



Date: Nov 20, 2012

**Re: Response to Preconsultation Document PC12/03: Comments on Market Definition:
Application of the Market Review Process**

Consultation question 1: Do you agree that fixed narrowband access and local calling form a single market?

DELTRONICS agrees with this position.

Consultation question 2: Do you agree that mobile access and local calling form a single market?

DELTRONICS agrees with this position.

Consultation question 3: Do you agree that international calls are not part of the market that contains retail fixed narrowband access and local calling?

DELTRONICS agrees with this position.

Consultation question 4: Do you agree with the finding that voice over broadband services (namely DOCSIS VoIP, VoWIMAX, FTTx VoIP and VoIP type 6) are all in the same market as narrowband access and local calls but that other types of VoIP and fixed services delivered via mobile networks are not?

Consultation question 5: Do you agree with the finding that fixed and mobile services are in separate markets? **Explain.**

Yes, this is agreed.

Consultation question 6: Do you agree with the finding that there are separate residential and business customer markets for (1) retail fixed access and local calls; and (2) retail broadband?

Yes, this is agreed.

Consultation question 7: Do you agree with the conclusion that for the purposes of the SMP and remedies it is not necessary to define separate customer markets for either of: (1) leased lines; (2) mobile services; or (3) subscription TV services?

Yes, this is agreed.

Consultation question 8: Do you agree with the finding that there is a separate geographic market for Central Hamilton for the supply of:

retail access lines and local calls to business customers;
wholesale fixed narrowband access lines and local calls;
Wholesale call origination on fixed networks;



Retail broadband to business customers;
Wholesale broadband services;
Retail domestic leased lines; and
Wholesale terminating segments of leased lines?

DELTRONICS agrees with the RA on this matter, but feels that there also exists another market that has been omitted. That is dark fiber. It is well documented that there are certain carriers that own dark fiber infrastructure within the geographic location of Central Hamilton. We strongly believe that the trenching for all other licensees would not be in the islands best interest or efficient going forward. Hence the need for dark fiber to be a candidate market in the Central Hamilton market. DELTRONICS also believes that any licensee deemed to have SMP in this market (which we strongly feel needs to be included), be made to provide an audit of all such fiber facilities under their control.

Consultation question 9: How should Central Hamilton be defined?

DELTRONICS believes that Central Hamilton should be defined simply as all of the property under the control of the Corporation of Hamilton. If this is extended, then the RA's definition should be amended accordingly.

Consultation question 10: Do you agree with the conclusion that mobile broadband is not in the same market as fixed broadband?

Consultation question 11: Do you agree with the conclusion that the relevant forward-looking definition of the retail broadband market is one that includes the bundle of broadband access and Internet services?

Consultation question 12: Do you agree with the conclusion that there are separate retail markets for low-speed leased lines (that is, leased lines that provide a capacity of less than 1 Mbps) and high-speed leased lines (that is, leased lines with a capacity of 1 Mbps or more)?

Consultation question 13: Do you agree with the conclusion that there are separate wholesale markets for low-speed leased lines (that is, leased lines that provide a capacity of less than 1 Mbps) and high-speed leased lines (that is, leased lines with a capacity of 1 Mbps or more)?

Consultation question 14: Do you agree with the conclusion that there is a market for the supply of fixed access network facilities that includes ducts, towers, and poles? Are there are other facilities that should be included in this market?

DELTRONICS agrees that there is a market for the supply of fixed access network facilities which include ducts, pole, towers, and poles. DELTRONICS also believes that the RA has missed the most fundamental next generation of fixed access facility of dark fiber. DELTRONICS believes that any licensee deemed to have SMP in this market (which we strongly feel needs to be included), be made to provide an audit of all such fiber facilities under their control. If adopted, this wholesale offering would allow other licensees the ability to distinguish service offerings from that of the SMP operator that may provide wholesale active products. This would also save huge amounts of inefficiently deployed CAPEX in infrastructure



deployment, hence keeping the overall cost of services down. It should also be subject to cost based wholesale pricing. Most importantly, the RA should not allow any owner of such facilities to move/shift ownership of such facilities to other affiliates.

Consultation question 15: Do you agree with the conclusion that there is a market for the supply of wireless network facilities that includes tower and mast access? Are there other services that you consider lie in this market?

Consultation question 16: Do you agree that the relevant retail market for the supply of subscription TV services to deliver broadcast content to end users includes subscription services provided via different means and is not disaggregated according to content?

Consultation question 17: Do you agree that the relevant wholesale market for the supply of subscription TV services to deliver broadcast content to end users includes subscription services provided via different means and is not disaggregated according to content?