

To: Alric Lindsay

By email: alric.lindsay@gmail.com

29 January 2025

Re: Ombudsman Appeal file Lindsay 202400654; FOI/TBD

This is regarding your application to the Office of the Ombudsman to appeal the Utility Regulation and Competition Office (OfReg) decision to partially withhold access to records requested under the Freedom of Information Act (2021 Revision) (FOIA).

On 22 July 2024, you submitted a request to the Ministry of Planning, Agriculture, Housing, Infrastructure, Development and Transport (PAHITD) as follows:

“On July 8, 2024, Radio Cayman reported a loss or degradation of internet service for several customers.

Regarding this, please confirm:

- 1. Please confirm whether either of the two submarine cables experienced any damage whatsoever between January 2024 and the present date.*
- 2. If damage occurred, please specify the extent of the damage to each cable, including details on the location and nature of the damage.*
- 3. If damage occurred, what was the date of the damage to the submarine cable(s) identified and reported?*
- 4. If damage occurred, please disclose the dates when the repair work for the damaged submarine cable(s) was initiated and completed.*
- 5. If damage occurred, were any temporary solutions or alternative arrangements implemented to mitigate the impact of the damaged submarine cable(s) on internet service during the repair period?*
- 6. If damage occurred, what were the potential impacts on internet service, data transmission, and communication networks resulting from the damaged submarine cable(s)?*
- 7. If damage occurred, provide details on any disruptions or outages in internet connectivity experienced by users, businesses, or service providers as a result of the damaged submarine cable(s).*
- 8. If damage occurred, please disclose any measures taken to prevent similar incidents of damage to the submarine cable(s) in the future, including upgrades, maintenance schedules, or risk mitigation strategies.*

10. If damage occurred, please provide any relevant reports, documents, or communication related to the damage, repair, and impact assessment of the submarine cable(s) during the specified period.”

On the same day, the Ministry of PAHITD's Information Manager (IM) acknowledged receipt of the FOI request.

On 7 August 2024, the IM for the Ministry of PAHITD transferred the request to OfReg.

On 11 September 2024, you followed up on the request with OfReg, and on 13 September 2024, you requested an internal review due to a lack of response within the statutory timeframe for an initial decision.

On 16 September 2024, the OfReg IM acknowledged receipt of the request.

On 7 October 2024, the Interim CEO responded to the request; however, withheld information concerning #10 of your request citing sections 15(a) and 23(1) of the FOI Act as the basis for the decision.

On 14 October 2024, you submitted a request for an appeal to the Ombudsman.


On 22 October 2024, we accepted the appeal.

As part of our investigation process, on 25 October 2024, we requested unredacted copies of the records responsive to your request which were provided on 2 November 2024.

On 6 January 2025, we asked OfReg to conduct another review of the responsive records as we believed that further information could be disclosed to you.

On 25 January 2025, following our discussion with the IM, the records were reviewed and redactions applied which resulted in a disclosure of the records to you. On 28 January 2025, we advised that we believed OfReg appropriately disclosed the records and fulfilled their obligations under the FOI Act, and you agreed that we could proceed with closing this matter. As such, we have now closed this appeal.

Kind regards,



Shari Welcome

Analyst, Information Rights

cc: Daniel Lee, Information Manager, OfReg