, Chief Legal Advisor, at cflax-ward@trc.vg.

Issued by the Telecommunications Regulatory Commission on the 8th day of July 2021.

(Sgd.) Guy L. Malone.

Chief Executive Officer

Annex 2

Notice of Application for Renewal of BVI Cable T.V.'s Licence



Telecommunications Regulatory Commission

Notice of Application for Renewal of BVI Cable TV's Licence

(8th November 2021)

TAKE NOTICE THAT:

On 16 November 2021, a public hearing will be held by the Telecommunications Regulatory Commission of the Virgin Islands (**Commission**) in relation to BVI Cable TV Ltd.'s (**BVI Cable**) application for renewal of its Licence for the Operation of a Telecommunications Network providing Telecommunications Services in the British Virgin Islands (**Licence**). BVI Cable was granted a Licence by the Commission on 29 June 2007 for a period of 15 years, which expires on 28 June 2022, and BVI Cable is seeking renewal of this Licence.

As a part of the renewal procedure specified in Article 3.3(c) of BVI Cable's Licence, the Commission shall call a public hearing during which the Licensee and third parties with a legitimate interest that have duly filed comments or objections which the Commission deems to be relevant, shall have a right to be heard. The date of this public hearing was included in a previous notice issued by the Commission, in accordance with Article 3.3(a) of BVI Cable's Licence.

The public hearing will be held at the Moorings Conference Room commencing at 9am. Participation at the public hearing will be limited to BVI Cable and any interested third party who submitted a relevant comment or objection on BVI Cable's application to the Commission by 6 September, in response to the Commission's notice dated 8 July 2021.

As Covid-19 protocols will be in full effect, spaces at the public hearing will be limited accordingly. Participants are required to pre-register their attendance by contacting the Commission at 284-468-4165 or emailing contact@trc.vg. Please ensure to specify the following details:

- Corporate bodies (legal persons) should include:
 - 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).
- Individual (natural) persons, should include name and contact details (including email).

TAKE FURTHER NOTICE THAT:

In accordance with section 13(3) of the Telecommunications Code (Part 1) (Public Consultations and Public Hearings) Guidelines, 2010, a notice of public hearing shall be published by the Commission at least seven days before such hearing.

The person responsible for this matter is Mr. Guy L. Malone, Chief Executive Officer, and he can be contacted at gmalone@trc.vg concerning this Notice. All queries in relation to this matter should be copied to Chantal L. Flax-Ward, Chief Legal Advisor, at cflax-ward@trc.vg.

Issued by the Telecommunications Regulatory Commission on the 8th day of November 2021.

(Sgd.) Guy L. Malone.

Chief Executive Officer

Annex 3

TRC To Hold Public Hearing on BVI Cable TV's Application for Licence Renewal



PR 09/2021

PRESS RELEASE

Contact: Telecommunications Regulatory Commission

Telephone: 1-284-468-4165

TRC To Hold Public Hearing on BVI Cable TV's Application for Licence Renewal

8 November 2021 - On 16 November 2021, a public hearing will be held by the Telecommunications Regulatory Commission of the Virgin Islands (**Commission**) in relation to BVI Cable TV Ltd.'s (**BVI Cable**) application for renewal of its Licence for the Operation of a Telecommunications Network providing Telecommunications Services in the British Virgin Islands (**Licence**). BVI Cable was granted a Licence by the Commission on 29 June 2007 for a period of 15 years, which expires on 28 June 2022, and BVI Cable is seeking renewal of this Licence.

As a part of the renewal procedure specified in Article 3.3(c) of BVI Cable's Licence, the Commission shall call a public hearing during which the Licensee and third parties with a legitimate interest that have duly filed comments or objections which the Commission deems to be relevant, shall have a right to be heard. The date of this public hearing was included in a previous notice issued by the Commission, in accordance with Article 3.3(a) of BVI Cable's Licence.

The public hearing will be held at the Moorings Conference Room commencing at 9am. Participation at the public hearing will be limited to BVI Cable and any interested third party who submitted a relevant comment or objection on BVI Cable's application to the Commission by 6 September 2021, in response to the Commission's notice dated 8 July 2021.

As Covid-19 protocols will be in full effect, spaces at the public hearing will be limited accordingly. Participants are required to pre-register their attendance by contacting the Commission at 284-468-4165 or emailing contact@trc.vg.

Note to Editors:

1. The Commission is the statutory body responsible for regulating the telecommunications sector of the Virgin Islands, protecting the interests of users of telecommunications services, ensuring fair competition among operators of telecommunications networks and providers of telecommunications services.

Annex 4

Transcript for BVICTV's Public Hearing

TRANSCRIPT OF PUBLIC HEARING

TRANSCRIPT OF PUBLIC HEARING
ON APPLICATION FOR RENEWAL OF BVI CABLE TV'S LICENCE

Tuesday, 16 November 2021

9:00 A.M.



Telecommunications Regulatory Commission

Moorings Conference Room
Road Town
Tortola
British Virgin Islands

**A prayer was offered by a member of the Commission*

COMMISSION/VANCE LEWIS: Good morning everyone, welcome!

My name is Vance Lewis and I am the Chairman of the Telecommunications Regulatory Commission of the Virgin Islands. Through these proceedings, we will call that the Commission.

I would like to take the opportunity to introduce the other people who have joined at the head table:

- Mrs. Chantal Flax-Ward, Chief Legal Advisor,
- Ms. Ayanna Baptiste-Dabreo, Director of Compliance,
- Mr. Guy L. Malone Chief Executive Officer, and
- Mr. George Lewis, Chief Operating Officer.

We also have in attendance online Mr. Frans Vandendries, he is the Regulatory Consultant, and is joining us virtually.

Physically, we have

- Mr. Elford Parsons, Chief Technology Officer,
- Mr. Kevin Richards, Chief Financial Officer, and
- Mrs. Melissa Farara, Senior Economist.

We also note the presence of the representatives of BVI Cable TV, and we will let them introduce themselves a little later. I do not see any other members of the public.

Before proceeding any further, I wish to indicate that today's hearing is being recorded for the purposes of assisting the Commission in preparing a Report on the hearing, and all submissions made during the hearing are considered non-confidential.

The Commission is the independent regulator for telecommunications in the British Virgin Islands. It was established in 2007 in accordance with the Telecommunications Act of 2006 with a mandate to implement the Government's policy with respect to telecommunications as set out in the Telecommunications Liberalisation in the British Virgin Islands Policy 2007.

In accordance with section 6(e) of the Act, the Commission is responsible for determining applications for licences for any of the purposes specified in the Act. Additionally, in accordance with section 15(2) of the Act, a person who wishes to operate a telecommunications network or provide a telecommunications service shall apply to the Commission for a licence.

On June 29 2007, BVI Cable TV Ltd. was granted a Licence for the Operation of a Telecommunications Network providing Telecommunications Services in the British Virgin Islands.

The Licence was granted for a period of 15 years and expires next year on the 28 of June 2022. It includes a provision that BVI Cable T.V. may apply for renewal by submitting an application for renewal to the Commission no later than 12 months prior to the expiration of its Licence term. On 28 June 2021, the Commission received an application for a Public Supplier Licence from BVI Cable TV, seeking renewal of its current Licence.

The renewal process is governed by section 24 of the Act and Article 3 of BVI Cable TV's Licence. Since receiving BVI Cable's application, the Commission issued a notice on 8 of July 2021 informing the public that:

- A. BVI Cable had applied for renewal of its Licence term;
- B. Comments or objections on the proposed application should be made in writing to the Commission by 6 September 2021; and
- C. An Evaluation Report would be sent to the Licensee and become a matter of public record on 5 November 2021.

This notice was issued in accordance with Article 3.3(a) of BVI Cable TV's Licence and, accordingly, published in the Gazette, a local newspaper and on the Commission's website.

Further to this notice, the Commission can confirm that it received no written comments or objections to BVI Cable TV's application within the specified timeline.

Additionally, the Commission's Evaluation Report was submitted to the Licensee on 5 November 2021. This Report states if and to what extent the Licensee has, during the preceding Licence period up to the date of the application, complied with its licence obligations, regulations and orders of the Commission, and generally provided the Licensed Services and conducted business in accordance with the Laws of the British Virgin Islands. It was also published on the Commission's website and is available at the Commission's office for public viewing.

Today, the Commission called a public hearing in accordance with Article 3.3(c) of BVI Cable's Licence to allow BVI Cable TV, as the Licensee, and any third parties with a legitimate interest who may have filed relevant comments or objections on BVI Cable TV's application, to have a right to be heard. As stated previously, no written comments or objections were received to the notice. Therefore, the purpose of the hearing is to allow the Licensee the opportunity to make additional submissions and to be heard, or to confirm that they do not wish to make any further submissions as it relates to their application for Renewal.

Accordingly, we invite a representative from BVI Cable TV to come forward at this time and we invite that representative to introduce himself and the other members of his team at this time.

Thank you very much.

CCT/AVERAD PENN: Good morning, my name is Averad Penn, I am the Chief Executive Officer of BVI Cable T.V. I am joined today by my colleagues:

- Rekeema Turnbull (Finance and Administrative Manager)
- Kyle Dasent (Network and Engineering Manager), and
- Ricardo Richardson (Marketing and Media Manager).

We thank you for the opportunity to address this public hearing of the Telecommunication Regulatory Commission of the Virgin Islands, in relation to BVI Cable TV's application for renewal of our Licence for the Operation of a Telecommunications Network providing Telecommunications Services in the British Virgin Islands.

BVI Cable TV is a leading telecommunications provider in British Virgin Islands offering various services with business and residential client.

BVI Cable TV recently partnered with Caribbean Cellular Telephone, another leading telecommunications provider in the British Virgin Islands, to launch a multimedia telecommunications service which gives customers access to all their favourite international television channels and a

growing line of local programming. BVI Cable TV has also partnered with Caribbean Cellular Telephone to launch fibre-to-the-home telecommunications services.

BVI Cable TV is confident they will meet the standards, articulated in Article 24 of the Telecommunications Act of 2006 with regards to licence renewal. BVI Cable TV is operating within the terms of our current Licence Agreement and Frequency Authorisations.

BVI Cable TV has complied in material respects with, and is not in persistent breach of, any material provisions of the Telecommunications Act, Commission Regulations, the Telecommunications Code, and all the terms and conditions of our Licence Agreement, and Frequency Authorisation.

BVI Cable TV has complied in material respects with, and is not in breach of, any existing material instructions of the Commission. Nevertheless, BVI Cable TV will always continue to work with the Telecommunication Regulatory Commission to address any areas of non-compliance.

Lastly, it is our understanding that no comments or objections to that BVI Cable TV's Licence renewal applications were submitted by the public to the Telecommunications Regulatory Commission. Therefore, we have no further submissions at this time.

Thank you.

COMMISSION/VANCE LEWIS: Thank you very much, Mr. Penn. We now ask whether there are any questions arising from the Licensee's submission or comments from anyone.

COMMISSION/VANCE LEWIS: Yes, our CLA has some questions.

COMMISSION/CHANTAL FLAX-WARD: Thank you, Mr. Chairman. Good morning, everyone.

BVI Cable TV, the Commission has listened to your submissions and there are a few questions arising from that and as well out of [inaudible].

Firstly, the Commission sees that the team presenting on behalf of BVI Cable TV is identical, save and except for one person, to the team that presented on behalf of CCT at the public hearing held on the 13 of October 2021. Additionally, the organisational chart that BVI Cable TV provided with its renewal application is identical to that presented by CCT in its renewal application, and the resumes provided with your application do not show that the individuals who are employees of BVI Cable TV who are here today – it shows that these individuals are employed with CCT and does not reflect employment with BVI Cable TV. Can you explain why a CCT management team is here today representing BVI Cable TV and appears to manage the affairs of BVI Cable TV?

COMMISSION/VANCE LEWIS: Mr. Penn?

BVI CABLE TV/AVERAD PENN: I'm thinking.

COMMISSION/VANCE LEWIS: We will allow you a moment, of course.

BVI CABLE TV/AVERAD PENN: I think that's a question that we would be happy to discuss at a different venue, I am not sure that that is the right forum for that discussion or if that's a comment coming from the public. BVI Cable TV would be happy to discuss this question or concern it has from the Commission at a different venue. I am not sure this public hearing is the appropriate time to have that discussion and I do not think that is actually a comment from the public and that it is from the Commission. We would be happy to have that discussion with you in a different venue.

COMMISSION/VANCE LEWIS: Mr. Penn, would BVI Cable T.V. be disposed to providing – you said you want a different venue – but would you be so disposed to provide the answer to the question in writing, provided you have stated in a different manner, if we can agree on that?

BVI CABLE TV/ AVERAD PENN: Certainly, if the question is posed to us in writing, we certainly will give an answer. We have no objections to that.

COMMISSION/VANCE LEWIS: Okay, alright, so we'll take it that since you have no objection to the question in writing, is within seven days a reasonable time?

COMMISSION/VANCE LEWIS: Seven days. Thank you very much.

BVI CABLE TV/ AVERAD PENN: Can I ask a question? For a point of clarity, I am assuming that this is a question from the Commission so we will provide an answer to the Commission and it will not form a part of the public record of this public hearing.

COMMISSION/VANCE LEWIS: The question will come from the Commission and the answer should be provided to the Commission.

BVI CABLE TV/ AVERAD PENN: [inaudible]

COMMISSION/VANCE LEWIS: I cannot confirm that, but what I can confirm is that the question will come from the Commission and you provide it back to the Commission.

BVI CABLE TV/ AVERAD PENN: Understood

COMMISSION/VANCE LEWIS: There is another question?

COMMISSION/CHANTAL FLAX-WARD: Just to add to our position, the Commission is asking its question at the public hearing. As such, the record for this hearing would reflect the fact that we are asking it here and it would as well reflect BVI Cable TV's response [inaudible].

The second Question that the Commission has is, can BVI Cable TV confirm that TGM Holdings Ltd controls both CCT and BVI Cable TV?

BVI CABLE TV/ AVERAD PENN: I am going to really object to this line of questioning. These are questions that have been asked of BVI Cable TV in the Commission's official capacity. I believe we've actually answered them on the record and will be happy to answer them again.

But, I don't think that this is the purpose of this public hearing nor is either question, from my vantage point, a comment from the public or a question from the public, so I am going to object to the Commission using this public hearing as a way to deliberate these facts. We will be happy to have that discussion and we have been having this discussion. You know, about the structure of BVI Cable TV, the management, etc. These questions have been asked on the record and have been answered on the record, and we will certainly be happy to answer them again. We're not going to have that discussion here at a public hearing.

COMMISSION/VANCE LEWIS: Again, Mr. Penn. With your consent, if you have answered the question before then perhaps within the seven-day period to answer the first question, you can also answer this one as well.

BVI CABLE TV/ AVERAD PENN: We have no objections to any of the questions [inaudible]. I am objecting [inaudible]. These, or any other questions the Commission has, I want to be clear, we are happy to answer them.

COMMISSION/VANCE LEWIS: Thank you. Mrs. Flax-Ward, can you put forward the other question?

COMMISSION/CHANTAL FLAX-WARD: Thank you. The Commission notes the indications by BVI Cable TV that it has recently partnered with CCT to launch a multimedia telecommunication service and will partner to launch fiber to the home.

Based on these indications of a partnership with CCT, please describe what you are partnering on? Specifically, what do you provide to CCT and what does CCT provide to BVI Cable TV? Do you sell any CCT services to end-customers? Does CCT sell services on your behalf? How many customers do you have that are not customers of CCT? Do you have a written partnership agreement? If not, what is the legal basis for the partnership?

BVI CABLE TV/ AVERAD PENN: I am not sure how far we are going to go with this. I will say the same thing. We have answered these questions. All of these questions have been addressed within our submissions and if there's further clarity that the Commission requires or would like we are happy to meet with the Commission, we are happy to write the Commission if any of these questions are posed to us. I will say again, these are not questions from the public.

COMMISSION/VANCE LEWIS: Thank you, Mr. Penn. You may be correct in assuming and saying, these are not questions from the public. But they are questions from the Commission and the purpose of the hearing was two part - for both and therefore I will offer you, especially as this question is a complex question with multiple parts, to supply the answers to the Commission with your permission within 7 days of today's hearing and we will put the questions in writing to BVI Cable T.V.

Are there questions from anyone else?

COMMISSION/VANCE LEWIS: Yes, we have one more question. Thank you.

COMMISSION/CHANTAL FLAX-WARD: Thank you. Again, related to the partnership, the question that arises is can BVI Cable TV please describe its telecommunications network and facilities? Does BVI Cable TV own these facilities or lease them from other licensees? What services does BVI Cable TV sell directly to end-customers and which services does BVI Cable TV provide to other licensees?

COMMISSION/VANCE LEWIS: Thank you very much Mrs. Flax-Ward.

BVI CABLE TV/ AVERAD PENN: As previously stated, we will, once we receive these requests from the Commission, will provide answers. These things are within our submissions. Any other further clarity the Commission requires, we will be happy to provide.

COMMISSION/VANCE LEWIS: Mr. Penn, thank you and so noted.

By way of summarising the question-and-answer session, all four questions posed will be submitted to you in writing; to you, as the head of BVI Cable TV and then the Commission is, according to your consent, to have answers within seven days of today. Thank you very much.

Are there any questions from anyone else? Herein none.

As the chairman of the Commission, I take this opportunity to thank everyone for attending today's hearing in relation to BVI Cable TV's application for renewal of its Licence. I also thank the Licensee for participating.

Please note that the Commission will be producing a report from today's hearing summarising the submissions received and, where appropriate, explaining the position of the Commission in relation to each of those submissions. This Report will be published on the TRC's website.

The next step in our renewal process is the continued assessment of BVI Cable TV's application, followed by our written decision on renewal of the Licence Term, which should be delivered within one hundred and twenty working days or up to one year from the date of receipt of BVI Cable TV's application from renewal.

In closing, I wish to confirm that the Commission is committed to determining all applications for a licence in an objective, transparent and non-discriminatory basis.

Thank you very much and I bid everyone a good day.

Thank you.