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FOR IMMEDIATE RELEASE

Alternative Dispute Resolution (ADR) Schemes

The Utilities Regulation and Competition Authority (URCA) has today published two documents addressing ADR within the Electronic Communications Sector (ECS).

The first document is the *“Alternative Dispute Resolution (ADR) Guidelines Statement of Results and Final Determination – ECS 19/2014”* which is the follow-up document to the previously released *“Alternative Dispute Resolution (ADR) Guidelines Consultation Document-ECS 02/2014”* (the “Consultation Document”). The second related document published today is the *“Alternative Dispute Resolution (ADR) Scheme for Disputes Between Licensees- ECS 20/2014”*.

The formal consultation on ADR in the ECS was launched on 24 March 2014 with the publication of the Consultation Document, and officially closed on 9 May 2014. Responses to the Consultation Document were received from:

- Bahamas Telecommunications Company Limited;
- Cable Bahamas Limited [also responding on behalf of its affiliates Caribbean Crossings Limited and Systems Resource Group Limited];
- Digicel Group; and
- The Broadcasting Corporation of The Bahamas.

The purpose of the Statement of Results and Final Determination (ECS 19/2014) is as follows:

- (i) To summarise the written submissions received in response to the Consultation Document;
- (ii) To provide URCA’s analysis of and comments on the submissions received in response to the Consultation Document;
- (iii) To set out URCA’s rationale for its decisions regarding the responses to the issues and questions in the Consultation Document; and
- (iv) To set out the basis of the regulatory measures establishing the ADR Schemes that will be implemented by URCA in order to effectively resolve disputes between licensees, and disputes between consumers and licensees.

The published ADR Scheme (ECS 20/2014) is designed to provide practical guidance in the step by step handling of disputes by URCA between licensees. It is intended to inform the parties to a dispute of the level of response and action to be expected from URCA in the ADR process. Key components of the ADR Scheme include the following:

- (i) **General Procedures**, which sets out the general procedures URCA expects to follow in respect of resolving disputes between licensees.
- (ii) **Specific Procedures**, which includes (among other components) procedures for mediation, arbitration and the issuance of the appropriate regulatory and other measures by URCA to the end of resolving disputes between licensees.
- (iii) **Referral of Dispute to Dispute Resolution Panel**, which covers the procedures associated with the referral by URCA of complex and highly specialised disputes between licensees to a Dispute Resolution Panel.

Note that URCA will publish a separate ADR Scheme for disputes between consumers and licensees as soon as reasonably practicable.

URCA understands the importance of an open and transparent consultation process and is committed to public engagement. URCA is satisfied that it has complied with its statutory duty under the Communications Act, 2009 by affording all persons with interest in the development of ADR Schemes for the ECS, a reasonable opportunity to submit commentary for consideration.

Both documents are available for download from URCA's website at www.urbahamas.bs.

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