

# REGULATORY AUTHORITY BOARD

MINUTES of the Meeting of the Board of Commissioners of the Regulatory Authority of Bermuda held on the 4 February 2016 at 3<sup>rd</sup> Floor, Cumberland House, 1 Victoria Street, Hamilton, Bermuda.

Present: Angela S. Berry (Chairman, Commissioner)  
Kenneth Robinson (Commissioner)  
Kyle Masters (Secretary)

The Chairman called to order the meeting which commenced at 12:30PM

## 1. Enforcement

The Board considered the report provided by the Chief Executive and Legal and Regulatory Advisor detailing the circumstances surrounding the offering of a 12Mbps Broadband Service by Bermuda Logic Communications (formerly Bermuda Cable Vision Limited) during the period 1-20 November 2015 without prior approval.

It was RESOLVED, that the Authority take enforcement action against Logic Communications Limited (formerly Bermuda Cable Vision Limited) on the Direction of the Interim Chief Executive, to authorize Management to take all necessary steps to commence and conduct enforcement proceedings against Logic Communications Limited.

The Chairman agreed to take all necessary steps to ensure that an Independent Presiding Officer was appointed in accordance with section 76 of the Regulatory Authority Act 2011.

## 2. Direction - Telecommunications Bermuda & West Indies Limited (Digicel): Discount Broadband Bundles

After review and consideration of the circumstances surrounding the alleged breach of General Determination on Operators with Significant Market Power (SMP General Determination) by Digicel in connection with its discounted offer of broad band services bundles during December 2015, and on the recommendation of Management, it was agreed that an

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enforcement action against the parties listed below would not be appropriate.

It was RESOLVED that the Authority issue a Direction to Digicel pursuant to section 64 of the Regulatory Authority Act 2011 on the basis that Digicel, through the offering of a discounted bundle during December 17 and 18 2015 did so in contravention of its obligations under the SMP General Determination.

### 3. Direction - Logic Communications Limited (Logic) : Black Friday Offering

After a review and consideration of the circumstances concerning Logic Communications' offer of Black Friday Promotions it was agreed that enforcement proceedings concerning this alleged breach would not be appropriate.

It was RESOLVED that the Authority issue a Direction to Logic pursuant to section 64 of the Regulatory Authority Act 2011 on the basis that Logic, through the offering of a special promotion during November 2015 without prior permission being granted did so in contravention of its obligations under the SMP General Determination.

### 4. Meeting Close

The Meeting closed at 1:30 pm

  
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Chairman