

# Press Release.

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## **LIME Keeps US\$3.7 Million Payment as... London Privy Council Throws Out Digicel Appeal Against OUR Determination**

**Kingston, Jamaica – 21 January, 2010:** The Privy Council in London this morning dismissed an appeal by Digicel against a decision made by the Jamaican Court of Appeal in 2007 which resulted in Digicel having to pay over US \$3.7 million to LIME (then Cable & Wireless Jamaica).

The 2007 Court of Appeal decision related to a Determination made by the Office of Utilities Regulation (OUR) on the setting of termination rates for calls from fixed lines to mobile phones. Following the Appeal Court's decision, Digicel appealed to the Privy Council and this morning that appeal was dismissed.

Commenting on the landmark decision, LIME's CEO David Shaw said: "LIME is very pleased with today's decision of the Privy Council which strongly supports the independence of the Jamaican Regulator-- the Office of Utilities Regulation (OUR)."

He added: "LIME has always believed that Digicel's case was baseless and was just another clear demonstration of their litigious nature as, once again, they tried to use the courts to circumvent what are generally accepted norms in the Telecommunications industry worldwide."

LIME intervened in the litigation because of the Company's belief that the independence of the Regulator is critical for the future of the Jamaican telecoms industry. LIME also maintains that it was vital for fair competition and consumer protection that the regulator was able to step in and regulate the rates that the regulated fixed network paid to the unregulated mobile network for call termination. The ruling is a clear indication that – at its highest levels – the justice system also recognises these facts.

Geoff Houston, Country Manager for LIME in Jamaica said: "The real winners in this case are the Jamaican customers and LIME will continue its efforts, in every sphere, to fight for the rights of the customer and for a level playing field in the telecoms sector in Jamaica."

"We certainly hope that the ruling will also provide the platform for the Regulator to now appropriately address other aspects of mobile regulation in a manner that will create a more level playing field for the Jamaican industry, especially as it relates to the issue of high cross network call charges," Mr. Houston added.

LIME was represented at the Privy Council by attorneys from the firm of Myers, Fletcher & Gordon.

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## About LIME

LIME (Landline, Internet, Mobile, Entertainment) is the Caribbean's leading telecommunications company, focused on building products and services that make Caribbean people's lives better. LIME's aim is to deliver the best communication services across the board, full stop. LIME is part of Cable & Wireless, one of the world's leading international communications companies.

## About CWI Group

CWI Group (formerly International) is an owner and operator of market-leading telecoms businesses. Headquartered in London, we operate through four regionally-based business units – the Caribbean, Panama, Macau and Monaco & Islands. We are a full-service telecommunications provider offering mobile, broadband, and domestic and international fixed line services, as well as enterprise and managed service telecom solutions.

Our mission is to develop a portfolio of world class telecom businesses. Our businesses will be world class in terms of the products we offer; the service levels we provide; the training, career development and motivation levels of our people; and our financial performance. We aim to attain leadership in all of our product categories and markets.

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