Public Comment Compilation on 'Public Consultation on Market Dominance in the Telecommunications Sector'

On February 2, 2026, the Public Utilities Commission (PUC) commenced a public consultation on its Initial Determination outlining preliminary findings on whether any licensee holds a position of market dominance, in accordance with Section 42 of the Belize Telecommunications Act.

Interested parties and the public were invited to submit written comments by March 2, 2026. During this consultation period, the PUC received submissions from stakeholders regarding the structure of the telecommunications market and levels of competition across relevant markets.

The written comments submitted via email have been compiled and are presented here for ease of reference.

From: Anwar Juan <anwarjuan@gmail.com>
Sent: Monday, 02 March 2026 15:37
To: info@puc.bz
Subject: Comments - Initial Determination on Market Dominance

Good day,

The telecommunications sector requires robust competition to thrive. Approving a move that cements a monopoly will only harm end users and the workforce. I urge the Public Utilities Commission to heavily weigh these long-term detriments in its final determination. It is important any determination is weighed on the public good and avoid a net negative for the interest of the public.

Additionally, I have yet to see justification for the business case based on credible projections.

All the Best,
Anwar Juan

From: ylab belize <ylab501@gmail.com>
Sent: Monday, 02 March 2026 16:00
To: info@puc.bz
Cc: mwadebz@yahoo.com
Subject: Comments – Initial Determination on Market Dominance

Submission by YLAB Commissioner Mandela Wade

2 March 2026

Re: Initial Dominance Assessment PUC

Dear Commissioners,

I wish to acknowledge the Public Utilities Commission for taking the initiative to publish its Initial Determination on Market Dominance. The effort to define retail and wholesale markets and to invite public comment is commendable. It demonstrates a commitment to transparency and consultation, which is vital for building public trust in regulatory processes. The structured consultation questions are especially welcome, as they give ordinary Belizeans and civil society groups a clear way to engage with issues that often feel distant or overly technical.

That said, I must also be candid in my critique. The report often reads more like a descriptive catalogue than a rigorous analysis. Market definitions are presented as lists of services rather than as true economic markets shaped by consumer behaviour and competitive constraints. Without showing how Belizeans actually switch between services or how providers discipline each other's conduct, the definitions risk being arbitrary. This is not just a technical issue—it matters because weak foundations lead to weak conclusions, and those conclusions will shape regulatory decisions that affect prices, service quality, and consumer choice.

Similarly, the findings of Significant Market Power (SMP) are asserted without the evidence that would make them credible. Subscriber counts and broad descriptions are not enough. The public deserves to see data—market shares, price trends, switching behaviour, barriers to entry—so that we can trust that regulatory action is based on fact, not assumption. Without this, the perception is that decisions may be influenced by politics or timing rather than independent analysis. For a regulator, perception is as important as reality: confidence in independence is what gives decisions legitimacy.

Finally, the remedies proposed are serious interventions that should only follow from a robust, evidence-based assessment. Price controls and access obligations can have far-reaching consequences for investment, innovation, and consumer costs. Imposing them prematurely risks discouraging investment, raising prices, and undermining confidence in the regulator itself. Belize needs a regulatory environment that encourages competition and innovation, not one that inadvertently stifles it.

In short, the PUC has done well to open the door to consultation, but it must now strengthen its analysis. Belize needs a regulator that is transparent, independent, and rigorous—one that commands trust because its decisions are grounded in law, evidence, and fairness. I urge the Commission to revisit its definitions, provide the data, and ensure that any remedies are proportionate and justified. If capacity is not present in-house to conduct a thorough assessment in line with international best practices for competition analysis, then I strongly recommend the Commission outsource the function. Doing so will not only protect consumers but also strengthen the credibility of the PUC as an institution.

Respectfully,

Mandela Wade

Commissioner

YLAB
young leaders alliance of **BELIZE**

Dear Public Utilities Commission,

Attached please find Speednet’s response to the above referenced public consultation…………

Hard copy to follow…………..

Regards,

Ernesto Torres

2nd March 2026

Mr. Abraham Teck
Director – Regulated Services
Public Utilities Commission
2nd Floor Marina Towers
Belize City, Belize

RE: STAKEHOLDER ENGAGEMENT - INITIAL DETERMINATION ON MARKET DOMINANCE IN SELECTED TELECOMMUNICATIONS MARKETS

Dear Sir,

Please find attached Speednet Communications Ltd.'s formal response to the Commission's consultation paper entitled *"Initial Determination on Market Dominance in Selected Telecommunications Markets"* dated 2 February 2026.

Speednet welcomes the Commission's assessment of the competitive market conditions in said document. This consultation engages the Commission's authority under Sections 26 and 42 of the Belize Telecommunications Act 2002. Its findings of Significant Market Power, following this consultation, carries with it the Commission's statutory responsibility to implement regulatory measures consistent with those Sections.

The Act contemplates that where dominance is established, the Commission shall exercise its powers to prevent abuse, discriminatory conduct, and practices that restrict or distort competition. Accordingly, Speednet's submission not only addresses the proposed findings, but also sets out specific and implementable measures which clearly fall squarely within the Commission's statutory authority.

The continued development of sustainable competition in Belize's telecommunications sector relies on the consistent application of these statutory safeguards. Speednet trusts that the Commission's final determination will reflect the information, analysis and recommendations presented during this consultation and the obligations imposed by the Act.

Speednet remains available to provide any clarification or additional information that may assist the Commission in its deliberations.

Yours Sincerely,

Ernesto Torres, CEO Speed Communications Ltd

c. Mr. Dean Molina, Chairman Public Utilities Commission

Mr. Dean Boyce, Chairman Speednet Communications Ltd

Speednet Response: 2nd March 2026

Public Utilities Commission Consultation Document

This document sets out Speednet's response to the PUC's Consultation document dated 2nd February 2026.

Introduction

Given BTL's potential acquisition of Speednet, in recent weeks the telecommunications industry has been widely discussed by the public. In parallel, the PUC has issued a consultation document, which has deliberated upon and highlighted BTL's dominant operator status, with a view to assessing the impact on the market and on consumers, which will help determine an appropriate set of actions to resolve distortions, create a level playing field, and thus improve customer service.

The present consultation occurs in a context where BTL has historically maintained a dominant position across all aspects of Belize's telecommunications sector both prior to and following the market liberalization in 2003. Accordingly, the central regulatory question is not merely whether BTL wields Significant Market Power, but how the structural conditions that sustain it should be remedied.

There are clear benefits for Belize if BTL acquires Speednet, enabling the rationalization of all current and future telecommunications service delivery systems and infrastructure, which in turn would eliminate waste and help reduce prices. However, if competition is to remain the policy mechanism through which the objectives of the 2002 Belize Telecommunications Act are to be achieved ("AN ACT to better regulate, restructure and develop the telecommunications sector in Belize"), then regulatory measures must focus on correcting structural imbalances that exist so that effective and sustainable competition can be achieved in practice.

Speednet's response to the Commission's public consultation, as set out in this document, is based on twenty years of experience, having been directly impacted on a day-to-day basis by BTL's activities and the wider telecoms and political environment. We have a detailed knowledge of the subject matter, and this is not, therefore, simply an opinion as a bystander who has had no direct involvement.

The PUC's nonbinding initial findings, laid out in its consultation document, contends that for the delivery of all telecommunications services provided in Belize, BTL is the dominant operator.

Speednet does in principle, and subject to our comments herein, agree with this finding when compared to the other local Licensees, of which Speednet is the only other holder of an Individual License delivering telecommunications services nationwide.

The recommendations set out in this document identify the fundamental and critical factors that sustain this dominance and the measures the Commission would need to implement to safeguard effective competition. The measures are directed toward ensuring that the objectives of the Act are achieved through enforceable, market-based remedies that promote sensible investment, efficiency, and improved services for consumers.

Cross Service Impacts

Before addressing the individual questions set out in the PUC's Consultation document, there is a need to review certain matters that have an overall effect on all telecommunication services in Belize. Matters which impact upon and distort the market as a whole, many of which undermine the concept of a level playing field, with the consequential benefits all heavily tilted in BTL's favour.

BTL's Dominant Operator Status

Speednet was issued with an Individual License in 2003. It subsequently built out its network over a two-year period, to the extent that it was able to commence the provision of cellular voice, data and fixed wireless services to circa 90% of the population by mid-2005.

It secured approximately one third of the cellular market by 2009, and at that stage it had expanded the deployment of a range of other services, including fixed line.

Meanwhile, BTL, which had been the monopoly telecommunications operator until 2002, had effectively retained its dominant operator status. Even for cellular services, BTL's scale, quality of service, and the retention of telephone numbers, were proving to be a natural barrier to new competition trying to establish a foothold and reputation.

BTL was at the same time able to benefit enormously from the national infrastructure that it had deployed over many years, with the cost of that infrastructure having already been paid for through its monopoly level profits.

In the 12 months to March 2008 for example, BTL's EBDA was $65m (i.e. operational cash inflow), set against fixed assets that cost $400m. In the year to March 2025, BTL's EBDA was still at $58m, set against fixed assets with a cost that had grown to $730m. This very large and ongoing operational cash inflow, from the years prior to market liberalization (i.e. while it held a true monopoly), through to the current date (i.e. effective monopoly status), have enabled BTL to not only fully recover the cost of its nationwide telecommunications infrastructure, but it has enabled them to develop infrastructure that is impossible for a competitor to replicate.

It is therefore not just a question of judging whether BTL is a dominant operator, because that is clear; the requirement is to remove the unfair advantages that it has been able to develop over many years and create a more level playing field.

If the Telecommunications Act and its Objectives, using local competition as the methodology to achieve those objectives, are considered to be the optimal service delivery solution for Belize, rather than moving towards a full monopoly, which would be the case if BTL acquired Speednet, then all unfair distortions that maintain BTL's continued dominance must be removed. This is the only way to ensure that fair competition can properly flourish.

It is worth noting that although Speednet's revenue has grown 10% over the two years to March 2025 compared to the 2% achieved by BTL, that is simply a result of Speednet being perhaps hungrier and more customer focused, and it has little or no impact on the extent to which we will be able to counter the underlying problems and achieve the objectives of the Act. Speednet is still a much smaller entity, with the unfair competitive disadvantages making it impossible to change BTL's stranglehold, enabling Speednet to universally deliver effective competition countrywide.

Government Ownership of BTL

The nationalization of BTL in 2009 was a significant factor in the market. From that date onwards, why would a government, along with the Social Security Board, an organization specifically focused on providing a social support system for the people of Belize, take steps to level the playing field and eliminate the factors that gave BTL an unfair advantage? Why would they agree to implement any of the solutions set out in the rest of this document, when to do so would potentially undermine their investment in BTL?

Not only that, if the BTL investment is for the people of Belize, why would consumers buy services from Speednet, if by supporting BTL they would help protect an indirect investment in their own future? People would inevitably support what was being sold as "their company" with any acquisition of Speednet services being branded as disloyal, rather than considering the quality and price of services on their own merits.

Improvements in the delivery of telecommunications services have been globally identified as one of the primary drivers of a country's economy. Therefore, simply because Speednet will be able to more effectively compete, and secure a larger share of the market, will not necessarily have an adverse impact on BTL, if the economy as a whole is growing.

To create a level playing field for competition, on an unbiased basis, Government and Social Security ownership of BTL must be considered irrelevant. That is obviously contentious, however, if the competitive methodology envisioned by the Act to improve customer service is to be properly implemented, certain fundamental changes to the status quo are essential. There must be a level playing field, and the ways to help achieve that are set out in this document.

By creating this level playing field, which will enable Speednet to fairly compete across all services and customer segments, and which will force BTL to be fully responsive rather than simply take advantage of its historically generated dominant status, the result will be a much greater choice for consumers, from which those consumers will benefit directly and immediately.

Government Contracts

Following the nationalization of BTL in 2009, the Government refused to work with Speednet, regardless of Speednet's ability to provide those services, and the improved terms and conditions of service that could have been obtained.

It was not until 2020, over 10 years later, that the situation changed. Several Ministries have since decided to uphold the principle of fair competition and discovered that Speednet was able to provide the same and expanded services at a significantly cheaper cost than BTL. However, many Ministries still believed that being loyal to BTL was the most important factor, and it has therefore been difficult for Speednet to fully achieve the necessary inroads.

Given that Speednet is still able to make a profit from the Ministry contracts that it has secured, and BTL's unit costs are lower than those of Speednet due to their greater economies of scale, and the fact that the vast majority of BTL's infrastructure had already paid for itself over many years when it was a monopoly or an effective monopoly, BTL have been able to make enormous profits from those Government contracts, over many years. Government has therefore been effectively subsidizing BTL.

For Government and SSB, that own BTL, that may not be an issue, however it means that BTL has been able to use those excess profits to fund its other activities. This is a substantial market distortion that is not consistent with maintaining a level playing field for all licensees.

It is recommended that Speednet be given an opportunity to immediately tender for any existing contracts for Government and Quasi Government institutions, where no opportunity was provided when those contracts were issued, or where they were signed with BTL without following Finance and Audit Reform Regulations. An audit of such contracts to be conducted to determine this.

Where BTL then bids for one of these contracts, and for those it wins on merit, we can be assured that those contracts will be at fair (and much reduced) prices. BTL will still make profits but not at the excessive levels they have achieved to date, and Government Ministries can then use the savings they make for other operational purposes.

Impact of the Global Telecommunications Market

Everyone knows that there has been a proliferation in the use of foreign Over The Top ("OTT") services such as WhatsApp and Zoom, with those services providing a substitute for the voice and other value-added services traditionally provided by BTL and Speednet.

The use of those internet-based services is not necessarily a bad thing, certainly not for consumers, however it does have a significant and increasing adverse impact on the revenue streams for BTL and Speednet. Furthermore, the foreign entities providing those OTT services do so without incurring any of the costs required to deliver those services to the end users in Belize. They do not invest in the local infrastructure, they do not employ Belizeans, pay local taxes and license fees, and so on. Those local delivery costs rest solely with BTL and Speednet.

We are not therefore operating in isolation, and both BTL and Speednet are simply small but very important cogs for Belizeans, in a much larger world.

There has been an increase in internet service revenues for BTL and Speednet, however that increase does not offset the reduction in revenues from voice and other traffic streams.

BTL and Speednet are increasingly judged on our ability to deliver quality internet, anywhere in the country, through which the customers will then access the foreign sourced OTT services. Under these circumstances, equal access to the nationwide telecommunications infrastructure network that now exists, on the same cost basis for both BTL and Speednet, is the only way to ensure fair competition, with customers then being able to take their service from the company that offers the best overall customer service balanced with an appropriate price.

Infrastructure

The objectives of the 2002 Act were to be achieved by taking steps to ensure that the privately owned (at that time) dominant operator (BTL) was prevented from leveraging its structural advantages to perpetuate and distort competition. Those historical imbalances still exist which materially limit Speednet's ability to fully and fairly compete.

BTL was a monopoly up until 2003 and has been an effective monopoly since then. As a result, the monopoly profits generated across all services, along with the excess profits earned from the Government contracts, has enabled it to accumulate and fund its infrastructure development program, with the cost of all their core infrastructure having already been more than paid back over the years.

The PUC in this consultation paper has pointed out that the development of a competing level of infrastructure, and the very large investment that would be required, is not economically feasible. That is correct, and indeed any duplication is a waste of money when considering Belize as a whole. There is a need for the country to make sensible decisions with its scarce resources, where the duplication of fiber cables, towers, sites, and associated facilities, results in inefficient capital allocation (i.e. waste).

Speednet therefore requires access to parts of BTL's infrastructure, to enable it to more rapidly and completely expand its services, and requests that the following is implemented, with the terms of that access being a very important component.

Access to long-life passive assets such as those set out below should be mandated on fair and transparent basis, with shared operational costs where the assets are utilized. However, there must be no charge for Speednet access. The cross charge to Speednet for the cost recovery must only reflect ongoing operational and maintenance costs, rather than legacy capital recovery from the related fixed assets, the cost of which has already been recovered, as set out above.

To allow BTL to cross charge for access would simply perpetuate the existing state of affairs, where it is able to make yet more profits on its infrastructure, and provide an ongoing significantly advantageous cost differential compared with Speednet.

Required Regulated Measures:

a) Speednet Access to certain BTL Infrastructure, for example:

   i. Dark fiber deployed across Belize.

   ii. Towers and tower spaces.

   iii. Power facilities at tower sites.

   iv. Arcos Submarine Cable.

b) Speednet to provide access to its infrastructure assets, on the same terms.

c) PUC mandated provisioning timelines.

d) Encourage co-investment models for new infrastructure under Commission oversight.

The fixed assets listed above (i–iv) do not include cellular equipment, or back-office systems such as billing and customer service, which could be classified as service differentiating. Instead, it is focused on passive assets that enable Speednet to better carry our services countrywide to customers, to provide them with greater choice at a cost-effective price and thus increase the competition for BTL.

Speednet, where required, will install its own equipment and make a connection to the BTL infrastructure, for example to utilize the dark fiber allocated to it, to provide its own transmission and customer terminating services.

These measures remove the structural barriers to the efficient use of scarce national resources and promote sustainable competition consistent with Sections 26 and 42 of the Act.

Responses to Market Specific Questions

Question 1- Defined Retail Markets

Do you agree with the Commission's proposed definitions of the retail markets set out in section 3.2 of this Initial Determination?

If not, please identify which specific market definition(s) you disagree with, explain the basis for your disagreement, and provide any supporting evidence or alternative market definitions for the Commission's consideration

Speednet Response

Speednet generally agrees that the Commission's proposed definitions of the retail markets in section 3.2 provide a reasonable and workable starting point for the assessment of competition and market dominance under Section 42 of the Act. The definitions are appropriately framed by reference to service functionality and are, in principle, technology neutral.

However, Speednet notes that the breadth of certain retail market definitions, particularly Retail Mobile Telecommunications Services and Retail Fixed Broadband Internet Access Services, may encompass segments with materially different competitive conditions.

In practice, competitive dynamics vary across service components (e.g., between voice, SMS, and data), customer segments, network architectures, and geographic areas.

Accordingly, Speednet suggests that the final sentence of Sections 3.2.2 (Retail Mobile Telecommunications Services) and 3.2.3 (Retail Fixed Broadband Internet Access Services) be read or qualified to recognize that, while these services are defined as single retail markets, such differences may warrant differentiated consideration when applying the statutory factors under Section 42(3) of the Act in the assessment of Significant Market Power.

Question 2- Defined Wholesale Markets (Section 3.3)

Do you agree with the Commission's proposed definitions of the wholesale markets set out in section 3.3 of this Initial Determination?

Speednet Response

Speednet agrees that the Commission's proposed wholesale market definitions in Section 3.3 provide an appropriate analytical framework for assessing upstream market power under Section 42 of the Telecommunications Act.

However, the application of these definitions must reflect the unique structural characteristics of Belize's telecommunications sector. As reflected in the Commission's "Summary of Initial Findings" (page 49), BTL appears to hold Significant Market Power (SMP) across all retail and wholesale markets considered in the Consultation document.

Speednet's position throughout this submission is that these findings accurately reflect the fact that BTL does possess SMP in both retail and wholesale markets giving it the ability to behave independently of competitive pressures.

Recognition of these structural conditions requires the Commission to formally declare BTL a dominant operator under Section 42 of the Act and implement specific measures under Sections 26 Act to ensure that such dominance does not continue to distort competition.

Question 3: Significant Market Power Findings: Retail Fixed Voice Services

Do you agree with the Commission's initial finding of Significant Market Power in the Retail Fixed Voice Services as assessed under Section 42 of the Act?

Speednet Response:

Speednet agrees that BTL holds Significant Market Power in the retail fixed voice services market.

BTL's legacy network footprint, economies of scale, and vertical integration continue to underpin a dominant position in this segment. Although the retail fixed voice market is in structural decline due to substitution by mobile and internet-based services, high market share and infrastructure control remain relevant under Section 42(3), particularly for business and government customers, which generate significant revenue and profits for BTL

The enormous financial benefits that BTL has secured as a result of its dominant status over many years, as set out in the initial paragraphs of this document, provide an underlying cost and customer access benefit that provides BTL with a competitive structural advantage that must be resolved if true competition is to flourish, for the benefit of all consumers. This is particularly relevant for fixed voice services.

Regulatory intervention in this segment should also focus on preventing the leveraging of fixed voice dominance into adjacent markets rather than imposing extensive standalone regulation. For example, the cross subsidization and bundling of services should be strictly prevented. Each service should stand on, and compete on, its own merits. This is standard practice employed by a dominant operator as a means of preventing competition

In this context, any regulatory remedies must ensure that fixed voice infrastructure or bundled offerings do not reinforce dominance in broadband, mobile, or enterprise markets.

Question 4: Significant Market Power Findings: Retail Mobile Telecommunications Services

Do you agree with the Commission's initial finding of Significant Market Power in the Retail Mobile Telecommunications Services as assessed under Section 42 of the Act?

Speednet Response:

Retail Mobile Telecommunications Services

Speednet agrees with the Commission's preliminary conclusion that BTL holds Significant Market Power in the retail mobile telecommunications market. The observations below are designed to highlight the significant implications of that finding and the required regulatory intervention to promote fair competition consistent with the objectives of the Telecoms Act and in particular Section 42.

The Inter-American Development Bank, at its November 2025 launch of the Belize National Digital Infrastructure Plan observed that, as of 2025, BTL commanded approximately 60% market share with Smart serving the remaining 40%, and that the duopoly nature of the mobile market—combined with BTL's dominance in fixed broadband could potentially stifle innovation and price competition. This external IDB assessment confirms and reinforces BTL's dominance and supports Speednet's recommendation for the remedial infrastructure changes set out in this document in order to achieve effective competition, for the benefit of consumers.

BTL has been able to benefit from cost reduction factors that are a product of its historical and ongoing monopoly status, rather than its service offering being any better or worse than that of Speednet. That historical cost structure benefit has resulted in it being able to create service coverage that exceeds Speednet's coverage, having been able to consistently exceed Speednet's own investment in infrastructure deployment.

As a result, BTL's scale has enabled it to institute price wars and cross-subsidization, something a smaller operator like Speednet cannot replicate on comparable terms.

While competitive rivalry exists, the ability of Speednet to respond proportionately is constrained by capital intensity, coverage obligations, and scale disadvantages inherent in a small market such as Belize.

Speednet agrees with the Commission's assessment that network expansion by a smaller operator entails proportionately higher investment burdens, especially in Belize. A fair, strong, and sustainable competitive environment requires strong regulatory intervention instead of an ongoing substantial duplication.

Access by Speednet to BTL's infrastructure, on the terms set out in this document, represents an immediate, practical and economically efficient mechanism to address these asymmetries. In a small economy such as Belize, duplication of fiber runs, towers, sites, and associated facilities results in inefficient capital allocation. Shared passive infrastructure can materially reduce costs for both operators by at least 30%, while improving coverage and service quality for consumers.

Question 5: Retail Fixed Broadband Internet Access Services

Consultation Question 5: Do you agree with the Commission's initial finding of Significant Market Power in the Retail Fixed Broadband Internet Access Services as assessed under Section 42 of the Act?

Speednet Response:

Speednet acknowledges that BTL holds a dominant position in the retail fixed broadband market. This position is underpinned by a substantial investment in nationwide fibre backbone infrastructure, countrywide Broadband in urban and remote centres, integration with fixed and mobile networks, and significant economies of scale. These structural advantages are reflected in BTL's estimated 50% market share and its ability to influence the overall direction of the broadband market.

Although Central Cable, Centaur Cable Network and Speednet also offer broadband, the competitive landscape is materially shaped by two factors.

- BTL's control of the Arcos submarine cable termination point, which was secured before the liberalization of the market when BTL was still a monopoly, and
- BTL's nationwide fiber and its historical accumulation of associated assets. In a small and geographically dispersed economy such as Belize, such a sizeable investment at a national scale is economically inefficient.

The factors associated with the Arcos cable are set out in response to question 9, and are not therefore set out in detail here, other than to say that the access has provided BTL with very significant additional profits over the years, enabling it to sell wholesale internet to the other licensees in Belize, with those profits solely secured because it was a monopoly when the cable was landed in Belize. There is absolutely no logical argument to support the continuation of that situation. It would be logical for only one set of termination equipment to be used (i.e. that already installed by BTL) however the cost of that equipment will have been repaid many times over, therefore Speednet should be provided with access the internet bandwidth at the same prices charged to BTL by the US service delivery company, with Speednet simply being charged with its share of the operational cost of running that Arcos termination equipment (i.e. power, maintenance, security).

For BTL's nationwide infrastructure, BTL has publicly acknowledged the existence of underutilized capacity within its network. The presence of excess capacity further reinforces the economic rationale that access be given by Speednet to that infrastructure, with this being critical to sustaining fair and full competition for all services, including the delivery of internet services to customers across the country.

Rather than permitting this situation to persist, the Commission should, upon confirming Significant Market Power, enforce upstream infrastructure access obligations consistent with Sections 26 and 42 of the Act. Transparent, non-discriminatory, and cost-reflective access to fixed infrastructure to promote downstream competition, improve network utilization, reduce unnecessary duplication of capital, and preserve incentives for continued investment.

At the same time, that Public Sector broadband procurement materially influences scale economics in a small market, reinforcing the importance of competitive neutrality.

Required Regulated Measures:

a) Declare national fibre backbone infrastructure and fixed backhaul transmission facilities to be essential facilities for purposes of Section 26. Denial, delay, or discriminatory access shall constitute abuse of dominance.

b) Mandate fixed broadband fibre infrastructure sharing in underserved and unserved rural communities.

c) Mandate Speednet be given equal access to the Arcos Cable, or BTL to provide broadband internet service on the same terms that it is able to secure for itself, with Speednet paying only for its share of the operational running cost of that Arcos termination equipment.

Question 6: Grouped Assessment of Certain Retail Services

Consultation Question 6- Grouped Retail Services: Do you agree with the Commission's Initial Finding of Significant Market Power in the following retail markets:

• toll-free and inbound service number offerings;

• corporate or enterprise messaging services; and

• international roaming services

Speednet's Response:

Speednet agrees with the Commission's approach in Section 3.4.4 to assess whether Significant Market Power may arise not only in individual retail markets, but also through the aggregation of services and portfolio effects.

BTL's dominant position in fixed broadband, its strong position in mobile services, and its legacy dominance in fixed voice collectively have created the ideal conditions for portfolio-level leverage by BTL. The ability to bundle fixed and mobile services, integrate infrastructure across platforms, and allocate costs across service lines has enhanced BTL's capacity to reinforce customer retention and influence competitive dynamics beyond any single market.

This portfolio integration materially amplifies BTL dominance. Cross-subsidization between services, bundled pricing strategies, and integrated enterprise offerings create unfair disadvantages for Speednet that lacks comparable scale or infrastructure capacity and breadth.

Once the Commission confirms BTL's Significant Market Power in core retail markets, it should adopt safeguards consistent with Sections 26 and 42 of the Telecoms Act to prevent the leveraging of that dominance across bundled services. These measures are necessary to preserve legitimate and fair competition to the benefit of consumers.

Required Regulated Measures:

a) Commission-approved cost allocation methodology.
b) Commission to declare that pricing of toll-free, enterprise messaging, or roaming services below incremental cost, where sustained and strategic, constitutes abuse of dominance under Section 26.
c) Commission to stop all bundling and cross subsidization of services.

International Roaming

International roaming is a unique market segment in which both BTL and Speednet maintain nationwide tourist-area coverage providing services to foreign subscribers, predominantly from the United States and who generate 90% of the inbound roaming traffic.

In recent years, The US carriers have exercised significant buying power by playing Speednet and BTL against each other progressively extracting ridiculously low and unsupportable inter-operator tariffs that no longer reflect the full cost of service delivery in Belize, yet providing enormous profit margins for the foreign carriers, who bill their customers for the roaming services, which are provided for them by BTL and Speednet across Belize.

A coordinated approach by BTL and Speednet to stem this race to the bottom, limited solely to the negotiation of cost oriented international termination rates with foreign carriers, without affecting national retail competition, has been in the works for some time now, with the process, personnel, responsibilities, rates and commercial documents relating to this arrangement having already been agreed by BTL and Speednet. The need now is simply to implement it.

Given the volume of traffic involved, such a collaboration would inject several millions of US dollars into Belize's economy and strengthen the financial capacity of both operators to invest rationally in national infrastructure under the umbrella of infrastructure sharing. As stated above, this collaboration would be confined to international roaming negotiations; would not involve coordination of domestic pricing or service offerings and be consistent with the objectives and provisions of the Act. Everything is ready for this to be implemented.

At this stage, the PUC simply needs to agree that we can move forward, and indeed insist that this is implemented as soon as possible, given that there is no logical reason why it should be delayed further.

International roaming, viewed alongside infrastructure sharing, comprises two powerful and practical mechanisms for correcting BTL dominance and promoting sustained competition.

Question 7: Methodology for Wholesale SMP Assessment (Section 3.4.6)

Consultation Question 7: Do you agree with the Commission's Initial Finding of Significant Market Power in one or both of the following wholesale interconnection markets, as assessed under section 42 of the Act:

- *Wholesale call termination services; and*
- *wholesale call origination, conveyance, and transit services?*

Speednet Response:

Speednet agrees with the Commission's observation that interconnection relationships are inherently bilateral and characterized by reciprocal dependence, including exclusive control over termination on each operator's network. Interconnection is governed by a negotiated agreement between Speednet and BTL and is subject to approval by the Commission and statutory oversight under the Telecoms Act.

However, the effectiveness of wholesale interconnection regulation depends not only on the existence of formal agreements, but on timely renewal, cost-oriented tariff review, and enforceable compliance with the Act.

The current interconnection agreement expired in June 2025 and is now on an extension period of 6 months with the same high tariffs. Despite repeated engagement by Speednet and direction from the Commission to pursue good-faith negotiations toward revised, cost-oriented tariffs consistent with Section 23 of the Act, the renewal process has been stalled by BTL.

As a result, the existing high rates interconnection rates continue to apply by procedural extension rather than by agreement or regulatory determination, netting BTL Bz $4.3m over the last five years alone in net settlements, since Speednet is a net out-payer. This revenue further enables BTL to invest in its infrastructure and helps to unfairly sustain BTL's dominance at the expense of Speednet.

To date, both Parties have submitted written statements of their respective position on interconnection tariffs and the basis for that position, having regard to Section 23 of the Telecommunications Act, and in particular Section 23(2)(b).

Required Regulated Measures:

a) As an immediate step, to issue a determination on an interconnection tariff upon analysis of the submissions by Speednet and BTL but no later than 31st March 2026 that would lead to a new to Interconnection Agreement.

b) Mandate incremental cost methodology for interconnection tariffs.

c) Mandate specific timelines for conclusion of interconnection agreements. Failure to respond by the dominant operator leads to penalties.

This clear and regulatory direction is essential to ensure that the current unfair competitive distortion is resolved in keeping with Section 42 of the Act.

Wholesale interconnection is foundational to fair and effective competition in retail telecommunications markets. Significant Market Power requires regulatory enforcement that must be active and aligned with statutory cost-oriented principles to safeguard effective and sustainable competition.

Question 8: Wholesale Fixed Access & Capacity Services (Section 3.4.8)

Consultation Question 8- Do you agree with the Commission's initial finding that BTL appears to enjoy a position of Significant Market Power in one or both of the following wholesale markets, as assessed under section 42 of the Act:

- *wholesale fixed broadband access and local access services; and*
- *wholesale leased lines, dedicated capacity, and high-quality connectivity services?*

Speednet Response:

Speednet agrees that BTL holds a structurally dominant position in the above wholesale service markets.

BTL controls the most extensive nationwide fibre backbone in Belize, including urban and certain fibre infrastructure, long-haul fibre routes, and the submarine fibre link to San Pedro. This infrastructure underpins wholesale fixed broadband access, leased lines, dedicated capacity, and high-quality connectivity services.

BTL has acknowledged that significant portions of its fibre backbone capacity remain underutilized. In these circumstances, continued reliance on infrastructure exclusivity does not promote efficiency, nor does it align with the competitive objectives of the Telecommunications Act.

These structural characteristics also reflect historic infrastructure accumulation and scale advantages that cannot be replicated efficiently nationwide. Where duplication is economically impractical, competition is best preserved through proportionate access obligations rather than downstream retail regulation.

Furthermore, BTL's nationwide backbone fibre and related infrastructure were developed during periods of monopoly or effective monopoly. Much of this infrastructure constitutes sunk investment that has already been recovered through its profits over many years. The Commission has correctly stated that duplication of such nationwide backbone assets is economically inefficient and, in Belize's small market, commercially impractical.

Accordingly, the required regulatory response is not further duplication but structured infrastructure sharing. Access to long-life assets such as backbone fibre routes and towers should therefore be mandated on fair and transparent shared operational costs (but not charges for access) that reflect ongoing operational and maintenance costs rather than legacy capital recovery (with the physical assets having already been recovered over many years). Such an approach would remove structural barriers to expansion, reduce wasteful duplication of scarce national resources, and promote sustainable competition consistent with Sections 26 and 42 of the Act.

The Public Utilities Commission already possesses appropriate statutory tools to address this infrastructure constraint through the existing Infrastructure Sharing Regulations of August 2010 that can be further amended where necessary to enable the Commission to effectively promote competition in current and future market conditions.

Active enforcement of these provisions is essential to prevent structural dominance in backbone and passive infrastructure and prevent downstream market dominance. The Commission is called upon to treat wholesale fixed access and capacity markets as core structural markets requiring firm access obligations, as proposed herein, in order to safeguard effective competition across retail services.

Question 9: Wholesale International Connectivity Services (3.4.9)

Consultation Question 9- Do you agree with the Commission's initial finding that Belize Telemedia Limited appears to enjoy a position of Significant Market Power in the wholesale international connectivity and transit services market, as assessed under section 42 of the Act?

Speednet response

Speednet agrees that Belize Telemedia Limited holds a dominant position in the wholesale international connectivity and transit services market.

BTL controls the sole submarine cable landing facility in Belize connecting to the ARCOS-1 submarine cable system. Submarine connectivity constitutes the country's primary high-capacity, resilient international gateway when compared to alternative terrestrial cross border routes that involve extended transmission distances and are more susceptible to periodic extended outages.

Submarine connectivity and capacity underpin national broadband services, enterprise connectivity, government digital services, and wholesale transit.

Control of the ARCOS landing station by BTL therefore represents a significant national concern. For Belize, such an infrastructure is properly widely regarded as essential, as alternative submarine cable landings are likely economically impractical.

Aggregated demand arrangements among BTL, Speednet, and the cable operators have resulted in significant per-megabit price reductions. These reductions demonstrate the benefits of scale efficiencies and coordinated purchasing.

However, demand aggregation does not negate structural dominance. Access to the landing station, integration with domestic backbone networks, and the technical and operational interfaces required to deliver international transit remain concentrated in the hands BTL

Furthermore, aggregated demand continues to operate through BTL, as the sole landing operator, including the application of an unsupportable 15% additional margin on top of the underlying ARCOS wholesale price. This additional 15% bears no relationship to the underlying operating cost of maintaining the equipment, and these excess profits for BTL artificially sustain its dominance.

Accordingly, Speednet submits that firm regulatory obligations are necessary, including mandatory, equal, non-discriminatory access to submarine landing facilities and associated infrastructure. Any landing station-related charge should include transparent, and cost-based access charges only rather than a discretionary markup, with no charge related to the termination equipment, the cost of which has been recovered many times over by BTL over the years.

Such regulatory safeguards promote a fairer and equal access solution to international gateway infrastructure, such as ARCOS, which is not merely a commercial asset. It is critical national digital infrastructure.

The objectives of Sections 26 and 42 of the Act require the Commission to ensure equal access to ARCOS; that the access does not remain in the hands of a single operator; that it does not entrench or amplify downstream dominance but instead operates in a manner that promotes effective competition and national development.

Question 10: Regulatory Consequences and Indicative Remedies (Section 3.7)

Do you agree with the Commission's indicative ex-ante regulatory remedies following its Initial Findings of Significant Market Power, as set out in Section 3.7 of this Initial Determination? In particular, stakeholders are invited to comment on:

(a) whether the categories of potential remedies identified in section 3.7.3 are appropriate having regard to sections 42 and 26 of the Telecommunications Act;

(b) whether the indicative mapping of relevant markets to potential remedy categories in section 3.7.4 appropriately reflects the characteristics of each market and the nature of the Initial Findings;

(c) whether any remedy category should be added, removed, or reclassified for a specific market; and

(d) whether the Commission's proposed market-specific and proportionate approach to remedies is appropriate at this consultative stage.

Speednet Response

In light of the Commission's preliminary findings that BTL appears to enjoy Significant Market Power across multiple retail and wholesale markets, the focus now shifts from identification of dominance to the implementation of enforceable corrective measures to address it.

Section 26 of the Act provides the Commission with clear authority to impose ex-ante obligations once Significant Market Power is confirmed under Section 42.

In Belize's small and concentrated market, structural dominance is intricately linked to control of prime long-life national infrastructure assets, (backbone fibre, towers, international connectivity facilities, and essential wholesale interconnection arrangements) whose duplication is economically impractical as Speednet has demonstrated in these submissions.

The required regulatory response is therefore not inefficient replication, but enforceable infrastructure access on fair, transparent, and cost-based terms that reflect ongoing operational costs rather than historic capital recovery (which has already been achieved over many years).

The Commission's attention is also drawn to the IDB's independent observation that Belize's duopolistic mobile structure and BTL's dominance in fixed broadband could constrain innovation and price competition if structural imbalances remain unaddressed. This independent observation reinforces the need for firm regulatory intervention.

The remedy categories identified in Section 3.7.3 are appropriate in principle. However, in small and concentrated markets such as Belize, transparency and non-discrimination alone are insufficient. Regulations must include and enforce, among others:

- Access to BTL's towers, sites, and fiber infrastructure through enforcement of infrastructure access and sharing regulations.
- Interconnection agreements based on incremental cost based tariffs;
- Timely regulatory determinations of dispute resolution.
- Access to ARCOS landing station.
- The elimination of service bundling and cross subsidization.

Sections 26 and 42 of the Act empower the Commission to correct these structural imbalances. Once Significant Market Power is confirmed, firm and operational ex-ante remedies are required to ensure that BTL's structural dominance does not continue to translate into enduring competitive distortion.

Question 11: Market-Specific Remedy Considerations (Section 3.7.4)

Without prejudice to the Commission's Initial Findings, do you consider that any specific competition concern identified in a particular retail or wholesale market would warrant a different or more targeted form of regulatory intervention than those indicated in Section 3.7?

If so, please:

(a) identify the relevant market(s);

(b) describe the nature of the competition concern; and

(c) explain how the proposed intervention would address that concern in a

manner consistent with sections 26 and 42 of the Act.

Speednet Response:

Speednet has identified, throughout its responses to the Commission's questions, the specific structural competition concerns arising in the relevant retail and wholesale markets. These include dominance rooted in control of backbone fibre, tower infrastructure, international connectivity facilities, and interconnection arrangements, the bundling and cross subsidization of services, and the relationship between the Government and BTL which results in a distortion of Government telecommunications service contracts in favour of BTL.

These structural features create barriers to expansion, enable pricing asymmetries, and risk reinforcing portfolio-level leverage.

The targeted interventions required to address these concerns are equally clear and consistent with Sections 26 and 42 of the Act. They include mandatory and non-discriminatory infrastructure access on appropriate cost-oriented terms; incremental cost-based interconnection tariffs; equal access to essential facilities such as the ARCOS landing station; and timely regulatory determinations to prevent procedural delay in addressing BTL's dominance and market power.

Accordingly, Speednet submits that no additional remedy categories are required beyond those contemplated in Section 3.7. Rather, the Commission's task is to apply them firmly, proportionately, and enforce ably so that structural dominance is effectively corrected, thereby preserving incentives for efficient investment and sustainable competition.

From: Evan Tench <tench@wirelesscommsbz.com>
Sent: Monday, 02 March 2026 15:36
To: info@puc.bz
Subject: "Comments – Initial Determination on Market Dominance"

Dear Chairman and Commissioners,

Please find attached the Belize Cable TV Operators Association's (BCTVOA) response to the Public Utilities Commission's Initial Determination on Market Dominance issued under Section 42 of the Telecommunications Act.

The submission includes our cover letter and Annex 1 listing the member operators represented in this response.

Should the Commission require any clarification or additional information, we remain available to assist.

Regards,

Evan Tench
Chairman
Belize Cable TV Operators Association (BCTVOA)

BELIZE CABLE TELEVISION OPERATORS ASSOCIATION

March 2, 2026

Chairman and Commissioners
Public Utilities Commission
Belize City, Belize

Re: Public Consultation – Initial Determination on Market Dominance

Dear Chairman and Commissioners,

On behalf of the Belize Cable TV Operators Association (BCTVOA), please find attached our formal response to the Commission's Initial Determination on Market Dominance under Section 42 of the Telecommunications Act.

BCTVOA generally agrees with the Commission's preliminary findings across the identified retail and wholesale markets. However, we respectfully submit that the evidence supports a definitive finding that Belize Telemedia Limited holds Significant Market Power in the Retail Fixed Broadband Internet Access Services market, rather than the current "may hold" classification.

Our submission outlines the structural factors supporting this position, including upstream infrastructure control, international gateway dependence, nationwide scale advantages, and their downstream competitive effects.

For ease of reference, Annex 1 to our submission contains the list of BCTVOA member operators represented in this consultation response.

We appreciate the opportunity to participate in this consultation and remain available to assist the Commission as it moves toward its Final Determination.

Respectfully submitted,

Evan Tench
Chairman
Belize Cable TV Operators Association (BCTVOA)

ANNEX 1

Member Operators of the Belize Cable TV Operators Association (BCTVOA)

- Central TV & Internet
- Centaur Communications
- Coral Cable Vision
- Southern Cable Network
- Oak Tree Cable
- Clear the Land Cable

March 2nd, 2026

CONSULTATION RESPONSE

The Belize Cable TV Cable Operators Association (BCTVOA)

Public Utilities Commission

Initial Determination on Market Dominance

1. Introduction

The Belize Cable TV Operators Association (BCTVOA) is an industry association representing licensed cable television and broadband service providers operating throughout Belize. Our members collectively serve communities across the mainland and island districts and have invested substantial private capital in fixed broadband, hybrid fibre-coaxial (HFC), and fibre network infrastructure. See Annex 1 for a listing of our members.

The BCTVOA respectfully submits this response on behalf of its member operators pursuant to the Public Utilities Commission's request for stakeholder input in relation to its **Public Consultation – Initial Determination on Market Dominance (February 2, 2026)** issued under Section 42 of the Telecommunications Act.

This submission reflects the shared experience and concerns of regional infrastructure-based operators that compete in downstream retail markets while relying, in certain respects, on upstream facilities controlled by Belize Telemedia Limited (BTL). Our members welcome the opportunity to participate in this consultation process and to provide evidence-based observations to assist the Commission in its forward-looking assessment of competition conditions in Belize's telecommunications sector.

We operate in a market characterized by:

- High sunk costs
- Infrastructure duplication challenges
- Limited economies of scale
- A dominant, vertically integrated, state-owned competitor (BTL)

From the BCTVOA's perspective, the structural conditions described by the Commission are not theoretical — they reflect the daily competitive realities we face.

RESPONSE TO CONSULTATION QUESTIONS

Consultation Question 1 – Defined Retail Markets

The BCTVOA agrees with the Commission's proposed retail market definitions.

The segmentation between:

- Fixed voice
- Mobile
- Fixed broadband
- Toll-free
- Enterprise messaging
- International roaming

is economically sound and reflects substitutability and competitive dynamics appropriately.

In particular, the BCTVOA supports the Commission's decision to treat **Retail Fixed Broadband Internet Access Services** as a distinct market. Fixed broadband is not functionally interchangeable with mobile broadband or satellite solutions for the majority of users.

Consultation Question 2 – Defined Wholesale Markets

The BCTVOA agrees with the wholesale market definitions.

However, we strongly emphasize that:

- Wholesale fixed broadband access
- Local access infrastructure
- International connectivity
- Leased lines and capacity

are essential upstream inputs that can materially determine downstream competitive viability.

In Belize's small market, control of wholesale bottleneck facilities has disproportionate competitive impact.

The BCTVOA urges the Commission to apply heightened scrutiny to upstream markets where BTL's infrastructure control may be leveraged into downstream retail markets.

Consultation Question 3 – Retail Fixed Voice Services

The BCTVOA agrees with the Commission's Initial Finding that **BTL holds SMP in Retail Fixed Voice Services.**

The market share asymmetry (~96% vs 4%) is overwhelming and structurally durable.

The absence of fixed number portability further entrenches dominance.

THE BCTVOA supports the Commission's finding.

Consultation Question 4 – Retail Mobile Telecommunications Services

The BCTVOA agrees that **BTL holds SMP in Retail Mobile Telecommunications Services.**

Key structural concerns include:

- Scale asymmetry (65% vs 35%)
- Network integration advantages
- Converged NGN architecture
- Absence of mobile number portability
- Barriers to new entry in a small national market

Importantly, mobile scale advantages spill over into other markets, including fixed broadband, through bundling strategies. BTL's ability to bundle mobile data and telephony with broadband services creates structural foreclosure risks for broadband only operators.

Consultation Question 5 – Retail Fixed Broadband Internet Access Services

The BCTVOA strongly agrees with the Commission's preliminary view that **BTL holds (or may hold) SMP in Retail Fixed Broadband Internet Access Services.**

From the BCTVOA's operational experience:

1. Geographic Asymmetry

Although the BCTVOA operates regionally, BTL's nationwide footprint allows:

- Cross-subsidization across districts
- Uniform national pricing strategies
- Coordinated bundling

Regional operators cannot match these advantages.

2. Infrastructure Control

BTL controls:

- Nationwide fibre backbone
- Extensive pole infrastructure
- Integrated access and core networks
- Submarine cable to island markets

This creates structural advantages that are not commercially replicable in Belize's limited market size.

3. Bundling and Scope

BTL bundles:

- Fixed broadband
- Fixed voice
- Mobile services
- Content services

Regional broadband-only operators cannot replicate these integrated offers without wholesale access on fair and non-discriminatory terms. The use of these integrated offers and what can very well amount to cross subsidisation of services amounts to unfair and anti-competitive practices that put not just in jeopardy the ability of operators to compete, but even their ability to survive in the medium to long-term. Customers often cite the bundling of mobile data and telephony with fixed wireless access as their single biggest reason not to switch providers even when member operators are offering clearly superior fixed wireless services.

4. Scale Economies in a Small Market

In Belize's small population:

- Scale advantages compound quickly
- Marginal cost declines materially with size
- Investment resilience differs dramatically between operators

5. BTL's state ownership further enhances perceived investment certainty.

The Government of Belize is the country's largest single consumer of telecommunications services. Yet despite the government's own processes requiring open and transparent tendering, BTL continues to automatically be awarded government contracts on a massive scale.

- Members of the BCTVOA are not given the opportunity to bid for any government business
- Operators are deprived of potential revenues to invest, innovate , and scale

The BCTVOA Position

The BCTVOA submits that the evidence supports a definitive finding that:

BTL holds Significant Market Power in Retail Fixed Broadband Internet Access Services.

The current wording ("may hold SMP") understates the structural realities faced by regional operators.

The BCTVOA stands ready to provide the Commission with examples such as the use of bundling mobile data with fixed wireless access, anti-competitive pricing practices, market setting of prices, etc., that demonstrate how BTL has used its SMP to act in this market without regard to competitive constraints.

Consultation Question 6 – Grouped Retail Services

(Toll-Free, Enterprise Messaging, International Roaming)

THE BCTVOA agrees that BTL holds SMP in these markets.

Although THE BCTVOA does not directly operate in these segments, the structural logic is consistent:

- These services are dependent on underlying fixed and mobile subscriber scale
- Scale asymmetry translates directly into competitive advantage
- Entry barriers are prohibitive

We support the Commission’s findings.

Question 7 – Wholesale Interconnection

BTL holds structural advantages in termination markets due to network scale.

Wholesale terms must be strictly non-discriminatory and cost-oriented.

The BCTVOA supports the Commission’s findings.

Question 8 – Wholesale Fixed Access & Capacity Services

The BCTVOA agrees with the Commission’s initial finding that Belize Telemedia Limited (BTL) appears to enjoy a position of Significant Market Power (SMP) in **both** of the following wholesale markets:

- Wholesale fixed broadband access and local access services; and
- Wholesale leased lines, dedicated capacity, and high-quality connectivity services.

Our agreement applies to both markets.

The BCTVOA respectfully submits that Wholesale Fixed Access & Capacity Services represent one of the most critical upstream markets affecting competition in Belize’s telecommunications sector. For BCTVOA members, access to backbone transport, submarine cable infrastructure, and international gateway facilities is not discretionary — it is an indispensable input required to deliver downstream broadband and enterprise connectivity services.

In Belize’s market structure, these upstream facilities are highly concentrated and, in several cases, non-duplicable at efficient scale. As such, the terms and conditions of access directly determine whether effective and sustainable downstream competition can exist.

1. Dependence on ARCOS-1 as the Sole International Gateway

ARCOS-1 functions as Belize’s principal — and effectively indispensable — international broadband gateway. There is no commercially viable alternative international landing facility available to independent operators.

For BCTVOA members:

- International capacity is a foundational upstream input;
- Downstream broadband quality, pricing, and scalability depend directly on access to this gateway;
- Redundancy and resilience planning are dependent on upstream transport arrangements.

Where a vertically integrated operator controls or materially influences access to the only effective international gateway while competing downstream, the structural risk of input foreclosure arises.

2. Essential Facilities Doctrine

Under the Essential Facilities Doctrine, regulatory intervention may be appropriate where:

1. A facility is indispensable for downstream competitors;
2. The facility cannot be reasonably duplicated;
3. The facility is controlled by a vertically integrated operator;
4. Access is denied or restricted in a manner that impairs downstream competition.

ARCOS-1 access in Belize meets these criteria:

- **Indispensability**: There is no economically viable alternative gateway.
- **Non-duplicability**: Submarine landing infrastructure involves high sunk costs and limited scale efficiencies in a small market.
- **Vertical Integration**: BTL competes downstream in retail broadband markets.
- **Restriction**: Access has been denied or structured in a manner that maintains dependency and limits independent scaling.

BCTVOA submits that access to ARCOS-1 constitutes an essential facility in the Belizean context.

3. Denial and Restriction of Access

BCTVOA members have experienced both direct and indirect restrictions in relation to this gateway:

- Denial of infrastructure-level access;
- Restriction to capacity resale arrangements rather than dark fibre access;
- Absence of independent redundancy options;
- Structural dependency on BTL-controlled pathways.

While access has not been completely eliminated, the structure of access has constrained members' ability to independently scale capacity, manage costs, and plan long-term network investment.

In competition economics, such conduct may constitute **partial input foreclosure —** where access is technically available but constrained in ways that limit competitive effectiveness.

4. The 15% ARCOS Surcharge – Evidence of Market Power

A recent example illustrates the exercise of Significant Market Power in this upstream market.

BTL invited other operators to pool their international bandwidth consumption with BTL's in order to secure more favourable pricing from ARCOS.

While the negotiated ARCOS rate was passed through, BTL subsequently imposed an additional unilateral 15% surcharge on the bandwidth provided to other operators.

This surcharge:

- Was not negotiated;
- Was not transparently cost-justified;
- Was imposed on a "take it or leave it" basis;
- Could not be reasonably avoided due to absence of alternative gateways.

From an economic standpoint, this reflects:

- **Supra-competitive pricing of an upstream input**;
- **Monopoly rent extraction**;
- **Raising rivals' costs**;
- **Absence of countervailing buyer power**;
- A potential **margin squeeze risk**, given vertical integration.

Because BTL's downstream operations do not face the same surcharge internally, this creates asymmetric cost structures that may distort retail competition.

In small markets such as Belize, even a 15% markup on international bandwidth materially affects pricing flexibility, reinvestment capacity, and competitive viability.

5. San Pedro Example – Submarine Cable Access Restriction

BCTVOA also draws the Commission's attention to the experience of a member operator serving San Pedro.

This operator:

- Is denied infrastructure-level access to the submarine cable connecting San Pedro to the mainland;
- Is permitted only controlled wholesale capacity at prices determined by BTL;
- Does not have access to dark fibre in that submarine route.

As a result:

- The operator cannot independently scale capacity in response to demand;
- Expansion planning is dependent on upstream allocation decisions;
- Redundancy and resilience options are constrained;
- Competitive positioning against the vertically integrated incumbent is weakened.

This scenario illustrates **expansion foreclosure —** where an entrant is allowed to operate but is structurally constrained from growing to an efficient competitive scale.

From an economic perspective, restricting infrastructure-level access while offering only controlled capacity resale can function as a mechanism of **vertical leveraging**, reinforcing upstream control to protect downstream market share.

6. Competitive Harm and Market Structure

Wholesale Fixed Access & Capacity Services are vertically related to retail broadband markets.

Where a dominant operator:

- Controls essential backbone and submarine infrastructure,
- Restricts infrastructure-level access,
- Imposes unilateral surcharges on international capacity,
- Competes downstream in retail markets,

the structural risk is not necessarily immediate exclusion, but long-term competitive weakening of independent operators.

This may lead to:

- Higher downstream prices,
- Reduced service innovation,
- Slower broadband upgrades,
- Diminished investment incentives,
- Increased market concentration over time.

In small economies, the cumulative effect of such constraints may significantly alter competitive outcomes.

7. Regulatory Considerations

BCTVOA respectfully submits that the Commission should:

1. Explicitly recognize ARCOS-1 landing access and submarine transport infrastructure as essential facilities.
2. Determine that BTL holds Significant Market Power in Wholesale Fixed Access & Capacity Services, in particular in the two markets as defined in Consultation Question 8.

3. Examine whether current access arrangements create raising-rivals'-costs effects;

4. Mandate infrastructure-level access (including dark fibre where technically feasible);.
5. Mandate non-discriminatory access to submarine landing facilities.
6. Impose cost-oriented, transparent and non-discriminatory pricing obligations.
7. Require accounting separation between wholesale and retail divisions to detect margin squeeze risk.

Absent such measures, the upstream wholesale market will remain structurally distorted, undermining the effectiveness of retail SMP remedies and preventing the development of sustainable competition.

8. Conclusion

BCTVOA agrees that BTL appears to hold SMP in:

- Wholesale fixed broadband access and local access services; and
- Wholesale leased lines, dedicated capacity, and high-quality connectivity services.

The combination of:

- Control of non-duplicable infrastructure;
- High barriers to entry and expansion;
- Vertical integration;
- Limited countervailing buyer power;
- Geographic constraints; and
- Interaction with international connectivity control

collectively support the Commission's preliminary assessment under Section 42(3).

BCTVOA respectfully submits that confirming SMP in both markets would be consistent with the statutory framework and necessary to support proportionate and effective remedies aimed at promoting sustainable competition.

Wholesale Fixed Access & Capacity Services are foundational to the viability of independent broadband operators.

Access to ARCOS-1 and transport infrastructure is not merely a commercial matter — it is structurally determinative of downstream competition.

The BCTVOA submits that ensuring fair, scalable, and economically reasonable access to these upstream facilities is essential to fulfilling the Commission's forward-looking mandate under Section 42 and to promoting sustainable competition in Belize's telecommunications sector.

Additional Observations Relevant to Wholesale Assessment

The BCTVOA respectfully submits that:

The long-term competitive health of Belize's telecommunications sector will depend primarily on wholesale market regulation.

In particular:

- Wholesale fixed broadband access
- Access to dark fibre, poles, ducts, and towers
- International capacity pricing
- Non-discrimination in internal transfer pricing
- Competitive access to services that BTL bundles not currently available to other operators, including mobile data and telephony services.

are critical to preventing foreclosure of regional operators.

Without effective wholesale safeguards, retail SMP findings alone will not restore competitive balance.

Consultation Question 9 – Wholesale International Connectivity & Transit Services

The BCTVOA agrees with the Commission's initial finding that Belize Telemedia Limited (BTL) appears to enjoy a position of Significant Market Power (SMP) in the wholesale international connectivity and transit services market.

In the BCTVOA's view, the structural characteristics of this market — including gateway concentration, absence of viable alternatives, and vertical integration — strongly support such a finding under Section 42 of the Telecommunications Act.

1. Structural Control of International Connectivity

Belize's international broadband connectivity is effectively dependent on ARCOS-1, which functions as the principal and economically indispensable international gateway.

BTL controls or materially influences access to this gateway and to the associated international transit arrangements.

There are no economically viable alternative international landing facilities available to independent operators at present.

This confers upon BTL:

- Control over international bandwidth supply,
- Influence over pricing structures,
- Strategic position in transit arrangements,
- The ability to affect downstream cost structures.

In a small national market, such gateway control is structurally significant.

2. Absence of Domestic Interconnection and Forced International Routing

BCTVOA wishes to highlight a specific structural concern that further demonstrates the exercise of upstream market power.

There currently exists no direct domestic IP interconnection between BCTVOA members' networks and BTL's network.

As a result:

- Traffic between our customers and BTL customers is routed internationally;
- Data must travel to Miami before returning to Belize;
- International transit bandwidth is consumed unnecessarily;
- Latency increases and service quality degrades.

For example:

When BTL customers use a streaming application hosted on a BCTVOA member's network, traffic must be routed to Miami before reaching the local network. The same occurs when our customers attempt to access content or services hosted on BTL's network.

This structure produces:

- Additional international bandwidth costs;
- Increased latency;
- Reduced quality of service;
- Artificial inflation of upstream input demand.

From an economic perspective, this resembles a form of structural transit dependency that increases rivals' costs and degrades competitive neutrality.

In efficient telecommunications markets, domestic traffic should be exchanged domestically. The absence of local interconnection effectively forces independent operators to consume international transit unnecessarily.

3. Application of Section 42(3) Statutory Factors

Under Section 42(3), the Commission must consider factors including:

- Market share;
- Barriers to entry and expansion;
- Control of infrastructure not easily duplicated;
- Economies of scale and scope;
- Vertical integration;
- Countervailing buyer power.

Applying these factors:

(a) Control of Non-Duplicable Infrastructure
International gateway and landing facilities are high sunk-cost assets not economically replicable in Belize's market.

(b) Barriers to Entry
Submarine landing infrastructure involves substantial capital expenditure and long investment horizons, making entry unlikely.

(c) Vertical Integration
BTL operates in both upstream wholesale markets and downstream retail broadband markets.

(d) Absence of Countervailing Buyer Power
Independent operators lack bargaining leverage due to the absence of alternative gateways.

(e) Economies of Scale
BTL's scale in international capacity procurement further reinforces its structural advantage.

Collectively, these factors strongly support the Commission's preliminary finding of SMP.

4. Economic Implications

The current structure gives rise to several competition concerns:

- **Raising rivals' costs** through international routing requirements;
- **Margin compression risks** due to asymmetric upstream costs;
- **Input foreclosure risks** where infrastructure-level alternatives are unavailable;
- **Artificial inefficiency** caused by lack of domestic peering.

The forced routing of domestic traffic through Miami introduces unnecessary international bandwidth consumption, increasing costs for independent operators relative to a domestically peered structure.

It also degrades service performance, particularly for latency-sensitive applications such as streaming and real-time services.

These effects distort competitive conditions.

5. Regulatory Considerations

BCTVOA respectfully submits that the Commission should consider:

1. Confirming the finding of SMP in Wholesale International Connectivity & Transit Services;
2. Requiring domestic IP interconnection or peering arrangements on fair and non-discriminatory terms;
3. Imposing cost-oriented and transparent pricing obligations for international transit;
4. Considering essential facilities designation for international gateway access;
5. Evaluating whether accounting separation safeguards are necessary to mitigate vertical leveraging risks.

Domestic peering would:

- Reduce unnecessary international bandwidth consumption;
- Improve service quality for consumers;
- Lower upstream costs;
- Promote competitive neutrality.

Such measures would be consistent with:

- Section 42's forward-looking SMP assessment; and
- Section 26's mandate to promote competition and protect consumers.

Conclusion

BCTVOA agrees with the Commission's initial finding that BTL appears to hold SMP in the wholesale international connectivity and transit market.

The combination of:

- Gateway concentration,
- Non-duplicable infrastructure,
- Vertical integration,
- Lack of domestic interconnection,
- Forced international routing of domestic traffic,

demonstrates durable structural market power.

Addressing these conditions through proportionate and targeted remedies will enhance efficiency, promote sustainable competition, and improve service outcomes for Belizean consumers.

Consultation Question 10 – Regulatory Consequences and Indicative Remedies

The BCTVOA welcomes the Commission's structured and market-specific approach to remedies following its Initial Findings of Significant Market Power (SMP). We agree that any ex-ante regulatory obligations must be necessary, proportionate, and forward-looking, consistent with Sections 42 and 26 of the Telecommunications Act.

However, given the structural characteristics of Belize's telecommunications markets — particularly vertical integration, control of non-duplicable infrastructure, international gateway concentration, **and bundling asymmetries arising from services not available to other operators** — BCTVOA respectfully submits that certain remedy categories may need to be strengthened or clarified to ensure that downstream competition can function effectively.

(a) Appropriateness of Remedy Categories under Sections 42 and 26

Section 42 requires a forward-looking assessment of whether a licensee can act independently of competitors and consumers. Section 26 empowers the Commission to impose conditions necessary to promote competition and protect consumer interests.

BCTVOA agrees that the following categories of remedies are generally appropriate in principle:

- Transparency obligations
- Non-discrimination obligations
- Cost-orientation requirements
- Access and interconnection obligations
- Accounting separation
- Potential structural remedies where necessary

However, in the Belizean context, the practical effectiveness of these categories depends heavily on whether they meaningfully address upstream bottleneck facilities **and competitive distortions arising from bundled service offerings**.

Where an operator controls essential infrastructure (e.g., backbone fibre, submarine transport routes, ARCOS-1 landing access) and is also able to bundle services that independent operators cannot reasonably replicate — such as mobile data and telephony — remedies limited to general transparency or reporting may be insufficient to correct structural asymmetries.

Accordingly, BCTVOA submits that infrastructure-level access obligations — including access to dark fibre where technically feasible — and safeguards addressing bundle pricing practices fall squarely within the scope of Sections 42 and 26 where SMP is found.

(b) Indicative Mapping of Markets to Remedy Categories

BCTVOA generally supports the Commission's effort to map remedy categories to specific markets. However, we respectfully submit that the mapping may understate the need for stronger remedies in certain upstream markets, particularly:

- Wholesale Fixed Access & Capacity Services
- Wholesale International Connectivity & Transit Services

Given the non-duplicable nature of backbone, submarine, and gateway infrastructure, these markets may warrant:

- Explicit cost-orientation obligations;
- Mandated infrastructure-level access (where feasible);
- Accounting separation safeguards;
- Enhanced non-discrimination enforcement mechanisms.

Without such measures, retail-level remedies may prove ineffective due to persistent upstream cost asymmetries.

In addition, the mapping should more clearly reflect the interaction between upstream control and downstream bundling practices. Where BTL bundles broadband with services not available to other operators, competitive conditions in Retail Broadband Markets are directly influenced by wholesale access limitations.

In particular, BCTVOA believes that the mapping should more clearly recognize the interaction between:

- Wholesale international connectivity;
- Backbone transport;
- Retail broadband markets;
- **Bundled retail offerings that combine broadband with mobile and other services.**

These vertically related markets cannot be treated in isolation.

(c) Remedy Categories to be Added, Removed, or Reclassified

BCTVOA respectfully submits that at least four refinements should be considered:

1. Addition: Infrastructure-Level Access Remedies

For markets involving submarine transport and backbone fibre, the Commission should explicitly consider:

- Dark fibre access obligations (where technically feasible);
- Physical access to submarine landing infrastructure;
- Scalable access frameworks that allow independent expansion.

Capacity resale alone may not adequately address raising-rivals'-costs or expansion-foreclosure risks.

2. Addition: Bundling Remedies and Cross-Subsidization Safeguards

BCTVOA respectfully submits that the Commission should include bundling-related safeguards within its remedy framework.

BTL is able to bundle broadband with services — including mobile data and telephony — that independent broadband operators cannot reasonably replicate or access. This creates a structural disadvantage and may allow market power in one market to be leveraged into another.

Accordingly, the Commission should consider:

- Requiring clear accounting justification for the pricing of bundled offerings;
- Ensuring that cross-subsidization between services is not occurring;
- Monitoring for margin squeeze risks arising from bundled pricing;
- Requiring that services included in dominant bundles, and not reasonably replicable by independent operators, be made available at wholesale prices that enable operators to construct competitive bundles.

Wholesale pricing for such services must allow independent operators to assemble bundles that can compete effectively with BTL's integrated offerings.

Absent such safeguards, bundling may operate as a mechanism of vertical leveraging, reinforcing downstream dominance even where individual service markets appear competitive.

3. Strengthening: Cost-Oriented Pricing Obligations

Given the documented example of a 15% surcharge on pooled ARCOS bandwidth, cost-orientation should not be merely indicative but explicitly enforceable in upstream markets where SMP is confirmed.

Absent cost-oriented pricing safeguards, upstream market power may translate directly into downstream competitive distortion.

4. Clarification: Accounting Separation

Where a vertically integrated operator controls upstream inputs and competes downstream, accounting separation becomes critical to:

- Detect margin squeeze risk;
- Ensure wholesale-retail neutrality;
- Provide transparency into transfer pricing structures;
- Assess whether bundled offerings involve cross-subsidization.

BCTVOA submits that accounting separation should be strongly considered in markets where both upstream and downstream SMP risks exist.

(d) Market-Specific and Proportionate Approach

BCTVOA agrees with the Commission's principle that remedies should be market-specific and proportionate at this consultative stage.

However, proportionality must be evaluated in light of structural characteristics:

- Small national market size;
- High sunk-cost infrastructure;
- Vertical integration;
- Lack of economically viable alternative gateways;
- Geographic constraints in island markets;
- **Service portfolio asymmetry arising from bundled offerings unavailable to competitors.**

In markets characterized by essential facilities, non-duplicable infrastructure, and bundling leverage, proportionate remedies may nonetheless require meaningful structural safeguards.

A minimalist remedy approach in upstream markets risks:

- Entrenching downstream dominance;
- Allowing gradual competitive weakening;
- Reducing long-term investment incentives by independent operators;
- Reinforcing structural disadvantages through unreplicable bundled offerings.

Proportionality should therefore be measured against the durability of structural market power, not merely current pricing outcomes.

Markets Where Stronger Remedies May Be Necessary

BCTVOA respectfully identifies the following markets as warranting particular attention:

Wholesale Fixed Access & Capacity Services

Given backbone and submarine infrastructure concentration.

Wholesale International Connectivity & Transit Services

Given reliance on ARCOS-1 as the principal gateway and the documented surcharge example.

Retail Broadband Markets (in Interaction with Bundled Mobile Services)

Given the competitive impact of bundled offerings that cannot be replicated by independent operators.

In these markets, BCTVOA believes that:

- Infrastructure-level access,
- Cost-oriented pricing,
- Non-discrimination enforcement,
- Accounting separation,
- Bundling safeguards and wholesale access to bundled components,

are likely necessary to ensure effective competition.

Consultation Question 11 – Market-Specific Remedy Considerations

The BCTVOA respectfully submits that, in addition to the indicative remedies identified in Section 3.7, certain markets exhibit specific structural characteristics that warrant more targeted and tailored regulatory intervention.

In particular, the BCTVOA identifies concerns in the following markets:

1. Wholesale International Connectivity & Transit Services

(a) Relevant Market

Wholesale International Connectivity & Transit Services

(b) Nature of the Competition Concern

Belize's international broadband connectivity is effectively dependent on ARCOS-1, which functions as the principal and economically indispensable international gateway.

The competition concerns include:

- Control of a non-duplicable international gateway;
- Dependence of all independent operators on a single upstream pathway;
- Imposition of unilateral surcharges (e.g., the 15% surcharge on pooled bandwidth);
- Lack of infrastructure-level access alternatives;
- Risk of raising-rivals'-costs and margin compression.

Because international capacity is a foundational upstream input for downstream broadband services, the structure of this market directly affects retail competition.

Where a vertically integrated operator controls gateway access and competes downstream, there is a structural risk of input foreclosure and vertical leveraging.

(c) Proposed Targeted Intervention

The BCTVOA respectfully submits that this market warrants:

- Explicit designation of ARCOS-1 landing access as an essential facility;
- Cost-oriented wholesale pricing obligations;
- Transparency and accounting separation requirements;
- Prohibition of unilateral markups absent demonstrable cost justification;
- Infrastructure-level access where technically feasible.

Such targeted measures would be consistent with:

- Section 42, which requires a forward-looking assessment of whether a licensee can act independently of competitors; and
- Section 26, which empowers the Commission to impose conditions necessary to promote competition and protect consumer interests.

Given the structural and durable nature of gateway concentration, general transparency remedies alone may be insufficient.

2. Wholesale Fixed Access & Capacity Services (Backbone & Submarine Transport)

(a) Relevant Market

Wholesale Fixed Access & Capacity Services

(b) Nature of the Competition Concern

Backbone fibre and submarine transport infrastructure are high sunk-cost facilities that are not economically duplicable in Belize's small market.

Concerns include:

- Limited or denied access to submarine cable infrastructure (e.g., San Pedro-mainland route);
- Restriction to controlled capacity resale rather than infrastructure-level access;
- Constrained scalability;
- Geographic vulnerability in island markets;
- Expansion foreclosure risks.

Where an operator is allowed to operate but constrained in its ability to grow, competitive viability may be gradually weakened.

(c) Proposed Targeted Intervention

BCTVOA submits that this market warrants:

- Mandated infrastructure-level access (including dark fibre where feasible);
- Scalable access frameworks;
- Non-discriminatory and transparent capacity allocation mechanisms;
- Monitoring of expansion constraints in geographically isolated markets.

These measures would:

- Reduce structural dependency;
- Mitigate raising-rivals'-costs effects;
- Support sustainable downstream competition;
- Be proportionate to the non-duplicable nature of the infrastructure.

These measures are consistent with Section 26's competition promotion mandate and Section 42's forward-looking SMP assessment.

3. Retail Broadband Markets (in Interaction with Bundled Services)

(a) Relevant Market

Retail Fixed Broadband Internet Access Services (in interaction with Mobile and bundled services)

(b) Nature of the Competition Concern

BTL is able to bundle broadband with services that independent operators cannot reasonably replicate, including:

- Mobile data;
- Mobile telephony;
- Other integrated communications services.

Where such services are unavailable on wholesale terms, bundling may create:

- Portfolio advantages;
- Cross-subsidization risks;
- Vertical leveraging across markets;
- Reduced switching incentives;
- Structural asymmetry.

Competition increasingly occurs at the bundle level, not merely on standalone services.

(c) Proposed Targeted Intervention

BCTVOA respectfully proposes:

- Review of bundled pricing for cross-subsidization;
- Accounting separation safeguards;
- Margin squeeze monitoring;
- Wholesale access to non-replicable bundled components at economically viable prices;
- Transparency in bundle cost allocation.

These measures would ensure that bundling does not operate as a mechanism of durable foreclosure.

Such intervention would be consistent with Section 42's forward-looking competition assessment and Section 26's mandate to prevent anti-competitive conduct.

4. Geographic Market Considerations – Island Communities

BCTVOA further submits that geographically constrained markets (e.g., island communities) may warrant targeted remedies where submarine transport is the sole economically feasible connectivity pathway.

Targeted oversight of capacity allocation and pricing in such markets may be necessary to prevent localized competitive distortion.

5. State Ownership and Government Procurement Effects

(a) Relevant Markets

- Retail Fixed Broadband Internet Access Services
- Retail Enterprise Connectivity Services
- Wholesale Fixed Access & Capacity Services (indirectly, through scale effects)

(b) Nature of the Competition Concern

The BCTVOA respectfully submits that state ownership of BTL introduces an additional structural factor that should be considered in the Commission's forward-looking assessment under Section 42.

The Government of Belize is the largest single consumer of telecommunications services in the country. Significant government programs include:

- The Ministry of Education's Internet for Schools program, generating millions of dollars in revenues;
- Internet connectivity for Police Force security cameras, generating hundreds of thousands of dollars annually;
- Anticipated expansion of national security surveillance infrastructure, potentially generating millions more in revenue.

These contracts (and others) have reportedly been awarded to BTL without open tendering or competitive bidding processes.

As a result, BTL has enjoyed effective and unfettered access to substantial, recurring government revenues without being required to compete for such business.

From a competition perspective, this creates material structural effects:

- Enhanced revenue stability and scale advantages;
- Strengthened ability to finance network expansion and bundled offerings;
- Reduced opportunities for independent operators to grow and invest;
- Reinforcement of durable market power.

Under Section 42(3), factors such as economies of scale, vertical integration, and barriers to expansion must be assessed. Preferential or automatic access to the largest institutional customer in the market materially affects these statutory factors.

(c) Proposed Targeted Intervention

While the Commission does not administer public procurement policy, BCTVOA respectfully submits that the competitive implications of government procurement fall within the Commission's mandate to promote competition under Sections 26 and 42.

Accordingly, BCTVOA requests that the Commission consider:

- Requiring open, transparent, and competitive tendering practices for telecommunications services supplied to Government entities. This would simply mean ensuring existing legal requirements are observed;
- Establishing non-discrimination safeguards to ensure competitive neutrality;
- Requiring transparency in pricing for major government telecommunications contracts where such contracts materially affect competitive conditions;
- Considering whether non-competitive allocation of government business constitutes a structural factor reinforcing SMP.

Absent competitive procurement safeguards, the continued automatic allocation of major government contracts to BTL will likely reinforce structural dominance and curtail rivals' opportunities to scale, invest, and compete effectively.

Conclusion

BCTVOA supports the Commission's general remedy framework but submits that certain markets — particularly those involving essential infrastructure, bundled service dynamics, and state-linked procurement effects — warrant more targeted intervention.

These targeted measures would:

- Be proportionate to Belize's structural market conditions;
- Align with Sections 26 and 42 of the Act;
- Promote sustainable competition;
- Protect long-term consumer welfare.

Concluding Remarks

BCTVOA appreciates the opportunity to participate in the Commission's consultation process on its Initial Determination of Market Dominance. We recognize the importance of a forward-looking and evidence-based assessment under Section 42 of the Telecommunications Act and commend the Commission for undertaking a comprehensive review of Belize's telecommunications markets.

Our submission has sought to demonstrate that the structural characteristics of Belize's telecommunications sector — including vertical integration, control of non-duplicable infrastructure, concentration of international gateway access, bundling asymmetries, and the competitive implications of state-linked procurement practices — materially affect the development of sustainable competition.

In particular, BCTVOA has emphasized that:

- Access to essential infrastructure, including international gateway and submarine transport facilities, is foundational to downstream competition;
- Wholesale pricing structures must be transparent, cost-oriented, and non-discriminatory to avoid raising-rivals'-costs and margin compression effects;
- Infrastructure-level access, where technically feasible, is necessary to reduce structural dependency;
- Bundled service offerings must be reviewed to ensure that cross-subsidization and vertical leveraging do not distort competitive neutrality;
- Government procurement practices should promote open and competitive participation to avoid reinforcing structural dominance.

BCTVOA respectfully submits that remedies addressing upstream bottlenecks and structural asymmetries are not punitive in nature; rather, they are necessary to promote efficient investment, encourage innovation, and ensure that competition develops on a fair and sustainable basis.

A proportionate but meaningful regulatory framework — grounded in Sections 26 and 42 of the Act — will strengthen long-term sector stability, improve service quality for consumers, and support continued private investment across Belize.

We stand ready to engage constructively with the Commission as it considers its Final Determination and any associated regulatory measures.

Respectfully submitted,

Evan Tench

Chairman

Belize Cable TV Operators Association (BCTVOA)