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Order of the Regulator No. 2011/01
Approval of Retail Rate for Digicel's Digifixed Service

This Order sets out the Regulator's approval of Digicel's proposed retail rate for its digifixed service and the Regulator's position with respect to certain matters relating to Digicel's digifixed service.

In accordance with section 40 of the Telecommunications Act 2005 as amended ('Act'), dominant service providers (or any other service provider specified by the Regulator in any order) shall file with and obtain the approval of the Regulator for retail tariffs.

Digicel has sought approval from the Regulator of a retail rate for its digifixed service. The retail rate in this order has been approved in consideration of:

- (a) Digicel's request for approval of the retail rate for Digicel's digifixed service;
- (b) Order No. 2010/02 directed at Digicel's digifixed service;
- (c) Digicel's non-compliance with Order No. 2010/02;
- (d) Penalties to be imposed by the Regulator with respect to Digicel's non-compliance with Order No. 2010/02;
- (e) the provisions of the Act regarding tariffs;
- (f) the objectives of the Act.

Digicel's retail rate for its digifixed service

Digicel is permitted to charge the following maximum retail rate for each minute of traffic and such rate being above the mobile termination rate determined by the Regulator and set out in Order No. 2010/01-

- **Twenty Five (25) sene per minute** for calls from Digicel's digifixed customers to:

- (i) other Digifixed customers; and
- (ii) SamoaTel Landlines; and
- (iii) SamoaTel Go Homezone

where the above rate includes VAGST; minutes are to be accumulated in increments of not more than 6 seconds.

Duration of order

This Order becomes effective on the 16th day of June 2011.

The rate set out in this Order is intended to be in effect only for a period of six (6) months at which time the current retail tariff audit being conducted by the Office of the Regulator will be completed. The Regulator expects that revised tariffs will be submitted by Digicel to the Office of the Regulator as soon as practicable after the audit has been finalized and the results of the audit have been provided to service providers.

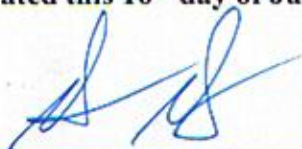
The Order will expire on the earlier of:

- (a) the Regulator revoking this Order; or
- (b) the making of a new Order by the Regulator for Digicel's retail rates for its digifixed service.

Ongoing monitoring of retail rates for digifixed

Consistent with the Regulator's functions and duties under section 25 and section 40 of the Act, the Regulator will continue to monitor retail rates for Digicel's digifixed service.

Dated this 16th day of June 2011



Donnie De Freitas
Regulator