



PRESS RELEASE

26 February 2025

Regulator Concludes Investigation on Tower Infrastructure Sharing Dispute

The Utility Regulation and Competition Office (URCO) has reached a determination regarding the longstanding infrastructure sharing dispute between telecommunications providers, Flow and Logic. The determination follows a long investigation involving numerous file reviews, multiple interrogatories, consultations and directions to take action.

In 2023, URCO identified potential issues surrounding the sharing of Flow's communication towers after Logic raised concerns about delays in receiving a timely response to their requests that dated back several years. Logic seeks access to the towers in order to rollout its mobile network. Prompted by these concerns, URCO initiated a thorough investigation to ensure compliance with legal requirements and the terms outlined in their ICT licenses.

In order to facilitate a resolution, URCO formally declared a dispute under the ICT Act, setting a clear deadline for Flow to respond to Logic's infrastructure sharing requests. However, Flow indicated a lack of sufficient information regarding its own infrastructure rendering it unable to assess the feasibility of sharing with Logic.

Concerned with Flow's lack of knowledge over its own infrastructure, the Office launched a formal investigation and in July 2023, released a preliminary Investigation Report highlighting several issues and detailing the necessary steps for resolving the dispute. In August 2023, after confirming that Flow was unable to provide adequate information concerning six towers, URCO issued a Directive requiring immediate action from Flow to ensure compliance. This included directions to cease work on towers due to safety concerns, requirement to conduct structural surveys and requests for information pertaining to structural integrity, general safety, and availability of access for Logic.

Flow submitted the required information along with the results of their structural assessment, revealing that five of the six towers in the matter, could not accommodate additional load due to exceeded wind speed thresholds. One tower in Cayman Brac was not at its threshold limit but was reserved for Flow's future use thus preventing access for Logic.

Following numerous requests for information, meticulous review of the various submissions, production of a final investigation report and draft determination and consideration of responses and cross-commentary to the Draft Determination, the Office issued its final determination on 31 January 2025.

The Determination concluded that:

- Logic was not fully compliant in some submissions to Flow; however, any resultant delays were minor and affected only Logic.



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- Flow did not strictly adhere to the timelines mandated by legal requirements, which was likely due to internal communication issues rather than any ill intent.
- Flow must enhance its processes to manage tower sharing requests efficiently and provide stakeholders with a clear guide for future applications.
- Flow must grant Logic access to the tower in Cayman Brac, as they could not substantiate anticipated requirements for its use.
- There is no obligation for Flow to provide remedial options regarding space on the five Grand Cayman towers, but they must confirm efficient use of these structures.
- Concerns were raised regarding the structural integrity of Flow towers, which pose risks to both personnel safety and third-party equipment. Flow is required to present plans addressing this disrepair without delay.
- Flow must report on measures implemented to ensure that towers exceeding wind speed standards do not jeopardize public health, safety, or operations of other licensees.
- Until compliance with the above requirements is met, Flow is prohibited from attaching or modifying any equipment on towers in need of repair.

The Regulator's ICEO stated *"We are committed to fostering fair competition and ensuring the efficient use of our telecommunications infrastructure. This determination underscores our proactive approach to addressing disputes and holding providers accountable for their responsibilities. Moving forward, we will continue to protect the interests of all stakeholders and promote transparency in our sector."*

Further investigation has confirmed that Flow did not comply with the direction to not modify current tower attachments in anyway. On the issue of non-compliance Myles further stated *"Flow's failure to comply with directions is concerning. We are therefore considering the extent of this non-compliance towards identifying appropriate next steps."*

On 24 February 2025, Flow provided confirmation that it was already working to comply with the requirements of the decision.

The full determination is located on URCO website at <https://www.ofreg.ky/consultations/ict-determination-2025-1-logic-flow-re-towers>

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ABOUT OFREG

The Utility Regulation and Competition Office ('URCO' or the 'Office') is the independent regulator established by section 4 of the Utility Regulation and Competition Act (as revised) (the 'URC Act') for the electricity, information, and communications technology, water, wastewater, and fuel sectors in the Cayman Islands.

URCO provides the opportunity for consistency and collaboration in regulation across the energy, fuel, ICT, and water sectors; better utilisation of skills and resources resulting in more efficient and effective regulatory processes; encouraging competition where appropriate and feasible; championing



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sustainability and innovation across markets, contributing to the economic and social goals of the Cayman Islands.

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