



BERMUDA
**REGULATORY
AUTHORITY**

Bermuda CableVision Limited
Application for
Change in Rates for Services

Order

Matter: TF-1482

Date: 12 December 2013

1. Under the authority of Section 63 of the Regulatory Authority Act 2011 (the 'RAA'), the application made by Bermuda Cable Vision Limited ('BCV') dated 24 July 2013 requesting permission to introduce a Network Access Fee (NAF) in the amount of \$30.00 for all services it currently provides is refused.
2. The Regulatory Authority (the 'Authority'), having considered the cost justifications included in BCV's application, is not persuaded that BCV should be entitled to introduce a separate NAF. The reasons for this conclusion are set out in the Authority's written decision accompanying this Order.
3. Taking into account the terms of the *General Determination: Obligations for Operators with Significant Market Power* (the 'General Determination'), particularly, the remedies concerning the application of the retail price cap to Retail Fixed Broadband Access Services set out therein, the Authority is satisfied that the cost study produced by BCV in support of its application demonstrated an affirmative showing that the current retail prices offered by BCV in respect of Standalone Broadband Access Services ('Standalone Broadband') are not sufficient to recover historical costs.
4. The Authority hereby orders that the price cap remedy set out in the General Determination be amended to allow BCV to charge the prices set out in Schedule 1 below for Standalone Broadband (the 'Approved Prices') subject to the following conditions;
 - a. The Approved Prices shall be applied to Standalone Broadband only. The current retail price of Broadband services joined with retail subscription television services shall not change;
 - b. The Approved Prices shall not be applied to services provided by BCV to all current and existing BCV standalone broadband access service customers who are BCV standalone broadband access service customers as at the effective date of this Order until after the elapse of 2 years from the effective date of this Order;
 - c. The obligations concerning the provision of Broadband Access Services on a Wholesale basis as set out in the General Determination shall remain in place and are modified to require BCV to apply the Approved Prices when calculating the Wholesale Rate for the provision Standalone Broadband Services only. For the avoidance of doubt, BCV remains under an obligation to offer wholesale services for retail subscription television services and joined television and broadband services at the current retail rates minus 15%.
 - d. BCV remains subject to all other remedies required by the General Determination in respect of broadband access services.

Schedule 1

Speed Mb/s	Current Price	Approved Prices
4 Meg	\$35.00	\$48
6 Meg	\$45.00	\$56
8 Meg	\$55.00	\$65
15 Meg	\$90.00	\$95
25 Meg	\$140.00	\$140