



GOVERNMENT OF BERMUDA
Ministry of Energy, Telecommunications and E-Commerce

Telecommunications Commission

Bermuda Telephone Company Ltd.
30 Victoria Street
Hamilton, HM 12
Attn: Jeanne M. Schaaf, Ph.D.
Vice President, Regulatory Affairs

27 January, 2010

Dear Sirs:

Re: Tariff Filing for Simply DSL 1 Mbps ADSL Service.

BACKGROUND:

The Bermuda Telephone Company Ltd. (“BTC”) submitted a tariff filing dated 9th December, 2009 to the Telecommunications Commission (“Commission”) requesting the Commission to approve pricing for BTC’s Simply DSL (1Mbps upload/1 Mbps Download) (“Simply DSL 1”) at \$ 19.00 per month.

BTC published the required notice for this tariff filing in the Royal Gazette and the Commission, after waiting the required 21 days, received no public objections to the filing.

As the Commission reviewed the filing, as required by the Telecommunication Act 1986 it also considered:-

- (i) the cost to the Carrier of the service in question;
- (ii) the desirability and need to subsidize other non-profitable services offered by the Carrier in the public interest;
- (iii) the needs of the Carrier for adequate working capital and to establish reasonable reserves;
- (iv) international accounting standards where applicable and modifications thereto;
- (v) technological advances;
- (vi) market conditions in Bermuda and overseas including the likely impact of a new service on other Carriers;
- (vii) regulatory changes where applicable;
- (viii) the need to afford investors a reasonable rate of return on their investment;
- (ix) the question whether in the light of the foregoing, any proposed tariff is just and reasonable and any rates and charges contained therein are applied equally to all persons in substantially similar circumstances and conditions;
- (x) the question whether the Carrier, in respect of the application of rates and charges, the provision of services and the use of its facilities—



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- (a) gives any preference or advantage to any person or to any particular description of telecommunication:
- (b) subjects any person or any particular description of telecommunication to any disadvantage;
- and
- (xi) the public interest

FINDINGS/REASONING

The Commission believes it is in the public interest to provide choice to consumers who may still be using “dial up” services but who may wish to switch to broadband services.

The Commission is satisfied that the Simply DSL 1 is a suitable addition to BTC’s Simply DSL 2, 4 and 6 residential ADSL services.

The Commission finds that it in the public interest to offer the “cost conscious” dial up consumer the choice to move to broadband services for \$ 19.00 per month.

The Commission is hopeful that this lower cost offering will help drive down competitive prices for low bandwidth broadband services and make broadband more affordable to more residents of Bermuda.

The Commission finds that the public interest overrides other aspects of this tariff filing.

The Commission determined that this filing should be approved as submitted.

DIRECTION:

The Commission directs BTC to offer the new Simply DSL 1 (max.1 upload/1 download) ADSL service at \$ 19.00 per month and directs that this service be operational within 90 days of the date of this Direction subject to any application to the Commission to extend that date.

Sincerely,

Ronald Simmons JP, CA
Chairman Telecommunications Commission