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Dear Sirs

Wholesale Access Products: CICRA Consultation

Thank you for your response to the CICRA consultation on Wholesale Access Products issued in February this year. We have spent some time looking through the various responses which were all very useful in helping CICRA decide on the next steps to be taken for each of the products proposed.

As explained in the consultation, views were initially sought on implementation in Jersey alone. However the option of extension to Guernsey was considered at the same time. Having taken into account the responses received, the process for moving forward with each of the products is explained below.

1. Carrier Pre-Selection (CPS)

The consultation asked respondents to comment on the implementation of, and to estimate demand for, Carrier Pre-Selection (CPS). The responses to the consultation will be made available on the CICRA website (with this letter), and indicate that there is demand for this service, which could reasonably be expected to provide benefit for consumers. However, what has not been established from responses received is whether formal requests for CPS have been made to the incumbent operators in each Island, and if so, the response received.

There are existing licence conditions providing for this service in both Islands¹, and therefore CICRA does not consider it appropriate to commence formal regulatory action with respect to CPS at this time without evidence of reasonable and substantiated requests. Emphasis should in the first

¹ Telecommunications Licence for JT (Jersey) Limited, Condition 25 and Licence issued to Guernsey Telecoms Limited (now Sure), Condition 24

instance be on operators to request the service, relying on the existing licence provision, in the first instance.

CICRA will support any reasonable and substantiated requests for CPS which may be made in either Island. Should reasonable and substantiated requests for this service be denied, regulatory action may be considered in order to enforce the licence provision.

2. Fixed Number Portability (FNP)

Mobile Number Portability has been available in the Channel Islands since 2008 and has been an important factor in increasing mobile competition since its introduction. Fixed Number Portability (FNP) is arguably a more important enabler of competition in the fixed line market, especially for business customers.

Given the interest in the introduction of FNP from the industry and the benefits of its availability demonstrated by the CICRA consultation, CICRA will be seeking to progress implementation in both Jersey and Guernsey. Further discussions will now take place with the incumbent operators in both Islands on specification for and implementation of FNP for single and multiple line services.

Operators should anticipate that the next stage of implementation will be in the form of a formal Information Request from CICRA in order to establish what is required for FNP provision and what constraints or limitations there may be to delivery.

At this stage, there appears to be no reason why at least this first step should not be carried out simultaneously across Jersey and Guernsey given the contribution FNP could bring to choice for consumers. An assessment will be made at a later stage whether the level of demand continues to justify implementation and whether that should be a parallel approach.

3. Bitstream Access (BSA)

The February consultation provided evidence of existing demand from operators for Bitstream Access (BSA), and encouraging indications that discussions have already been taking place between operators with a view to providing this service. Continued technical and commercial discussions between parties on the implementation of BSA are supported as it is clear that the introduction of BSA has the potential to benefit consumers in the Channel Islands. Arrangements directly between the parties involved will better allow the setting of product definitions and agree cost allocation without the need for regulatory intervention.

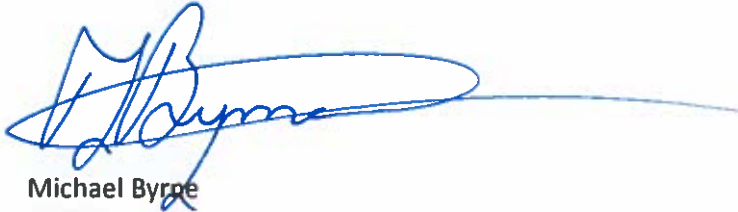
However, in order to support this process and provide a recognisable framework for potential new entrants, CICRA proposes to introduce new licence conditions in line with the European Access Directive. This would propose to allow conditions which are non-discriminatory, fair and reasonable for all parties and offer the greatest benefit to consumers. A consultation paper to progress this will be published in due course.

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Unlike Jersey, no formal interest in this product has been noted in Guernsey to date. The new licence condition will therefore be progressed in Jersey only at this time. This position may be reviewed at a later date.

An Information Notice and the non-confidential responses to the consultation will be uploaded to the CICRA website in due course.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M Byrne', with a long horizontal flourish extending to the right.

Michael Byrne
Chief Executive