



Telecommunications &  
Radiocommunications  
Regulator

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## ORDER NO.3 OF 2017

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### Order for Documents and Information from FCC

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Pursuant to Section 8 of the Telecommunications and Radio-communications Regulation Act (2009) and Paragraphs 10.1 and 10.2 of the Telecommunications Exception issued to Fidelity Communications Corporation ("FCC"), TRR hereby orders FCC to provide TRR the following documents and information within 15 days from the date of this Order:

1. A copy of FCC's audited financial accounts for the 2016 year, or if no audited accounts exist, copies of unaudited financial accounts for the 2016 year.
2. The following documents relating to submarine cable capacity on the Southern Cross Cable Network ("SCCN") between Suva and Sydney ("Leg B Capacity"):
  - (a) A copy of all contracts or agreements currently in effect, or in effect at any time since 1 January 2014, for the supply of Leg B Capacity by FCC; and
  - (b) A copy of all contracts or agreements currently in effect, or in effect at any time since 1 January 2014, for the supply of Leg B Capacity to FCC.
3. List or summary of the monthly costs incurred by FCC to supply Leg B Capacity to its customers, other than amounts paid by FCC to third parties for Leg B Capacity;
4. A copy of all contracts, agreements, or terms of supply currently or previously in effect for FCC to supply submarine cable capacity to Wantok Networks Limited (or any subsidiary or parent company of Wantok Networks Limited).
5. For any Google caching service supplied by FCC, provide:
  - (a) a technical description of the end-to-end function of the service, and the equipment and facilities used to provide this service;

- (b) the physical location of the Google cache FCC uses to provide these services to its customers;
  - (c) a summary of the costs incurred by FCC to provide the service;
  - (d) details of FCC's list or generally available prices for the service, including any available term or other discounts;
  - (e) a copy of all current or prior contracts or agreements for the supply of the service by FCC to any customer;
  - (f) a copy of all contracts or agreements for the supply to FCC of a google caching service.
6. In relation to any increase from 1 September 2016 to FCC's Operations & Maintenance ("O&M") payments to ICL, state:
- (a) the date of each increase;
  - (b) the amount of the increase; and
  - (c) the reasons given by ICL for the increase.
7. In relation to any increase from 1 September 2016 to FCC's O & M payments to ICL, provide the following documents:
- (a) Bank statements or FCC accounting records from 1 September 2016 to the present showing O & M payments by FCC to ICL; and
  - (b) Any email or other written communication from ICL announcing or explaining any such increase, or providing supporting information as to the increase.
8. From 1 September 2016 to the present state what changes, if any, have been made to the monthly capacity payments made by FCC to ICL for its IRU capacity.
9. In relation to FCC's loan financing, state:
- (a) the present amounts outstanding on its loan agreements, from European Bank and other lenders; and
  - (b) from 1 January 2016 to present, the monthly interest charges incurred by FCC under these loans agreements;

10. Provide its current best estimate of the amount of IRU capacity leased by FCC at each of the following dates:

- (a) 31 December 2017;
- (b) 31 June 2018; and
- (c) 31 December 2018.

Dated 15 May 2017



**Dalsie Baniala**  
**Telecommunications & Radiocommunications Regulator**