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Order Of The Regulator - Number 2006/3  
Temporary Suspension Of Digicel (Samoa) Ltd GSM License Obligations

Whereas:

Digicel (Samoa) Ltd have requested suspension of the service provision obligations contained in the Digicel GSM License due to events of Force Majeure via letter to the Regulator dated 5 October 2006.

Article 13 of the Rules on Licensing Telecommunications Services dated 21 March 2006 states the Regulator may, by written order, suspend a Licensee's obligations under its license in the event of Force Majeure if the licensee could not have reasonably foreseen the occurrence of the event or could not have taken reasonable steps to avoid the impact of the Force Majeure event.

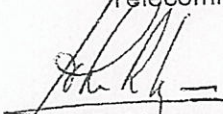
Digicel's claim of Force Majeure has been reviewed and it was found that the events of Force Majeure claimed by Digicel have been, or continue to be, beyond the reasonable control of Digicel.

Digicel has expended considerable effort and expense to meet its obligations under its GSM License.

Suspension of Obligations

This Order has been issued pursuant to Article 13 of the Rules on Licensing Telecommunications Services and suspends Digicel (Samoa) Ltd's obligation to comply with the service requirements set forth in clause 7 of Schedule 1 of the Digicel GSM license. This suspension is subject to the following conditions:

1. That Digicel (Samoa) Ltd shall make every reasonable effort to commence provision of GSM Cellular services before the end of October 2006.
2. That the Conditions included in the Regulator's approval of Digicel's purchase of Telecom New Zealand shares in Telecom Samoa Cellular Ltd (TSCL) dated 7 September 2006 are also suspended for the period allowed under this Order.
3. That suspension of obligations under the Digicel GSM License shall be construed to include suspension of obligations under the GSM License performance bond as secured by letter of credit.
4. That this suspension shall expire immediately Digicel or TSCL commence provision of GSM cellular services in Samoa.
5. That this Order does not suspend any other obligations Digicel or TSCL may have in respect to the Telecommunications Act 2005, the Rules on Licensing Telecommunications Services, or any other legal instrument.

  
John R. Morgan  
Regulator  
5 October 2006