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The Chairperson  
Mr. Paris Mashile  
Independent Communications Authority of South Africa  
164 Katherine Street  
Sandton

2 October 2009  
Our Ref: G019

E-mail: [Pmashile1@icasa.org.za](mailto:Pmashile1@icasa.org.za)

Dear Mr. Mashile

**RADIO INTERFERENCE EXPERIENCED BY SENTECH LIMITED IN RESPECT OF  
THE 2.6 GHz RADIO FREQUENCY SPECTRUM ASSIGNED TO SENTECH  
LIMITED**

- 1 We refer to the meeting which took place this morning between our Dingane Dube and your Thato Mahapa.
- 2 We confirm that over the last 3 (three) weeks, Sentech Limited ("**Sentech**") has increasingly experienced significant radio interference in the use of the 2.6 GHz band assigned to Sentech and used by it for the provision of its MyWireless product offering to its subscribers.
- 3 After having conducted its own preliminary tests to establish the source of the interference, Sentech established that Screamer Communications (Proprietary) Limited (formerly known as Global Web Intact (Proprietary) Limited) ("**Screamer**") is responsible for the interference. As the interference has been significant in the last 3 (three) weeks as is evidenced by the number of complaints received by Sentech over this period from its MyWireless subscribers, Sentech can only surmise that Screamer has recently commenced to provide WiMax services in those geographic areas where Sentech predominantly provides its subscribers with access to its MyWireless offering.
- 4 Screamer is not the holder of a radio frequency spectrum licence authorising it to use the 2.6 GHz radio frequency band. Neither is Screamer contractually or

Sentech Ltd. Reg no 1990/001791/06

Directors: Mr G Hickling (Chairperson) Dr L Konar Mr T P Leeuw Mr T Mashige Dr Y Muthien Ms N Sihlali Adv N Tshombe  
Dr S Mokone-Matabane (CEO) Mr M S Cassim (CFO) Ms B Ngwenya (COO)  
Company Secretary: Adv R N Ramokhufi (Acting)

otherwise authorised by Sentech to use the 2.6 GHz radio frequency spectrum assigned to Sentech. As such, Screamer's use of the 2.6 GHz radio frequency spectrum is unlawful and in contravention of the Electronic Communications Act 36 of 2005 ("ECA").

- 5 As Screamer's use of the Sentech assigned 2.6 GHz radio frequency spectrum is unlawful, we confirm that the Authority has undertaken to commence investigations in respect of the matter. Once its investigations have been completed, the Authority has indicated that it will then take all necessary steps available to it under the ECA and the related legislation to ensure that Screamer ceases its use of the Sentech assigned 2.6 GHz radio frequency spectrum.
- 6 You will no doubt appreciate that the interference is highly detrimental to Sentech's business both from the point of view of Sentech's clients (both current and future) and from the point of view of the internal communications that are currently being affected. It is extremely important that action is taken urgently to stop the unlawful conduct of Screamer. In this regard we would be most grateful if you could give us an indication as urgently as possible whether you believe that you will be in a position to act against Screamer within the next 2 (two) weeks. If your indication is that you will not be able to deal with the matter with that sort of urgency, Sentech may have to consider taking its own court action against Screamer in order to protect its position if only on an interim basis.
- 7 Should you require any additional documents or assistance from Sentech in respect of this matter, please do not hesitate to contact Dingane Dube of our offices on 011 691 7008. We would once again like to thank you for all your assistance in respect of this matter.

Yours sincerely

P.P.



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Mr. Dingane Dube

Executive: Legal & Regulatory

cc Thato Mahapa; [TMahapa@icasa.org.za](mailto:TMahapa@icasa.org.za)